

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-6586-2007**

OFFICE CONSOLIDATION

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

Bylaw	Amendment Type	Date of Approval
C-6586-2007	Original Bylaw	June 1, 2010
C-7303-2013	Amending Section 2.4.2.1	December 10, 2013
C-7610-2016	Amending Section 5.12.0	October 11, 2016
C-7808-2018	Amending Sections 4.1.0	January 28, 2020
C-8444-2023	Amending Section 2.4.2.2	October 31, 2023
C-8497-2024	Add Section 2.4.2.3	

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-4841-97 (The Land Use Bylaw).

WHEREAS the Council deems it desirable to amend the said Bylaw; and

WHEREAS the Council of the Municipal District of Rocky View No. 44 has received an application to amend Part 5, Land Use Map 69 of Bylaw C-4841-97 to redesignate Lot 1, Block 1, Plan 031 2312 and a portion of the N ½ Sec. 13, Twp. 26, Rge. 6, W5M from Ranch & Farm District to Direct Control District as shown on attached Schedule “A” and Schedule “B”; and

WHEREAS a notice was published on Tuesday, December 4, 2007 and Tuesday, December 11, 2007 in the Rocky View Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44, advising of the Public Hearing for Tuesday, January 15, 2008; and

WHEREAS Council held a Public Hearing and have given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

NOW THEREFORE the Council enacts the following:

1. That Part 5, Land Use Map No. 69 of Bylaw C-4841-97 be amended to redesignate Lot 1, Block 1, Plan 031 2312 and a portion of the N ½ Sec. 13, Twp. 26, Rge. 6, W5M from Ranch and Farm District to Direct Control District, as shown on the attached Schedule “A” and Schedule “B” attached hereto and forming part of the Bylaw; and
2. That a portion of the lands within Lot 1, Block 1, Plan 031 2312 and a portion of the N ½ Sec. 13, Twp. 26, Rge. 6, W5M are hereby redesignated to Direct Control District, as shown on Schedule “A” and Schedule “B” attached to and forming a part of this Bylaw; and

3. That the regulations of the Direct Control District comprise:

- 1.0.0 General Regulations
- 2.0.0 Land Use Regulations – Residential Area - Cell ‘A’
- 3.0.0 Land Use Regulations – Lake Access Area - Cell ‘B’
- 4.0.0 Subdivision Regulations
- 5.0.0 Development Regulations
- 6.0.0 Definitions
- 7.0.0 Implementation

1.0.0 GENERAL REGULATIONS

- 1.1.0 Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where noted otherwise in this Bylaw.
- 1.2.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.3.0 Notwithstanding Section 1.2.0, a *Dwelling, Single-detached* and *Accessory Buildings* are deemed approved without the requirement for a Development Permit when all other criteria of this Bylaw are met.
- 1.4.0 Council may, through a Development Agreement(s) required by any subdivision and/or development permit affecting these Lands, specify any regulation, criteria, or condition necessary to ensure all Subdivision and Development on the Lands conform to the development proposals and representations upon which this Bylaw is based, as determined by and to the satisfaction of the Council and its sole and unfettered discretion.

2.0.0 LAND USE REGULATIONS – RESIDENTIAL AREA - CELL ‘A’

2.1.0 Purpose and Intent

The purpose and intent is to provide for a comprehensively planned ‘recreation-based’ residential development with limited service and seasonal occupancy.

2.2.0 Uses

- 2.2.1 Accessory Buildings
- 2.2.2 Caretaker’s Residence
- 2.2.3 Communal Washroom & Shower Facilities
- 2.2.4 *Dwelling, Single-detached*
- 2.2.5 Local Convenience Store
- 2.2.6 Private Open Space
- 2.2.7 Public Park
- 2.2.8 Learning & Recreation Center
- 2.2.9 Sales Centre/Professional Office
- 2.2.10 Show Homes
- 2.2.11 Signs
- 2.2.12 Utility Infrastructure

2.3.0 Maximum Requirements

- 2.3.1 Maximum Number of Dwelling Units: 350
- 2.3.2 Maximum Number of Dwelling Units per titled area: 1
- 2.3.3 Maximum Number of Caretaker’s Residences: 1

- 2.3.4 Maximum Building Areas:
 - a) Dwelling, *Single-detached*:
Main Floor – 56 m² (603 ft²)
Total – 88 m² (950 ft²)
 - b) Caretaker’s Residence:
Main Floor – 139.4 m² (1,500 ft²)
Total – 278.7 m² (3,000 ft²)
 - c) Learning & Recreation Centre: 1393.5 m² (15,000 ft²)
 - d) Sales Centre/Professional Office (to be included as part of the Main Floor of the Caretaker’s Residence): 55.7 m² (600 ft²)
 - e) Local Convenience Store (to be included as part of the Main Floor of the Learning & Recreation Centre): 186 m² (2,002 ft²)
 - f) Accessory Buildings:
Main Floor – 37.2 m² (400 ft²)
Total – 60.4 m² (650 ft²)
- 2.3.5 Maximum Number of Accessory Buildings per titled area: 1
- 2.3.6 Maximum Building Height:
 - Accessory Buildings: 6 m (19.7 ft)
 - Caretaker’s Residence: 11 m (36 ft)
 - Dwelling, *Single detached*: 9 m (29.5 ft)
 - Recreation & Learning Center: 11 m (36 ft)
- 2.3.7 Maximum Site Coverage (all buildings): 35%

2.4.0 Minimum Yard Requirements

- 2.4.1 Front Yard: 2.4 m (7.87 ft.)
- 2.4.2 Side Yard: 2.4 m (7.87 ft.)
 - 2.4.2.1 Notwithstanding section 2.4.2, Unit 54, Plan 0914699 within N-13-26-6-W5M is permitted a minimum yard setback of 2.20 metres (7.22 feet), in order to allow an existing dwelling and garage to remain.
 - 2.4.2.2 Notwithstanding section 2.4.2, Unit 298, Plan 201 0713 within NE-13-26- 6W5M is permitted a minimum yard setback of 2.36 metres (7.74 feet), in order to allow an existing dwelling to remain.
 - 2.4.2.3 Notwithstanding section 2.4.2, Unit 149, Plan 111 1762 within NE-13-26-6-W5M is permitted a minimum yard setback of 0.51 metres (1.67 feet), in order to allow an existing garage to remain.
- 2.4.3 Rear Yard: 0.6 m (2.0 ft.) - when backing onto a common greenspace; 2.4 m (7.87 ft.) - all others

3.0.0 LAND USE REGULATIONS - LAKE ACCESS AREA - CELL ‘B’

- 3.1.0 The purpose and intent is to facilitate the site’s ongoing use for power generation and transmission infrastructure related to the Ghost River Reservoir, and to provide for a boat dock, boat launch, and a private road to facilitate access from the Residential Area to the Ghost Lake Reservoir.
- 3.2.0 Uses
 - 3.2.1 Boat Dock
 - 3.2.2 Boat Launch
 - 3.2.3 Private Open Space
 - 3.2.4 Signs
 - 3.2.5 Utility Infrastructure

4.0.0 SUBDIVISION REGULATIONS

- 4.1.0 As per Section 11.0 of the Cottage Club Ghost Lake Conceptual Scheme, all applications for phased subdivision approvals must be supported by the following technical documentation:
- a) A Construction Management Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality.
 - b) A Stormwater Management Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality and all relevant Federal & Provincial Authorities.
 - c) A Traffic Impact Analysis, prepared by a qualified professional, in a form and substance satisfactory to the Municipality and Alberta Transportation.
 - d) A Biophysical Impact Analysis, prepared by a qualified professional, in a form and substance satisfactory to the Municipality, to assess existing wildlife movements within the site, and recommend appropriate implementation measures to mitigate same.
 - e) An Emergency Response Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality, to assess appropriate emergency response levels as required by the development in consideration of the site's limited service and proximity to the Wildcat Hills Gas Plant.
 - f) A Landscaping Plan that details plantings and other related improvements proposed within the development, prepared by a qualified Landscaping Professional, in accordance with the Conceptual Scheme's Policy 7.7.1, in a form and substance satisfactory to the Municipality.
 - g) Confirmation of a treated water supply, to be licensed by the Province of Alberta, in a form and substance satisfactory to the Municipality.
 - h) Confirmation of a wastewater system, to be approved by the Province of Alberta, in a form and substance satisfactory to the Municipality.
 - i) Confirmation that the proposed Condominium Bylaws and Architectural Controls associated with this development ensure that all owners within the development are notified of the community's recreational occupancy restrictions as per Policies 9.1.3, 9.1.4 and 9.3.1 of the Cottage Club Ghost Lake Conceptual Scheme, in a form and substance satisfactory to the Municipality.
 - j) An outline of all recreational amenities planned within the site, that discusses the intended use and intended users of each amenity, with a detailed Site Plan illustrating the location and configuration of the amenities within the site, in a form and substance satisfactory to the Municipality.
- 4.2.0 Approval conditions may be imposed by the Subdivision Authority to facilitate the implementation of appropriate development considerations as per the technical documentation listed in Section 4.1.0, to the satisfaction of the Municipality.
- 4.3.0 As per Sections 7.6 & 11.0, and Policy 7.6.8 of the Cottage Club Ghost Lake Conceptual Scheme, the pedestrian connection to the Bow River must be resolved prior to the 3rd phase of subdivision proceeding, to the satisfaction of the Municipality.
- 4.4.0 Private Roads shall be designed and constructed to the satisfaction of the Municipality.

5.0.0 DEVELOPMENT REGULATIONS

- 5.1.0 The Development Authority may issue a Development Permit for Stripping and/or Grading within any portion of the development, provided the Municipality has endorsed a Construction Management Plan and a Stormwater Management Plan, as required by 4.1.0.
- 5.2.0 Subject to the terms of a Development Permit issued pursuant to 5.1.0, the Development Authority may approve crushing and processing of excavated materials on-site only for subsequent use of such materials within the development.
- 5.3.0 Approval from the Development Authority for any use contemplated by this Bylaw may be subject to approval from all relevant Federal and/or Provincial Authorities.
- 5.4.0 No occupancy of any *Dwelling, Single detached* shall occur until the construction of all required roads and utilities have been substantially completed to the satisfaction of the Municipality and Alberta Transportation.
- 5.5.0 The Development Authority may issue a Development Permit for up to five (5) Show Homes prior to the endorsement of a conditionally approved Plan of Subdivision. No occupancy of a Show Home shall occur until of all required roads and utilities have been substantially completed, and a Plan of Survey has been registered with Alberta Land Titles.
- 5.6.0 No outside storage shall be permitted within any parcel containing a *Dwelling, Single detached*.
- 5.7.0 Notwithstanding 5.6.0, the outside storage of a maximum of one (1) recreational vehicle and one (1) boat may be permitted within parcels containing *Dwellings, Single detached*, but only between April 1 and October 31.
- 5.8.0 Parking shall not be permitted abutting any road within the development.
- 5.9.0 Fencing shall not be permitted within any lot that contains a *Dwelling, Single detached*.
- 5.10.0 Construction of a wood, stone, or chain link fence, not greater than 1.8 m (6 ft.) in height, may be permitted within the common greenspace to enclose the development, to provide security for utility infrastructure, and to provide screening associated with recreational facilities.
- 5.11.0 The total area of any deck shall not exceed 37 m² (400 ft²) and may be attached and/or detached from a *Dwelling, Single detached*. The maximum height of a deck (not including railings) shall not exceed the height of the *Dwelling, Single detached* Main Floor elevation.
- 5.12.0 Notwithstanding 5.11.0, an additional deck incidental to a Loft Area of a *Dwelling, Single detached* may be permitted, provided it does not exceed 3.7 m² (40 ft²). The maximum height of this deck (not including railings) shall not exceed the maximum height of the *Dwelling, Single detached* Loft Area Floor elevation.
- a) excepting UNIT 148, Plan 1111762, which may retain the two existing upper decks; each approximately 40.00 sq. ft. in area.
- 5.13.0 In all cases, a deck may be covered, but shall not be enclosed, and shall not encroach into any required yard setback.
- 5.14.0 *Accessory Buildings* shall not be attached to any *Dwelling, Single detached*, and construction of carports, breezeways, lean-tos, and/or any other similar structure between a *Dwelling, Single detached* and an *Accessory Building* shall not be permitted.

6.0.0 DEFINITIONS - ALL USES NOT OTHERWISE HEREIN DESCRIBED HAVE THE SAME MEANING TO THE USES DEFINED IN THE LAND USE BYLAW C-4841-97.

- 6.1.0 “*Boat Dock*” - means a structure, attached to and forming part of the mainland, for the temporary mooring of water craft and does not include overnight moorage;
- 6.2.0 “*Boat Launch*” - means a ramp that extends from the mainland into a water body, the purpose of which is to facilitate the placement and removal of water craft;
- 6.3.0 “*Caretaker’s Residence*” - means a *Dwelling, Single detached* which may be used as a permanent residence by a caretaker who provides year-round security and a professional office to facilitate site management activities related to the premises;
- 6.4.0 “*Communal Washroom & Shower Facilities*” - means a private facility which is commonly owned or reserved for residents within the development that includes communal washroom and shower facilities;
- 6.5.0 “*Community Sign*” - means a sign displaying the name of the community;
- 6.6.0 “*Construction Management Plan*” - means a program that details site management of all construction activity that may include, but is not limited to, the management of construction debris and dust, stormwater, site erosion, sedimentation control, noise control, traffic control and groundwater monitoring;
- 6.7.0 “*Local Convenience Store*” - means an establishment supplying groceries and other daily household necessities to the residents of the development;
- 6.8.0 “*Private Open Space*” - means improvement of land specifically designed or reserved for residents of the development for active or passive recreational use and includes all commonly-owned natural and man-made landscaping, parking areas, playing fields, maintenance facilities, garbage storage, recycling facilities and other related structures;
- 6.9.0 “*Recreation & Learning Center*” - means a private facility which is commonly owned or reserved for residents within the development that may include meeting rooms, parking facilities, a swimming pool with related change rooms & shower facilities, patios, laundry facilities and a local convenience store for community, social, educational and recreational purposes;
- 6.10.0 “*Recreation Vehicle*” - means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational occupancy;
- 6.11.0 “*Recreational Occupancy*” – means human habitation that occurs primarily between April 1 and October 31 of the calendaryear, and only on random and discontinuous occasions outside of these dates, subsequent to a deliberate mix of public and private regulatory mechanisms that restrict the availability of basic utilities, amenities and services and restrict the maximum area of residential building footprints & ancillary structures;
- 6.11.0 “*Qualified Landscaping Professional*” - means a professional landscape architect licensed to practice within the Province of Alberta who is a member in good standing with the Alberta Association of Landscape Architects (AALA);
- 6.12.0 “*Sales Centre/Professional Office*” - means a portion of the *Caretaker’s Residence* to be used for activities related to the initial marketing and sale of *Dwellings, Single detached* within the development and for ongoing site management activities related to the premises once the site has been built-out;

- 6.13.0 *“Substantially Completed”* - means Construction Completion Certificates have been issued by the Municipality;
- 6.14.0 *“Utility Infrastructure”* - means public and/or privately-owned communal water treatment & distribution systems, communal wastewater systems, natural gas, electricity, cable and telephone transmission lines (and related facilities), solid waste collection and recycling, and general maintenance facilities related to on-site development.

7.0.0 IMPLEMENTATION

7.1.0 This bylaw comes into effect upon the date of its third and final reading.

Division: 9
File: 10013010/002/001 2006-RV-183

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, November 27, 2007, on a motion by Councillor McLean.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, January 15, 2007, on a motion by Councillor McLean.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on _____, on a motion by Councillor _____.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY