

**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 of the following Bylaw's.

<b>Bylaw</b>	<b>Amendment Type</b>	<b>Date of Approval</b>
C-6234-2006	Original Bylaw	April 25, 2006
	Adoption by Council Resolution of a Comprehensive Landscape Strategy and Master Site Development Plans For Cell A-1 and Cell A-2 (Note: Master Site Development Plans are adopted in accordance with Section 1.1.7.0 of this Bylaw).	April 25, 2006
	Adoption by Council to include the Master Site Development Plan dated January 10, 2008 for Cell C as the policy framework for future subdivision and development within the Cell.	February 5, 2008
	Council adopted the Ham West Industrial Park Master Site Development Plan, as amended, dated June 23, 2008 for Cell B as the framework for future subdivision and development within the Cell. And, to include the adopted Master Site Development Plan as an appendix to Bylaw C-6234-2006.	July 22, 2008
	Cell B – Post-Secondary Education & Commercial Cell. Cell D – Highway 566 Commercial Cell. Changes to Section 3 and Section 5. Changes in general, renumbering sections and reordering metric and imperial units.	March 3, 2009
C-6941-2010	Amendments to Schedule "A" and "B" to exclude Lot 8, Block 3, Plan 0912138 to update text and align the Cells with the developed road pattern.	July 20, 2010
C-7125-2012	Amendment to Schedule "B" to show a change in configuration of Sub-Cell A-3. Amendment to section 2.1.2 to correct the Maximum Building Footprints in Sub-Cell A-3, A-4 and A-5. Adoption by Council of a Master Site Development Plan dated March 8, 2012 for Sub-Cell A-3 as the policy framework for future subdivision and Development within the Sub-Cell.	March 26, 2012
C-7136-2012	Amendment to uses listed in Section 3.2.0 for Cell B	April 24, 2012
C-7257-2013	Amendment to Section 3.2.0 within Cell B	May 28, 2013

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- Amendments to broken Appendix links. Amendment to packaging of Appendix A May 17, 2018
- C-7984-2019 Amendments to include Sub Cells A-6 and A-7. May 26, 2020

## DIRECT CONTROL BYLAW REGULATIONS

The special regulations of the Direct Control District comprise:

- 1.0.0 General Regulations
- 2.0.0 Land Use Regulations – Cell A - Super-regional Shopping Centre & Racing Entertainment Centre
- 3.0.0 Land Use Regulations – Cell B - Post-Secondary Education & Commercial
- 4.0.0 Land Use Regulations – Cell C - Nose Creek Conservation
- 5.0.0 Land Use Regulations – Cell D - Highway 566 Commercial
- 6.0.0 Development Regulations
- 7.0.0 Definitions
- 8.0.0 Repeal

### 1.0.0 GENERAL REGULATIONS

- 1.1.0 For the purposes of this Bylaw, the Lands shall be notionally divided into Development Cells and Sub-Cells, the boundaries and descriptions of which shall be more or less as indicated in Schedule “A” & “B,” attached to and forming part of this Bylaw, except otherwise approved by Council. The size and shape of each Development Cell and Sub-cell is approximate and will be more precisely determined by a Master Site Development Plan or a Tentative Plan of Subdivision, in form and substance satisfactory to the County.
- 1.2.0 The General Regulations contained within this Section are applicable to all the Lands in Development Area which includes all Development Cells.
- 1.3.0 The Definitions (Part One - Section 8), General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this Bylaw.
- 1.4.0 All policies of the Balzac East Area Structure Plan, shall apply unless otherwise specified in this Bylaw.
- 1.5.0 All requirements of Balzac East Area Structure Plan shall apply, and where applicable, shall be submitted concurrently with any applications for subdivision and/or Development Permit, to the satisfaction of the County.
- 1.6.0 Except where specifically noted that Council approval is required, the Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw, provided the provisions of all Sections contained herein are completed in form and substance.
- 1.7.0 All uses in all Development Cells, including the expansion of uses, shall require a Development Permit, unless otherwise specified in this Bylaw.
- 1.8.0 The following may be considered in the Development Cells described in Sections 2.0.0, 3.0.0, 5.0.0, of this Bylaw:
  - a) Roads necessary (including road rights of way, and areas for intersectional improvements) for access and internal vehicular circulation;
  - b) Deep and shallow utility distribution and collection systems and facilities;

- c) Stormwater facilities;
  - d) Reserve and public utility lots.
- 1.9.0 Development Permit(s) for initial Stripping and Grading of the Lands either comprehensively, or in accordance with the individual Development Cells, will be issued by Council in accordance with the provisions of this Bylaw.
- 1.10.0 Council or the Development Authority will, through Development Agreement(s) required by this Bylaw, specify any development regulation, criteria or condition necessary to ensure all development and/or subdivision on the Lands conforms to the technical requirements of the County, based on the development proposals and representations made by the Developer, upon which this Bylaw is based, and as determined by and to the satisfaction of the Council or the Development Authority at its sole and unfettered discretion.
- 1.11.0 The policies of Calgary International Airport Vicinity Protection Area Regulation (Alberta Regulation 318/1979), as amended, shall apply to all construction and development on the Lands subject to this Bylaw.
- 1.12.0 Through agreements with the County, either the Developer, a Lot Owners' Association, or a third party utility service provider acceptable to the County will be responsible for:
- (1) Operation and maintenance of all stormwater management infrastructure required for the development area;
  - (2) Operation and maintenance of all private roads, parking areas and driveways;
  - (3) Landscaping and maintenance of public parks, linear pathways and open spaces within the Lands subject to this Bylaw.
- 1.13.0 Any Municipal requirements for on-site Infrastructure Rights of Way shall be negotiated by the Developer in good faith to ensure prompt and efficient delivery of Infrastructure Service as required by the County.
- 1.14.0 Subdivision in order to create Public Utility Lots and to create parcels associated with the areas of the Development Cells or Sub-Cells, as notionally described in Schedules "A" & "B", may be permitted by the Subdivision Authority. Additional Sub-cells may be added to Cell A, and the mapping changes made to Schedule "B", by amending this Bylaw.
- 1.15.0 Development Cells "A" and "D", as shown on Schedule "A" of this Bylaw, shall be considered individual Business Parks for the purpose of interpreting regulations contained in Section 4.4.3 d. Landscaping, of the Balzac East Area Structure Plan. Cells "A" and "D" may include a proportionate share of the qualifying Lands within Cell "C", as contributing to the overall landscaping requirements of the Balzac East Area Structure Plan.
- 1.16.0 There can be more than one Principal Use or Building on a Parcel.
- 1.17.0 This Bylaw requires that a Master Site Development Plan be prepared for each Cell and Sub-Cell. The Plan will be adopted by resolution of Council prior to the submission of a multi-lot subdivision or development permit application. No application to amend this Bylaw will be required prior to Council adoption of a Master Site Development Plan. Once adopted, the Plan will be attached to this Bylaw. The preparation of a Master Site Development Plan is not required for a subdivision application to create parcels associated with the areas of the Cells and/or Sub-Cells.

1.18.0 Neither preparation of a Master Site Development Plan, nor payment of Levy Charges for Water and Wastewater Services, are required as part of a Development Permit application for Temporary Construction Facilities or Development Permit application for other small scale building(s), as determined by the County.

## 2.0.0 LAND USE REGULATIONS – Cell A – Super-regional Shopping Centre and Racing Entertainment Centre

Cell A comprises the majority of the Development Area. It lies to the east of Queen Elizabeth II Highway, north and adjacent to Township Road 261, as shown in Schedule 'A'. It comprises approximately 166 hectares (410 acres).

### a) Purpose and Intent

The purpose and intent of this Development Cell is to provide for the development of a comprehensively designed and integrated retail/entertainment complex. The principal uses proposed for Cell A include a Super-regional Shopping Centre, and a Racing Entertainment Centre (REC). Development in the Cell will include 7 Sub-Cells.

Sub-Cell A-1 and A-6 comprise the Racing Entertainment Center which includes a Horse Racing Track with accompanying service, entertainment and gaming uses. Sub-Cell A-2 comprises the Super-regional Shopping Centre.

Sub-Cell A-1, A-2, and A-6 will be fully integrated with each other and will provide for the movement of pedestrian and vehicular traffic between each principal use through the development of a "link" or other means of integration, which shall be detailed in the Master Site Development Plan for the Super-regional Shopping Centre and the REC.

Sub-Cell A-3, A-4, A-5, and A-7 development comprises the "out parcel" development, and will consist of commercial/retail/service/hospitality/office uses that are complementary to the principal uses within Cell A. Development of Sub-Cell A-3, A-4, A-5 and A-7 lands shall be comprehensively designed and shall complement and integrate with the principal uses of Cell A providing high quality landscaping treatment and a pedestrian network throughout the Development Cell and wider Development Area, in order to present a campus-like development in each of the Sub-Cell A-3, A-4, A-5, and A-7 areas.

### b) Uses

#### (1) Sub-Cell A-1 and A-6: Racing Entertainment Centre

- Overall Development Permit for structures to be issued by Council. Subsequent Development permits to be issued by the Development Authority.
- Uses occupying leasable space within the structure of the REC will not require an individual Development Permit, with the exception of Uses requiring exterior signage or having direct exterior customer access.

#### (2) Sub-Cell A-2: Super-Regional Shopping Centre

- Overall Development Permit for structures to be issued by Council. Subsequent Development permits to be issued by the Development Authority.

- Uses occupying leasable space within the structure of the Super-regional Shopping Centre will not require an individual Development Permit, with the exception of Uses requiring exterior signage or having direct exterior customer access.

(3) Sub-Cell A-3, A-4 & A-5: Out Parcel Development

- a) Accessory Buildings
- b) Accessory Uses
- c) Agricultural Tourism Uses
- d) Athletic and Recreation Facilities
- e) Automobile Rental Store
- f) Banks or Financial Institutions (may include drive through window)
- g) Boat Storage
- h) Brew-pub
- i) Child Care Facilities
- j) Drinking Establishment
- k) General Agriculture
- l) General Industry Type 1
- m) Grocery stores
- n) Health Care Services
- o) Hotels, Motels
- p) Laboratories
- q) Liquor sales
- r) Offices
- s) Personal Service Businesses
- t) Private Clubs
- u) Public or Quasi-Public Buildings
- v) Religious Assembly
- w) Restaurants (may include drive through window)
- x) Retail Food Store
- y) Retail Stores
- z) Schools Private
- aa) Seasonal Sales of Vegetation
- bb) Service Stations (may include car-wash)
- cc) Shopping Centre
- dd) Signs
- ee) Temporary Construction Facility

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- ff) Tourist Information and Services
  - gg) Veterinary Clinic
- (4) The following uses are allowed on Lot 6, Block 1, Plan 1510038
- a) Accessory Buildings;
  - b) Accessory Uses;
  - c) Agriculture and Tourism Uses;
  - d) Amusement and Entertainment Services
  - e) Athletic and Recreation Facilities;
  - f) Automobile Rental Store;
  - g) Automotive Services;
  - h) Banks or Financial Institutions (may include drive through window);
  - i) Brew-pub;
  - j) Cannabis Retail Store;
  - k) Carwash;
  - l) Commercial Business;
  - m) Convenience Store;
  - n) Dealership/Rental Agency Automotive;
  - o) Drinking Establishment;
  - p) Grocery Stores;
  - q) Health Care Services;
  - r) Hotels
  - s) Indoor Participant Recreation Services;
  - t) Liquor Sales;
  - u) Motels;
  - v) Offices;
  - w) Outdoor Café
  - x) Personal Services Businesses;
  - y) Private Clubs and Organizations;
  - z) Public or Quasi-Public Buildings;
  - aa) Restaurant (may include drive through window);
  - bb) Retail Food Store;
  - cc) Retail Stores, Local;
  - dd) Retail Store, Regional;
  - ee) Service Station (may include car-wash);
  - ff) Shopping Centre, Local;

- gg) Shopping Centre, Regional;
- hh) Signs;
- ii) Tourist Information and Services;
- jj) Veterinary Clinic;

## 2.1.0 Maximum Limits

### 2.1.1 Maximum Height of Buildings

- a) Grandstand - 26 m (85 ft)
- b) Hotel - 46 m (150 ft) – to be measured from lobby floor elevation of Hotel facility.
- c) Super-regional Shopping Centre – 20 m (66 ft)
- d) All other buildings – 15 m (49 ft)
- f) Accessory Buildings: 5 m (16.5 ft)

### 2.1.2 Maximum Building Footprint for Retail Stores:

Maximum Building Footprints do not apply to Sub-cells A-1, A-2, and A-6.

- a) 15,000 m<sup>2</sup> (161,459 ft<sup>2</sup>) in Sub-cell A-3 and A-4.
- b) 7,500 m<sup>2</sup> (80,729 ft<sup>2</sup>) in Sub-cell A-5.
- c) 7,500 m<sup>2</sup> (80,729 ft<sup>2</sup>) in any additional Sub-cell.
- d) 7,500 m<sup>2</sup> (80,729 ft<sup>2</sup>) in Sub-cell A-7
- e) Maximum Building Footprints for Retail Stores in any Sub-cell may be revised by Council through an amendment to this Bylaw providing the Purpose and Intent of the Sub-cell are met.

2.1.3 Number of freestanding signs per lot: To be determined through a Master Site Development Plan.

2.1.4 Number of accessory buildings per lot: To be determined through a Master Site Development Plan.

2.1.5 Setbacks for Buildings - All Maximum and Minimum setbacks are to be in accordance with a Master Site Development Plan, to the satisfaction of the County.

2.1.6 For the purpose of determining height in this Bylaw, architectural features such as towers or peaks which are proposed to reduce the perceived mass of the building or to add architectural interest, or to screen elevator shafts and HVAC enclosures, which in total represent less than 20% of the roof area, shall be excluded from the calculation of the Height of Building.

## 2.2.0 Subdivision Regulations

2.2.1 Subdivision of Cell A is contemplated to provide titled parcels corresponding to each of the Sub-Cells as notionally illustrated on Schedule "B". Note: the final configuration and size of each of the Sub-Cells shall be determined by Plan of Survey.



- 2.2.2 The final Plan of Survey for Sub-Cells A-1, -2, and A-6 shall include the delineation of the ownership boundaries of the “link” between the two principal uses in Cell A, and shall provide opportunity for creation of a parcel occupying air-space above a Municipal Road.
- 2.2.3 Prior to further subdivision of the Sub-Cell A-3, A-4, A-5, and A-6 lands into titled lots a Master Site Development Plan for that Sub-Cell must be in place. In addition to the matters noted in 2.3.4, The Master Site Development Plan shall comprehensively illustrate the proposed lots and roads within the Sub-Cell and provide details regarding the overall integration of the Sub-Cell with the area governed by this Bylaw and adjacent lands.
- 2.2.4 Parcel sizes for Sub-Cell A-3, A-4, A-5, and A-6 lots anticipated in 2.2.3 above shall be in accordance with the Master Site Development Plan.
- 2.3.0 Special Regulations
- 2.3.1 Notwithstanding Section 30 – Parking and Loading and Schedule 5 – Parking, Schedule 6 – Loading, of the Land Use Bylaw (C-4841-97), Parking and Loading requirements regarding the number of stalls required for each Cell and/or Sub-Cell shall be based on Parking and Loading Needs Assessment. Once this information is accepted by the County, it will be used to produce a Parking Lot Landscaping, Design and Traffic Management Plan. The Plan is to provide an integrated approach to the design of the parking facilities, the landscape and pedestrian systems, and identifies the traffic accommodation and flow for the internal development area, to the satisfaction of the County. The Plan is to be prepared by a team made up of a Professional Transportation Engineer and a Professional Landscape Architect, and is to be submitted to the County for review along with the Development Permit application for structures associated with the principal use for each Cell and/or Sub-Cell.
- 2.3.2 For the purpose of interpreting regulations contained in Section 4.4.3 d. Landscaping, of the Balzac East Area Structure Plan, the area contained within the oval of the horse racing track shall not be considered as part of the total Cell area, nor as contributing to calculations of the areas required for landscaping treatment.
- 2.3.4 Prior to the first Development Permit application for structures in any of the Sub-Cells, a Master Site Development Plan must approved by Council. The Master Site Development Plan is to include Comprehensive Subdivision Design or development configuration, along with comprehensive and Detailed Physical Design, Landscaping and Architectural Standards. To the satisfaction of the County, the standards are to ensure:
- The complex integrates with the landscape, and the design seeks to mitigate the large scale of the development on the landscape;
  - The appearance of parking areas from adjacent Highways is enhanced, and that the expansive appearance of parking areas is limited by breaking up their surface coverage with significant areas of landscaping, pedestrian pathways, sidewalks, and boulevards, stormwater management facilities, and/or other features.

- Pedestrian movement throughout the development area is facilitated and encouraged through a well developed network of sidewalks, pathways and public gathering areas. Pedestrian movement systems are to be an integral part of the overall development concept.
- Development in all Sub-cells is sensitive to and integrates with adjacent development.

2.3.5 At the Development Permit Stage, an application for “Boat Storage” is required to meet the following criteria:

- The site must be adequately fenced and/or screened to the satisfaction of the County.

### **3.0.0 LAND USE REGULATIONS – Cell B - Post-Secondary Education & Commercial Cell**

Cell B comprises the area located in the eastern portion of the Development Area, adjacent to Range Road 293, as shown in Schedule ‘B’, comprising approximately 23 hectares (57 acres).

#### **3.1.0 Purpose and Intent**

The purpose of Cell B is to provide for the development of an educational campus associated with a post secondary institution and the potential for additional commercial uses which service the local and regional area.

#### **3.2.0 Uses**

- a) Agriculture, General
- b) Agricultural Tourism Facilities
- c) Accessory Buildings
- d) Accessory Uses
- e) Accommodation and Convention Services
- f) Bank or a Financial Institution (may include drive through window)
- g) Dealership/Rental Agency, Automotive
- h) Dealership/Rental Agency, Implement and Equipment
- i) Dealership/Rental Agency, Recreational Vehicle
- j) General Agriculture
- k) General Industry Type I
- l) General Industry Type II
- m) Indoor Participant Recreation Services
- n) Offices
- o) Outdoor Participant Recreation Services
- p) Outdoor Storage, Recreational Vehicle (accessory to Dealership/Rental Agency)
- q) Personal Service Business

- r) Public Park
- s) Public or Semi-Public Building
- t) Post-Secondary University or College
- u) Religious Assembly
- v) Restaurant (may include drive through window)
- w) Retail Store, Local
- x) Retail Store, Regional
- y) Seasonal Sales of Vegetation
- z) Schools – Public, Private & Separate
- aa) Signs
- bb) Veterinary Clinic
- cc) Warehouse Stores

**3.3.0 Maximum and Minimum Limits**

**3.3.1 Height of Buildings:**

- a) Principal building: 15.25 m (50 ft)
- b) Accessory Buildings: 5 m (16.5 ft)

**3.3.2 Building Coverage:**

Total coverage for Principal and Accessory Buildings: 45% of the lot.

**3.3.3 Number of freestanding signs per lot: To be determined through a Master Site Development Plan.**

**3.3.4 Number of accessory buildings per lot: To be determined through a Master Site Development Plan.**

**3.3.5 Minimum Lot Size: Minimum Lot Size: 0.405 ha (1.00 acre)**

**3.3.6 Setbacks for Buildings - All Maximum and Minimum setbacks are to be in accordance with a Master Site Development Plan, to the satisfaction of the County.**

**3.4.0 Special Regulations**

- a) All building on lots which face and/or abut Range Road 293 and Township Road 261 shall be treated as front yards. No activities creating heavy truck movements will be allowed to be located on building facades facing toward either of these roadways.
- b) On sites abutting Range Road 293, and Township Road 261, the major customer entrance to the building should be facing Range Road 293 or Township Road 261.
- c) Prior to the first Development Permit application for structures in this Cell, a Master Site Development Plan must be approved by Council. The Master Site Development Plan is to include a Comprehensive Subdivision Design or development configuration, along with comprehensive and detailed Physical Design, Landscaping and Architectural Standards. To the satisfaction of the County, the standards are to ensure:

- Development is sensitive to the interface with adjacent Land Uses and Roadways;
- Pedestrian movement throughout the development area is facilitated and encouraged through a well developed network of sidewalks, pathways and public gathering areas. Pedestrian movement systems are to be treated with the same importance as vehicular movement systems internal the development area;
- The appearance of parking areas is enhanced and that the expanse of parking areas is limited by breaking up their surface coverage with significant areas of landscaping, pedestrian pathways, sidewalks, boulevards, and stormwater management facilities, and/or other features.

#### **4.0.0 LAND USE REGULATIONS – Cell C - Nose Creek Conservation Cell**

Cell C comprises the area located in the north-westerly corner of the Development Area, as shown in Schedule 'A', comprising approximately 29 hectares (72 ac).

##### **4.1.0 Purpose and Intent**

The purpose and intent of this Cell is: to provide for protection of ecological function of the Nose Creek and the sensitive riparian area adjacent to Nose Creek; to protect the waters of the Creek from pollution associated with adjacent land uses; and to provide for a regional public park and pathway system. Lands within this Cell are considered suitable for designation as either Environmental Reserve or Municipal Reserve.

##### **4.2.0 Uses**

- a) General Agriculture
- b) Public park
- c) Gate-way feature consistent with the purpose and intent of this Cell
- d) Temporary Sign
- e) Constructed wetland for the purpose of stormwater management

##### **4.3.0 Special Regulation**

The westerly boundary of this Cell is bounded by the right of way of the Queen Elizabeth II Highway. The easterly boundary of this Cell will be 20 meters from the top of the eastern most banks of the Creek, and include all areas identified as part of the floodway of the Creek. Greater setbacks may be required by other agencies having jurisdiction.

#### **5.0.0 LAND USE REGULATIONS –Cell D - Highway 566 Commercial Cell**

Cell D comprises the area located south of Highway 566, and east of the Nose Creek Conservation Cell, as shown in Schedule 'A'. This Cell comprises approximately 50 hectares (124 ac).

##### **5.1.0 Purpose and Intent**

The purpose and intent of this Cell is to provide for the development of a range of business and commercial uses recognizing the need to be sensitive to Highway

2, Highway 566, the realigned East Service Road, and adjacent residential land uses. Development in this Cell shall also demonstrate a high standard of building design and landscaping to enhance the appearance of the development from the residential lands to the northeast, from Highway 566, and from the Queen Elizabeth II Highway Corridor.

Development of these Lands will accommodate a shopping and office village, which contains a mix of office, retail and service-commercial and hospitality uses. Development shall be comprehensively planned, shall demonstrate a wide variety of building types and scale, with a comprehensive pedestrian network that encourages pedestrian movement, and usable open space is provided with high-quality landscaping.

5.2.0 Uses

- a) Agriculture, General
- b) Accessory Buildings
- c) Accessory Uses
- d) Agricultural-tourism Facilities
- e) Athletic and Recreation Facilities
- f) Banks or Financial Institutions (may include drive through window)
- g) Brew-pub
- h) General Industry Type 1
- i) Child Care Facilities
- j) Drinking Establishment
- k) Grocery Store
- l) Health Care Services
- m) Hotels, Motels
- n) Laboratories
- o) Liquor Sales
- p) Offices
- q) Personal Services Businesses
- r) Public or Quasi-Public Buildings
- s) Religious Assembly
- t) Private Clubs
- u) Restaurants (may include drive through window)
- v) Retail Food Stores
- w) Retail Stores
- x) Schools – Public or Separate
- y) Schools – Private

- z) Seasonal Sales of Vegetation
- aa) Service Stations (may include carwash)
- bb) Shopping Centre
- cc) Signs
- dd) Temporary Construction Facilities
- ee) Tourist Information and Services
- ff) Utilities
- gg) Veterinary Clinics

5.3.0 Maximum Limits

5.3.1 Height of Buildings:

- a) Principal building: 14 m (46 ft)
- b) Accessory Buildings: 5 m (16.5 ft)
- c) Hotel/Motel: 46 m (150 ft)

5.3.2 Maximum Building Footprint for Retail Stores:

- a) 16,260 m<sup>2</sup> (175,000 ft<sup>2</sup>) (for sites west of the realigned RR 294)
- b) 5,110 m<sup>2</sup> (55,000 ft<sup>2</sup>) (for sites east of the realigned RR 294)
- c) Notwithstanding Section 5.3.2 b), one site east of the realigned RR 294 may be developed with a maximum building footprint of 16,260 m<sup>2</sup> (175,000 ft<sup>2</sup>)
- d) Master Site Development Plans, prepared to the satisfaction of the Municipality County, may provide opportunity for Buildings to be attached, resulting in higher combined building footprints.
- e) Maximum Building Footprints for Retail Stores may be revised by Council through an amendment to this Bylaw providing the Purpose and Intent of this Cell are met.

5.3.3 Number of freestanding signs per lot: To be determined through a Master Site Development Plan.

5.3.4 Number of accessory buildings per lot: To be determined through a Master Site Development Plan.

5.3.5 Setbacks for Buildings - All Maximum and Minimum setbacks are to be in accordance with a Master Site Development Plan, to the satisfaction of the County.

5.3.6 For the purpose of determining height in this Bylaw, architectural features such as towers or peaks which are proposed to reduce the perceived mass of the building or to add architectural interest, or to screen elevator shafts and HVAC enclosures, which in total represent less than 20% of the roof area, shall be excluded from the calculation of the Height of Building.

5.4.0 Subdivision Regulations

5.4.1 Cell D may be divided into Sub-cells without an amendment to this plan, and prior to the preparation of a Master Site Development Plan. A Master

Site Development Plan for the Cell or Sub-cell must be in place prior to further subdivision of the Cell or Sub-cell into titled lots. In addition to the matters noted in 5.5.0, The Master Site Development Plan shall have comprehensively illustrated the proposed lots and roads within the Cell or Sub-Cell and have provided details regarding the overall integration of the Sub-Cell with the area governed by this Bylaw and adjacent lands.

5.4.2 Parcel sizes for Cell lots anticipated in 5.4.1 above shall be in accordance with the Master Site Development Plan.

#### 5.5.0 Special Regulations

- a) Building elevations which front on and/or face Highway 566, and the Queen Elizabeth II Highway, shall be treated as front yards. Activities creating heavy truck movements are strongly discouraged from facing toward Highway 566 or the Queen Elizabeth II Highway. Loading facilities are encouraged to be located on the sides of buildings.
- b) On sites abutting Highway 566 and/or Range Road 293 and Range Road 294, direct customer access is strongly encouraged from the pedestrian walkways adjacent the roads (major or minor). If this is not possible, a customer entrance to the building should be located on the side of the building, and be clearly visible from these roads and their adjacent pedestrian walkways. These provisions are to provide for customer, and pedestrian connectivity through out the development area, and to encourage activity on sides of buildings other than those with the primary customer entrance.
- c) Buildings on sites abutting Highway 566 and/or Range Road 293 and Range Road 294, and facing the Queen Elizabeth II Highway are to incorporate design elements that will enhance the appearance of all facades of the building.
- d) In determining Maximum setback for Buildings abutting Highway 566 and Range Road 293 and Range Road 294, the prime consideration shall be to provide for the majority of parking to be located on the opposite side of the building from the major road.
- e) Notwithstanding Section 30 – Parking and Loading and Schedule 5 – Parking, Schedule 6 – Loading, of the Land Use Bylaw (C-4841-97), Parking and Loading requirements regarding the number of stalls required for each Cell and/or Sub-Cell shall be based on Parking and Loading Needs Assessment. Once this information is accepted by the County, it will be used to produce a Parking Lot Landscaping, Design and Traffic Management Plan. The Plan is to provide an integrated approach to the design of the parking facilities, the landscape and pedestrian systems, and identifies the traffic accommodation and flow for the internal development area, to the satisfaction of the County. The Plan is to be prepared by a team made up of a Professional Transportation Engineer and a Professional Landscape Architect, and is to be submitted to the County for review along with the Development Permit application for structures associated with the principal use for each Cell and/or Sub-Cell.
- f) Prior to the first Development Permit application for structures in this Cell, a Master Site Development Plan must be approved by Council. In addition to the matters noted in Section 5.5.0 above, the Master Site Development Plan

is to include a Comprehensive Subdivision Design or development configuration, along with comprehensive and detailed Physical Design, Landscaping and Architectural Standards. To the satisfaction of the County, the standards are to ensure:

- Development is sensitive to the interface with adjacent Land Uses and Roadways;
- Pedestrian movement throughout the development area is facilitated and encouraged through a well developed network of sidewalks, pathways and public gathering areas. Pedestrian movement systems are to be treated with the same importance as vehicular movement systems internal to the development area;
- The appearance of parking areas is enhanced and that the expanse of parking areas is limited by breaking up their surface coverage with significant areas of landscaping, pedestrian pathways, sidewalks, boulevards, and stormwater management facilities, and/or other features.

#### **6.0.0 DEVELOPMENT REGULATIONS**

- 6.1.0 No development of the Lands shall be permitted without, and until the Developer has prepared and submitted a detailed Storm Water Management Plan, prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta, in consultation with the Nose Creek Partnership, and in form and substance satisfactory to the County. Stormwater Management Plans are to follow best practices of Low Impact Development to reduce the area of the site covered by impervious surfaces, and encourage stormwater infiltration.
- 6.2.0 No development of the site shall occur until the requirements the Alberta Historical Resources Act have been satisfied.
- 6.3.0 The water supply and distribution system required to service any of the Development Cells shall be via a piped system constructed, licensed and permitted by Alberta Environment.
- 6.4.0 Wastewater shall be treated via connection to a licensed wastewater treatment facility. The County shall not approve any application for any development of structures (except for initial stripping and grading of the site), until an agreement to connect to a licensed wastewater treatment facility has been established with the Developer.
- 6.5.0 Levy charges for connection to Water and Wastewater Services are to be paid prior to issuance of any Development Permit for structures, or concurrent with entering into a Development Agreement.
- 6.6.0 Levy charges associated with the Transportation Offsite Levy Bylaw C-5870-2004, as amended, and Section 648 of the Municipal Government Act, are to be paid, as required, prior to issuance of any Development Permit for structures, or concurrent with entering into a Development Agreement.
- 6.7.0 Where a fire pump and hydrant system is proposed for firefighting, a Building Permit must be obtained for the installation of the fire-suppression system for the development area, prior to entering into a Development Agreement with the County. The fire suppression system must be designed to provide continuous



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coverage, with all requirements of the Alberta Building Code met, and engineering drawings must be stamped by the engineer.

- 6.8.0 Occupancy Certificates may only be issued for Development on the site once connections have been established to a piped, water and wastewater system.
- 6.9.0 Emergency Services must be operational for an Occupancy Certificate to be granted to any structure in the development area.
- 6.10.0 Water for fire fighting along with all-weather access roads are required for fire fighting during all stages of development and construction to the satisfaction of the County.

## 7.0.0 DEFINITIONS

- 7.1.0 **Automobile Rental Store** - means a place of business where vehicles are rented to the travelling public. No offsite storage of rental vehicles is to take place on the site.
- 7.2.0 **Agricultural Tourism Facilities** - means a business or commercial facility that provides the travelling public with interpretive or curated services related to the agriculture industry. This may include museum facilities, or facilities to show or exhibit animals.
- 7.3.0 **Athletic and Recreation Facilities** - means an indoor or outdoor sport facility, including racquet courts, gymnasias, arenas, swimming pools, stadia, sports fields or ice surfaces, and includes necessary uses such as cafeterias, pro-shop and amusement arcades exclusively servicing the users of the facility.
- 7.4.0 **Boat Storage** - means an area used for the outdoor off-site storage of boats, recreational vehicles, off-road vehicles and all-terrain vehicles associated with Bass Pro Shops Outdoor World.
- 7.5.0 **Cafeterias** - means that part of a business use where food services are provided to employees of the business, horse owners, their employees or contractors and other industry workers.
- 7.6.0 **Campus-like** - means development that emphasises the following design and functional qualities: comprehensive subdivision planning, with a comprehensive pedestrian network that provides interconnections between separated structures, and usable open space is provided with high-quality landscaping.
- 7.7.0 **Development Cell** - means an area of land containing uses as defined and prescribed by this Bylaw.
- 7.8.0 **Entertainment Services** - means those developments, having a room, area or building used indoors or outdoors for purposes of providing entertainment to patrons on a commercial fee for admission/service basis, including: musical and or theatrical performances.
- 7.9.0 **Gaming Establishment** - means a portion of a facility where the gaming activities take place. Gaming uses may include: casino, slot machines, pari-mutuel betting, and simulcast/internet wagering.
- 7.10.0 **Horse Racing Track** - A specially surfaced oval development area containing courses on which horse races are held, including necessary sub-cells of: horse stables and paddocks, security and grooms quarters, and the infield area to support entertainment services.
- 7.11.0 **Lands** - means the Lands as shown on Schedule "A" attached hereto.
- 7.12.0 **Laboratories** - means a facility for the purpose of scientific or technical research, investigations or experimentation.
- 7.13.0 **Low Impact Development** – means a stormwater management approach that follows the basic principle to manage precipitation by mimicking a site's predevelopment hydrology by using a combination of design techniques that infiltrate, filter, store, evaporate, or detain runoff close to its source.
- 7.14.0 **Brew-Pub** - means a **Drinking Establishment**, licensed by the Alberta Liquor and Gaming Commission that manufactures or produces beer or wine.

- 7.15.0 **Parking and Loading Needs Assessment** – means an assessment of parking and loading needs of a particular development. The assessment must be conducted by a qualified professional, and must reference a Transportation Impact Assessment that has been completed to the satisfaction of the County for the development.
- 7.16.0 **Racing Entertainment Centre** - means an indoor and outdoor facility, where the principal use is a horse racing track, including the necessary sub-cells of stables, security and grooms quarters, viewing areas & grandstand, animal health care services, vehicle parking (structured & at-grade), and accessory buildings for grounds-keeping, storage and security. Other uses include: other horse and non-horse events, restaurants, drinking establishments, cafeterias, entertainment services, gaming establishment (to include casino, slot machines, pari-mutuel betting, and simulcast/internet wagering), offices, retail stores and services, tourist information services and facilities, radio/tv/multimedia studios, and hotel. This Cell is to also include Child Care Facilities for the use of Racing Entertainment Centre employees and contractors only.
- 7.17.0 **Radio/Television/Multimedia Facilities** - means the use of a building or a portion thereof for the creation, editing and/or broadcasting of radio, television, internet or multimedia productions, including lighting and antennae structures.
- 7.18.0 **Offices** - means a facility or portion of a building primarily for the provision of professional, management, administrative, consulting, or financial services. Typical uses include the offices of lawyers, accountants, engineers, architects, and real estate, insurance, clerical, secretarial, employment, telephone answering and office support services.
- 7.19.0 **Post-Secondary University or College** - means an institution offering educational instruction or training and/or performing academic or technical research. The institution may include a wide range of accessory Uses including (but not limited to): dormitories, food services, athletic and recreational facilities, student and personal services, offices and laboratories.
- 7.20.0 **Seasonal Sales of Vegetation** - means sale of vegetation from a defined location on the site for a period of time not to exceed 40 days. Examples include: Christmas tree sales; spring sale of bedding plants.
- 7.21.0 **Security and Grooms Quarters** - means a building, area within a building, or portion of the site, designed and utilized as temporary accommodation for security personnel or horse grooms (to include horse owners, their employees or contractors and other industry workers). This use may be part of the horse-boarding sub-cell of the Horse Racing Track, or a part of a security function related to the Horse Racing Track.
- 7.22.0 **Service Stations** - means an establishment for the sale of automotive fuels, lubricating oils and associated automotive fluids or the routine servicing and minor repair of motor vehicles or both, excluding automotive specialty and auto body and paint shop uses, and may also include the following accessory uses: grocery store, towing service, single bay car wash or the sale of automotive accessories.
- 7.23.0 **Super-Regional Shopping Centre** – An enclosed destination facility that is comprehensively designed, architecturally integrated, and market unique, which provides for the sale of a wide variety of goods and services to the public. All commercial, entertainment, service, hospitality, office uses, and uses ancillary

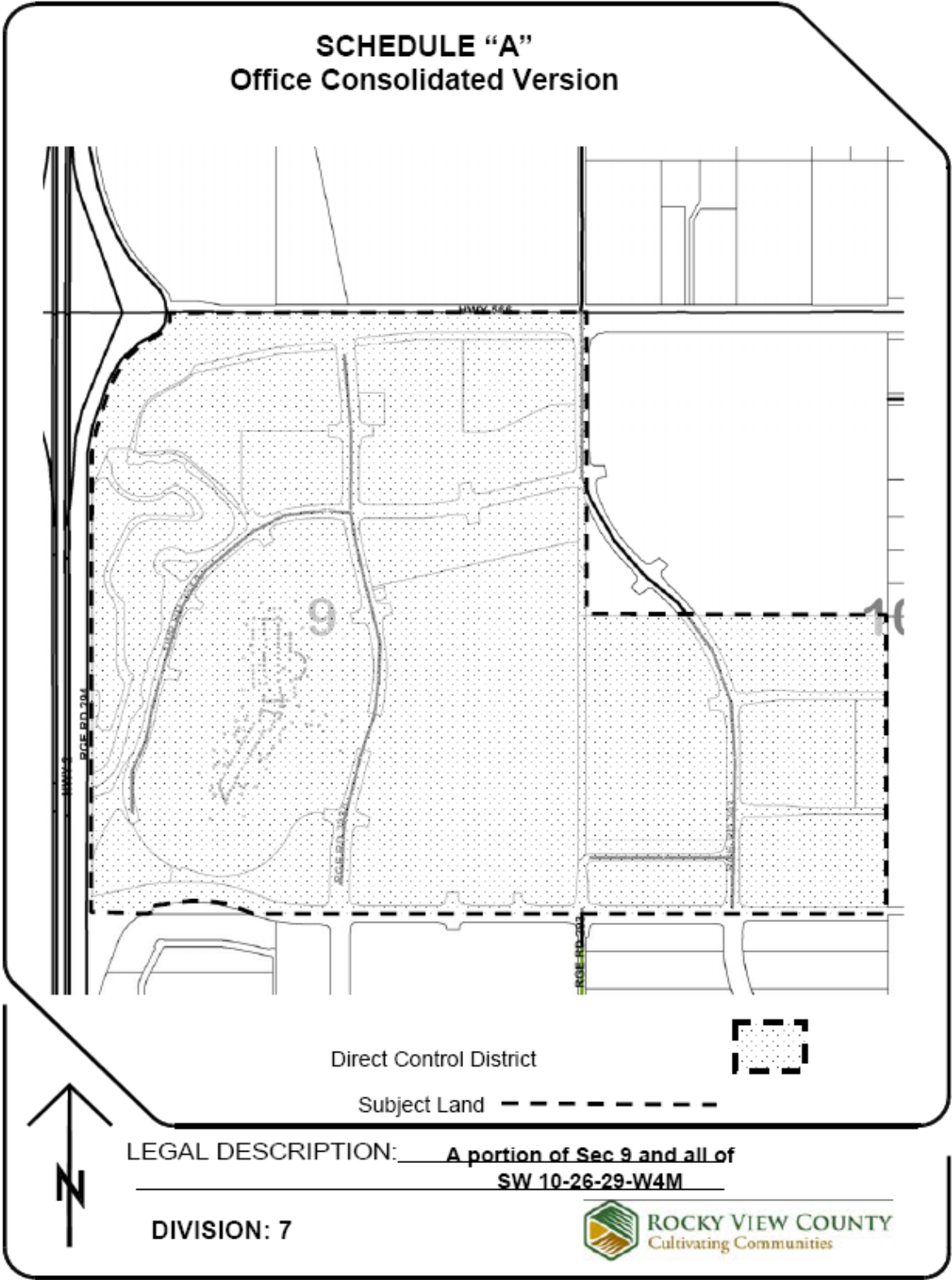
thereto, are permitted at the discretion of the Landowner. Outdoor display areas, and storage areas, parking facilities (surface and structured), supporting the Super-regional Shopping Centre are permitted in accordance with the Master Site Development Plan, in form and substance acceptable to the County.

- 7.24.0 **Temporary Construction Facility** – means a trailer, shed or structure to be used as an office, meeting area, storage area or lunch room for the use of construction workers attending the site for construction duties for development of the site.
- 7.25.0 **Utilities or Utilities, public** – means a system or works used to provide for public consumption, benefit, convenience or use: water or steam; sewage disposal; public transportation operated by or on behalf of the County; irrigation; drainage; fuel; electric power; heat; waste management; telecommunications; residential or commercial street lighting and includes the thing that is provided for public consumption, benefit, convenience or use;
- 7.26.0 **Veterinary Clinics** - means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include boarding kennels, outdoor pens, runs or enclosures.
- 7.27.0 **Viewing Areas & Grandstand** - means an area or structures used by spectators to view horseracing or entertainment activities taking place on the site.
- 7.28.0 Terms not defined above have the same meaning as defined in Section 8 of Land Use Bylaw C-4841-97.

#### 8.0.0 REPEAL

Upon third reading of this Bylaw, Bylaws C-6104-2005 (DC 106) and C-5842-2003 (DC 88), and C-6031-2005 (DC 99) as it applies to SW10 Twp.26 Rge.29 W4M are hereby repealed.

**SCHEDULE "A"**  
**Office Consolidated Version**



LEGAL DESCRIPTION: A portion of Sec 9 and all of  
SW 10-26-29-W4M

DIVISION: 7





**APPENDIX "A"**

**Comprehensive Landscape Strategy**

Please refer to the following link for a full text version.

[Appendix A](#)

**APPENDIX "B"**

**Master Site Development Plan  
For Sub-Cell A-1**

Please refer to the following link for a full text version.

[Appendix "B"](#)



**APPENDIX "C"**

**Master Site Development Plan  
For Sub-Cell A-2**

Please refer to the following link for a full text version.

[Appendix "C"](#)

**APPENDIX "D"**

**Master Site Development Plan  
For Sub-Cell C**

Please refer to the following link for a full text version.

[Appendix "D"](#)

**APPENDIX "E"**

**Ham West Industrial Park**

**Master Site Development Plan for Cell B of the East Balzac Super-regional  
Shopping Centre and Racing Entertainment Centre**

Please refer to the following link for a full text version.

[Appendix "E"](#)

**APPENDIX “F”**

**CrossIron Common Cell D  
(Sub Cells D-1 – D-2)**

**Master Site Development Plan**

Please refer to the following link for a full text version.

[Appendix “F”](#)

**APPENDIX "G"**

**CrossIron Common  
(Sub Cell A-3)**

**Master Site Development Plan**

Please refer to the following link for a full text version.

[Appendix "G"](#)