

**MUNICIPAL DISTRICT OF ROCKY VIEW #44  
BYLAW C-6377-2006**

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-4841-97.

**WHEREAS** the Council deems it desirable to amend the said Bylaw; and the Council of the Municipal District of Rocky View No. 44 has received an application to amend Section 5; Land Use Map No. 32 Bylaw C-4841-97 to redesignate the NW 24-23-27-W4M and a portion of the SW 24-23-27-W4M from Ranch and Farm District to Direct Control District as shown on attached Schedule 'A' and Schedule 'B'; and,

**WHEREAS** a notice was published on Tuesday, November 14, 2006 and Tuesday, November 21, 2006 in the Rocky View Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44 advertising the Public Hearing for Tuesday, December 12, 2006;

**WHEREAS** Council held a Public Hearing and have given consideration to the representations made to it in accordance with Section 692, Section 230 and Section 606 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 Maps No. 32 of Bylaw C-4841-97 to redesignate the NW 24-23-27-W4M and a portion of the SW 24-23-27-W4M be amended from Ranch and Farm District to Direct Control District with special guidelines in order to accommodate business industrial park uses, as shown on the attached Schedule "A" attached hereto and forming part of the Bylaw;
2. That lands within the NW 24-23-27-W4M and a portion of the SW 24-23-27-W4M are hereby redesignated to Direct Control District as shown on Schedules 'A' and 'B' attached hereto and forming part of the Bylaw; and,
3. That the special regulations of the Direct Control District comprise:
  - 1.0 General Regulations
  - 2.0 Land Use Regulations – Development Cell 1 (Business Industrial)
  - 3.0 Land Use Regulations – Development Cell 2 (Open Space/Wetland Area)
  - 4.0 Development Regulations
  - 5.0 Definitions
  - 6.0 Implementation

**1.0 General Regulations**

- 1.1 For the purposes of this Bylaw, the boundaries and description of the lands shall be more or less as indicated in Schedule 'A' and shall identify Development Cells as indicated in Schedule 'B' attached hereto and forming part hereof.
- 1.2 The 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.

- 1.3 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.4 The Development Authority shall consider and decide on applications for Development Permits all for those uses which are listed as “Uses” by this Bylaw provided the provisions of Section 1 and 3 herein are completed in form and substance, satisfactory to the Municipality, except where specifically noted that Council approval is required.
- 1.5 In addition to the uses contemplated by Section 2.0.0 of this Bylaw, the following uses shall be allowed.
  - a) Roads necessary for access; and
  - b) Utility distribution and collection systems necessary to service the development.
- 1.6 All development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw and all licenses, permits and approvals pertaining to the Lands.

## **2.0 Land Use Regulations - Development Cell 1 - Business Industrial Area**

- 2.1 The purpose and intent of this Development Cell is to serve the residents of the Hamlet of Langdon and surrounding area by providing for a range of business / light industrial uses.
- 2.2 Uses
  - a) Agricultural Support Services
  - b) Animal Health Care Services
  - c) Auctioneering Services
  - d) Automotive Equipment and Vehicle Services
  - e) Cemetery and Interment Services
  - f) Commercial Communication Facilities - Type “A”, Type “B”
  - g) Drinking Establishment
  - h) Farmers Market
  - i) Garden Center
  - j) General Industry Type 1
  - k) Health Care Services
  - l) Indoor Participant Recreation Services
  - m) Light Manufacturing
  - n) Mini Storage
  - o) Offices
  - p) Outdoor Cafe
  - q) Outdoor Participant Recreation Services
  - r) Personal Service Businesses
  - s) Recreational Vehicle Storage
  - t) Restaurants
  - u) Warehouses
  - v) Warehouse Stores, excluding hazardous goods
  - w) Wholesale Outlets
  - x) Signs

- 2.3 Minimum and Maximum Requirements
- 2.4 Minimum parcel size shall be 0.4 ha (1.0 ac)
- 2.5 Maximum parcel size shall be 8.09 ha (20.0 ac)
- 2.6 Yard, Front:
  - a) 6.0 m (19.7 ft) from any road
- 2.7 Yard, Side:
  - a) 10.0 m (32.8 ft) adjacent to Township Road 234 and all other internal roads
  - b) 6.0 m (19.7 ft) all other
- 2.8 Yard, Rear:
  - a) 20.0 m (65 ft) for all lots immediately adjacent to the Weed Lake Wetland
  - b) 8.0 m (26.2 ft) for all lots abutting the NE 24-23-27-W4M
  - c) 6.0 m (19.7 ft) all other
- 2.9 Maximum Building Height shall be 12 m (39.4 ft)
- 2.10 Maximum Height of Fence: 2.13 m (7.0 ft)
- 2.11 Landscaping and Screening Requirements
  - a) Pursuant to Section 3.1.4 of this bylaw, landscaping shall be provided in accordance with a Landscape Plan to be submitted to the Municipality upon application for a Development Permit.
  - b) Buildings less than 6 metres in height shall provide a minimum landscaped site area of seven (7) percent. Buildings greater than 6 metres in height shall provide a minimum landscaped site area of ten (10) percent.

### **3.0 Land Use Regulations - Development Cell 2 - Open Space/Wetland Area**

- 3.1 The purpose and intent of this Development Cell is to provide for public access to recreation amenities and/or alignments for utility infrastructure.
- 3.2 Uses
  - a) Public Park
  - b) Utility
- 3.3 Parcel Size
  - 3.3.1 Maximum parcel size: None

## **4.0 Development Regulations**

- 4.1 No subdivision shall be endorsed, and no Development or Building Permits shall be issued for any purpose, until:
- 4.1.1 The Owner has prepared a Stormwater Management Plan prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta in a form and substance satisfactory to the Municipality and the Weed Lake Design Committee, and which shows that the development will not adversely affect the adjacent lands and/or Township Road 234.
  - 4.1.2 The Owner has submitted a Construction Management Plan completed by a qualified professional engineer licensed to practice in the Province of Alberta, satisfactory to the Municipality, which details amongst other items, erosion, dust and noise control measures and stormwater management during construction.
  - 4.1.3 A Final Grading Plan shall be prepared to the satisfaction of the Municipality prior to endorsement of any phase of development.
- 4.2 Development and Building Standards
- 4.2.1 Landscaping
    - a) Landscaping shall be provided in accordance with a Landscape Plan prepared by a qualified professional to be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location, type and extent of all landscaping proposed for the lands. Within this landscaped area, there shall be a minimum of one (1) tree for every 50 square m (538.2 square feet) of gross area; a combination of deciduous trees with a minimum caliper of 2.5 inches; and, coniferous trees with a minimum height of 5 feet.
    - b) The Landscape Plan contemplated herein shall identify the location and extent of the landscaping areas, the plant material proposed and the methods of irrigation and maintenance of landscaped areas.
- 4.3 Controlled Appearance
- a) Parking and loading facilities, where proposed, shall be provided for in accordance with the requirements of the Land Use Bylaw, except that parking shall be screened and/or integrated into building architecture and/or landscaped pursuant to 3.2.1 above, when it is located within the rear yard.
  - b) Signage shall be considered concurrently with a Development Permit application and may be integrated into building architecture and shall be consistent with the overall development theme. No back lit signs will be permitted.
  - c) No outside storage shall be permitted within the minimum yard setbacks.
  - d) Lighting shall be located, oriented and shielded to prevent adverse affects on adjacent properties.
- 4.3.1 The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the lands must be acceptable to the Development Authority having due regard to:

- a) the compatibility with and the affect on adjacent properties and the surrounding area.

4.3.2 Building form should be consistent with the following:

- a) building materials should reflect the architectural heritage of the surrounding rural landscape by emphasizing natural textures and/or original and historic building materials;
- b) building massing should present a profile that is more horizontal than vertical to reflect the traditional rural building forms associated with agricultural communities;

4.4 Performance Standards

- 4.4.1 No use within any building or structure on the lands shall cause or create air contaminants, water contaminants, visible emissions or particulate emissions beyond the lands or the building which contains them.
- 4.4.2 No use or operation within a building shall cause or create the emission of odorous matter or vapour beyond the building which contains the use or operation.
- 4.4.3 No use or operation on the lands or within a building shall cause or create the emission of toxic matter beyond the lands or the building which contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.
- 4.4.4 Garbage and waste material shall be stored in weatherproof and animal-proof containers. Such containers shall be located within buildings or adjacent to the side or rear of buildings, and shall be screened from view by all adjacent properties and roadways, all to the satisfaction of the Development Authority.
- 4.4.5 Uses and operations on the site which handle, store or utilize products which may be hazardous due to their corrosive, poisonous, flammable, or explosive characteristics shall comply with the applicable fire regulations of the Municipality or the regulations of any other government authority having jurisdiction and in accordance with any hazardous materials or emergency management plan that may be require by the Municipality, and as defined in a Development Permit.
- 4.4.6 Fire protection measures shall be provided as may be required by the Municipality and included in a Development Permit.

**5.0 Definitions**

- 5.1 **“Development Cell”** - means an area of land containing uses as defined and prescribed by this Bylaw.
- 5.2 **“Garden Centre”** - a development where the growing, cultivation, storage, distribution, and retail of plants and related goods are carried out primarily within an enclosed building.

- 5.3 **“Light Manufacturing”** - a development where the manufacturing, fabricating, processing, assembly, production or packaging of materials, goods or products are carried out primarily within an enclosed building, which do not cause or create air contaminants, visible and particulate emissions, odorous matter, noise or matter beyond the building that contains the use or operation.
- 5.4 **“Mini Storage”** - a building that includes cubical space that can be leased or rented by the public for the storage of goods, products, or equipment.
- 5.5 **“Recreational Vehicle Storage”** - an area that includes space that can be leased or rented by the public for the storage of recreational vehicles that are operational and in good repair.
- 5.6 **“Wholesale Outlet”** -- a development where the storage, distribution, and sale of goods in large quantities / bulk to retailers, not individual consumers, are carried out primarily within an enclosed building.
- 5.7 Terms not defined above have the same meaning as defined in Section 9.0.0 of Land Use Bylaw C-4841-97.

## **6.0 Implementation**

- 6.1 The bylaw comes into effect upon the date of its third and final reading.

### **DIVISION 4**

**File: 03224003/006/015 - 2004-RV-175**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, November 7, 2006 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, December 12, 2006, on a motion by Councillor Habberfield.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, December 12, 2006, on a motion by Councillor Boehlke.

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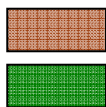
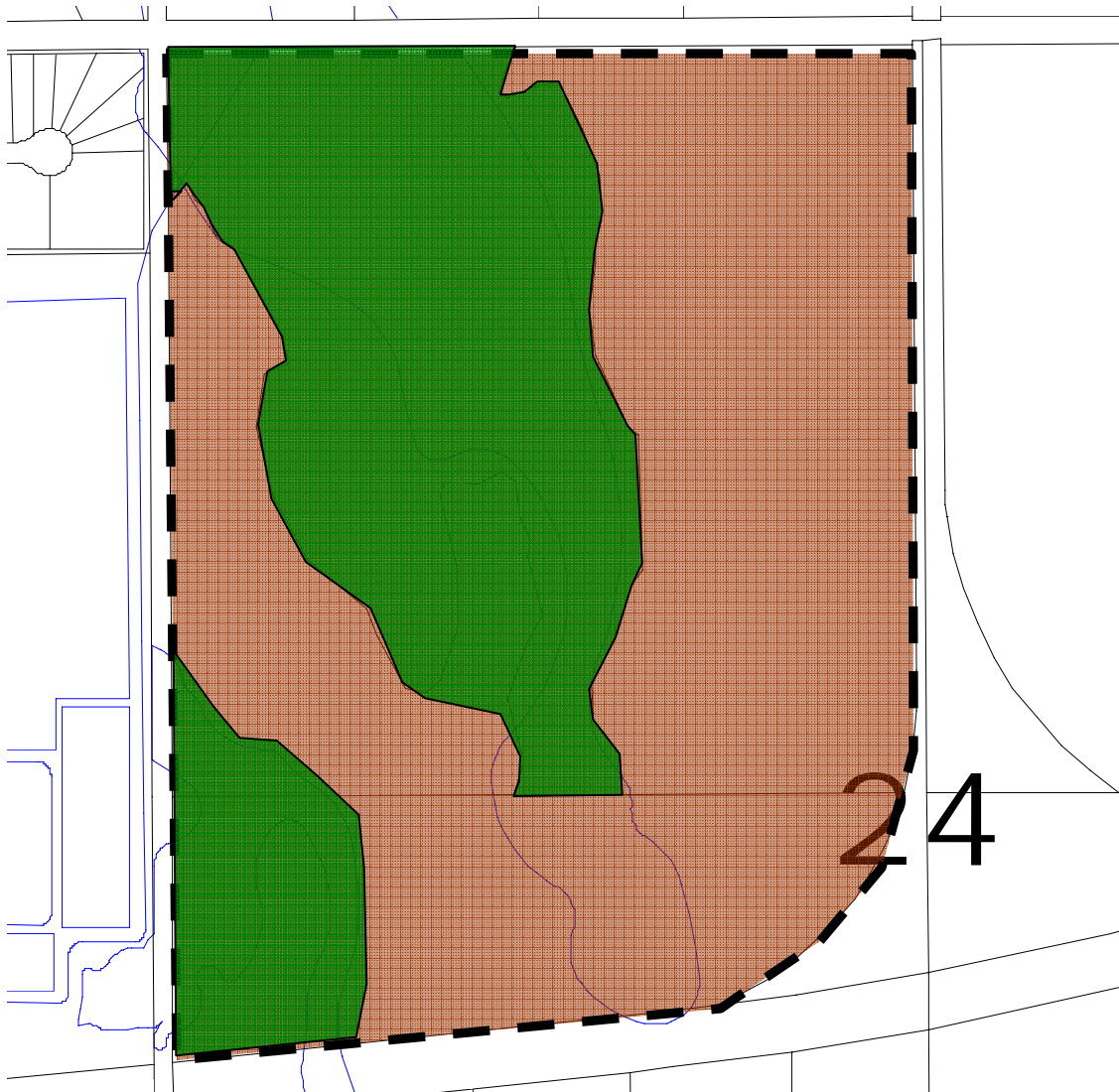
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MUNICIPAL SECRETARY



SCHEDULE "B"

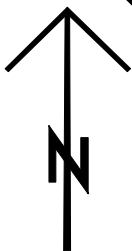
BYLAW: C-6377-2006



Development Cell 1 – Business Industrial

Development Cell 2 – Open Space/Wetland Area

--- Amendment Area



LEGAL DESCRIPTION: NW 24-23-27-W4M and a portion of the SW 24-23-27-W4M

FILE: 03224003/006/015 - 2004-RV-175

DIVISION: 4

