

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAWC-6732-2009**

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

WHEREAS the Council of the Municipal District of Rocky View No. 44 (“the Municipality”) has received an application to amend Part 5; Land Use Map No. 95,96 of Bylaw C-4841-97 to redesignate a portion of the SW 1-29-1-W5M to Direct Control District as shown on Schedule 'A', attached to and forming part of this Bylaw; and

WHEREAS a notice was published on Tuesday, March 24, 2009 and Tuesday, March 31, 2009 in the Rocky View Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44 advertising the Public Hearing for Tuesday, April 28, 2009; 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 95, 96 of Land Use Bylaw C-4841-97 be amended by redesignating the use of the Lands from Ranch and Farm District to Direct Control District, as shown on Schedule 'A', attached to and forming part of this Bylaw.
2. That the special regulations of this Direct Control District comprise of:
 - 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Development Regulations
 - 4.0.0 Definitions
 - 5.0.0 Implementation

1.0.0 GENERAL REGULATIONS

- 1.1.0 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule “A” attached hereto and forming part hereof, except as otherwise approved by Council.
- 1.2.0 The Operative and Interpretative Clauses (Part One), General Administration (Part Two), and General Regulations (Part Three) as contained in the Land Use Bylaw C-4841-97 are applicable unless otherwise stated in this Bylaw.
- 1.3.0 The Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw provided the provisions of Parts 1, 2 and 3 herein are completed in form and substance, satisfactory to the Municipality.
- 1.4.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the listed uses on the Lands subject to this Bylaw

- 1.5.0 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.

2.0.0 LAND USE REGULATIONS

2.1.0 Purpose and Intent

The purpose and intent of this District is to allow for the development of a Recreational Vehicle Storage and Mini-Storage facility on the lands. A high standard of visual quality will be applied to these developments, including landscaping and screening, and consideration is given for visual impacts to adjacent land uses.

2.2.0 Development Requirements

2.2.1 List of Uses

- a) Recreational Vehicle Storage
- b) Mini-Storage
- c) Accessory Buildings
- d) Office
- e) Signs

2.2.2 Minimum Parcel size: \pm 12.14 ha (\pm 30.0 acres)

2.2.3 Maximum Number of stored Recreational Vehicles 1000

2.2.4 Maximum Number of Mini-Storage Units 410

2.2.5 Maximum Number of Office Buildings: 1

2.2.6 Maximum Number of Accessory Buildings: 2

2.2.7 As part of the Phase 1 development, Township Road 290 to the major access point is required to be upgraded to a paved UCU 50 SAR I/C standard, modified to fit into the existing road right of way

2.2.8 Maximum number of freestanding signs: 2

2.2.9 Maximum combined area of Office Building and Accessory Buildings which are associated with the Recreational Vehicle Storage Facility shall not exceed 93 m² (1, 000 ft²).

2.2.10 Maximum Building Height (all Buildings): 6 m (20 ft.).

2.2.11 Each parking stall will range in size of 9m (30 ft.) to 12m (40 ft.) in length, 4m (13 ft.) wide, with a 9m (30 ft.) drive way in front of the stall.

2.2.12 Each of the parking stalls will be clearly identified by a number.

2.2.13 Minimum Yard, Front Setback for Buildings: 15.0 m (49.2 ft)

2.2.14 Minimum Yard, Side Setback for Buildings: 6.0 m (19.7 ft)

2.2.15 Minimum Yard, Rear for Buildings: 6.0 m (19.7 ft)

2.2.16 Minimum Yard, Front Setback for Parking, Storage and Display of Products:

- a) 15.0 m (49.2 ft) from any municipal road or primary highway,
- b) 8.0 m (26.2 ft) from any internal subdivision road or service road adjacent to a highway or road,

2.2.17 Minimum Yard, Side Setback for Parking, Storage and Display of Products:

- a) 15.0 m (49.2 ft) from any municipal road or primary highway,
- b) 8.0 m (26.2 ft) from any internal subdivision road or service road adjacent to a highway or road,
- c) 6.0 m (19.7 ft) all other.

- 2.2.18 Minimum Yard, Rear Setback for Parking, Storage and Display of Products:
 - a) 15.0 m (49.2 ft) from any road;
 - b) 6.0 m (19.7 ft) all other.
- 2.2.19 The Development Authority may require a greater building setback for the proposed development which, in the opinion of a Development Authority, may interfere with the amenity of adjacent sites.

3.0.0 DEVELOPMENT REGULATIONS

3.0.1 No Development Permit for any use or *development* or *building* permit for any *building* shall be issued by the Development Authority and no *development* shall occur on the lands until:

3.2.0 General Regulations

- 3.2.1 The Owner has submitted an Overall Site Development Plan, which includes an illustration of the vehicular, parking and loading facilities as well as other facilities that need to be located on the site, to the satisfaction of the Development Authority.
- 3.2.2 The Owner has completed a Traffic Impact Analysis for the entire development, in accordance with Municipal Standards, and it has been approved by the MD of Rocky View No. 44 and further, that all road improvements identified in the Traffic Impact Analysis be completed by the Owner, to the satisfaction of the Municipality in accordance with a Development Agreement.

3.3.0 Water Supply and Sewage Treatment Requirements

- 3.3.1 Disposal of wastewater from the development on the site shall be subject to all requirements of the Safety Codes Act, as amended, pursuant to this Bylaw.
- 3.3.2 Any non-domestic waste water, anti-freeze, oil or fuels accumulated on site shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site to the satisfaction of the Municipality and/or Alberta Environment.
- 3.3.3 Chemically treated waste from Recreational Vehicles shall be collected via an approved dump station, shall be connected to a pump-out septic tank that is removed and hauled off site on a regular basis to an approved disposal facility or by connection to a Municipality approved collection and treatment plant.

3.4.0 Landscaping and Appearance

- 3.4.1 Landscaping shall be provided in accordance with a Landscape Plan completed by a qualified professional to be submitted to the Municipality upon application for a Development Permit. All required landscaping shall be in accordance with Section 26 of the Land Use By-law pursuant to a Landscape Plan.
- 3.4.2 Outdoor Recreational Vehicle Storage areas shall at all times be visually mitigated or buffered from Highways 2 and 2A and the adjacent lands to the satisfaction of the Development Authority.

- 3.4.3 All perimeter landscaping shall be located outside of any security fencing.
- 3.4.4 The storage area on the site shall be fully enclosed on all sides by a combination of berms and solid fencing with the top of the fence a minimum of ten (10) feet above the storage area adjacent to the fence.

3.5.0 Performance Standards

- 3.5.1 No washing or servicing of the vehicles will be allowed on the site.
- 3.5.2 No Recreational Vehicles will exceed 8 feet in width.

4.0.0 DEFINITIONS

- 4.1.0 Unless otherwise defined in this Bylaw all words and uses shall be defined as per Section 8 (Definitions) of Bylaw C-4841-97.
- 4.2.0 **Vehicle, Recreation** – as defined in Land Use Bylaw C-4841-97.
- 4.3.0 **Recreational Vehicle Storage** – means an area of land set aside or otherwise defined for the outdoor storage of Vehicle, Recreation. Owners who remove the Vehicle, Recreation may leave their own personal vehicle in their parking stall until they return with the Vehicle, Recreation.
- 4.4.0 **Mini – Storage** – as defined in Land Use Bylaw C-4841-97.

5.0.0 IMPLEMENTATION

- 5.1.0 The bylaw comes into effect upon the date of its third reading.

DIVISION 6
File: 09501002; 2007-RV-494

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, March 17, 2009, on a motion by Councillor Boehlke.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, April 28, 2009, on a motion by Councillor Boehlke.

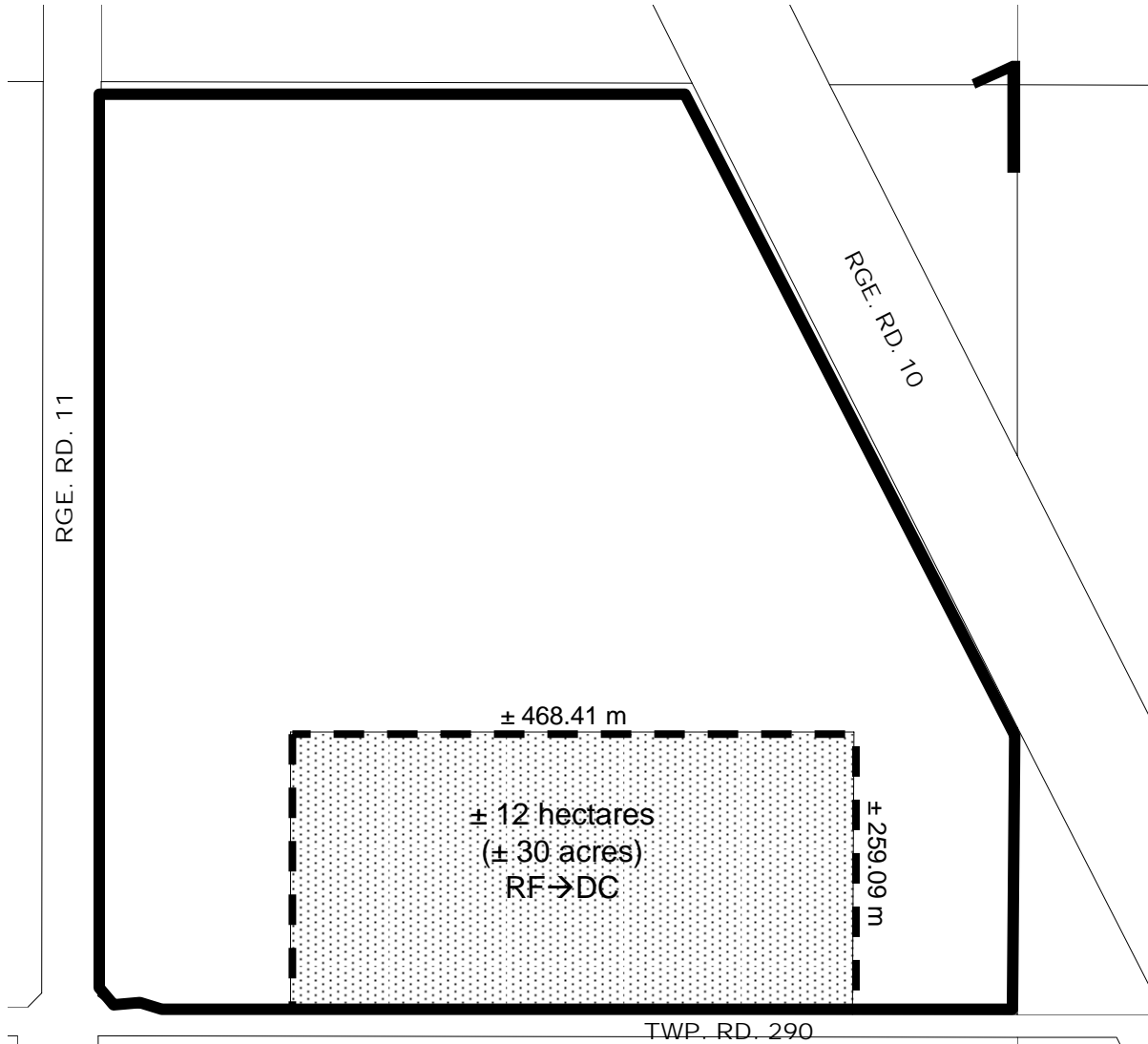
Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, April 28, 2009, on a motion by Councillor Yurchak.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

SCHEDULE "A"

BYLAW: C-6732-2009



AMENDMENT

FROM Ranch and Farm District TO Direct Control District

Subject Land _____

LEGAL DESCRIPTION: A portion of SW 1-29-1-W5M

FILE: 09501002-2007-RV-494

DIVISION: 6

