

**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-6784-2009  | Original Bylaw                               | June 23, 2009           |
| C-7010-2010  | Minimum Parcel Size<br>and minimum Lot width | January 25, 2011        |

**DIRECT CONTROL BYLAW REGULATIONS**

**1.0.0 General Regulations**

- 1.1.0 For the purposes of this Bylaw, the Lands shall be notionally divided into Development Cells, the boundaries and descriptions of which shall be more or less as indicated in Schedule “A” attached to and forming part of this Bylaw, except as otherwise approved by Council. The size and shape of the Cells are approximate and will be more precisely determined by a Tentative Subdivision Plan in form and substance satisfactory to the Municipality, to be submitted to the Municipality by the Developer as an application for subdivision approval.
- 1.2.0 Parts 1, 2 & 3 of the Land Use Bylaw C-4841-97 shall apply to all uses herein contemplated except where noted otherwise by this Bylaw.
- 1.3.0 The Development Authority shall be responsible for the issuance of Development Permit(s) for the uses subject to this Bylaw.
- 1.4.0 Notwithstanding Section 1.3.0, a Dwelling, Single-detached, Accessory Buildings, Swimming pools, and Home Based Businesses Type I are considered deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met.
- 1.5.0 Council may, through the Development Agreement(s) required by this Bylaw, specify any development 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.
- 1.6.0 In addition to the uses contemplated by Section 2.0 of this Bylaw, the following shall be uses in all Development cells.
  - a. Roads necessary for access; and
  - b. Utility distribution and collection systems necessary to service the development.
  - c. Parks
- 1.7.0 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 – Comprehensive Residential Development Cell**

**2.1.0 Purpose and Intent**

The purpose and intent of this development is to provide for fully-serviced single family residential dwellings within a comprehensively planned and managed community and built in accordance with “prairie-style” architectural guidelines.

2.2.0 Uses

- a. Accessory buildings less than 65.0 sq. m. (700 sq. ft.) building area
- b. Child care facilities
- c. Dwelling, single detached
- d. Home-based business, Type II
- e. Public buildings, uses, utilities and services
- f. Sales Centre
- g. Show Homes
- h. Signs
- i. Swimming Pool

2.3.0 Minimum Requirements

- 2.3.1 Parcel Size: 875.0 sq. m (9,418 sq. ft. or 0.216 ac)
- 2.3.2 Width of Lot: 16.0m (52.5 ft.)
  - 2.3.2. a Width of Lot (pie shaped Lot): on a pie-shaped Lot the minimum lot width shall be measured from the respective 6m setbacks from the front property line to each side property line.
- 2.3.3 Yard, Front Setback: 6.0 m (19.7ft)
- 2.3.4 Yard, Side Setback:
  - a. street side of a corner lot: 3.0 m (9.8 ft)
  - b. all other lots: 2.5m (8.2 ft)
- 2.3.5 Yard, Rear Setback:
  - a. Principal building 8.0 m (26 ft.)
  - b. Accessory building 1.0 m (3.3 ft.)
- 2.3.6 Habitable ground floor area (excludes basements)
  - a. 90 sq. m. (968.8 sq. ft.), single storey dwelling
  - b. 55.74 sq. m. (600.0 sq. ft.), two storey dwelling
- 2.3.7 Minimum Off-Street Parking: 2 per dwelling unit

2.4.0 Maximum Requirements

- 2.4.1 Site coverage
  - a. Maximum total site coverage (all buildings): 35%
  - b. Maximum coverage of accessory buildings: 10%
- 2.4.2 Height of buildings:

- a. Principal building: 11.0 m (36 ft.)
- b. Accessory building: 5.0 m (16 ft.)

- 2.4.3 Maximum number of lots: 132
- 2.4.4 Maximum number of dwelling units per Titled lot: 1
- 2.4.5 Number of accessory buildings: 2
- 2.4.6 Maximum area of accessory buildings: 90 sq. m. (968.8 sq. ft)

2.5.0 Special Regulations

- 2.5.1 There shall be no side yard extensions into any defined minimum required yard setback.
- 2.5.2 Accessory Buildings are not permitted within the Front Yard or Side Yard Setback of any Dwelling Unit.

3.0.0 Land Use Regulations – Large Lot Residential Development Cell

3.1.0 Purpose and Intent

The purpose and intent of this development cell is to provide for fully-serviced single family residential dwellings on lots that are approximately ½ acre in size and designed to complement existing and future residential development along the north side of Range Road 245A.

3.2.0 Land Use

- a. Accessory buildings less than 85.0 sq. m. (915 sq. ft.) building area
- b. Accessory Dwelling Units
- c. Dwelling, single detached
- d. Home-based business, Type II
- e. Public buildings, uses, utilities and services
- f. Sales Centre
- g. Show Homes
- h. Signs
- i. Swimming Pool

3.3.0 Minimum Requirements

- 3.3.1 Parcel Size: 1,858.0 sq. m (20,000 sq. ft. or 0.46 ac)
- 3.3.2 Width of Site: 30.0m (98 ft.)
- 3.3.3 Yard, Front Setback: 9.0 m (29.5 ft)
- 3.3.4 Yard, Side Setback:

- a. street side of a corner lot: 6.0 m (19.7 ft)
- b. all other lots: 5m (16.4 ft)
- 3.3.5 Yard, Rear Setback:
  - a. Principal building 16.0 m (52.5 ft.)
  - b. Accessory building 2.0 m (6.6 ft.)
- 3.3.6 Habitable ground floor area (excludes basements)
  - a. 90 sq. m. (968.8 sq. ft.), single storey dwelling
  - b. 55.74 sq. m. (600.0 sq. ft.), two storey dwelling
- 3.3.7 Minimum Off-Street Parking: 2 per dwelling unit
  
- 3.4.0 Maximum Requirements
  - 3.4.1 Site coverage
    - a. Maximum total site coverage (all buildings): 35%
    - b. Maximum coverage of accessory buildings: 10%
  - 3.4.2 Height of buildings:
    - a. Principal building: 11.0 m (36 ft.)
    - b. Accessory building: 5.0 m (16 ft.)
  - 3.4.3 Maximum number of lots: 11
  - 3.4.4 Maximum number of dwelling units per Titled lot: 1 (excluding any Accessory Dwelling Unit)
  - 3.4.5 Number of accessory buildings: 2 (including any Accessory Dwelling Unit)
  - 3.4.6 Maximum area of accessory buildings: 90 sq. m. (968.8 sq. ft.)
  
- 3.5.0 Special Regulations
  - 3.5.1 There shall be no side yard extensions into any defined minimum required yard setback.
  - 3.5.2 Accessory Buildings are not permitted within the Front Yard or Side Yard Setback of any Dwelling Unit.
  - 3.5.3 Notwithstanding 3.4.4, Accessory Dwelling Units (ADU) may be permitted subject to the following criteria:
    - a. ADU's shall only be permitted within residential parcels containing single-detached dwellings;
    - b. ADU's shall be provided with a minimum of 1 off-street parking space (in addition to requirements listed in 3.3.7);

- c. ADU's may be contained within the principal building or as a freestanding accessory building;
- d. ADU's shall be designed to blend with the architectural character of the principle building;
- e. ADU's shall be restricted in size to 80 sq. m. (861.0 sq. ft.) and the area of any ADU shall not be included in the minimum habitable ground floor area as listed in 3.3.6.
- f. ADU's shall be constructed to all applicable Federal and Provincial regulatory requirements; and
- g. All adjacent landowners, plus one additional adjacent residential landowner when located within this Direct Control District, shall be given notice by the municipality of an application to create an ADU and shall be given opportunity to provide comments prior to the Development Authority's consideration of a permit.

#### 4.0.0 Development Regulations

- 4.1.0 No subdivision proposing the creation of residential lots shall be endorsed by the Municipality until:
  - 4.1.1 Connection to a regional or municipal wastewater sewer system has been confirmed in a form and substance satisfactory to the Municipality, Alberta Environment and Calgary Health Region.
  - 4.1.6 Connection to a private or municipal piped and treated water supply has been confirmed, in a form and substance satisfactory to the Municipality.
  - 4.1.7 All necessary easements and rights-of-way related to the supply and distribution of power, water, natural gas have been approved by the Municipality.
  - 4.1.8 The Developer has prepared and submitted a Landscaping and Public Amenities Plan completed by a qualified professional to the satisfaction of the Municipality.
  - 4.1.8 The Developer has prepared an encumbrance to be registered against each lot referencing Architectural Controls as per Section 4.8 of the Buffalo Hills Conceptual Scheme.
  - 4.1.10 The Developer has prepared an encumbrance to be registered against each lot referencing the roles and responsibilities of the Buffalo Hills Landowner's Association as per Section 4.5 of the Buffalo Hills Conceptual Scheme.
- 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 5.1.0, to the satisfaction of the Municipality.

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- 4.3.0 Some or all of the Development Cells may be combined in a single Development Agreement, and the Development Agreement shall provide that:
  - 4.3.1 No stripping, excavation, or construction of any of the lands shall occur until an appropriate Letter(s) of Credit acceptable in form and substance has been deposited with the Municipality. No topsoil shall be exported from the lands, and topsoil and non-topsoil materials may be utilized for grading purposes for development within the lands; and
  - 4.3.2 No occupancy of any dwelling unit shall occur until the construction of roads and utilities required to serve the Residential Development Sites or portions of them, have been completed to specifications satisfactory to the Municipality.
- 4.4.0 All Letters of Credit referred to in this Bylaw shall be calculated in accordance with current Municipal Policy and the estimate upon which the amount is to be based shall be certified by a qualified professional(s) or as determined by the Municipality.
- 4.5.0 Show homes may be considered by the Development Authority as a use on the lands with the submission of a Development Permit for up to nine (9) residential dwelling units per Development Site prior to the endorsement of a plan of subdivision provided that conditional approval for subdivision has been granted by Council for that cell and the Developer has entered into a Development Agreement with the Municipality. No occupancy of the said show homes shall occur until full municipal services (power, gas, sewer, water, telephone, etc.) are available to and immediately useable by residents of said dwellings and the plan of subdivision has been registered with Alberta Land Titles.
- 4.6.0 Swimming pools cannot be filled with groundwater.
- 5.0.0 Definitions
  - 5.1.0 Unless otherwise defined in this bylaw all words and uses shall be defined as per Section 8 (Definitions) of Bylaw C-4841-97 as amended;
  - 5.2.0 “Accessory Building” means a *building* incidental and subordinate to the *principal building*, the use of which is incidental to that of the *principal building*, and is located on the same *parcel*;
  - 5.3.0 “Accessory Dwelling Unit” – means a subordinate self-contained area within a single family residence or accessory building having complete provision for residential living by the occupants of said area including living, sleeping, kitchen and sanitary facilities to be accessed via a separate entrance (or a common indoor landing);
  - 5.4.0 “Developable Lands” - means that portion of the Lands which is considered to be suitable for development;
  - 5.7.0 “Developer” - means that party which owns or has a right to own all of the Lands excepting only any roadway plan therein;

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- 5.8.0 “Development Cell” - means an area of land that may contain a number of uses as defined in this Bylaw and which are identified in Schedule “B”;
- 5.9.0 “Landscaping & Public Amenities Plan” – means a plan prepared by a qualified professional, in a form and substance satisfactory to the Municipality, including a description of all recreational amenities planned within the site and a detailed Site Plan illustrating their location and configuration;
- 5.10.0 “Lot Width” - is the measurement of a line drawn from the midpoint of one side property line to the midpoint of a second side property line;
- 5.11.0 “Substantial Completion” - means Construction Completion Certificates have been issued by the Municipality;
- 5.12.0 “Sales Centre” – means a temporary or permanent structure built by the developer to market the community;
- 5.13.0 “Utilities” - means water treatment and distribution and wastewater collection, treatment and disposal facilities, gas, electricity, cable and telephone transmission lines and related facilities and relevant appurtenances necessary to service the development cells or portions thereof in the area covered by the Bylaw.

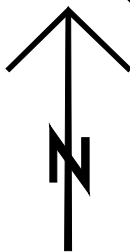


# SCHEDULE "A"

## Office Consolidated Version



Subject Lands 



LEGAL DESCRIPTION: A portion of SE 33-24-28-W4M ~  
NE 28-24-28-W4M

**DIVISION: 5**