

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-6797-2009**

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 Section 5, Land Use Map No. 33 and 33 NW of Bylaw C-4841-97 to redesignate Block 5, Plan 881 0598 within NW 29-23-28-W4M from Agricultural Holdings District to Direct Control District as shown on attached Schedule ‘A’ (“the Lands”); and

WHEREAS a notice was published on June 16, 2009, 2009 and June 23, 2009, 2009 in the Rocky View Weekly, a newspaper circulating in the Municipality of Rocky View No. 44 advertising the public hearing for July 21, 2009; and

WHEREAS Council held a Public Hearing and has given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter 24 of the Revised Statutes of Alberta 1995, and all amendments thereto.

NOW THEREFORE the Council enacts the following:

1. That Section 5, Land Use Map No. 33 and 33-NW of Bylaw C-4841-97 be amended by redesignating Block 5, Plan 881 0598 within NW 29-23-28-W4M from Agricultural Holdings District to Direct Control District as shown on Schedule ‘A’ attached to and forming part of this Bylaw.
2. That all lands within Block 5, Plan 881 0598 within NW 29-23-28-W4M are hereby redesignated to Direct Control District as shown on Schedule ‘A’ attached to and forming part of this Bylaw.
3. That the special regulations of the Direct Control District comprise:
 - 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Development Regulations
 - 4.0.0 Implementation

1.0.0 General Regulations

- 1.1.0 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) shall apply unless otherwise specified 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 All uses, including the expansion of uses, shall require a Development Permit.

- 1.4.0 The lands shall be developed sequentially in two Phases, the boundaries of which are indicated on Schedule 'B' attached to and forming part of this Bylaw.
- 1.5.0 Notwithstanding Section 1.3.0 the following uses are deemed approved without a Development Permit:
- Agriculture, General
 - Accessory Buildings to Agricultural, General
 - Accessory Uses to Agriculture, General
- 1.6.0 The Development Authority may, through Development Agreement(s) required by this Bylaw, specifically any development regulation, criteria or condition necessary to ensure all Development and Subdivision 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 or the Development Authority at its sole and unfettered discretion.

2 Land Use

- 2.1.0 Purpose and Intent – To accommodate a wide range of industrial and associated uses which are compatible with each other, do not adversely affect the surrounding land use and may be located in areas with limited or full services.

2.2.0 Uses

- Accessory Buildings
- Accessory Use
- Agriculture, General
- Agricultural Support Services
- Animal Health Care Service
- Automotive Services
- Commercial Communications Facilities (types A, B, C)
- Contractor, General
- Contractor, Limited
- Dwelling Unit, Accessory to Use
- General Industry Type I
- General Industry Type II
- Health Care Services
- Horticultural Development
- Personal Service Business
- Offices
- Outdoor Display Area
- Outdoor Storage
- Signs
- Storage Area
- Tractor Trailer Service Depot
- Warehouse
- Warehouse Stores, excluding hazardous goods

2.3.0 Minimum and Maximum Requirements

2.3.1 Parcel Size:

- (a) The minimum parcel size shall be 9.0 hectares (22.3 acres).
- (b) Notwithstanding 2.3.1 a), Bare land Condominium parcels created for the purpose of facilitating a phased Building Condominium project shall have no minimum parcel size, provided the following conditions are met:
 - a. the proposed Bare land Condominium units must have Common Land that is used for access/egress, and
 - b. all technical reports that are required as part of the subdivision application or Development Permit process, must assess the individual Bare land Condominium development as one project and not as individual lots.

2.3.2 Minimum *Yard, Front* for Buildings:

- (a) 6.0 m (19.7 ft.)

2.3.3 Minimum *Yard, Side* for Buildings:

- (a) 6.0 m (19.7 ft.)

2.3.4 Minimum *Yard, Rear* for Buildings:

- (a) 6.0 m (19.7 ft.)

2.3.5 Minimum *Yard, bordering properties to the south* for Buildings:

- (b) 12.0 m (49.4 ft.)

2.3.6 Building Height

- (a) Maximum of 20.0 m (65.62ft)

3 Development Regulations

3.1.0 Stormwater

- (a) A Development Permit shall not be issued until a stormwater management plan has been submitted, to the satisfaction of the Municipality.
- (b) Prior to the issuance of a Development Permit for Phase 1, the Owner and the Municipality shall reach an agreement respecting the nature of the regional stormwater contribution to be provided on account of the potential offsite drainage impacts of the development of the lands, to the satisfaction of the Municipality.

- (c) Implementation of the stormwater management plan shall occur as a part of Phase 1 development, to the satisfaction of the Municipality.
- (d) An Agreement with respect to offsite discharge shall be executed between the Owner and the Municipality prior to issuance of a Development Permit on the subject lands, to the satisfaction of the Municipality.
- (e) Phase 2 may proceed after the Municipality is satisfied that construction of the infrastructure required in the design for Phase 1 has been completed, to the satisfaction of the Municipality.

4 Implementation

4.1.0 This Bylaw comes into effect upon the date of its third reading.

DIVISION 5
File: 03329005 2007-RV-389

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, June 9, 2009, on a motion by Councillor Solberg.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, July 21, 2009, on a motion by Councillor Boehlke.

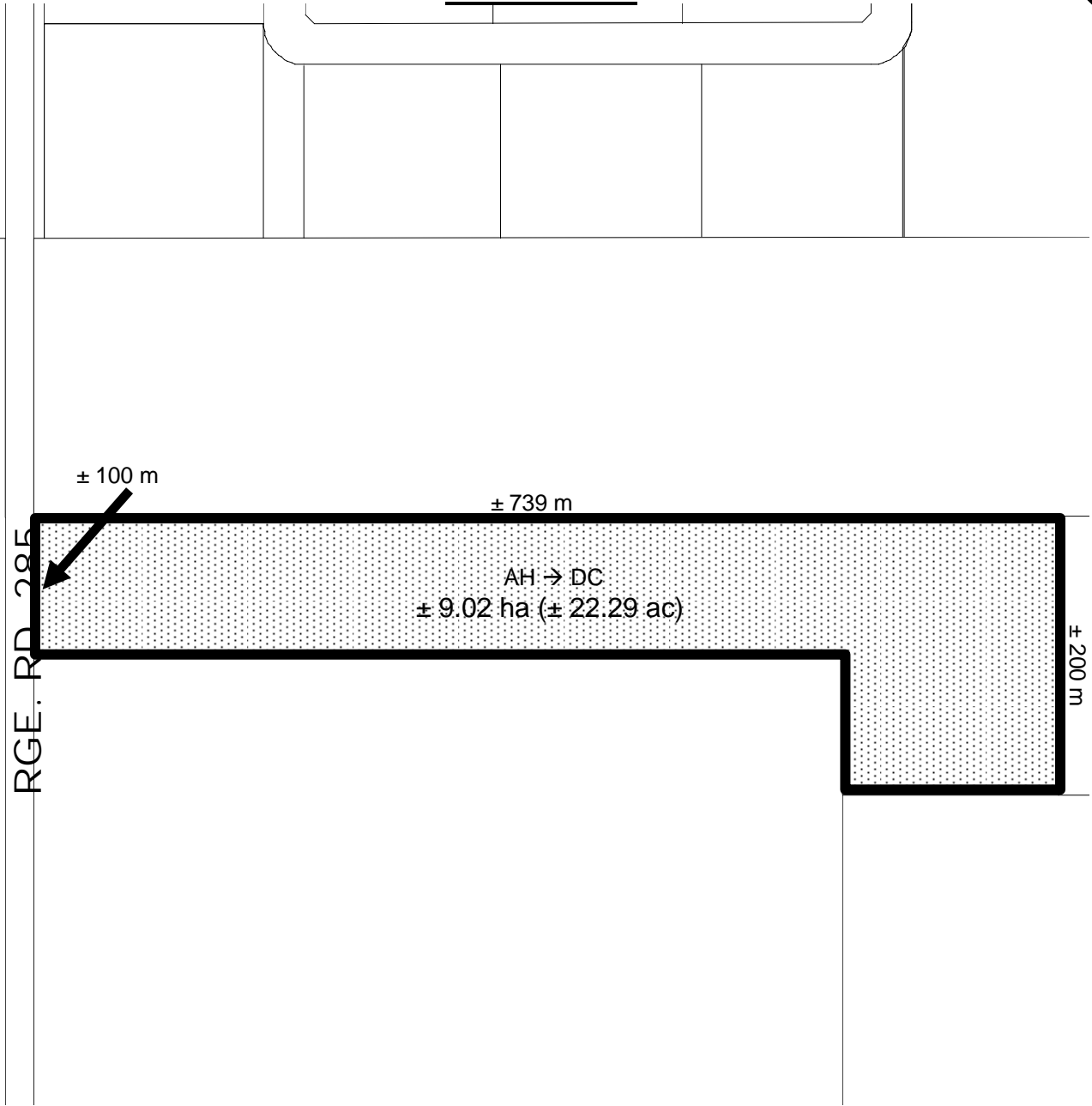
Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, July 21, 2009, on a motion by Deputy Reeve Loudon.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

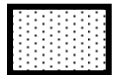
SCHEDULE "A"

BYLAW: C-6797-2009

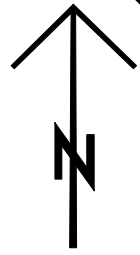


AMENDMENT

FROM Agriculture Holdings District TO Direct Control District



Subject Land _____



LEGAL DESCRIPTION: NW 29-23-28-W4M

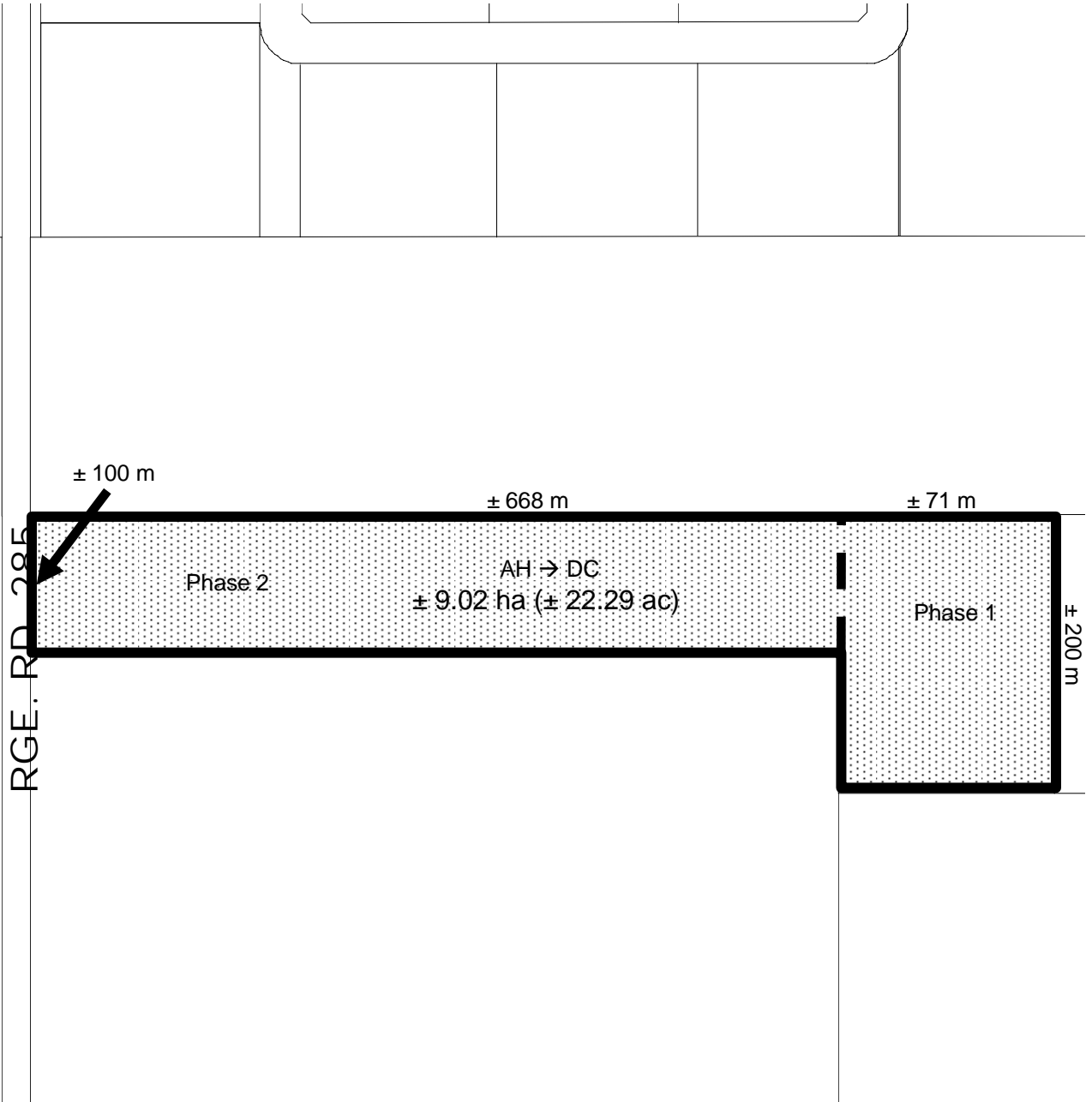
FILE: 03329005-2007-RV-389

DIVISION: 5



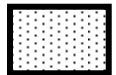
SCHEDULE "B"

BYLAW: C-6797-2009



AMENDMENT

FROM Agriculture Holdings District TO Direct Control District



Subject Land _____

LEGAL DESCRIPTION: NW 29-23-28-W4M

FILE: 03329005-2007-RV-389

DIVISION: 5

