

**ROCKY VIEW COUNTY
BYLAW C-6820-2009**

A Bylaw of Rocky View County to amend the Land Use Bylaw C-4841-97.

WHEREAS the Council deems it desirable to amend the said Bylaw, and

WHEREAS the Council of Rocky View County has received an application to amend Part 5; Land Use Maps 32 and 32-1 of Bylaw C-4841-97 to redesignate a portion of the SE ¼ of Section 23-23-27-W4M from Ranch and Farm Three District to Public Services District and Direct Control District with special regulations with respect to those certain lands as shown on the attached Schedule ‘A’ and ‘B’ attached hereto and forming part hereof (the “Lands”); and;

WHEREAS a notice was published on Tuesday, August 18, 2009 and Tuesday, August 22, 2009 in the Rocky View Weekly, a newspaper circulating in Rocky View County, advising of the Public Hearing for Tuesday, September 22, 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 No. 32 and 32-1 of Bylaw C-4841-97 be amended by redesignating a portion of the SE ¼ of Section 23-23-27-W4M from Ranch and Farm Three District to Public Service District and Direct Control District with special regulations in order to accommodate the development of single-family; multi-family, public service and business park uses.

2. That all lands within a portion of the SE ¼ of Section 23-23-27-W4M are hereby redesignated to Public Service District and Direct Control District as shown on the Schedule 'A' and 'B' attached hereto and forming part of the Bylaw; and

3. The regulations of the Direct Control District comprise:

1.0.0 General Regulations

2.0.0 Land Use Regulations – Development Cell 1- Hamlet Residential: Single Family

3.0.0 Land Use Regulations – Development Cell 2 - Hamlet Residential: Medium Density

4.0.0 Land Use Regulations – Development Cell 3 - Business Park (Areas A and B)

5.0.0 Development Regulations

6.0.0 Definitions

7.0.0 Implementation

1.0.0 GENERAL REGULATIONS

1.1.0 The General Regulations contained within this Section are applicable to the entire Development Area which includes all Development Cells;

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.

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- 1.3.0 For the purposes of this Bylaw, the lands shall be divided into three Development Cells, the boundaries and description of which shall be more or less as indicated in Schedule “B” attached except as otherwise approved by Council.
- 1.4.0 The location, maximum size and shape of the Development Cells are approximate and will be determined by Plan of Survey in form and substance satisfactory to the County, to be submitted to the County by the Developer as an application for subdivision approval.
- 1.5.0 The Residential Land Use Policies contained in Section 7.2 of the Hamlet of Langdon Area Structure Plan (Bylaw C-5049-99), as amended, shall be applied to the Hamlet Residential Development Cells.
- 1.6.0 The Business Parks Policies contained in Section 7.3.3 of the Hamlet of Langdon Area Structure Plan (Bylaw C-5049-99), as amended, shall be applied Business Park Development Cell.
- 1.7.0 The Development Authority shall approve applications for Development Permits for those uses which are listed as “Uses” by this Bylaw provided the provisions of the same are completed in form and substance satisfactory to the County, except where specifically noted that Council approval is required.
- 1.8.0 The Development Authority shall be responsible for the issuance of Development Permit(s) for the uses subject to this Bylaw.
- 1.9.0 *Dwelling, Single Detached and Accessory Buildings* that comply with the land use regulations in this Bylaw are considered deemed approved and do not require a Development Permit.
- 1.10.0 The Water supply and distribution system required to service any of the Development Cells shall be via a piped water system constructed, licensed and permitted by Alberta Environment;

2.0.0 LAND USE REGULATIONS – DEVELOPMENT CELL 1 - HAMLET RESIDENTIAL: SINGLE FAMILY

2.1.0 Purpose and Intent

The Purpose and intent of this Development Cell is to provide for single family residential development;

2.2.0 Uses

Dwelling, Single Detached
Home Based Business, Type 1
Accessory Buildings less than 65.0 sq. m. (700 sq. ft.) building area
Private Swimming Pools

2.3.0 Minimum Requirements

2.3.1 Parcel Size:

- a) fully serviced lots: 686 sq. m (7,382 .47 sq. ft.)

2.3.2 Yard, Front

- a) 6.0 m (19.7ft)

2.3.3 Yard, Side:

- a) principal buildings
 - i) unobstructed yard, side: 1.5 m (5.00 ft.)
- b) accessory building: 0.6 m (2 ft.)

2.3.4 Yard, Rear:

- a) principal buildings: 6.0 m (19 ft.)
- b) accessory building: 0.6 m (2 ft.)

2.3.5 Habitable ground floor area (excludes basement):

- a) 90.0 sq. m (968.8 sq. ft.), single storey dwelling
- b) 90.0 sq. m (968.8 sq. ft.), being the combined area of any two levels of a split level dwelling.
- c) 55.74 sq. m (600.0 sq. ft.) main floor area, plus 55.74 sq. m (600.0 sq. ft.) second floor area, two storey dwelling including stair well.
- d) 74.0 sq. m (796.6 sq. ft.) split level or bi-level main floor area, plus 18.0 sq. m (193.8 sq. ft.) second floor area, two storey dwelling.
- e) 90.0 sq. m (968.8 sq. ft.) main floor for a dwelling, moved-in

2.4.0 Maximum Limits

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 meters (36.09 ft.)

2.5.0 Special Regulations

2.5.1 With respect to Section 2.3.3 Yard, Side there shall be no side yard extensions into the defined minimum required setback. Section 38 of the Land Use Bylaw that provides for cantilever extensions is not applicable under this Direct Control District.

2.5.2 Accessory Buildings are not permitted within the Front Yard of any Dwelling Unit.

2.5.3 The driveway connecting a garage (attached or detached) to a public road shall be a minimum length of 6.5 m (21.33 ft.) when measured from the back of a curb or back of a sidewalk.

3.0.0 LAND USE REGULATIONS - DEVELOPMENT CELL 2 - HAMLET RESIDENTIAL: MEDIUM DENSITY

3.1.0 Purpose and Intent

The purpose and intent of this Development Cell is to allow for the development of medium density residential dwelling units. This would include semi-detached dwellings or attached townhouses clustered in groupings of 6 units or less.

3.2.0 Uses

Row Housing
Dwelling, Semi-detached
Dwelling, Single-detached
Accessory Buildings, less than 65.03 m² (700 ft²)
Home-Based Business, Type I
Signs for identification of the development only

3.3.0 Development Requirements

- 3.3.1 Maximum Density: 4.01 units per hectare (10 units per gross acre).
- 3.3.2 Maximum Number of Dwelling per unit: 1
- 3.3.3 Minimum Off-Street Parking: 2 per dwelling unit that include a minimum of 1 covered parking stall per dwelling unit.
- 3.3.4 Minimum Number of Visitor Parking: 1 parking space per 11 dwellings.

3.4.0 Setbacks

3.4.1 Yard, Front:

- a) Principal Building: 5.0 m (16.40 ft)
- b) Principal Building: 3.0 m (9.84 ft) for parcels with Lanes and no front garage or front driveway.

3.4.2 Yard, Side:

- a) 3.0 m (9.84 ft) where a sideyard abuts a street or lane.
- b) 0.6 m (2 ft) for accessory buildings
- c) 1.50 m (5 ft) all other
- d) zero setback where a fire separation is built on a bareland condominium unit property line which separates units within a semi-detached building

3.4.3 Yard, Rear:

- a) Principal Building: 5.0 m (16.40 ft)
- b) Accessory Building: 2.0 m (6.56ft)

3.5.0 Building Requirements

3.5.1 Maximum Building Height:

- a) Principal Building: 11.0 m (36.01 ft)
- b) Accessory Building: 4.6 m (15.1 ft)

3.5.2 Minimum Habitable Floor Area of Dwelling Unit:

- | | |
|--|--|
| a) Dwelling, Row Unit: | 92.9 m ² (1000.00 ft ²) |
| b) Dwelling, Semi-Detached Bungalow: | 110 m ² (1,184.07 ft ²) |
| c) Dwelling, Semi-Detached Two-Storey: | 55 m ² (592.03 ft ²) |
| d) Dwelling, Single Detached: | 55 m ² (592.03 ft ²) |

3.5.3 Maximum Number of Accessory Buildings per unit: 1

3.5.4 Site Coverage:

- | | |
|---|-----|
| a) Maximum Total Site Coverage (All Buildings): | 55% |
| b) Maximum Coverage of Accessory Buildings: | 10% |

3.6.0 Special Regulations

3.6.1 Design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building facades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential area and roadways to the satisfaction of the Development Authority;

3.6.2 The driveway connecting a garage (attached and/or detached) to a road shall be a minimum length of 6.5 meters (21.33 ft) when measured from the back of a curb or back of sidewalk.

3.7.0 Landscaping, Lighting and Amenity Space

3.7.1 To ensure that a high standard of appearance and a sensitive transition to the surrounding land users are achieved, a detailed Landscaping plan for the entire site shall be submitted to and approved by the Development Authority.

3.7.2 Any exterior lighting of the site shall be designed so that the lighting is directed away from the adjacent residential development and the intensity of illumination shall not extend beyond the boundaries of the site;

3.7.3 A minimum of 27.5 m² (296 ft²) of Amenity Area per dwelling shall be provided and be developed as communal recreational space and is to be located and designed to serve as space for the active or passive recreation and enjoyment of the occupants of this residential development.

4.0.0 LAND USE REGULATIONS – BUSINESS PARK DEVELOPMENT CELL 3 (SECTION A and B)

4.1.0 Purpose and Intent

The purpose and intent of this Development Cell is to allow for the development of a mix of light industrial and commercial uses within a comprehensively planned campus-like setting. Additional uses secondary to office and light industry activity are permitted to provide services to on-site employees and the surrounding local community. A high quality visual appearance is required for this development cell, including, but not limited to, landscaping and screening, and consideration of visual impacts to adjacent land uses.

To ensure that transitions to adjacent uses and compatibility with the neighbourhood is addressed this Business Park Cell has been divided into two sections – A and B. The lots in Section A are adjacent to residential uses and the school with uses and regulations that differ from Section B.

4.2.0 Uses - Section A

- Accessory Buildings
- Indoor Participant Recreation Services
- Offices
- Religious Assembly
- Banks and Financial Institutions
- Kennels (no outdoor runs)
- Animal Health care Services, Small Animal
- Laboratories
- Commercial School or College
- Restaurant/Coffee Shop
- Private Clubs and Organizations
- Child Care Facilities
- Government Services
- Health Care Services
- Specialty Food Store
- Signs

4.3.0 Uses – Section B

- Accessory Buildings
- General Industry Type 1
- Indoor Participant Recreation Services
- Outdoor Participant Recreation Services
- Offices
- Motor Vehicle Sales and Service
- Religious Assembly
- Farmers Markets and Flea Markets
- Banks and Financial Institutions
- Hotels and Motels
- Kennels (no outdoor runs)
- Animal Health care Services, Small Animal
- Laboratories

Commercial School or College
Car Wash (internal bays)
Commercial Communications facility (Type A)
Restaurant/Coffee Shop
Private Clubs and Organizations
Recycling Collection Point
Retail Garden Centre
Signs

4.4.0 Minimum and Maximum Requirements (Applies to Section A and B)

4.4.1 Yard, Front: 6.0 m (19.7ft)

4.4.2 Yard, Side: 1.2 m (3.94 ft)

4.4.3 Yard, Rear: 6.0 m (19.7 ft)

4.4.4 Site Coverage: maximum total site coverage (all buildings): 50%

4.4.5 Height of Principal Buildings: 10.0 meters (32.80 ft.)

4.4.6 Landscaping

a) minimum 10 % of the site shall be landscaped.

b) Area 'A' shall include a buffer consisting of landscaping, berming and fencing of no less than 15.24 metres (50 feet) shall be provided adjacent to residential uses, measured from the residential property line.

4.5.0 Business Park Performance Standards and Development Regulations (Sections A and B)

4.5.1 No use or operation shall cause or create air contaminants, visible emissions or particulate emissions beyond the building that contains the use.

4.5.2 Airborne particulate matter originating from storage areas, yards or roads shall be minimized by landscaping, paving or wetting of these areas or by other means considered appropriate by the County and in accordance with sound environmental practices.

4.5.3 No use shall cause or create the emission of odorous matter or vapour beyond the building that contains the use or operation.

4.5.4 No use shall cause or create the emission of excessive noise or vibrations beyond the building that contains the use or operation.

4.5.5 No use shall cause or create the emissions of toxic matter beyond the building that contains the use. The handling, storage and disposal of any toxic or hazardous materials shall be in accordance with the regulations of any government authority having jurisdiction and in accordance with any Chemical Management Plan that may be required by the County.

4.5.6 Garbage and waste material shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings, which

shall be screened from view by all adjacent properties and public thoroughfares. Mechanical waste compactors are encouraged.

- 4.5.7 All uses and operations which store or use materials or products which may be hazardous due to their flammable or explosive characteristics shall comply with the applicable fire regulations of the county or the regulations of any other government authority having jurisdiction, and in accordance with any hazard or Emergency Management Plan that may be required by the County.
- 4.5.8 Entrances shall be designed to accommodate the turning movements of trucks and recreational vehicles and shall be positioned to allow for safe and adequate site distances.
- 4.5.9 Parking and loading facilities shall be provided in accordance with the requirements of the Municipality and/or *Land Use Bylaw*. Loading and vehicle servicing areas should be integrated into the site and building architecture and be located to the side or rear of buildings.
- 4.5.10 The size and placement of all signage shall be considered an integral part of site development and a Signage Plan shall be submitted to the County upon application for a Development Permit, and be in accordance with the *Land Use Bylaw* or special district provisions prepared for the site. Temporary signage is prohibited with the exception of temporary signs required during development or building construction.
- 4.5.11 All on-site lighting shall be located, oriented, and shielded to prevent adverse affects on adjacent properties.
- 4.5.12 Landscaping shall be provided for in accordance with a Landscape Plan to be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location and extent of landscaped areas proposed for the site.

The following standards apply to all landscaped areas:

- a) Landscaped areas should be provided within front yard setback areas, side yards between the front and rear of the principal building when they are not proposed for vehicular movement and located within a strip adjacent to the front of the principal building.
- b) Existing soft landscaping retained on a site may be considered in fulfilment of the total landscaping requirement.
- c) Except for road right-of-ways, trees shall be planted and maintained in the overall minimum ratio of one tree per 484.39 square feet (45 square metres) of the landscape areas identified in the Landscape Plan.
- d) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained for the life of the development. Irrigation and maintenance of landscaping shall be detailed in the Landscape Plan.
- e) All plant materials shall be of a species capable of healthy growth in the Municipality and shall conform to the standards of the Canadian Nursery Trades Association for nursery stock.

- f) The mixture of tree sizes at the time of planting shall contain a minimum of 50 percent larger trees (greater than 2.16 inches [55 mm calliper]).
 - g) The minimum size for small deciduous trees shall be 2.0 inches (50 mm) calliper.
 - h) The minimum size for small coniferous trees shall be a height of 6.5 feet (2 metres) and for large coniferous trees, a height of 9.8 feet (3 metres).
 - i) Coniferous trees shall comprise a minimum proportion of 1/3 of all trees planted and where feasible trees should be planted in clusters or landscape groupings.
 - j) Any areas subject to excavation, stripping or grading during construction phases of development that are not identified as a landscaped area in the Landscape Plan shall be seeded to grass.
- 4.5.13 Outside storage, including the storage of trucks, trailers and other vehicles may be permitted adjacent to the side or rear of a building provided such storage areas are not located within a required side or rear yard setback and the storage is visually screened from adjacent non-business land uses.
- 4.5.14 Outside display areas are permitted provided they are limited to examples of equipment, products or items related to the commercial use located on the site containing the display area and are not located within any required setback.
- 4.5.15 The use of fencing on any site should not be permitted, other than for required screening of outside storage, garbage or equipment, or for security purposes, provided it is adjacent to the side or rear of buildings.
- 4.5.16 Antennas, satellite dishes or other similar equipment is not permitted on the roof of any building and shall be located in the rear or side yard and shall not exceed any height restrictions imposed by the County.
- 4.5.17 Crime Prevention Through Environmental Design (CPTED) principles shall be applied to the design of Business Park uses to minimize potentially unsafe conditions. This includes but is not limited to appropriate placement of landscaping materials, signs and parking.
- 4.5.18 Architectural design elements depicting Langdon's history should be incorporated into the building design.

5.0.0 DEVELOPMENT REGULATIONS

- 5.1.0 No subdivision shall be endorsed, and no Development Permit shall be issued for any purpose, until:
- 5.1.1 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.
 - 5.2.0 The Owner has submitted a Storm Water Management Plan prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta in form and substance satisfactory to the County and/or Alberta Environment;
 - 5.2.1 A Final Grading Plan shall be prepared to the satisfaction of the Municipality prior to endorsement of any development cell for registration.

- 5.2.2 All applications for development and building approval within the grading plan area, shall, as a condition of approval, submit “grade verification” to the County. Grade verification shall be prepared by a qualified professional and verify that the elevations at the bottom of footing and main floor are in compliance with finished grades identified in the Final Grading Plan.

6.0.0 DEFINITIONS

6.1.0 **Development** - means:

any excavation or stockpile and the creation of either of them;
a building or an addition to, or replacement, or repair of a building

a change of use of land or a building or an act done in relation to land or a building that results in a change in the use of the land or building.

a change in the intensity of use of land or a building or an act done in relation to land or a building that results in a change in the intensity of use of the land or building.

- 6.2.0 **Development Agreement** - is an agreement between the Developer and the County specifying development regulations, criteria or conditions necessary to ensure all developments and subdivisions on the land conform to County approvals.

- 6.3.0 **Development Cell** - means an area of land contains uses as defined and prescribed by this Bylaw.

- 6.4.0 **Final Grading Plan** – establishes the following:

All grades, existing and proposed, for the area proposed for subdivision;

All cut and fill areas for the area proposed for subdivision;

Maximum and minimum bottom of footing elevations for developments within the area proposed for subdivision;

Maximum and minimum main floor elevations for development within the area proposed for subdivision;

Final elevations for all corners of lots proposed for subdivision and final elevations adjacent to all walls for developments within the area proposed for subdivision; and,

Any other matter deemed appropriate by the County;

- 6.5.0 **Grade Verification** – refers to verification that is prepared by a qualified professional for a building and/or structure under construction within a development area. The grade verification identifies the elevation at the bottom of footing and at the main floor relative to geodetic elevations established in an adopted grading plan and verifying that these elevations are in conformity to the adopted grading plan.

- 6.6.0 **Lands** - means the lands as shown on Schedule "A" attached hereto.

- 6.7.0 **Traffic Impact Analysis** – An area specific study that may include, but is not limited to, an analysis and evaluation of the potential impact of a proposed subdivision and/or development on the existing transportation network;

- 6.8.0 **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 municipality; irrigation; drainage; fuel; electric

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power; heat; waste management; telecommunications; residential or commercial street lighting and includes the thing that is provided for public consumption, benefit, convenience or use;

6.9.0 Terms not defined above have the same meaning as defined in Section 9.0.0 of Land Use Bylaw C-4841-97.

7.0.0 IMPLEMENTATION

7.1.0 This Bylaw comes into effect upon the date of its third and final reading thereof.

Division: 4

File:03223001-2005-RV-105

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday July 28, 2009, on a motion by Councillor Rheubottom.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday September 22, 2009, on a motion by Councillor Rheubottom.

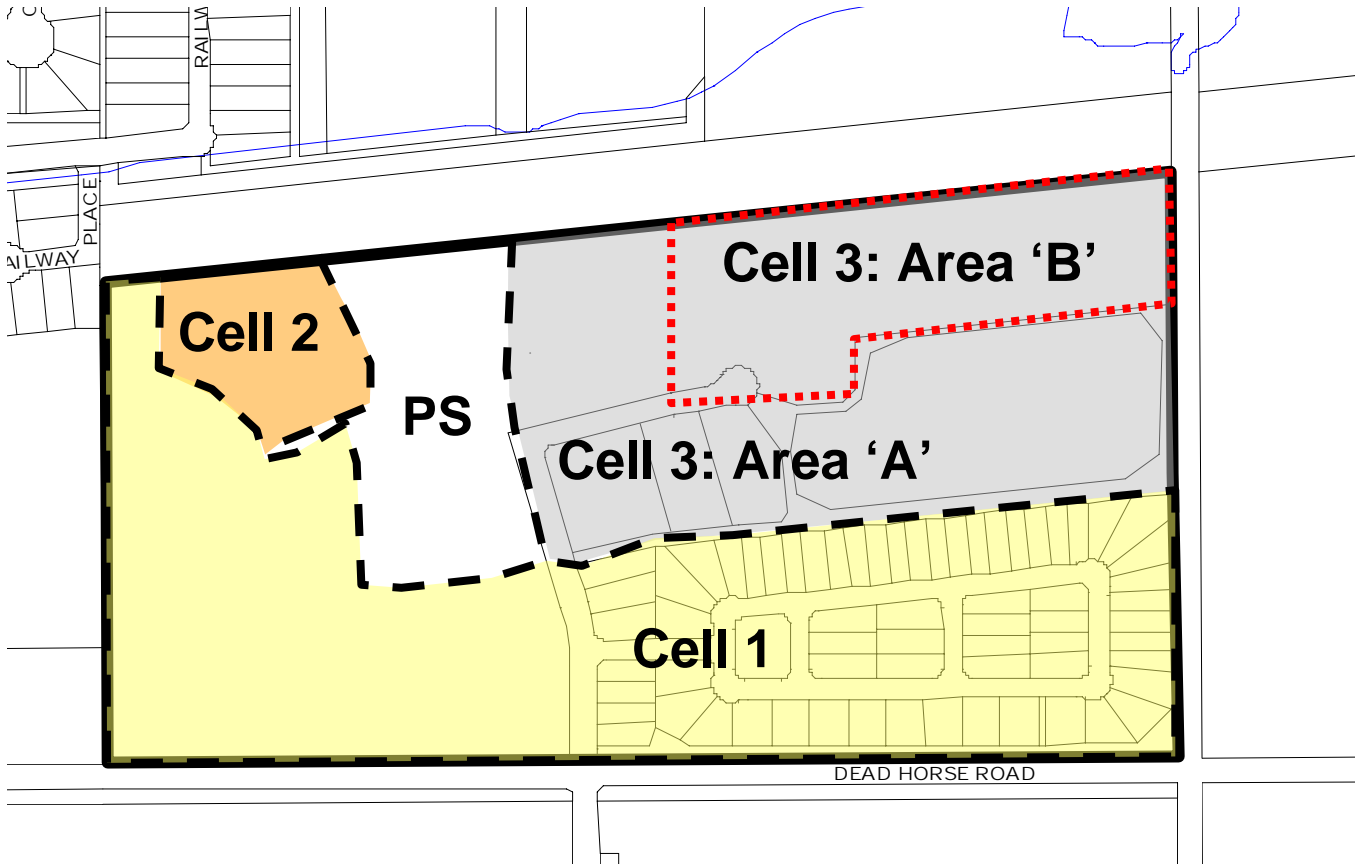
Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday September 22, 2009, on a motion by Councillor Boehlke.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

SCHEDULE "B"

BYLAW: C-6820-2009



LEGEND : DEVELOPMENT CELLS

Cell 1 – Hamlet Residential: Single Family



Cell 2 – Hamlet Residential: Medium Density



Cell 3 – Business Park



Subject Land _____

LEGAL DESCRIPTION: A portion of SE 23-23-27-W4M

FILE: 03223001-2005-RV-105

DIVISION: 4

