

ROCKY VIEW COUNTY
BYLAW C-6858-2009

A Bylaw of Rocky View County to amend 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 Map No. 42 of Bylaw C-4841-97 to redesignate SE-19-24-27-W4M from Ranch and Farm District to Direct Control District as shown on the attached Schedule 'A' and Schedule 'B'; and

WHEREAS a notice was published on Tuesday, February 2, 2010 and Tuesday, February 9, 2010 in the Rocky View Weekly, a newspaper circulating in Rocky View County, advising of the Public Hearing for Tuesday, March 2, 2010; 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 24 of the Revised Statutes of Alberta, 1995, and all amendments thereto.

NOW THEREFORE the Council enacts the following:

1. That Part 5, Land Use Map No. 42 of Bylaw C-4841-97 be amended by redesignating SE-19-24-27-W4M from Ranch and Farm District to Direct Control District as shown on the attached Schedule 'A' and Schedule 'B' forming part of this Bylaw.
2. The Bylaw comes into effect upon the date of its third reading.
3. That the special regulations of the Direct Control District comprise:
 - 1.0 General Regulations
 - 2.0 Land Use
 - 3.0 Development Regulations
 - 4.0 Definitions
 - 5.0 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 include Development Cells as indicated in Schedule 'B' attached hereto and forming part hereof.
- 1.2 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, as amended shall apply unless otherwise specified in this Bylaw.
- 1.3 All uses, including the expansion of uses shall require a Development Permit.
 - 1.3.1 Notwithstanding section 1.3 the following uses are deemed approved without a Development Permit:

Agriculture, General

Accessory Buildings to Agriculture, General not exceeding 500 sq. m (5382.0 sq. ft.)

Accessory Uses to Agriculture, General

- 1.4 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.5 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

The purpose and intent of this Bylaw is to construct a stormwater management system that receives and stores stormwater from offsite development, naturally treats the stormwater and then discharges the water to either onsite or offsite development via irrigation works.

2.1 Development Cell 1 - Wetlands

2.1.1 The purpose and intent of this Cell is to construct a wetland to:

- (i) receive and retain stormwater;
- (ii) receive and retain surplus stormwater from Cell 2; and
- (iii) preserve and maintain the existing natural wetlands as functioning wetlands.

2.1.2 Uses, Permitted

Accessory Buildings to Agriculture, General

Accessory Uses to Agriculture, General

Agriculture, General

Constructed Wetland and appurtenances

2.2 Development Cell 2 –Stormwater Pond

2.2.1 The purpose of this Cell is to receive, retain, *naturally treat* and discharge stormwater. The treated stormwater will be discharged from the stormwater pond for the following purposes:

- (i) irrigation of offsite development;
- (ii) irrigation of land in Cell 3; and
- (iii) surplus stormwater to Cell 1.

2.2.2 Uses, Permitted

Accessory Building to Agriculture, General

Accessory Uses to Agriculture, General

Agriculture, General

Stormwater Pond and appurtenances

2.3 Development Cell 3 – Irrigation Area

2.3.1 The purpose and intent of this Cell is to receive *naturally treated* stormwater from Cell 2 to irrigate the land within the Cell.

- 2.3.2 Uses, Permitted
- Accessory Buildings to Agriculture, General*
 - Accessory Uses to Agriculture, General*
 - Agricultural, General*
 - Compost facility Type I*
 - Horticultural Development*
 - Park*
 - Public Utilities*
 - Signs*

3.0 Development Regulations

- 3.1 Approval from the County for any use contemplated by this Bylaw or Development Permits does not remove the obligation from the *Developer* to obtain and comply with all appropriate licenses and permits from Federal and/or Provincial Authorities having jurisdiction within the Development Area.
- 3.2 Any Development Permit Application may require Plans, Documents or Information to support the Application in accordance with Section 11 and Section 31, Table 31 of the Land Use Bylaw C-4841-97, as amended and determined by the Development Authority.
- 3.3 Minimum and Maximum Requirements
- 3.3.1 Parcel size: As defined in Schedule 'B'
- 3.3.2 Building setbacks:
- 3.3.2.1 Minimum Yard, Front:
- a) 45.0 m (147.6 ft.) from Range Road 275
- 3.3.2.2 Minimum Yard, Side:
- a) 6.0 m (19.7 ft.)
- 3.3.3 Minimum Yard, Rear:
- a) 15.0 m (49.2 ft.)
- 3.3.4. Maximum height of building:
- a) principal building 12 m (39.4 ft.)
 - b) accessory building 5.5 m (18.0 ft.)
- 3.4.1 Access for a *Constructed Wetland* and or a *Stormwater Pond* with a Development Permit application will be permitted to a service road standard within the existing access easement.
- 3.4.2 Any other Use, Permitted that requires a Development Permit not described in 3.4.1 may at the discretion of the Development Authority require a Parking and Loading Study and or a Transportation Impact Assessment (TIA). The TIA at a minimum shall consider access to Highway 791 and the appropriate road standard.

4.0 Definitions

- 4.1 **“Constructed Wetland”** means an area designed to accept rainfall and stormwater and is constructed with aquatic benches of varying depths and contains native and aquatic vegetation planted in different areas;
- 4.2 **“Developer”** means the person or corporation or Municipality who is responsible for any undertaking that requires a permit or action pursuant to this Bylaw;
- 4.3 **“Naturally treat”** means treatment resulting from the physical, chemical and biological processes that naturally occur in a pond and wetland system.
- 4.4 **“Park”** – means development of public or private land specifically designated for the general public for activity or passive recreational use and includes all natural and manmade landscaping, facilities, playing fields, buildings, or other structures that are consistent with the general purpose of park land;
- 4.5 **“Public Utilities”**- means public and/or privately owned communal water treatment and distribution systems, communal wastewater treatment and collection systems, stormwater management systems, natural gas, electricity, cable and telephone transmission lines (and related facilities) solid waste collection and recycling and general maintenance facilities related to on-site development;
- 4.6 **“Stormwater Pond”** – means a constructed pond that receives, retains, naturally treats and discharges stormwater;
- 4.7 Terms not defined above have the same meaning as defined in Section 8.0.0 of Land Use Bylaw C-4841-97.

5.0 Implementation

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

Division: 5

File: 04219001-2009-RV-147

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, January 26, 2010, 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, March 2, 2010, on a motion by Councillor Solberg.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, March 2, 2010, on a motion by Councillor Boehlke.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

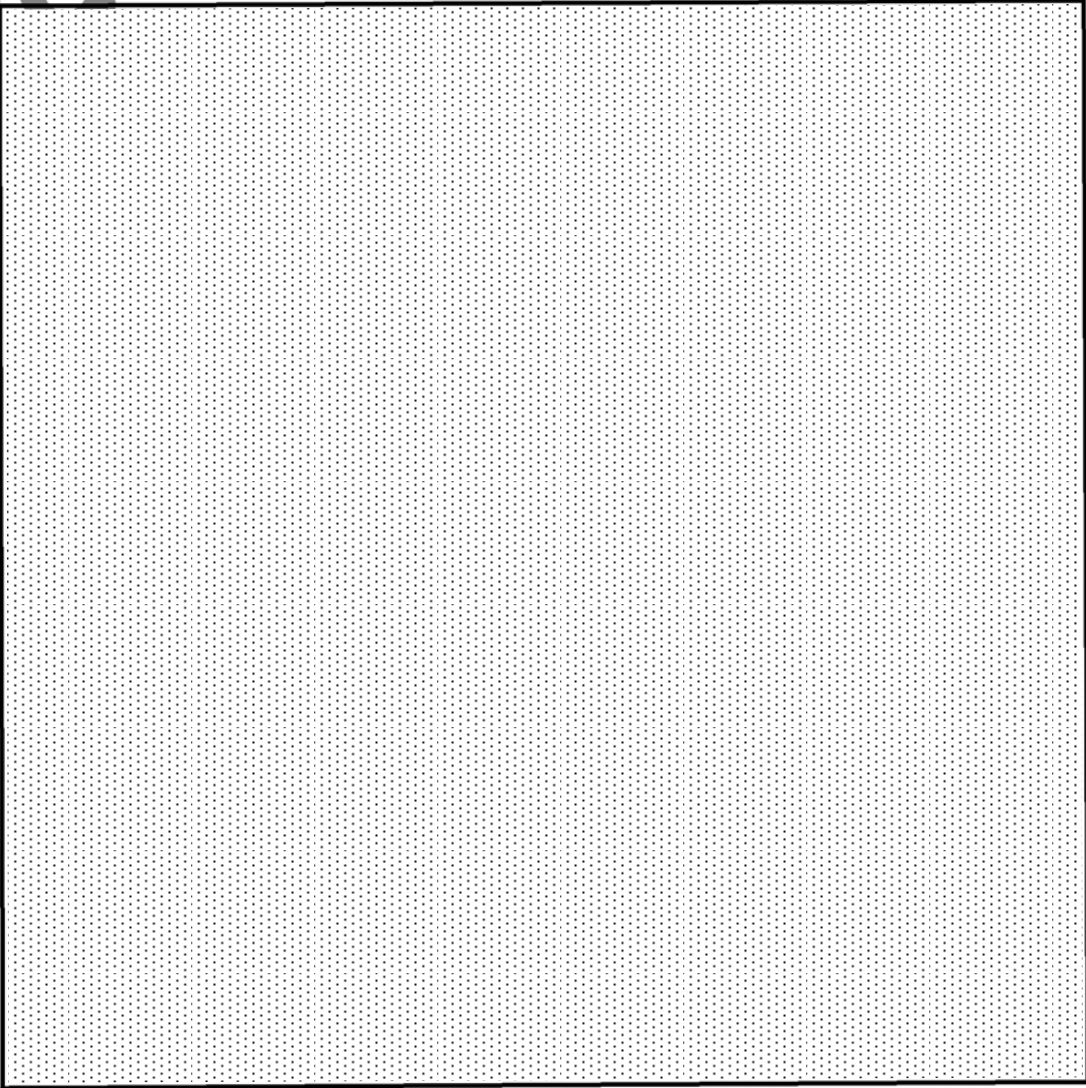
SCHEDULE "A"

BYLAW: C-6858-2009

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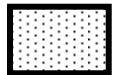
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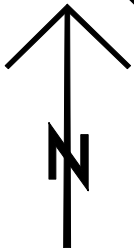


AMENDMENT

FROM Ranch and Farm District TO Direct Control District



Subject Land _____



LEGAL DESCRIPTION: SE-19-24-27-W4M

FILE: 04219001-2009-RV-147

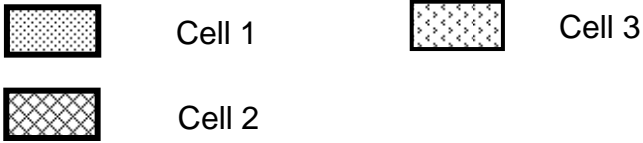
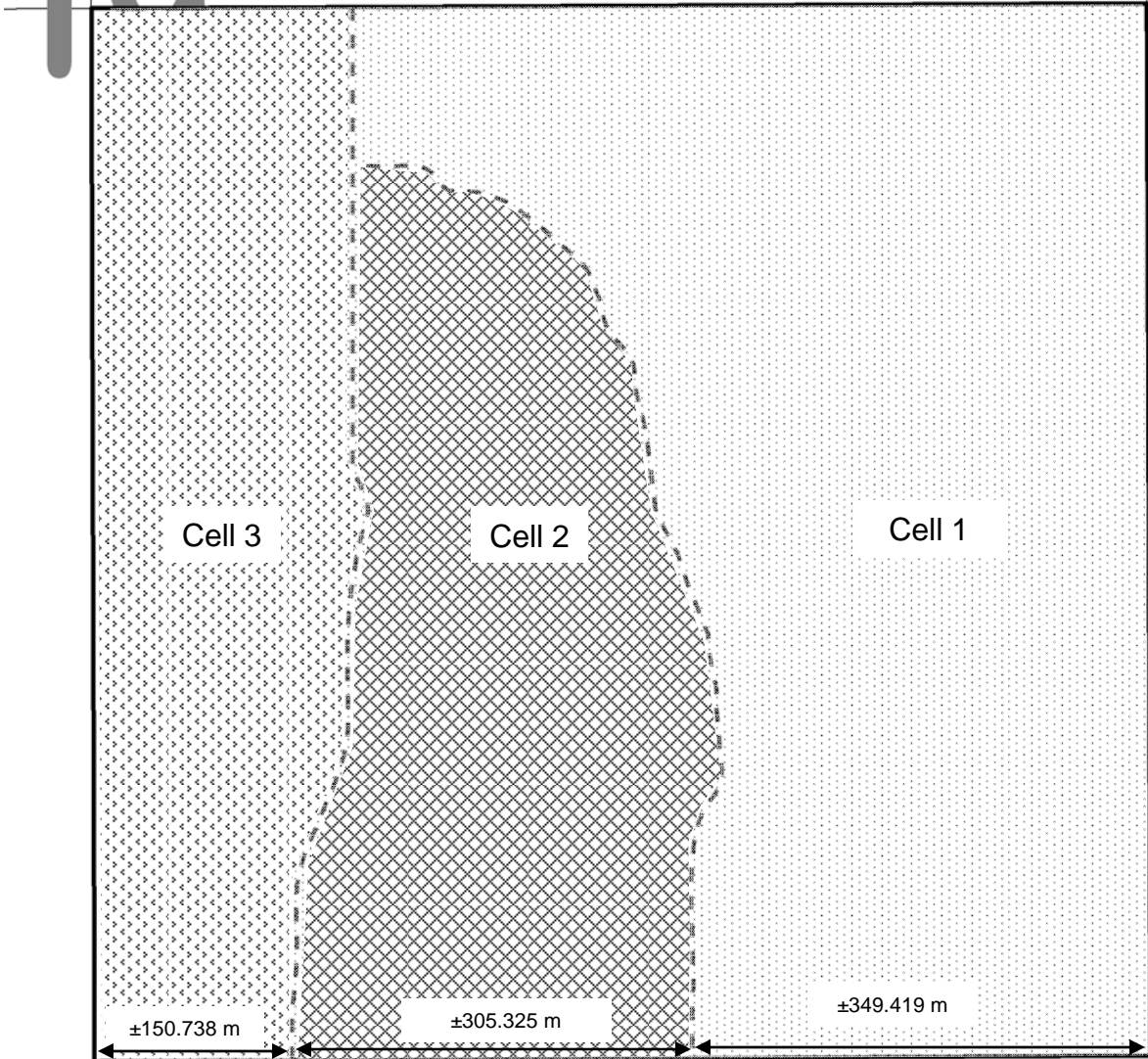
DIVISION: 5



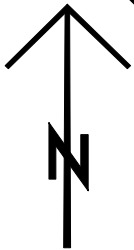
SCHEDULE "B"

BYLAW: C-6858-2009

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Subject Land _____



LEGAL DESCRIPTION: SE-19-24-27-W4M

FILE: 04219001-2009-RV-147

DIVISION: 5

