

**ROCKY VIEW COUNTY
BYLAW C- 6905-2010**

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 the following Bylaws:

Bylaw	Amendment Type	Date of Approval
C-6905-2010	Original Bylaw	June 1, 2010
C-7568-2016	Add Section 2.5.0 Add Section 4.2.0 To allow for a Temporary Sales Centre	June 28, 2016

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

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. 77 of Bylaw C-4841-97 to redesignate a portion of the SE-1-27-3-W5M from Ranch and Farm District to Direct Control District as shown on the attached Schedule 'A'; and

WHEREAS a notice was published on Tuesday, May 4, 2010 and Tuesday, May 11, 2010 in the Rocky View Weekly, a newspaper circulating in Rocky View County, advising of the Public Hearing for Tuesday, June 1, 2010; and

WHEREAS Council held a Public Hearing and has given consideration to the representations made to it in accordance with Section 230 and 692 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

NOW THEREFORE Council for Rocky View County, duly assembled, enacts the following:

1. That Part 5, Land Use Map No. 77 of Bylaw C-4841-97 be amended by redesignating a portion of SE-1-27-3-W5M from Ranch and Farm District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
2. That a portion of the SE-1-27-3-W5M are hereby redesignated to Direct Control District, as shown on Schedule "A" attached to and forming a part of this Bylaw; and
3. That the regulations of the Direct Control District comprise:
 - 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Subdivision Regulations
 - 4.0.0 Development Regulations
 - 5.0.0 Definitions
 - 6.0.0 Implementation

1.0.0 GENERAL REGULATIONS

- 1.1.0 The General Regulations contained within this Section are applicable to the all Lands subject to this Bylaw as indicated in Schedule 'A' attached hereto and forming part hereof.
- 1.2.0 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.
- 1.3.0 Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where noted as otherwise in this Bylaw.
- 1.4.0 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.5.0 Notwithstanding Section 1.3.0, the following uses are considered to be deemed approved without the requirement for a Development Permit when all other criteria of this Bylaw are met:

Agriculture, General;
Accessory Buildings to Agriculture, General;
Dwelling, Single-detached;
Dwelling, Semi-detached;
Accessory Buildings.

2.0.0 LAND USE REGULATIONS**2.1.0 Purpose and Intent**

The purpose and intent is to develop for a comprehensively planned residential community with interrelated amenities and services and is intended to be marketed to seniors.

2.2.0 Uses, Permitted

Agriculture, General
Accessory Buildings to Agriculture, General
Accessory Buildings
Community Signs
Dwelling, Semi-detached
Dwelling, Single-detached
General Store
Government Services
Health Care Services
Indoor Participant Recreation Services
Medical Treatment Services
Private Clubs and Organizations
Public Buildings, Uses, Utilities and Services
Public Utilities Religious
Assembly
Restaurant/Coffee Shop
Row housing
Show Homes
Signs
Temporary Sales Centre

- 2.3.0 Total Number of Dwelling Units: As per Master Site Development Plan.
- 2.4.0 Maximum and Minimum Requirements: As per Master Site Development Plan.
- 2.5.0 Maximum and Minimum Requirements for a Temporary Sales Centre
 - 2.5.1 Minimum Front Yard Setback:
 - a. 40.00 m (147.64 ft.) from any road, County;
 - b. 40.00 m (196.85 ft.) from any road, Highway;
 - c. 15.00 m (49.21 ft.) from any road, internal subdivision or road service.
 - 2.5.2 Minimum Side Yard Setback:
 - a. 40.00 m (147.64 ft.) from any road, County;
 - b. 40.00 m (196.85 ft.) from any road, Highway;
 - c. 15.00 m (49.21 ft.) from any road, internal subdivision or road service;
 - d. 6.00 m (19.68 ft.) all other.
 - 2.5.3 Minimum Rear Yard Setback:
 - a. 30.00 m (98.43 ft.) from any road;
 - b. 7.00 m (49.21 ft.) all other.
 - 2.5.4 Maximum Building Height:
 - a. 7.00 m (49.21 ft.) Temporary Sales Centre

3.0.0 SUBDIVISION REGULATIONS

- 3.1.0 The lands subject to this Bylaw may be subdivided from the quarter section in order to create separate title.
 - 3.1.1 Further subdivision and/or development of the subject lands shall not proceed until Rocky View Council approves a Master Site Development Plan that includes specific regulations related thereto. The Master Site Development Plan shall include the following:
 - 3.1.2 Introduction and Purpose – A general discussion of the vision of the proposal, including guiding principles, analysis of existing policy, community development, definition of the study area, and the site opportunities and constraints.
 - 3.1.3 Master Site Development Concept – a description of the proposal including information related to the following:
 - a) Transportation and access management: Traffic Impact Assessment (TIA) to assess the traffic generated by the proposal and the impact on the operation of Highway 567 to the satisfaction of Alberta Transportation and the County.
 - b) Phase 1 Environmental Site Assessment (ESA).
 - c) Biophysical Impact Assessment (BIA).
 - d) Stormwater Management Plan (SWMP).
 - e) Utility Servicing Plan details of water, wastewater and stormwater infrastructure in support of the development.
 - f) Detailed design criteria and development guidelines for the residential lots, internal roads, recreational opportunities and dedication of lands.
 - g) Site design including proposed land uses and anticipated users

- 3.1.4 Project Implementation – a discussion about the project implementation including phasing and construction management of the site (e.g. stripping and grading and weed management) and required permits, if any.
- 3.1.5 Supplementary Information – any additional information that may help further define the proposal, including schematic plans, and technical information, as available and at the discretion of the County.
- 3.2.0 Unless otherwise provided for by this Bylaw, no subdivision or development shall proceed within the Lands for any purpose, until:
 - a) The Developer has submitted a Construction Management Plan, prepared by a qualified professional, to the satisfaction of the County.
 - b) The Developer has submitted a Weed Management Plan, prepared by a qualified professional, to the satisfaction of the County.
 - c) The Developer has submitted a Stormwater Management Plan, prepared by a qualified professional, to the satisfaction of the County and all relevant Federal & Provincial Authorities.
 - d) The Developer has submitted a Traffic Impact Analysis, prepared by a qualified professional, in accordance with Alberta Transportation and to the satisfaction of the County.
 - e) The Developer has submitted a Local Transportation Network Plan to the satisfaction of the County. The Network Plan will provide details regarding construction of new roads, upgrading of existing roads, dedication of additional road rights-of-way and other road related agreements as outlined in the Master Site Development Plan.
 - f) A wastewater treatment system, to be approved by the Province of Alberta, has been confirmed, to the satisfaction of the County.
 - g) A potable water system, to be approved by Alberta Environment and to be licensed by the Province of Alberta, has been confirmed, to the satisfaction of the County.
 - h) The Developer submits a Utility Servicing Plan regarding the implementation of water, wastewater and stormwater infrastructure in support of the development to the satisfaction of the County.
 - i) The County has reviewed and endorsed all Condominium Bylaws, Homeowners Association Bylaws, and Architectural Controls associated with this development.
 - j) The Developer has submitted a Landscaping Plan that details plantings and other related improvements proposed within the development, prepared by a qualified Landscaping Professional, to the satisfaction of the County.
 - k) The Developer has submitted a Solid Waste Management Plan detailing how solid waste will be collected and transported from the development.

4.0.0 DEVELOPMENT REGULATIONS

- 4.1.0 Notwithstanding 3.1.0 and 3.2.0 the County may issue a Development Permit for Stripping and/or Grading within any portion of the development provided the County has endorsed a Construction Management Plan and a Stormwater Management Plan as required by Section 3.1.0 and 3.2.0.
- 4.2.0 Notwithstanding 3.1.0 and 3.2.0 the County may issue a Development Permit for the placement of a *Temporary Sales Centre* on the subject lands prior to the approval of a Master Site Development Plan.

- 4.3.0 Approval from the County for any use contemplated by this Bylaw may be subject to approval from all relevant Federal and/or Provincial Authorities.
- 4.4.0 No occupancy of any *Dwelling, Single-detached, Dwelling, Semi-detached* or Row housing shall occur until the construction of all required roads and utilities have been substantially completed to the satisfaction of the County.
- 4.5.0 The County may issue a Development Permit for up to three (3) Show Homes prior to the endorsement of a conditionally approved Plan of Subdivision. No occupancy of a Show Home shall occur until of all required roads and utilities have been substantially completed and a Plan of Survey has been registered with Alberta Land Titles.
- 4.6.0 No outside storage shall be permitted within any parcel containing a *Dwelling, Single detached, Dwelling, Semi-detached* or Row housing.
- 4.7.0 All signage shall be of a character in keeping with the Architectural Controls.
- 4.8.0 Buildings and structures will be designed in accordance with the Architectural Guidelines as approved by the County.
- 4.9.0 *Accessory Buildings* shall not be attached to any *Dwelling, Single detached Dwelling, Semi-detached* or Row housing and construction of carports, breezeways; lean-two and/or any other similar structure between a *Dwelling, Single detached Dwelling, Semi-detached* or Row housing and an *Accessory Building* shall not be permitted.

5.0.0 DEFINITIONS

- 5.1.0 “Community Sign” - means a sign displaying the name of the community and may form part of a significant entranceway feature to the community;
- 5.2.0 “Construction Management Plan” - means a program that details site management of all construction activity that may include, but is not limited to, the management of construction debris and dust, stormwater, site erosion, sedimentation control, noise control, traffic control and groundwater monitoring;
- 5.3.0 “Public Utilities” - means public and/or privately-owned communal water treatment & 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;
- 5.4.0 “Qualified Landscaping Professional” - means a professional landscape architect licensed to practice within the Province of Alberta who is a member in good standing with the Alberta Association of Landscape Architects (AALA);
- 5.5.0 “Row housing” - means a series of houses, similar or identical design, situated side by side and adjoining by common walls.
- 5.6.0 “Seniors” – means persons who:
- a) have attained the age of 55 years or more; or
 - b) are married to an individual who has attained the age of 55 years or more and is a resident of the facility;
- 5.7.0 “Substantially Completed” - means Construction Completion Certificates have been issued by the County;
- 5.8.0 “Temporary Sales Centre” - means a building without any below-grade foundation which may be located on site, in accordance with all other setback requirements of this Bylaw, used exclusively as an office to promote the sale of residential lots specific to this development.

6.0.0 IMPLEMENTATION

6.1.0 This bylaw comes into effect upon the date of its third and final reading.

Division: 7

File: 07701003 2009-RV-136

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, April 27, 2010, on a motion by Deputy Reeve Louden.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, June 1, 2010, on a motion by Reeve Habberfield .

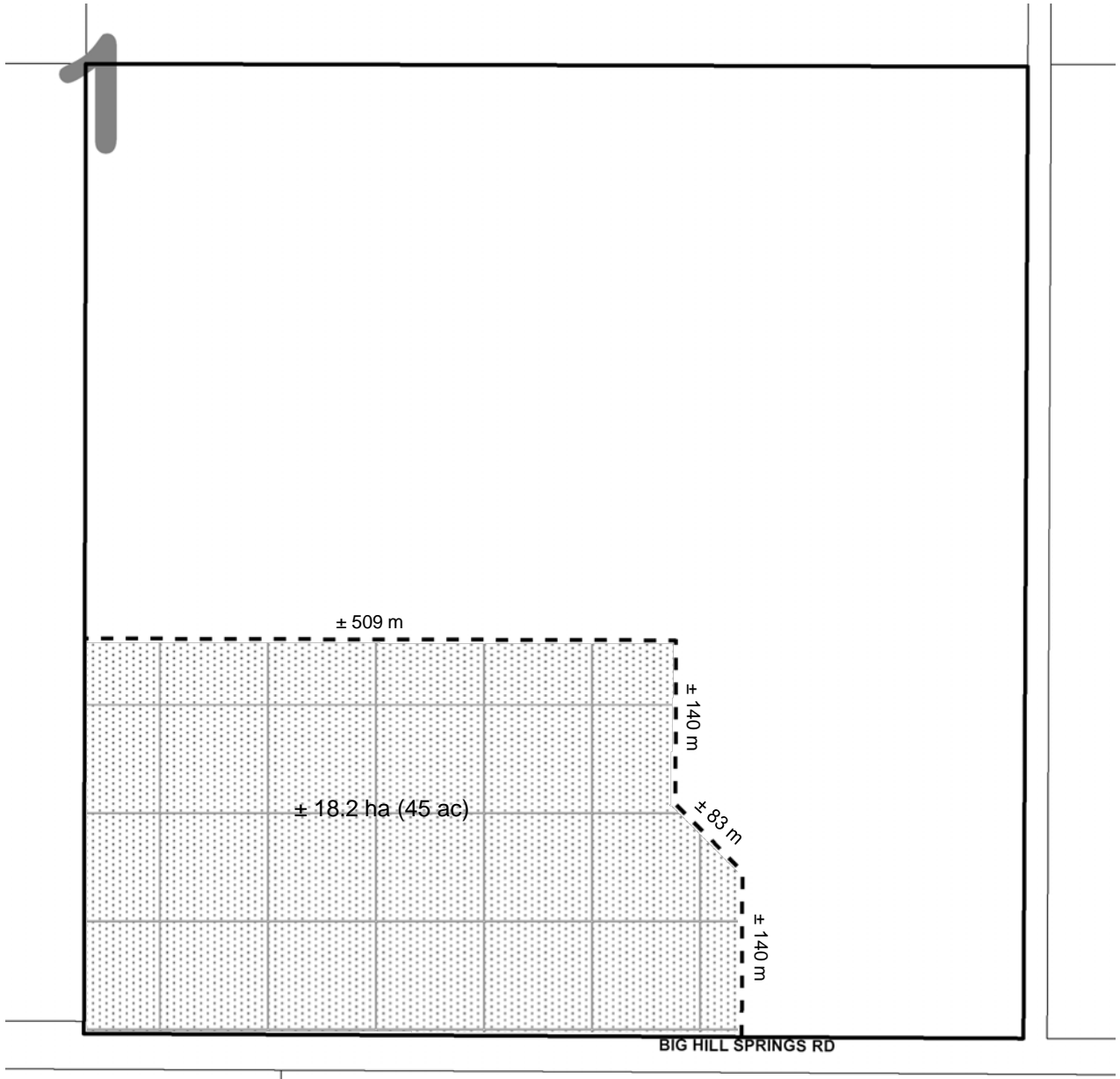
Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, June 1, 2010, on a motion by Councillor Rheubottom.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

SCHEDULE "A"

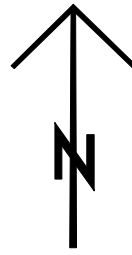
BYLAW: C-6905-2010



AMENDMENT

FROM Ranch and Farm District TO Direct Control District

Subject Land _____



LEGAL DESCRIPTION: A portion of SE-1-27-3-W5M

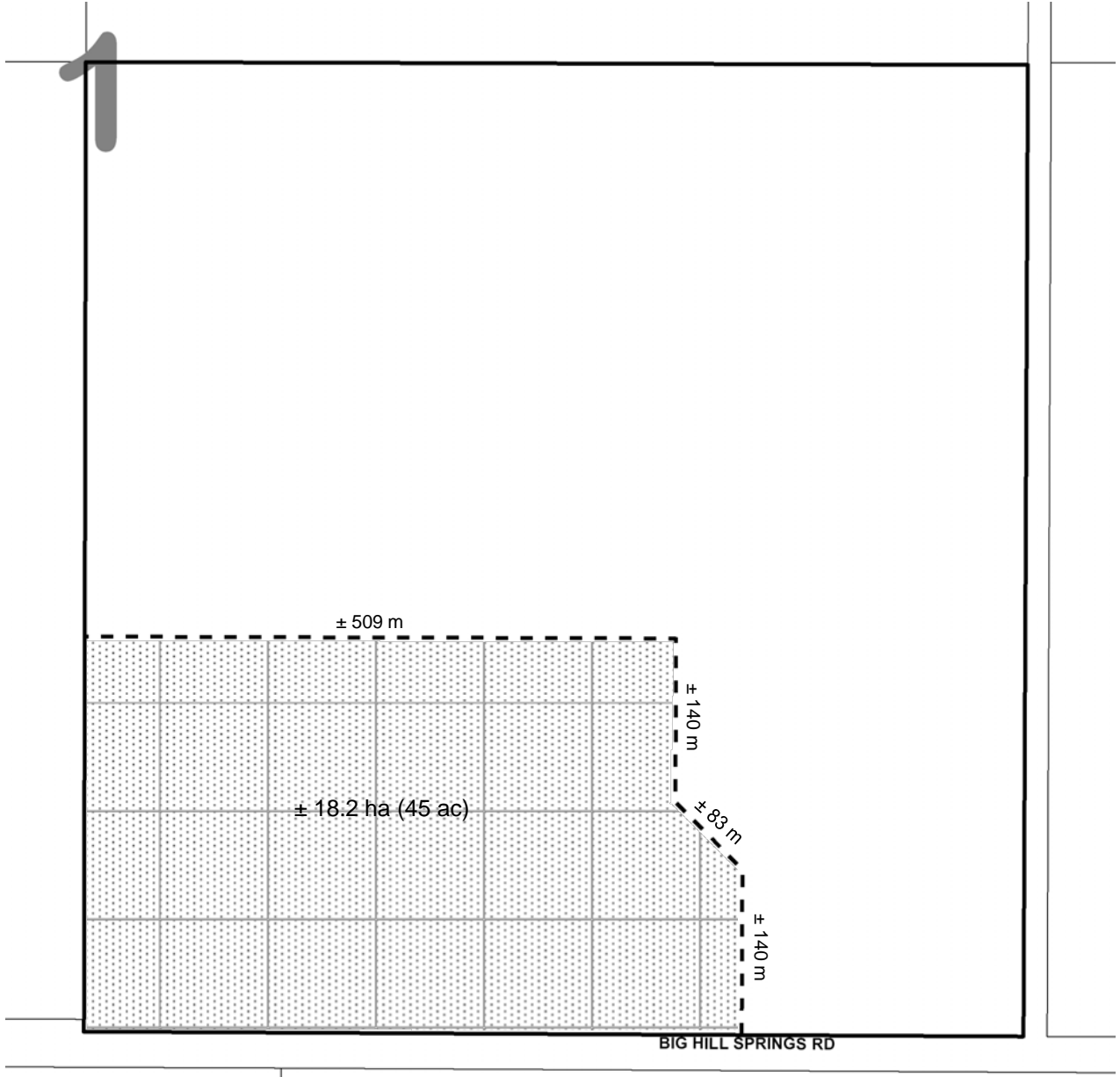
FILE: 07701003-2009-RV-136

DIVISION: 7



SCHEDULE "A"

BYLAW: C-6905-2010



AMENDMENT

FROM Ranch and Farm District TO Direct Control District

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