

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-7186-2012

OFFICE CONSOLIDATION

DC-148

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-7186-2012	Original Bylaw	November 1, 2012
C-8010-2010	Amendments to Schedules (maps)	July 14, 2020

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

WHEREAS the Council deems it desirable to amend the said Bylaw;

WHEREAS the Council of Rocky View County has received an application to amend Part 5, Land Use Map No. 47, 47-NE and 47-NW of Bylaw C-4841-97 to redesignate a portion of NW-34-24-3-W5M from Ranch and Farm District to Direct Control District as shown on the attached Schedule 'A' and Schedule 'B'; 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 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. 47, 47-NE and 47-NW of Bylaw C-4841-97 be amended by redesignating a portion of NW-34-24-3-W5M 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. That the regulations of the Direct Control District comprise:
 - 1.0 General Regulations
 - 2.0 Development Cell A – Neighbourhood Buffer Zone
 - 3.0 Development Cell B – Lifestyle Zone
 - 4.0 Development Cell C – Highway Edge Zone
 - 5.0 General Development Regulations
 - 6.0 Definitions
 - 7.0 Implementation
- 1.0 General Regulations**
- 1.1 For the purposes of this Bylaw, the Lands shall be divided into Cell A, Cell B, and Cell C, the boundaries of which are generally indicated in Schedule "B" attached to and forming part of this bylaw. The size and shape of Cell A, Cell B, and Cell C are approximate and will be more precisely determined at the subdivision and development stages in accordance with the regulations of this Bylaw and with regard to Figure 13 of the Bingham Crossing Conceptual Scheme.
 - 1.2 Parts 1, 2, & 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where otherwise noted.
 - 1.3 The Subdivision Authority shall be responsible for decisions regarding subdivision applications affecting the land the subject of this Bylaw.
 - 1.4 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
 - 1.5 The following general regulations shall apply to all development that is to be located in Cell A, Cell B, and Cell C.

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- 1.5.1 *Parcel Size:*
 - (a) The minimum *parcel size shall* be 0.4 hectares (1.0 acres).
- 1.5.2 *Minimum Yard, Front for Buildings:*
 - (a) 60.00 m (196.85 ft.) from any road, highway;
 - (b) 6.00 m (19.69 ft) all other.
- 1.5.3 *Minimum Yard, Side for Buildings:*
 - (a) 60.00 m (196.85 ft.) from any road, highway;
 - (b) Minimum of 0.00 m (0.0 ft) all other.
- 1.5.4 *Minimum Yard, Rear for Buildings:*
 - (a) 60.00 m (196.85 ft.) from any road, highway;
 - (b) Minimum of 6.00 m (19.69 ft) all other.
- 1.5.5 *Maximum Height of Buildings:*
 - (a) 12.00 metres (39.37 ft).
- 1.5.6 The Subdivision Authority may grant a variance to each site's minimum lot size by a maximum of 5%.
- 1.5.7 The Development Authority may grant a variance to each site's minimum *Yard, Front, Yard, Side and Yard, Rear* of 10%, providing it is determined that such a variance does not have a significant negative impact upon the amenity of the adjoining parcel.
- 1.5.8 The Development Authority may grant a variance to each site's Maximum Height of Buildings provision of 10%, providing it is determined that such a variance does not have a significant negative impact upon the amenity of the adjoining parcel.
- 1.5.9 *A building may* be occupied by a combination of one or more uses listed in the Cell where the land is located and each use *shall* be considered as a separate use, and each use *shall* obtain a *Development Permit*. A *Development Permit* may include a number of uses and/or units within a building.

2.0 Development Cell A – Neighbourhood Buffer Zone

2.1 Purpose and Intent

The purpose and intent of Cell A is to provide a transition area that will consist of ample open space, including a regional trail, a senior's facility, and various forms of low intensity, low impact uses that will be integrated into the overall open space system. Planning of the Cell is to consider the transition of uses and development densities so they are compatible with the country residential uses to the north.

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2.2 Uses

Accessory buildings

Amenity Spaces for Pedestrian Uses

Arts and cultural centre

Athletic and Recreation facilities

Banks or Financial Institutions

Child care facility

Colleges and Post Secondary Education Institutions

Commercial School or College

Conference Centre

Convenience store

Government services

Grocery store, local

Health care services

Medical Treatment Services

Museum

Offices

Patio, accessory to the principal business use

Personal Service Business

Private Clubs and Organizations

Public buildings

Public market

Public Parks

Religious Assemblies

Restaurant

Retail Store, Local

School, Public or Separate

School, Private

Senior's Community

Signs

Specialty food store

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3.0 Development Cell B – Lifestyle Zone

3.1 Purpose and Intent

The purpose and intent of the Cell B is to create an area for shopping and socializing and have buildings with varying heights and storefronts with the potential for offices above the main floors. Cell B is to have a pedestrian focus and be designed so it will hold community events.

3.2 Uses

Accessory buildings

Amenity Spaces for Pedestrian Uses

Arts and cultural centre

Athletic and Recreation facilities

Banks or Financial Institutions

Child care facility–

Colleges and Post Secondary Education Institutions

Commercial School or College

Conference Centre

Convenience store

Drinking establishment

Government services

Grocery store, local

Health care services

Laboratories

Liquor Sales

Medical Treatment Services

Museum

Offices

Patio, accessory to the principal business use

Personal Service Business

Private Clubs and Organizations

Public buildings

Public market

Public Parks

Restaurant

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Retail Store, Local
School, Public or Separate
School, Private
Signs
Specialty food store

4.0 Development Cell C – Highway Edge Zone

4.1 Purpose and Intent

The purpose and intent of Cell C is to accommodate comparatively more significant retail uses than in Cells A and B. The location of Cell C adjacent to Highway 1 and separated from residential uses to the north, provides an opportunity for a natural progression in retail commercial scale, form and use.

4.2 Uses

Amenity Spaces for Pedestrian Uses
Animal health care services, small animal
Arts and cultural centre
Athletic and Recreation facilities
Banks or Financial Institutions
Building Accessory buildings
Child care facility–
Colleges and Post Secondary Education Institutions
Commercial School or College
Conference Centre
Convenience store
Drinking establishment
Government services
Grocery store, regional
Grocery store, local
Health care services
Laboratories
Liquor Sales
Medical Treatment Services
Museum
Offices

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Outdoor display area
Patio, accessory to the principal business use
Personal Service Business
Private Clubs and Organizations
Public buildings
Public market
Public Parks
Restaurant
Recycling collection point
Religious Assemblies
Restaurant, Drive through
Retail garden centre
Retail store, regional
Retail Store, Local
School, Public or Separate
School, Private
Service station
Signs
Specialty food store

5.0 General Development Regulations

- 5.1 Prior to the approval of an application for subdivision or development permit a Master Site Development Plan that details the area to be developed incorporating, but not limited to, architectural controls, building size and dimensions, signage, access and parking, stormwater, water supply, wastewater management, road construction and improvements, public utility dedications, municipal, environmental reserve land dedications and berming/screening, shall be considered and adopted by Council.
- 5.2 The following items are required prior to the endorsement of a plan of subdivision or the issuance of a Development Permit;
 - 5.2.1 A Construction Management Plan, satisfactory to the County, which details amongst other items, erosion, dust, weed and noise control measures and stormwater management during construction, prepared by a qualified professional, to the satisfaction of the County.
 - 5.2.2 A Weed Management Plan, prepared by a qualified professional, to the satisfaction of the County.

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- 5.2.3 A Stormwater Management Plan, prepared by a qualified professional, to the satisfaction of the County and all relevant Federal & Provincial Authorities.
- 5.2.4 A Traffic Impact Analysis, prepared by a qualified professional, to the satisfaction of the County.
- 5.2.5 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 Conceptual Scheme.
- 5.2.6 A Utility Servicing Plan to the satisfaction of the County. This Plan will reflect details outlined in the Conceptual Scheme, including:
 - a) The creation of a Utility Company;
 - b) The establishment of future County ownership arrangements (Transfer Agreement) at no cost on a deficiency free basis, regarding the implementation of water (including licenses), wastewater and stormwater infrastructure to service the development; and
 - c) The identification of the area for spray irrigation disposal and the registration of a restrictive covenant over the affected area. The restrictive covenant shall restrict the use of the land to accepting treated effluent until such time as an alternative means of effluent disposal, that is acceptable to the County and the relevant provincial authority, is established.
- 5.2.7 A Solid Waste Management Plan detailing how solid waste will be collected and transported from the development.
- 5.2.8 A Parking and Loading Plan for all commercial/retail uses that details the configuration of all parking lots, including the location of all parking stalls, access points, loading area and vehicle manoeuvring. The plan will outline how all the parking lots will be linked and provide an efficient circulation pattern. A Parking Assessment prepared by a qualified professional may be submitted to determine appropriate parking/loading requirements if different than Section 30 – Parking and Loading and Schedule 5 – Parking, Schedule 6 – Loading, of the Land Use Bylaw (C-4841-97) as amended, to the satisfaction of the County. The Parking Assessment shall form part of the Parking and Loading Plan.
- 5.2.9 Calculations that address the amount of Municipal Reserve owning and how the required Municipal Reverse will be provided (ie. cash in lieu or land dedication)
- 5.2.10 Architectural Controls that addresses building form and finishings and the relationship of the buildings to each other and the adjacent streets, parking lots and open spaces.
- 5.2.11 An Emergency Response Plan prepared by a qualified professional in a form and substance satisfactory to the Municipality.
- 5.2.12 All necessary easements and rights-of-way related to the sanitary sewer, water and stormwater systems, and the supply and distribution of power, gas, telephone, and cable television have been confirmed in form and substance.

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- 5.2.13 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.
- 5.2.14 An Outdoor Lighting Plan that addresses the Municipality's Dark Sky Policy as well as the International Dark Sky Association Guidelines.
- 5.2.15 All necessary licenses permits and approvals have been obtained from Alberta Environment with respect to:
 - a) a potable water supply and distribution system to service the subject lands or portions thereof and any necessary License/s to Divert and Use Water is obtained from Alberta Environment with regards to the piped water supply and distribution system required to service the development and this piped water supply and distribution system has been confirmed;
 - b) the design, location and operational protocol of the sewage treatment facilities servicing the subject lands or portions thereof, including the treatment facility and surface disposal (ie. spray irrigation) required to service the development and this wastewater system and treatment facility has been confirmed; and
 - c) the stormwater system required to service the development and this stormwater system has been confirmed.
- 5.2.16 Documentation demonstrating resident eligibility and usage of any accommodation units within a *Senior's Community*.

5.3 Stripping & Grading

Notwithstanding provisions stated elsewhere in this Bylaw, the Municipality may issue a Development Permit for stripping and grading, which does not include installation of underground services, gravel or paving, prior to subdivision endorsement or issuance of a Development Agreement provided the following is submitted to and approved by the Municipality.

- a) A Stormwater Management Plan that accounts for all development on the site prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta, in a form and substance satisfactory to the County and Alberta Environment;
- b) A Site Development Plan that locates all buildings, roadways, open spaces, parking lots and pathways; and
- c) A Construction Management Plan, satisfactory to the County, which details among other items, erosion, dust, weed and noise control measures and stormwater management during construction.

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6.0 Definitions

- 6.1 "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, and traffic control
- 6.2 "Qualified Landscaping Professional" - means a professional landscape architect licensed to practise within the Province of Alberta who is a member in good standing with the Alberta Association of Landscape Architects (AALA);
- 6.3 "Senior's Community" – means a facility that includes a range of accommodation types (eg. villas, apartments, duplexes) geared to providing assisted or independent living arrangements for mature adults. Facilities associated with the senior's community may include offices, wellness center, spa, swimming pool, recreational amenities, theatre, restaurant, games rooms, exercise room, meeting rooms, medical treatment facilities, and a community hall.
- 6.4 "The County" – means the Administration of Rocky View County.
- 6.5 "Conference Centre" - means an establishment used for the holding of meetings, conventions, seminars, workshops, product and trade shows, or similar activities, and *may* include dining for the use of participants, as well as compatible accessory facilities;

7.0 Implementation

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

Division: 2

File: 04734003-2012-RV-036

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on September 25, 2012 on a motion by Councillor Habberfield.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on November 1, 2012 on a motion by Councillor Habberfield.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on November 1, 2012 on a motion by Councillor Habberfield.

REEVE OR DEPUTY REEVE

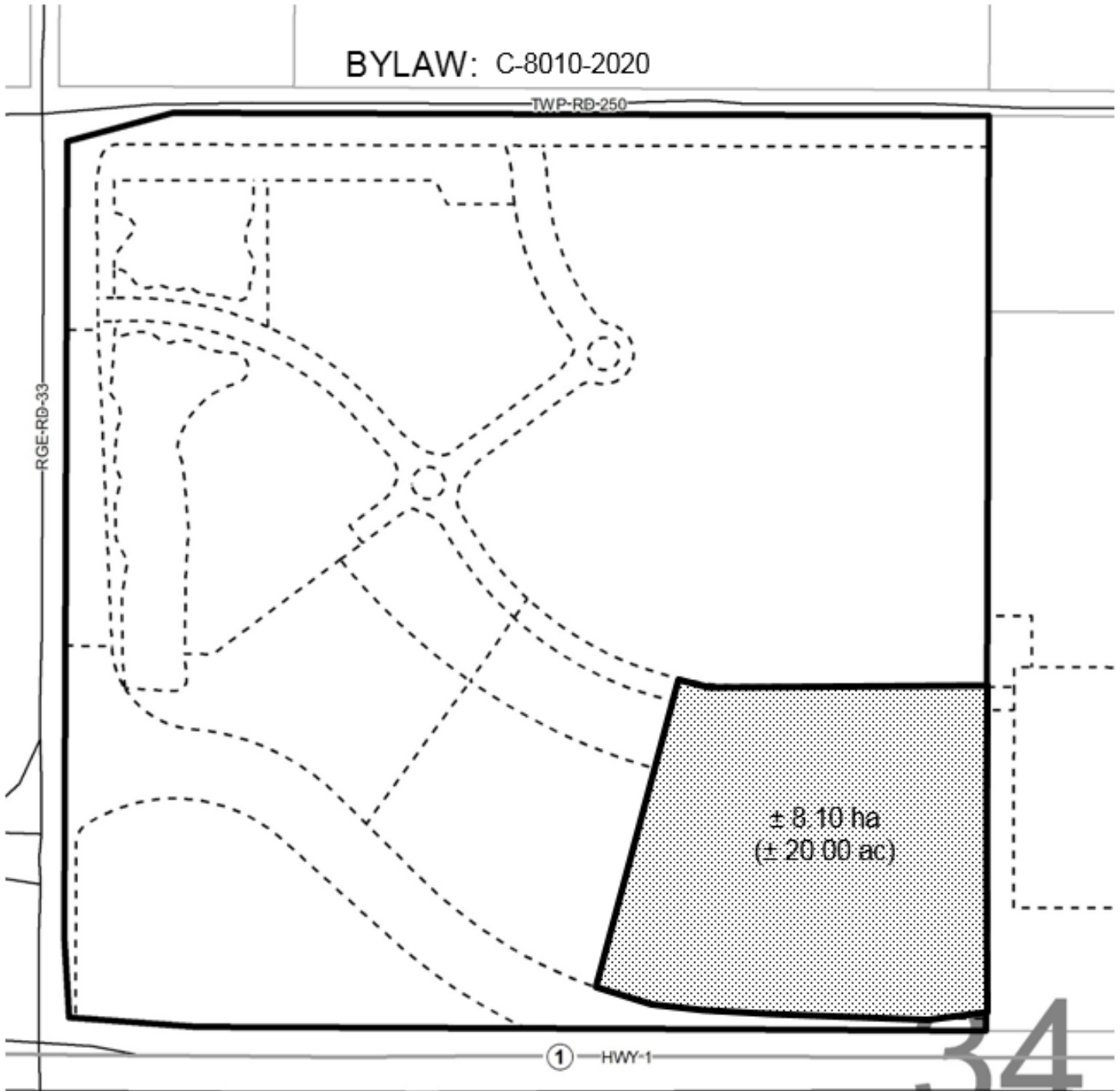
LEGISLATIVE SERVICES MANAGER

SCHEDULE "A"

BYLAW: C-8010-2020

TWP-RD-250

RGE-RD-33



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AMENDMENT

FROM Ranch and Farm District TO Direct Control District 148

Subject Land _____

LEGAL DESCRIPTION: NW-34-24-03-W05M

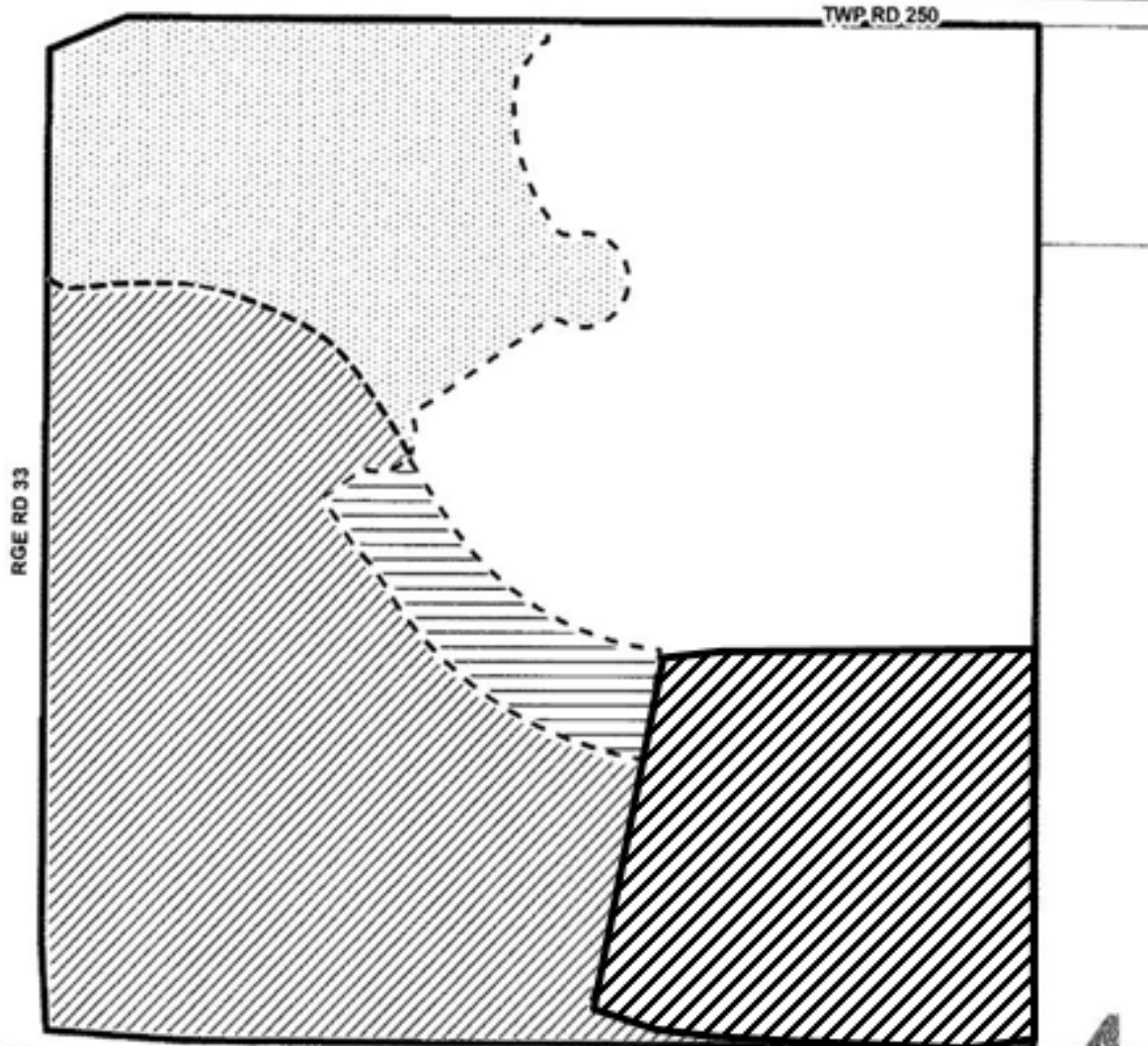
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


DIVISION: 2



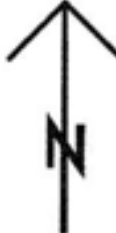
SCHEDULE "B"

BYLAW: C-7186-2012



- ①  Development Cell A – Neighbourhood Buffer Zone (± 9.60 ha, ± 23.97 ac)
-  Development Cell B – Lifestyle Zone (± 2.32 ha, ± 5.73 ac)
-  Development Cell C – Highway Edge Zone (± 20.13 ha, ± 49.74 ac)
-  Subject Land

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LEGAL DESCRIPTION: A portion of NW-34-24-3-W5M

FILE: 04734003-2012-RV-036

DIVISION: 2



ROCKY VIEW COUNTY
Cultivating Communities