

**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-7508-2015**

**DC-153**

**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:

| <b>Bylaw</b> | <b>Amendment Type</b>   | <b>Date of Approval</b> |
|--------------|---|-------------------------|
| C-7508-2015  | Original Bylaw  | July 28, 2015           |
| C-7699-2017  | Add Waste Transfer Site as a Use in Section 2.2<br>Add Special Use Regulation 2.2.1<br>Add Schedule 'B'   | October 10, 2017        |
| C-8379-2023  | Amend Part 2 – Definitions<br>Amend Section 2.4.2 – Building Coverage<br>Amend Section 3.1 – Purpose and Intent Cell B Add<br>Section 3.1.1 – Cell B2 | March 14, 2023          |

## **BYLAW C-7508-2015**

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

The Council of Rocky View County enacts as follows:

#### **PART 1 – TITLE**

This Bylaw shall be known as Direct Control District Bylaw 153 (C-7508-2015).

#### **PART 2 – DEFINITIONS**

The Terms not defined in this Bylaw have the same meaning as defined in Section 8.0.0 of the Land Use Bylaw C-4841-97.

**‘Spray Irrigation System’** – The Spray Irrigation System is composed of infrastructure and land. Prior to spray application, fully treated water is tested to ensure compliance with the Alberta Environment conditions of approval.

The infrastructure consists of pumping and controls at the stormwater and wastewater sources, the pipelines required to distribute the fully treated water and the discharge irrigation equipment required to apply the fully treated water to the ground.

The Cell B1 area may be irrigated with both stormwater and treated wastewater.

The Cell A area may be irrigated with stormwater on landscaped areas located in the road Right-of-Way, the developed lots, the stormwater complex, and common areas.

**‘Decommissioned Servicing Systems’** – The developer shall seek approval for decommissioning as required by the County and Alberta Environment. The developer will be responsible for decommissioning and site remediation in conformity with the conditions of approval by Alberta Environment.

In the event that servicing systems are not required in whole or in part at some point in the future, any land in whole or in part not required for the servicing systems may revert back to the developer.

**‘Regional Wastewater Servicing System’** – The wastewater system consists of collection pipes, a treatment facility, and a storage lagoon. Emcor Business Park will dispose of treated wastewater through irrigation within Cell B1. Distribution lines for off-site lands will be provided to the property line.

Emcor Business Park will provide for treatment servicing for potential future off-site lands by sizing the treatment facility PUL appropriately to allow for expansion and constructing connection tie-in lines to the edge of the property. Off-site lands able to be serviced by the Regional Wastewater Servicing System would be determined by the County.

The collection system will be designed for Emcor Business Park, and may include off-site lands identified by the County. The treatment area will be designed for the needs of Emcor Business Park, and off-site lands identified by the County.

#### **PART 3 – EFFECT OF BYLAW**

**THAT** Part 5, Land Use Maps No. 33 and 33 NW of Bylaw C-4841-97 be amended by redesignating the NW & SW 32-23-28-W04M from Direct Control District 113 (Bylaw C-6370-2006) to Direct Control District 153 (Bylaw C-7508-2015) as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** the NW & SW 32-23-28-W04M are hereby redesignated to Direct Control District 153 (Bylaw

C-7508-2015) as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** the regulations of the Direct Control District comprise:

- 1.0 General Regulations
- 2.0 Land Use Regulations: Cell A
- 3.0 Land Use Regulations: Cell B
- 4.0 Development Regulations
- 5.0 Subdivision Regulations

## **1.0 GENERAL REGULATIONS**

### **1.1 Emcor Business Park Purpose and Intent:**

The purpose and intent of this Direct Control District is to regulate the development of an industrial commercial business park consisting of a range of general business, commercial, and industrial uses within the context of a fully serviced communal servicing system. The servicing strategy for the park will utilize an integrated communal system and will contain a potable water treatment facility, wastewater collection, and treatment facility, a central stormwater management facility, and a surface irrigation area for disposal of treated wastewater and treated stormwater.

1.2 For the purposes of this Bylaw, the Lands shall be notionally divided into Development Cell A and Cell B, the boundaries and descriptions of which shall be more or less as indicated in Schedule 'A', attached to and forming part of this Bylaw, except otherwise approved by Council. The size and shape of each Development Cell is approximate and will be more precisely determined by a Tentative Plan of Subdivision or Site Development Plan, in form and substance satisfactory to the County.

1.3 The General Regulations contained in this Section are applicable to the entire Development Area which includes all development cells.

1.4 Parts 1, 2, and 3 of the Land Use Bylaw C-4841-97 shall apply unless otherwise specified in this Bylaw.

1.5 The Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.

1.6 All uses including the expansion of uses approved by Development Permit, shall require a Development Permit.

1.7 In addition to the uses contemplated by Section 2.0 and 3.0 of this Bylaw, the following may be uses in all Development Cells:

- a) Roads necessary for access and internal vehicular circulation; and
- b) Utilities and facilities necessary to service the Development.

1.8 Both the Subdivision Authority and Development Authority may require the developer to enter into a Development Agreement to fulfill the development related regulations necessary to ensure all servicing, access, and technical items are implemented, as directed by this Direct Control Bylaw, the County's Servicing Standards, and the approved Emcor Business Park Conceptual Scheme, as amended.

1.9 Either the Developer, a Lot Owners' Association, the County, subject to terms of the required Master Servicing Agreement, or a third party acceptable to the Municipality will

be responsible for operation and maintaining all stormwater management features in accordance with the Stormwater Management Plan and Alberta Environment requirements.

## 2.0 LAND USE REGULATIONS CELL A

### 2.1 Purpose and Intent Cell A

The purpose and intent of Cell A is to provide for the development of a business park consisting of a range of general business, commercial, and industrial uses as fully serviced lots within a communal servicing system. The site development is intended to include a mixture of parcel sizes, and will result in lot sizes no less than 0.50 hectares (1.23 acres) in size.

### 2.2 Uses

*Accessory Buildings*

*Accessory Use*

*Agriculture, General*

*Agricultural Support Services*

*Animal Health Services, Inclusive*

*Animal Health Services, small animal*

*Athletic and Recreation Services*

*Auctioneering Services*

*Automotive, Equipment and Vehicle Services*

*Commercial Communications Facilities (types A, B, C)*

*Commercial Recreation Facilities*

*Contractor General*

*Contractor Limited*

*Dealership/Rental Agency, Automotive*

*Dealership/Rental Agency, Implement and Equipment*

*Dealership/Rental Agency, Recreational Vehicle*

*Drinking Establishment*

*Extensive Agricultural Uses*

*General Industry Type I*

*General Industry Type II*

*General Industry Type III*

*Indoor and Outdoor Transshipment, Containerization, Storage of Materials, Goods or Products*

*Industrial Business*

*Light Manufacturing*

*Mini-storage*

*Offices*

*Outdoor Display Area*

*Outdoor Storage, Truck Trailer*

*Outside Storage*

*Parks and Open Space*

*Personal Service Businesses*

*Public Buildings, Uses, Utilities, and Services including spray irrigation systems designed to dispose treated effluent and stormwater.*

*Restaurants*

*Retail Store, Local*

*Retail Store, Regional*

*Sales, Service and Rentals Ancillary to Foregoing Uses*

*Service Stations and Bulk Fuel Suppliers*

*Signs*

*Tractor Trailer Service Depot*

*Warehouse*

*Waste Transfer Site*

#### 2.2.1 Special Use Regulations

- (a) The use, "Waste Transfer Site," is only permitted on those lands as identified on Schedule 'B' attached to and forming part of this Bylaw.

#### 2.3 Minimum Requirements

- 2.3.1 Front yard all roads 6.0 m.
- 2.3.2 Side yard all roads 6.0 m.
- 2.3.3 Rear yard all road 6.0 m.
- 2.3.4 Rear yard abutting residential property 30.0 m.
- 2.3.5 Side yard setback buildings 5.0 m.
- 2.3.6 Rear yard setback buildings 15.0 m
- 2.3.7 Rear yard setback buildings abutting rail spur 0.0 m.
- 2.3.8 Side yard setback buildings abutting rail spur 0.0 m.
- 2.3.9 Building setback facing 61 Avenue 30.0 m.
- 2.3.10 Building setback facing Garden Road 30.0 m.

#### 2.4 Maximum Requirements

- 2.4.1 Height of buildings:
  - a) Principal building 20.0 m.
  - b) Accessory Buildings: 6.0 m.

c) Height shall be measured from the average elevation of the finished ground level adjoining the exterior walls of a building to the highest point of a building.

2.4.2 Building Coverage: Principal and Accessory Buildings: 45% of the lot.

2.4.3 Maximum height of materials stored on site, including shipping containers: 6.0 m, or up to 9.14 m with appropriate landscaping as determined by the Development Authority.

### 3.0 LAND USE REGULATIONS – CELL B

#### 3.1 Purpose and Intent Cell B

The primary purpose and intent of Cell B is for utility service use, for the disposal of treated wastewater and stormwater by irrigation and evaporation. Cell B is notionally divided into Cell B1 and Cell B2. The secondary use of Cell B is for development similar to Cell A. In the event that Alberta Environment and the County determines that the lands in Cell B are not required in whole or in part for the utility service, the lands may accommodate new development in a manner similar to Cell A as required in Section 2.00 of this Bylaw, subject to Council approval of an amendment to both the Emcor Business Park Conceptual Scheme and this Direct Control Bylaw.

##### 3.1.1 Cell B2

It has been determined by Alberta Environment and Parks and the County that Cell B2 is not needed for stormwater irrigation and can be developed similar to Cell A.

#### 3.2 List of Uses

Utilities and services including spray irrigation systems designed to dispose treated effluent and stormwater.

*Agriculture, General*

#### 3.3 Special Regulations Cell B

##### 3.3.1 Connection to Regional Wastewater Servicing Special Provisions

Upon the possible future development and connection to regional wastewater servicing infrastructure in the area, the land that is no longer required for utility purposes, and has been appropriately decommissioned in conformity with Alberta Environment approvals, may accommodate new development similar to Cell A as required in Section 2.0 of this Bylaw, subject to Council approval of an amendment to both the Emcor Business Park Conceptual Scheme and this Direct Control Bylaw.

##### 3.3.2 Decommissioning

Upon the decommissioning of the utility service in whole or in part, the land that is no longer required for utility purposes, and has been appropriately decommissioned in conformity with Alberta Environment approvals, may accommodate new development similar to Cell A as required in Section 2.0 of this Bylaw, subject to Council approval of an amendment to both the Emcor Business Park Conceptual Scheme and this Direct Control Bylaw.



#### **4.0 DEVELOPMENT REGULATIONS**

##### **4.1 Stripping and Grading**

The Development Authority may issue a Development Permit for stripping and grading, provided the Grading Plan includes the Erosion and Sediment Control Plan, and a Construction Management Plan and the Applicant/Owner has submitted securities to the County in the amount of \$5,000 per disturbed acre to the satisfaction of the County.

##### **4.2 Interface Treatments with Residences**

The minimum required yard setbacks facing residences shall be landscaped with trees and berms to reduce and screen the impacts to adjacent residences.

##### **4.3 Lighting Plan**

Exterior lighting should be designed to conserve energy and eliminate upward light. All development will be required to be dark sky compliant.

##### **4.4 Landscaping Plan**

Development applications shall include a Landscaping Plan prepared by a landscape architect. All landscaping shall be in accordance with the Landscaping section of the General Regulations in the Land Use Bylaw.

##### **4.5 Building Treatments**

The building facades facing Garden Road shall be finished in the same manner as the front of the building.

##### **4.6 Performance Standards**

The performance regulations as identified in Section 3.6 of the Emcor Business Park Conceptual Scheme shall apply.

##### **4.7 Weed Control**

All areas shall be subject to a Weed Control Program prepared by the Applicant/Owner in accordance with the Weed Control Act of Alberta and the County's Servicing Standards, and confirmed in a Development Permit or Development Agreement to the satisfaction of the County.

#### **5.0 SUBDIVISION REGULATIONS**

##### **5.1 Minimum Lot Size 1.23 acres.**

##### **5.2 Prior to final subdivision endorsement by the County, a Site Servicing Franchise Agreement shall be entered into that reflects the operational details of water and wastewater servicing. This Agreement shall include provisions related to:**

- a) Ownership of the water and wastewater treatment and management facilities.
- b) Turnover strategy for facilities, infrastructure, and associated lands.
- c) Franchise Agreement and franchised utility provider information.
- d) Transition and transfer of water allocation(s) and associated water licenses required under this approval and conditions.

**PART 4 – TRANSITIONAL**

Bylaw C-7508-2015 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

**Division: 5**

**File: 03332002, 03332003 – PL20140133**

|   |               |             |               |
|---|---------------|-------------|---------------|
| <i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>                    | <i>day of</i> | <i>JULY</i> | <i>, 2015</i> |
| READ A FIRST TIME IN COUNCIL this                                 | day of        | JULY        | , 2015        |
| READ A SECOND TIME IN COUNCIL this                                | day of        | JULY        | , 2015        |
| <i>UNANIMOUS PERMISSION FOR THIRD READING<br/>(if applicable)</i> | <i>day of</i> | <i>JULY</i> | <i>, 2015</i> |
| READ A THIRD TIME IN COUNCIL this                                 | day of        | JULY        | , 2015        |

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO or Designate

\_\_\_\_\_  
Date Bylaw Signed