

BYLAW C-7960-2019

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 Bylaw (Bylaw C-7960-2019)

PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms not defined in this Bylaw shall have the meanings given to them in the Land Use Bylaw C-4841-97 and the *Municipal Government Act*.

“Specialty Food and Beverage Facility” means where products including but not limited to beer, wine, spirits, other alcoholic beverages, cheese, coffee, chocolate, and other specialty goods are manufactured; that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made; that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event and are sold to the general public for consumption on the premises; and that may include the retail sale of products made on the premises or by other Specialty Food and Beverage Facilities for consumption off the premises.

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 39-1 of Bylaw C-4841-97 be amended by redesignating Plan 1741EW, Block 6, Lot 1 from Hamlet Commercial to Direct Control District 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
- 3.0 Development Regulations

1.0 GENERAL REGULATIONS

1.1 Purpose and Intent:

The purpose and intent of the Direct Control District is to facilitate the development of the unique proposal brought forward for this site. The proposed development represents a complex commercial business model that is not adequately encompassed by any existing land use district. Direct Control designation is required to provide flexibility for the anticipated uses while providing assurance to the general public regarding the proposed built form.

- 1.2 The rules regulating the Hamlet Commercial District shall apply unless otherwise specified in this Bylaw.
- 1.3 Parts 1, 2, 3, and 4 of the Land Use Bylaw C-4841-97 shall apply unless otherwise specified in this Bylaw.
- 1.4 Pursuant to this Bylaw, Council is the Development Authority, as defined in the Land Use Bylaw, for all Development Permit applications for developments on lands in this Direct Control District.
- 1.5 All uses, including the expansion of uses approved by Development Permit, shall require a Development Permit.
- 1.6 The Development Authority may vary the Direct Control regulations of this Bylaw for the approval of a development permit for a proposed development if, in the opinion of the Development Authority the granting of a variance would not unduly interfere with the amenities of the neighborhood or would not materially interfere with or affect the use, enjoyment or value of neighbouring properties and the proposed development conforms with the use(s) allowed in this Direct Control District pursuant to this Bylaw and Land Use Bylaw.
- 1.7 The 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 Master Site Development Plan, as amended.

2.0 LAND USE REGULATIONS

2.1 Permitted Uses

- Drinking Establishment*
- Hotel*
- Liquor Sales*
- Restaurants*
- Signs*
- Specialty Food and Beverage Facility*

2.2 Discretionary Uses

The Discretionary Uses listed in Section 63.3 of the Hamlet Commercial District shall apply.

2.3 Minimum Requirements

- 2.3.1 Minimum number of on-site parking stalls: 21
- 2.3.2 Minimum number of off-site parking stalls: 17
- 2.3.3 Minimum building setback from the west (Elbow River) property line: 0.5 metres

- 2.3.4 Minimum building setback from the north property line: 2.0 metres
- 2.3.5 Minimum building setback from the east (River Drive North) property line: 14.0 metres
- 2.3.6 Minimum building setback from the south (Balsam Avenue) property line: 12.0 metres
- 2.4 Maximum Requirements
 - 2.4.1 Maximum building height: 13.0 metres
 - 2.4.2 Maximum lot coverage: 21%
- 2.5 Parking Requirements
 - 2.5.1 Off-site parking shall be secured through an agreement signed by the off-site parking lessor and the developer, or property owner of the land in the Direct Control District, to the satisfaction of Rocky View County.
 - 2.5.2 Off-site parking agreements shall be submitted to the satisfaction of the Development Authority prior to release of Development Permit.
 - 2.5.3 Off-site parking agreements shall require the developer, or property owner of the lands in the Direct Control District, to notify Rocky View County immediately should any agreement end with respect to any of the off-site parking stalls.

3.0 DEVELOPMENT REGULATIONS

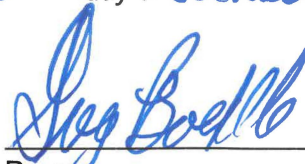
3.1 Interface Treatments with Residences

Property lines shared directly with residential land uses shall be landscaped with trees and/or privacy screening to the satisfaction of the Development Authority.

PART 4 – TRANSITIONAL

Bylaw C-7960-2019 is passed when it receives third reading and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 198 of the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this 26th day of November , 2019
PUBLIC HEARING WAS HELD IN COUNCIL this 25th day of February , ~~20XX~~ 2020
READ A SECOND TIME IN COUNCIL this 25th day of February , ~~20XX~~ 2020
READ A THIRD TIME IN COUNCIL this 25th day of February , ~~20XX~~ 2020



Reeve



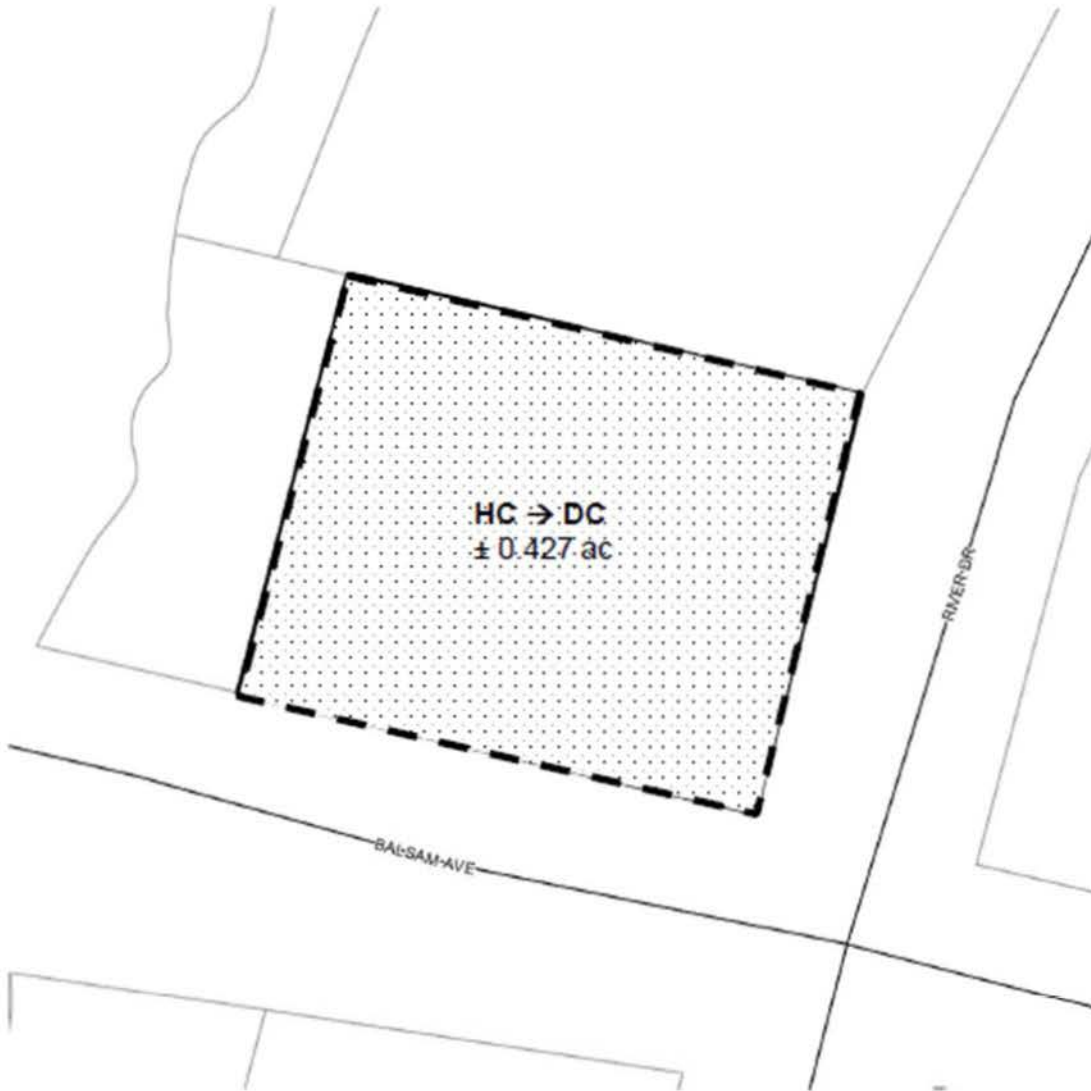
CAO or Designate




Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7960-2019



AMENDMENT

FROM Hamlet Commercial District (HC) TO Direct Control District (DC) 

Subject Land _____

LEGAL DESCRIPTION: Lot 1, Block 6, Plan 1741 EW
SE-13-23-05-W05M

FILE: 03913077 - PL20190157

DIVISION: 1

