

**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-4873-98**

**DC-002**

**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 of the following Bylaw(s).

<b>Bylaw</b>	<b>Amendment Type</b>	<b>Date of Approval</b>
C-4873-98	Original Bylaw	June 2, 1998
C-6110-2005	Amendments to Sections 4.3.10 & 4.10.12	September 6, 2005
C-7945-2019	Amendments to Section 4.4.1, 4.5.5, and 4.10.11	January 14, 2020
C-7958-2019	Amendment to Section 4.3	July 21, 2020

## DIRECT CONTROL BYLAW REGULATIONS

1. That Section 7.3.0; Land Use Map No.s 32 and 32-1 of Bylaw C-1725-84 be amended by redesignating Lot 1, Block 5, Plan 9611759 in the NW-23-23-27-W4M from Hamlet Direct Control District to Direct Control District, as shown on the attached Schedule "A" forming part of this Bylaw.
2. That all lands within Lot 1, Block 5, Plan 9611759 in the NW-23-23-27-W4M are hereby redesignated to Direct Control District as shown on the attached Schedule "A" forming part of this Bylaw.
3. That the Development Officer shall be responsible for the issuance of Development Permit(s) for the lands subject to this Bylaw.
4. That the Land Use Rules of the Direct Control District be as follows:

### 4.1 Purpose and Intent

The purpose and intent of this District is to provide for a commercial development for the establishment of business offices and the retail sales of goods and services.

### 4.2 List of Permitted Uses

4.2.1 Landscaping

4.2.2 Fascia signs associated with the principal use

### 4.3 List of Discretionary Uses

4.3.1 Business Offices

4.3.2 Personal Service stores

4.3.3 Retail Stores

4.3.4 Free standing Signs associated with the principal use

4.3.5 Restaurants or Eating Establishments

4.3.6 Service Stations and Gas bars

4.3.7 Drinking Establishment

4.3.8 Liquor Stores

4.3.9 Accessory buildings associated with the principal use

4.3.10 Car Wash, Self Service (C-6110-2005)

4.3.11 Cannabis Retail Store (C-7958-2019)

### 4.4 General Land Use Regulations

4.4.1 Parts One, Two, and Three of Land Use Bylaw C-4841-97, as amended, are applicable unless otherwise stated in this Bylaw.

- 4.4.2 The Development Officer shall consider and decide on applications for Development Permits for those uses which are listed as "Permitted Uses" and "Discretionary Uses" by this bylaw provided the provisions of Section 4.0 herein are completed in form and substance satisfactory to the Municipality.
- 4.4.3 All development of the Lands shall be in accordance with plans and specifications as approved by the Municipality pursuant to a Development Permit issued for the lands.
- 4.4.4 The Municipality may, through a Development Permit(s) or Development Agreement(s) required by this Bylaw, specify any development regulation, criteria or condition necessary to ensure all subdivision and development on the Lands conform with the development proposals upon which this bylaw is based as determined by and to the satisfaction of the Municipality;
- 4.4.5. Development Permits and/or Development Agreements shall be required for the development hereof and each Development Permit shall provide that:
- a) no stripping, excavation or construction on any of the Lands shall occur until an appropriate irrevocable Letter of Credit acceptable in form and substance to the Municipality has been deposited with the Municipality; and,
  - b) no occupancy of any building shall occur until the construction of any required utilities required to serve the development have been completed or secured to the specification satisfactory to the Municipality.
- 4.4.6 No occupancy of the Lands for any use shall be permitted, no Development Permits or Building Permits for commercial use shall be issued by the Development Officer for the Lands until:
- a) the Developer has prepared and submitted to the Municipality a Construction Management Plan in form and substance satisfactory to the Municipality;
  - b) all necessary licenses, permits and approvals have been received from Alberta Environmental Protection and the Municipal District of Rocky View with respect to a piped surface water supply and distribution system and a sewage collection and disposal system to service the Lands;

- c) a Lot Owner's association has been legally established by the Developer and a Restrictive Covenant confirming that each owner holding an interest in the Lands will be a member of the Association and that said Association is responsible for all on-site and sewage disposal, water collection, water distribution and treatment facilities and appurtenances thereto, the perpetual handling of waste and storm water disposal within the Development Area. The Restrictive Covenant shall be in form and substance satisfactory to the Municipality, and be executed by the Developer and registered against title to the Lands prior to any registered financial encumbrances and registered concurrently with the Plan of Survey;
- d) the Developer has prepared, at his sole expense, and the Municipality has approved, architectural guidelines and elevation drawings for the development, including but not limited to such things as the design, character and appearance of buildings and detailed landscaping requirements; and,
- e) solid perimeter fencing, a minimum of 2 metres (6.56 feet) high, shall be constructed (or fully secured) around the entire boundary of the area contained within this bylaw which is adjacent to a residential land use.

4.4.7 The Developer shall register by way of Restrictive Covenant the aforementioned architectural control guidelines on every new lot concurrent with the registration of the Bareland Plan of Survey.

4.4.8 All Development shall be serviced by a Sanitary Sewer line which shall be connected to the Langdon Sanitary Sewer System to the satisfaction of the Municipality.

#### 4.5 Minimum Requirements

4.5.1 Area of an individual bareland condominium lot:

- (a) 0.35 acres (0.142 hectares) - Gas Bars
- (b) 0.46 acres (0.186 hectares) - Service Stations
- (C) 0.50 acres (0.202 hectares) - all other uses

4.5.2 Front Yard:

- (a) 49.21 feet (15 metres)

4.5.3 Side Yard:

- (a) none required where another condominium lot in the bylaw area is adjacent and is on the adjoining boundary.
- (b) 19.68 feet (6 metres)

4.5.4 Rear Yard:

- (a) 19.68 feet (6 metres)

4.5.5 Parking

- (a) 3.5 parking spaces per 100 square meters (1,076.4 square feet) gross floor area of all buildings.

4.6 Maximum Requirements

4.6.1 Height of Buildings:

- (a) principal buildings: 10 m (32.81 feet)

4.6.2 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.

4.6.3 Building Coverage:

- (a) principal and accessory buildings: 25% of the lot

4.6.4 Maximum number of free standing Signs: 1

4.7 Development Standards

4.7.1 Site Planning

- (a) A Storm Water Management Plan for the entire site shall be prepared by a qualified professional at the Developer's sole expense to the satisfaction of the Municipality, and such plan shall be consistent with all other approved storm water plans previously approved for the site, and shall be completed prior to the approval of any Development Permit.
- (b) Site grading and drainage plans for each condominium lot shall be prepared to the satisfaction of the Municipality and approved prior to any development commencing on the site.
- (d) Parking requirements shall be considered in aggregate for

the entire bylaw area, such that all lots collectively will have to meet the minimum parking requirements. A Joint Use Agreement for Parking and Access is to be part of the Condominium Bylaws.

#### 4.7.2 Landscaping and Controlled Appearance

- (a) Landscaping shall be carried out in accordance with a Landscaping Plan approved by the Development Officer.
- (b) Mature trees on the site are to be protected and incorporated into the Landscaping Plan.
- (c) The Landscaping Plan shall illustrate the location of vegetation, which is to remain undisturbed and any new vegetation to be planted. Wherever possible, indigenous tree, shrub and plant species shall be used.
- (d) All areas of the lands not otherwise used for building, parking, storage, loading and vehicle movement shall be landscaped in accordance with the Landscape Plan and such Landscape Plan shall be a condition of a Development Permit.
- (e) Landscaping shall include the planting of grasses, shrubs and trees and shall be continuously maintained, including replacement of any deceased trees, shrubs or plants by the end of the next growing season.
- (f) Irrigation and maintenance shall be detailed in the Landscape Plan and defined in the Development Permit.

#### 4.7.3 Architectural Control

The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the property must be approved by the Municipality in accordance with the approved aforementioned Architectural Guidelines.

#### 4.8 Refuse Control

Garbage and waste material on and around the site shall at all times be stored in weatherproof and animal-proof containers which shall be screened from view from all adjacent properties and public thoroughfares.

#### 4.9 Fire Protection

Fire protection measures shall be provided in accordance with the Alberta Fire Code and included in a Development Permit.

4.10 Definitions

- 4.10.1 **Building** - includes anything constructed or place on, in, over, or under land but does not include a highway or public roadway.
- 4.10.2 **Business Offices** - means a portion or portions of a building where services of a professional nature are offered for sale, such as but not limited to legal, financial and medical services for example.
- 4.10.3 **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.
- 4.10.4 **Developer** - means a person or corporation who/which is responsible for any undertaking that requires a Permit or action pursuant to this bylaw.
- 4.10.5 **Development** - means:
- i) an excavation or stockpile and the creation of either of them,
  - ii) a building or an addition to or replacement or repair of a building and the construction or placing in, on, over or under land of any of them,
  - iii) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
  - iv) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.
- 4.10.6 **Drinking Establishment** - means an establishment, licensed by the Alberta Liquor Control Board, in which alcoholic beverages are served for a fee for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant

ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-4873-98

DC-002

- 4.10.7 **Personal Service Stores** - means a portion or portions of a building where services are offered for sale to individuals, which services may include but are not limited to health, beauty and laundry services, for example.
- 4.10.8 **Professional Engineer** - is a professional engineer who is a member in good standing of the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (A.P.E.G.G.A.).
- 4.10.9 **Retail Stores** - means a portion or portions of a building where merchandise is offered for sale to individuals, which may include but is not limited to convenience stores, for example.
- 4.10.10 **The Lands** - means the lands as shown on Schedule "A" attached hereto.
- 4.10.11 Terms not defined above have the same meaning as defined in Section 8 Definitions of Land Use Bylaw C-4841-97.
- 4.10.12 **Car Wash, Self Service** – means a place or business with coin-operated facilities used primarily for the cleaning, washing, polishing, or waxing of motor vehicles. (c-6110-2005)

5.0 Implementation

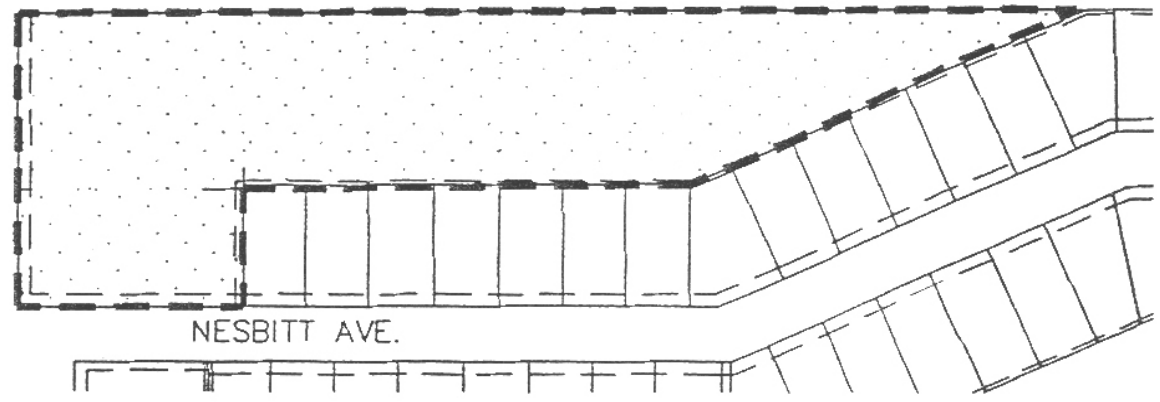
- 5.1 The Bylaw comes into effect upon the date of its third reading.



DC-2

SCHEDULE "A"

BYLAW: C-4873-98



AMENDMENT

FROM Hamlet Direct Control District TO Direct Control District (amended)



SUBJECT LAND - - - - -



LEGAL DESCRIPTION: Lot 1, Block 5, Plan 9611759  
NW-23-23-27-W4M

FILE: 3223312

