ROCKY VIEW COUNTY DIRECT CONTROL BYLAW C-5457-2001

DC-75

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-5457-2001	Original Bylaw	December 11, 2001
C-5595-2002	Section 4.0 Medium Density Regulations	July 30, 2002
C-5730-2003	Section 4.0 Medium Density Regulations	May 13, 2003
C-5747-2003	Schedule 'B' Development Cells	June 17, 2003
C-5835-2003	Section 2.0 Single Family Regulations	October 5, 2004
C-6048-2005	Section 2.3.0 Minimum Requirements	April 26, 2005
C-6246-2006	Section 4.0 Medium Density Regulations	June 6, 2006
C-6847-2009	Section 2.3.3 Side Yard Setbacks	November 3, 2009
C-6944-2010	Add a provision to Section 2.3.0	July 27, 2010
C-7073-2011	Add a provision to Section 2.3.0 (2.3.2 d) Add Schedule 'C'	July 12, 2011
C-7083-2011	Land Use amendment to Add Cell 5	October 4, 2011
C-7084-2011	Replace Schedule 'A' Replace Schedule B Insert Section 6 Land Use Regulations Add Schedule D	October 4, 2011
C-7086-2011	Add a provision to Section 2.3.3 a (2.3.3.a.iv)	October 11, 2011
C-7149-2012	Add a provision to Section 4.2.9	May 8, 2012
C-7164-2012	Add provision to Section 2.2.0 to allow Development Permits for yard relaxations as well as a site specific amendment	June 26, 2012
C-7307-2013	Add site specific amendments to Section 2.3.3 a)	November 5, 2013
C-7354-2014	Add site Specific amendments to Section 2.3.3 a)	March 11, 2014
C-7939-2019	Add site Specific amendments to Section 2.3.3 a)	December 10, 2019

DC-75

DIRECT CONTROL BYLAW REGULATIONS

The regulations of the Direct Control District comprise:

- 1.0.0 General Regulations
- 2.0.0 Land Use Regulations Hamlet Residential Development Cell
- 3.0.0 Land Use Regulations Public Services Development Cell
- 4.0.0 Land Use Regulations Medium Density Residential Development Cells A and B
- 5.0.0 Land Use Regulations Future Hamlet Residential Development Cell
- 6.0.0 Development Regulations
- 7.0.0 Definitions

1.0.0 GENERAL REGULATIONS

- 1.1.0 The General Regulation contained within this Section are applicable to the entire Development Area which includes all development cells.
- 1.2.0 The General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this bylaw.
- 1.3.0 Except where specifically noted that Council approval is required, the Development Authority shall consider and decide on applications for Development Permits for those uses which are listed as "Discretionary Uses" by this Bylaw provided the provisions of the same herein are completed in form and substance satisfactory to the Municipality.
- 1.4.0 The Development Authority shall cause to be issued Development Permits which have been approved.
- 1.5.0 For the purposes of this Bylaw, the lands shall be divided into Development Cells, the boundaries and description of which shall be more or less as indicated in Schedule "B" attached hereto and forming part herein, except as otherwise approved by Council.
- 1.6.0 The location, maximum size and shape of the Development Cells are approximate and will be determined by Plan of Survey in form and substance satisfactory to the Municipality, to be submitted to the Municipality by the Developer as an application for subdivision approval.
- 1.7.0 No development of the Lands shall be permitted without and until the Developer has prepared and submitted a Storm Water Management Plan prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta in form and substance satisfactory to each of the Municipality and/or Alberta Environment and/or Alberta Transportation.
- 1.8.0 The Municipality shall not approve any application for subdivision for any development cell until approval has been granted by Alberta Environment to the Municipality for the expansion of the Langdon Municipal Sewage System.

- 1.9.0 The Water supply and distribution system required to service any of the development cells shall be via a piped water system constructed, licensed and permitted by Alberta Environment.
- 1.10.0 The New Residential Neighbourhood Policies 7.2.24, 7.2.25, 7.2.26 and 7.2.27 of the Hamlet of Langdon Area Structure Plan (Bylaw C-5049-99) shall be applied to the residential development cells.
- 1.11.0 The Medium Density Residential Policy 7.2.29 of the Hamlet of Langdon Area Structure Plan (Bylaw C-5049-99) shall be applied to the Medium Density Residential Development Cells.

2.0.0 LAND USE REGULATIONS – HAMLET RESIDENTIAL SINGLE FAMILY DEVELOPMENT CELL

2.1.0 Purpose and Intent

The Purpose and intent of this Development Cell is to provide for single family residential development.

- 2.2.0 General Regulations
 - 2.2.1 Section 55 Hamlet Residential Single Family District (HR-1) of Land Use Bylaw C-4841-97 are applicable to this development cell unless otherwise stated in this Bylaw.
 - 2.2.2 The Development Authority may issue a Development Permit to grant relaxations for front, side, and rear yard setbacks for existing *Dwellings, single detached* so long as the amount of the variance does not exceed 20% of the required distance.

2.3.0 Minimum Requirements

- 2.3.1 Parcel Size
 - a) fully serviced lots: 800.00 sq. m (8,625.47 sq.ft.)
 - b) fully serviced lots: 647.52 sq. m (6,970.08 sq. ft.) on lots identified on Schedule 'C'.
- 2.3.2 Yard, Front:
 - a) 6.0 m (19.7 ft.)
 - b) 4.0 m (13.12 ft.) on lots identified on Schedule 'C'
 - c) notwithstanding Section 2.3.2. a) Lot 16, Block 10, Plan 061 4270 within NE 22-23-27-W4M is permitted a front yard setback to be a minimum of 4.64 m in order to allow for the existing dwelling to remain.
 - d) notwithstanding Section 2.3.2.a) Lot 62, Block 10, Plan 061 4270 within

NE 22-23-27-W4M is permitted a front yard setback to be a minimum of 5.90 m in order to allow for the existing dwelling to remain.

- 2.3.3 Yard, Side sites without lanes:
 - a) principal buildings
 - i) unobstructed yard, side: 1.52 m (5.00 ft.)
 - ii) notwithstanding Section 2.3.3. a) and Section 2.5.0, Lot 28, Block 5, Plan 051 4172 is permitted one side yard setback to be a minimum of 1.28 m, in order to permit a 1.52 m long cantilever extension to remain.
 - iii) notwithstanding Section 2.3.3. a) and Section 2.5.0, Lot 17, Block 12, Plan 061 4270 within NE 22-23-27-W4M is permitted one side yard setback to be a minimum of 0.99 m, in order to permit a 1.53 m long cantilever extension to remain.
 - iv) notwithstanding Section 2.3.3. a) and Section 2.5.0, Lot 20, Block 2, Plan 021 2943 within NE 22-23-27 W4M is permitted one side yard setback to be a minimum of 0.91 m, in order to permit two cantilever extensions, 1.31 m and 1.83 m in length, to remain.
 - v) notwithstanding Section 2.3.3.a) and Section 2.5.0, Lot 19, Block 2, Plan 021 2943 within NE 22-23-27-W4M is permitted one side yard setback to be a minimum of 1.22 m, in order to permit a 1.83 m long cantilever extension to remain.
 - vi) notwithstanding Section 2.3.3 a) and Section 2.5.0, Lot 3, Block 4, Plan 0212943 within NE-22-23-27-W04M is permitted one side yard setback to be a minimum of 0.95 m, in order to permit a 1.59 m long cantilever extension to remain.
 - vii) notwithstanding Section 2.3.3.) and Section 2.5.0, Lot 17, Block 1, Plan 0311120 within NE-22-23-27-W04M is permitted one side yard setback to be a minimum of 0.97 m, in order to permit a 1.60 m long cantilever extension to remain.
 - viii) notwithstanding Section 2.3.3. a) and Section 2.5.0, Lot 24, Block 3, Plan 0212943, NE-22-23-27-W4M is permitted one side yard setback to be a minimum of 0.97 m, in order to permit a 1.60 m long cantilever extension to remain.
- 2.3.4 Habitable ground floor area (excludes basement):
 - a) 90.0 sq. m (968.8 sq. ft.), single storey dwelling.
 - b) 90.0 sq. m (968.8 sq. ft.), being the combined area of any two levels of a split level dwelling.

- c) 55.74 sq. m (600.0 sq. ft.) main floor area, plus 55.74 sq. m (600.0 sq. ft.) second floor area, two storey dwelling including stair well.
- d) 74.0 sq. m (796.6 sq. ft.) split level or bi-level main floor area, plus 18.0 sq. m (193.8 sq. ft.) second floor area, two storey dwelling.
- e) 90.0 sq. m (968.8 sq. ft.) main floor for a dwelling, moved-in.
- 2.4.0 Maximum Limits
 - 2.4.1 Site Coverage:
 - a) Maximum Total Site Coverage (All Buildings): 35%.
 - b) Maximum Coverage of Accessory Buildings: 10%.
 - 2.4.2 Height of buildings:
 - a) principal building: 10.30 m (33.79 ft.)
 - 2.5.0 Special Regulations
 - 2.5.1 With respect to Section 2.3.2 Yard, Side there shall be no side yard extensions into the defined minimum required setback. Section 38 of the Land Use Bylaw that provides for cantilever extensions is not applicable under this Direct Control District.
 - 2.5.2 Accessory Buildings are not permitted within the Front Yard of any Dwelling Unit.
 - 2.5.3 The driveway connecting a garage (attached and/or detached) to a public road shall be a minimum length of 6.5 m (21.33 ft) when measured from the back of a curb or back of sidewalk.

3.0.0 LAND USE REGULATIONS – PUBLIC SERVICES DEVELOPMENT CELL

3.1.0 Purpose and Intent

The purpose and intent of this Development Cell is to provide for the development of Institutional, Educational and Recreational uses.

- 3.2.0 General Regulations
 - 3.2.1 Section 59 Public Services District of Land Use Bylaw 4841-97 are applicable to this development cell unless otherwise stated in this Bylaw.

ROCKY VIEW COUNTY DIRECT CONTROL BYLAW C-5457-2001

4.0.0 LAND USE REGULATIONS – MEDIUM DENSITY RESIDENTIAL DEVELOPMENT CELLS

MEDIUM DENSITY DEVELOPMENT CELL A

The area located in the southeasterly corner as shown in Schedule 'B' comprising 2.20 hectares (5.44 acres).

4.1.0 Purpose and Intent

The purpose and intent of this Development Cell is to allow for the development of medium density residential development of 55 dwelling units at no more than 10 units per gross acre.

4.1.1 Uses

Dwelling, Semi-detached Dwelling, Single-detached Accessory Buildings Home-Based Business, Type I Signs for identification of the development only

Development Requirements

- 4.1.2 Maximum Area of Medium Density Residential Cell: 2.207 hectares (5.430 acres)
- 4.1.3 Maximum Density: 10 units per gross acre
- 4.1.4 Maximum Number of residential dwelling units: 55
- 4.1.5 Maximum Number of dwellings per unit: 1
- 4.1.6 Maximum of 39 Dwelling, Semi-Detached Two Story
- 4.1.7 Maximum of 16 Dwelling, Semi-Detached Bungalow
- 4.1.8 Maximum of 1 Single Detached Dwelling
- 4.1.9 Minimum Off-Street Parking: 2 per dwelling unit that include a minimum of 1 covered parking stall per dwelling unit.

<u>Setbacks</u>

- 4.1.10 Minimum Front Yard Setback:
 - a) Principal Building: 5.0 m (16.40 ft.)
- 4.1.11 Minimum Side Yard Setback

- a) 3.0 m (9.84 ft.) adjacent to the western property line of the condominium plan designated as the Hamlet Residential Single Family Development Cell.
- b) unobstructed 1.20 m (3.94 ft.) all other.
- c) Zero setback where a fire separation is built on a bareland condominium unit property line which separates units within a semi-detached building.
- d) unobstructed 1.00 m (3.28 ft.) for accessory buildings.
- 4.1.12 Minimum Rear Yard Setback:
 - a) Principal Building: 5.0 m (16.40 ft.).
 - b) Accessory Building:
 - i) 2.0 m (6.56 ft.)
 - ii) Zero Setback from property line with lane.
- 4.1.13 The Rear Yard Setback for any dwelling unit shall be deemed as the unit property line fronting the common property containing a road or lane.

Building Requirements

- 4.1.14 Maximum Building Height:
 - a) Principal Building: 10 m (32.81 ft.)
 - b) Accessory Building: 6.0 m (19.69 ft.)
- 4.1.15 Minimum Habitable Floor Area of Dwelling Unit:
 - a) Bungalow Semi-Detached Dwelling Unit: 110 sq. m (1,184.07 sq. ft.)
 - b) Two Story Semi-Detached Dwelling Unit: 55 sq. m (592.03 sq. ft.)
 - c) Single Detached Dwelling Unit: 55 sq. m (592.03 sq. ft.)
- 4.1.16 Maximum Number of Accessory Buildings per Unit: 1
- 4.1.17 Maximum Area of Accessory Buildings: 18.5% of the bareland condominium unit

Special Regulations

- 4.1.18 Accessory Buildings are not permitted within the Front Yard or Side Yard Setbacks of any Dwelling Unit.
- 4.1.19 With respect to Section 4.1.11 and 4.1.12 under Setbacks there shall be no side yard extensions into the defined minimum required setback. Section 38 of the

Land Use Bylaw which provides for cantilever extensions is not applicable under this Direct Control District.

MEDIUM DENSITY DEVELOPMENT CELL B

The area located in the north easterly corner as shown in Schedule 'B' containing 2.349 hectares (5.8 acres)

4.2.0 Purpose and Intent

The purpose and intent of this Development Cell is to allow for the development of a comprehensively designed medium density, residential development that will be compatible in scale and character with the surrounding low density single family residential.

4.2.1 Uses

Dwellings, Row Accessory Building located in Common Use Area, less than 23 sq. m (247.58 sq. ft.) Home-based Business, Type 1 Signs for identification of the development only

Development Requirements

- 4.2.2 Maximum Area of Medium Density Residential Cell: 2.349 hectares (5.8 acres)
- 4.2.3 Maximum Density: 10.0 units per gross acre
- 4.2.4 Maximum Number of residential dwelling units: 58
- 4.2.5 Maximum Number of dwellings per unit: 1
- 4.2.6 Maximum Number of attached dwelling units: 6

<u>Setbacks</u>

- 4.2.7 Minimum Front Yard Setback:
 - a) Principal Building: 5.0 m (16.40 ft.)
- 4.2.8 Minimum Side Yard Setback:
 - a) 1.5 m (4.92 ft.), side yards
 - b) Zero setback where a fire separation is built on a bareland condominium unit property line which separates units within a building
- 4.2.9 Minimum Rear Yard Setback:
 - a) Principal Building: 7.5 m (24.60 ft.)

- b) notwithstanding Section 4.2.9 a) Units 15, 16, 19-22, 25, 26, 31, 32, 35-38, 41, 42, Plan 071 5588 within NE 22-23-27-W4M are permitted a rear yard setback to be a minimum of 6 m.
- 4.2.10 Notwithstanding the other regulations of this Development Cell, where a Dwelling, Row abuts a site designated to allow Dwellings, single detached housing as a Use, the following regulations shall apply:
 - a) Minimum landscaped setback of <u>6 m (19.68 ft.)</u> shall be required from any Dwelling, Row Unit to any property line common with Single Detached Housing. Where a sideyard setback is proposed adjacent to a rear yard of any property designated to allow for Dwellings, single detached housing as a use, a minimum of 1.5 m (4.92 ft.) shall apply.
 - b) No outdoor parking, trash collection or outdoor storage areas shall be developed within <u>3.0 m (9.84 ft.)</u> of any property line that abuts a site designated to allow Dwellings, single detached housing as a Use;

Building Requirements

- 4.2.11 Maximum Building Height:
 - a) Principal Building: 10 m (32.81 ft.)
- 4.2.12 Maximum Total Site Coverage (All Buildings): 35%
- 4.2.13 Minimum Building Habitable Floor Area of a Dwelling Unit:
 - a) Dwellings, Row Unit: 92.9 sq. m (1000 sq. ft.).
- 4.2.14 Design techniques including, but not limited to, the use of sloped roofs, variations in building Setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways to the satisfaction of the Development Authority.

Parking and Access

- 4.2.15 Minimum Off-street Parking: 2 per dwelling unit that includes a minimum of 1 covered parking stall per dwelling unit.
- 4.2.16 The driveway connecting a garage (attached and/or detached) to a road shall be a minimum length of <u>6.5 m (21.33 ft.)</u> when measured from the back of a curb or back of sidewalk.
- 4.2.17 Visitor parking shall be provided as 1 parking space per 15 dwellings.
- 4.2.18 Primary access to and from the site shall be from an extension of Moe Avenue with only emergency access permitted from HWY #797 (Centre Street).

Landscaping, Lighting and Amenity Space

- 4.2.19 To ensure that a high standard of appearance and a sensitive transition to the surrounding land users are achieved, a detailed Landscaping plan for the entire site shall be submitted to and approved by the Development Authority.
- 4.2.20 Any exterior lighting of the site shall be designed so that the lighting is directed away from the adjacent residential development to the south and west, and the intensity of illumination shall not extend beyond the boundaries of the site.
- 4.2.21 A minimum of 27.5 sq. m (296 sq. ft.) of Amenity Area per dwelling shall be provided and be developed as communal recreational space and is to be located and designed to serve as space for the active or passive recreation and enjoyment of the occupants of this residential development.

5.0.0 LAND USE REGULATIONS – FUTURE HAMLET RESIDENTIAL SINGLE FAMILY DEVELOPMENT CELL

5.1.0 Purpose and Intent

The purpose and intent of this Development Cell is to recognize the future potential of the lands for Hamlet Residential Single Family subdivision and development and to allow the current agricultural uses to continue until such time the land is developed for single family residential.

- 5.2.0 General Regulations
 - 5.2.1 Section 45 Farmstead District of Land Use Bylaw 4841-97 shall be applied to Lot 1, Plan 951 2519 of this development cell unless otherwise stated in this Bylaw.
 - 5.2.2 Section 43.10 Ranch and Farm District of Land Use Bylaw 4841-97 shall be applied to the NE 22-23-27-W4M of this development cell unless otherwise stated in this Bylaw.

6.0.0 LAND USE REGULATIONS - MORNINGTON DEVELOPMENT CELL

6.1.0 Purpose and Intent

The Purpose and intent of this Development Cell is to provide for single family residential and estate residential development.

- 6.2.0 General Regulations
 - 6.2.1 Section 55 Hamlet Residential Single Family District (HR-1) of Land Use Bylaw C-4841-97 are applicable to this development cell unless otherwise stated in this Bylaw.

ROCKY VIEW COUNTY DIRECT CONTROL BYLAW C-5457-2001

DC-75

6.3.0 Minimum Requirements

- 6.3.1 Parcel Size:
 - a) fully serviced single family lots: 525.00 sq. m (5,662.79 sq. ft.) on lots identified Schedule "D".
 - b) estate residential lots: 0.36 hectares (0.90 acres).

6.3.2 Yard, Front:

- a) 4.0 m (13.12 ft.).
- 6.3.3 Yard, Side sites without lanes:
 - a) principal buildings (unobstructed yard, side): 1.52 m (5.00 ft.).
- 6.3.4 Habitable ground floor area (excludes basement):
 - a) 90.0 sq. m (968.8 sq. ft.), single storey dwelling.
 - b) 90.0 sq. m (968.8 sq. ft.), being the combined area of any two levels of a split level dwelling.
 - c) 55.74 sq. m (600.0 sq. ft.) main floor area, plus 55.74 sq. m (600.0 sq. ft.) second floor area, two storey dwelling including stair well.
 - d) 74.0 sq. m (796.6 sq. ft.) split level or bi-level main floor area, plus 18.0 sq. m (193.8 sq. ft.) second floor area, two storey dwelling. e)
 90.0 sq. m (968.8 sq. ft.) main floor for a dwelling, moved-in.

6.4.0 Maximum Limits

- 6.4.1 Site Coverage:
 - a) Maximum Total Site Coverage (All Buildings): 45%.
 - b) Maximum Coverage of Accessory Buildings: 10%.
- 6.4.2 Height of buildings:
 - a) Principal building: 11.00 m (36.09 ft.).
- 6.5.0 Special Regulations
 - 6.5.1 Accessory Buildings are not permitted within the Front Yard of any Dwelling Unit.
 - 6.5.2 The driveway connecting a garage (attached and/or detached) to a public road

shall be a minimum length of 6.5 m (21.33 ft.) when measured from the back of a curb or back of sidewalk.

7.0.0 DEVELOPMENT REGULATIONS

- 7.1.0 A *Traffic Impact Analysis (TIA)* for the entire development area (all development cells) shall be completed to the satisfaction of the Municipality and Alberta Transportation prior to subdivision approval for each development cell.
- 7.2.0 A *Final Grading Plan* shall be prepared to the satisfaction of the Municipality prior to endorsement of any development cell for registration.
- 7.3.0 All applications for development and building approval within the grading plan area, shall, as a condition of approval, submit "*grade verification*" to the Municipality. Grade verification shall be prepared by a qualified professional, and verify that the elevations at the bottom of footing and main floor are in compliance with finished grades identified in the final grading plan.

8.0.0 DEFINITIONS

8.1.0 **Development - means:**

- (a) any excavation or stockpile and the creation of either of them.
- (b) a building or an addition to, or replacement, or repair of a building.
- (c) a change of use of land or a building or an act done in relation to land or a building that results in a change in the use of the land or building.
- (d) 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 a change in the intensity of use of the land or building.
- 8.2.0 **Development Agreement** is an agreement between the Developer and the Municipality specifying development regulations, criteria or conditions necessary to ensure all developments and subdivisions on the land conform to Municipal approvals.
- 8.3.0 **Development Cell** means an area of land contains uses as defined and prescribed by this Bylaw.
- 8.4.0 **Final Grading Plan –** establishes the following:
 - (a) All grades, existing and proposed, for the area proposed for subdivision.
 - (b) All cut and fill areas for the area proposed for subdivision.
 - (c) Maximum and minimum bottom of footing elevations for developments within the area proposed for subdivision.
 - (d) Maximum and minimum main floor elevations for development within the area proposed for subdivision.

- (e) Final elevations for all corners of lots proposed for subdivision and final elevations adjacent to all walls for developments within the area proposed for subdivision.
- (f) Any other matter deemed appropriate by the Municipality.
- 8.5.0 **Grade Verification –** refers to verification that is prepared by a qualified professional for a building and/or structure under construction within a development area. The grade verification identifies the elevation at the bottom of footing and at the main floor relative to geodetic elevations established in an adopted grading plan and verifying that these elevations are in conformity to the adopted grading plan.
- 8.6.0 **Hamlet Reserve –** transitional private open space or private park space, that may be improved or unimproved open space, until such time the land is developed for medium density residential.
- 8.7.0 Lands means the lands as shown on Schedule "A" attached hereto.
- 8.8.0 **Traffic Impact Analysis** An area specific study that may include, but is not limited to, an analysis and evaluation of the potential impact of a proposed subdivision and/or development on the existing transportation network;
- 8.9.0 **Utilities or utilities, public** means a system or works used to provide for public consumption, benefit, convenience or use: water or steam; sewage disposal; public transportation operated by or on behalf of the municipality; irrigation; drainage; fuel; electric power; heat; waste management; telecommunications; residential or commercial street lighting and includes the thing that is provided for public consumption, benefit, convenience or use.
- 8.10.0 Terms not defined above have the same meaning as defined in Section 9.0.0 of Land Use Bylaw C-4841-97.







