

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-5818-2003**

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-4841-97.

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

WHEREAS the Council of the Municipal District of Rocky View No. 44 has received an application to amend Part 5; Land Use Maps No. 23 and 23-1 of Bylaw C-4841-97 to redesignate a portion of the NW 35-22-28-W4M from Hamlet Industrial District and Ranch and Farm District to Public Utility Lot, Direct Control District and Hamlet Commercial District, as shown on the attached Schedule "A" ("the Lands"); and,

WHEREAS a notice was published on November 18, 2003 and November 25, 2003 in the Rocky View Five Village Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44 advertising the Public Hearing for December 2, 2003; and,

WHEREAS Council held a Public Hearing and have given consideration to the representations made to it in accordance with section 692 of the Municipal Government Act, being Chapter 24 of the Revised Statutes of Alberta 1995, and all amendments thereto.

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NOW THEREFORE the Council enacts the following:

1. That Part 5, Land Use Map No. 23 and 23-1 of Bylaw C-4841-97 be amended by redesignating a portion of the NW 35-22-28-W4M from Hamlet Industrial District and Ranch and Farm District to Public Utility Lot, Direct Control District and Hamlet Commercial District as shown on the attached Schedule "A" in accordance with special regulations.
2. That a portion of the lands within a portion of Section 35-22-28-W4M are hereby redesignated to Direct Control District as shown on the Schedule 'A' attached hereto and forming part of the Bylaw; and
3. That the regulations of the Direct Control District comprise:
 - 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Development Regulations
 - 4.0.0 Definitions
 - 5.0.0 Implementation

1.0.0 GENERAL REGULATIONS

- 1.1.0 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule "A" attached hereto and forming part hereof, except as otherwise approved by Council.
- 1.2.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.

- 1.3.0 The General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw C-4841-97 are applicable unless otherwise stated in this Bylaw.
- 1.4.0 The Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw provided the provisions of Section 2 and 3 herein are completed in form and substance, satisfactory to the Municipality, except where specifically noted that Council approval is required.

2.0.0 LAND USE REGULATIONS

2.1.0 Purpose and Intent

The purpose and intent of this District is to provide for the development of an office and secured yard for vehicle equipment storage, which does not create or cause undesirable off-site impacts. This District will contain site-specific development regulations that will ensure compatibility with future adjacent land uses and ensure a high standard of appearance appropriate to the site's location within the Hamlet of Indus.

2.2.0 Uses

- 2.2.1 General Industry Type I
- 2.2.2 Outside storage
- 2.2.3 Signs
- 2.2.4 Accessory Buildings

2.3.0 Minimum Requirements

- 2.3.1 Parcel Size – 1858.0 sq. m (20,000 sq ft.) for uses not serviced by piped systems
- 2.3.2 Parcel Size – 1858.0 sq. m (20,000 sq ft.) for lots not serviced a piped water system
- 2.3.3 Parcel Size – 929.0 sq. m (10,000 sq. ft.) for lots serviced by wastewater collection system but not a piped water system
- 2.3.4 Parcel Width – 45 m (150 ft.)
- 2.3.5 Front Yard Setback – 6.0 m (19.7 ft)
- 2.3.6 Side Yard Setback – 2.4 m (7.9 ft)
- 2.3.7 Rear Yard Setback – 3.0 m (9.8 ft)

2.4.0 Maximum Requirements

- 2.4.1 Number of Commercial Buildings – one (1)
- 2.4.2 Building Height – 10.0 m (32.8 ft)
- 2.4.3 Ground Floor Area of Building – 600 m² (6459 ft²)
- 2.4.4 Number of Accessory Buildings – one (1)
- 2.4.5 Ground Floor Area of Accessory Building – 80 m² (861 ft²)

3.0.0 DEVELOPMENT REGULATIONS

- 3.1.0 No Development Permit for any use or *development* or *building* permit for any *building* shall be issued by the Development Authority and no *development* shall occur on the lands until:
- 3.1.1 The *applicant* has prepared a stormwater management plan, dealing with both on-site and off-site stormwater, completed by a qualified professional engineer licensed to practice in the Province of Alberta, that is satisfactory to the Municipality and Alberta Transportation, and which shows that the development will not affect adjacent lands.
- 3.2.0 Building Design
- 3.2.1 The design, character and appearance of all buildings shall be appropriate and compatible with the surrounding area and shall be constructed of durable materials designed to maintain the initial quality throughout the life of the project.
- 3.2.2 All exterior finishing materials exposed to public view shall be selected having regard to the objective of ensuring a high standard of appearance appropriate to the entrance location of this site;
- 3.2.3 The roof-line and building facade shall include design elements and variations that reduce the perceived mass of buildings and add architectural interest;
- 3.2.4 For the purpose of determining Height in this clause, an architectural feature such as a tower or peak which is proposed to reduce the perceived mass of the building or to add architectural interest, shall be excluded from the calculation of the Height of the building;
- 3.2.5 All mechanical equipment on the roof of any building shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building roof;
- 3.3.0 Lighting
- 3.3.1 Appropriate site lighting of the project shall be undertaken to provide security and to add visual interest. Lighting shall be directed away from residential areas and adjacent roadways;
- 3.4.0 Landscaping
- 3.4.1 Landscaping shall be provided in accordance with a Landscaping Plan to be submitted to the Municipality upon application for a Development Permit. The Landscaping Plan shall include the details of a landscaped berm with fence located within 6 metres along the north, west and east property lines. The combined elevation of the berm and fence will be a minimum of 1.8 metres to a maximum of 3 metres from the existing road grade. The location, type and extent of all landscaping proposed for the lands will also be identified.
- 3.4.2 A minimum of 10% of the developed area of the site shall be landscaped with the majority contained along the front of the parcel, as guided by Section 26 of the Land Use Bylaw;

3.4.3 Landscaping adjacent to exterior walls that are visible from adjacent public roadways are to be designed to minimize the perceived mass of the building and to improve the visual appearance of long expanses of blank walls;

3.5.0 Outside and Garbage Storage

3.5.1 Garbage and waste material shall be stored in weatherproof and animal proof containers and shall be located within the principal building or to the rear or sides of the principal building other than a required minimum yard;

3.5.2 All outside garbage containers and garbage areas shall be visually screened from view from any adjacent properties or public roadways;

3.5.3 Outside storage areas shall be screened from adjacent sites and public roadways using landscaping as outlined in the Landscaping Plan, to the satisfaction of the Development Authority;

3.6.0 Signs and Lighting

3.6.1 Signs shall be considered concurrently with the initial Development Permit application and the design, placement and scale of the signs shall be to the satisfaction of the Development Authority, so as to ensure that signage does not detract from the overall appearance of the development and that signage is not obtrusive.

3.6.2 There shall be no flashing, animated and interiorly illuminated signs used as a method of illumination of signs located adjacent to residential uses;

3.6.3 All outdoor lighting for any individual parcels shall be located, oriented and shielded to prevent light being directed at adjoining parcels, or interfering with the use and enjoyment or neighbouring lands.

4.0.0 DEFINITIONS

4.1.0 Unless otherwise defined in this bylaw all words and uses shall be defined as per Section 8 (Definitions) of Bylaw C-4841-97.

5.0.0 IMPLEMENTATION

5.1.0 The bylaw comes into effect upon the date of its third reading.

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First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on November 4, 2003, on a motion by Councillor Cameron.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on December 2, 2003, on a motion by Councillor Habberfield.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on December 2, 2003, on a motion by Councillor Cameron.

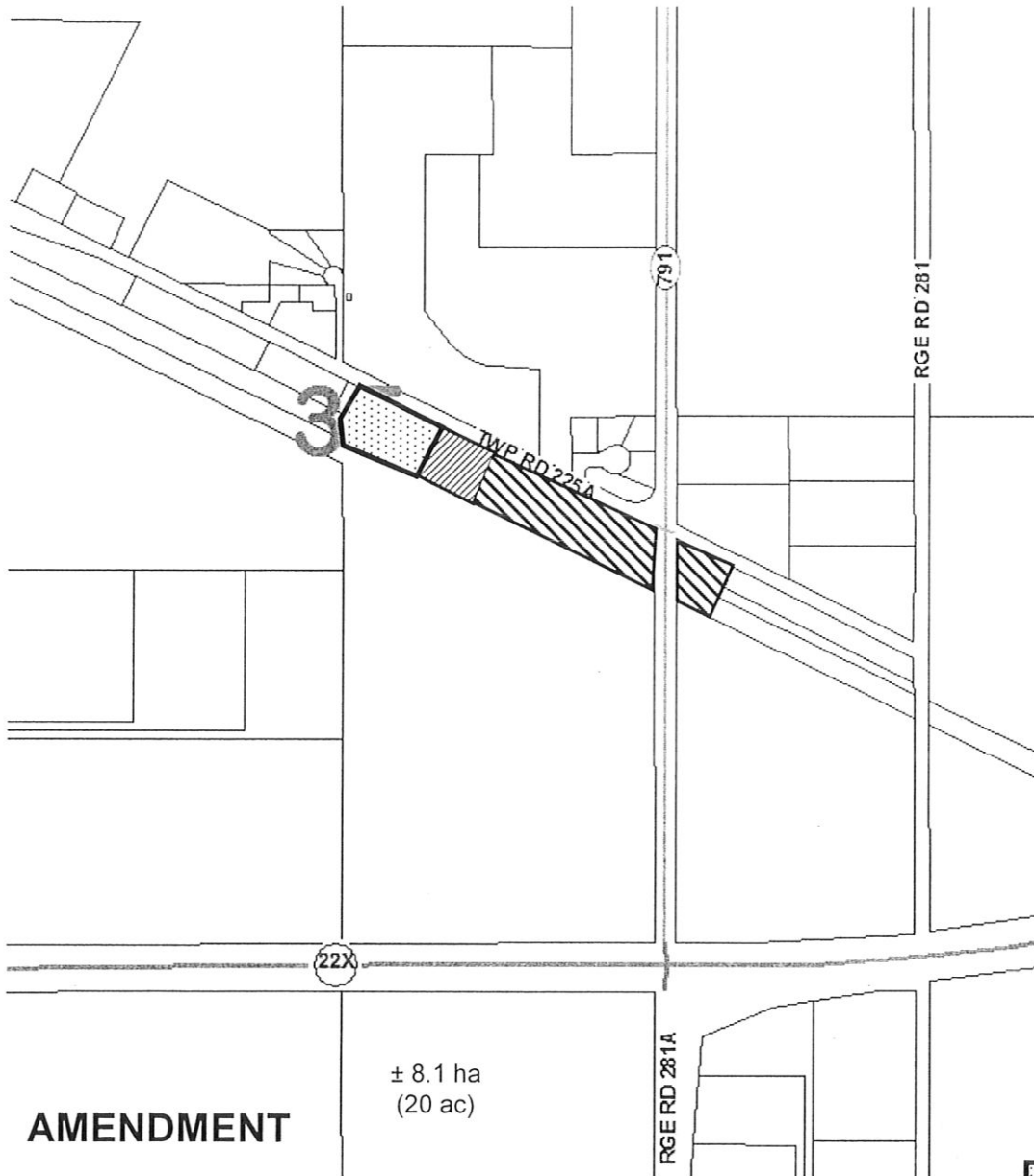
REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

SCHEDULE "A"




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AMENDMENT

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(20 ac)

FROM	<u>Hamlet Industrial District</u>	TO	<u>DC District</u>	
FROM	<u>Ranch and Farm District</u>	TO	<u>DC District</u>	
FROM	<u>Ranch and Farm District</u>	TO	<u>Hamlet Commercial District</u>	



LEGAL DESCRIPTION: Plan 6341 AV within portions of
Section 35 and 36 -22-28-W4M

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DIVISION: 4



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