A Bylaw of Rocky View County to amend Bylaw C-4841-97

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 Bylaws.

Bylaw	Amendment Type	Date of Approval
C-7463 -2015	Amend 2.5.1 and 2.5.2	May 21, 2015
C-7646-2017	Amend 1.2, 2.1, 2.4, 2.5.2, 3.2, 3.4 and Schedule A	April 11, 2017
C-7736-2017	Add Section 3.2.1, Add Section 3.3.3.3(ii)(b)(3)	December 12, 2017

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 Map 66 of Bylaw C-4841-97, (the "Land Use Bylaw") to change the land use designation from Ranch and Farm District to Direct Control District with respect to all lands in SW-35-26-2-W5M, as shown in Schedule "A" attached hereto (the "Lands") and forming part of this Bylaw; and

WHEREAS a notice was published on October 12, 2004 and October 19, 2004 in the Rocky View Five Village Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44 advertising the Public Hearing for November 9, 2004; 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 Amendment Act, being Chapter 24 of the Revised Statutes of Alberta 1995, and all amendments thereto.

NOW THEREFORE the Council enacts the following:

1. That the Land Use Bylaw be amended by redesignating the use of the Lands from Ranch and Farm District to Direct Control District (DC).
2. That Part 5, Land Use Maps 66 of Bylaw C-4841-97 be amended by redesignating the use of the Lands from Ranch and Farm District to Direct Control District, for all lands in SW-35-26-2-W5M as described in Schedule “A” attached hereto and forming part of this bylaw, and in accordance with the following guidelines:
3. That the special regulations of the Direct Control District (DC) are as follows:
   1.0 General Regulations
   2.0 Land use Regulations
   3.0 Development Regulations
   4.0 Definitions
   5.0 Implementation

1.0 GENERAL REGULATIONS

1.1 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule “A” and shall identify Development Cells as indicated in Schedule “A” attached hereto and forming part hereof.

1.2 Cells A and B, as indicated in Schedule “A”, shall remain under one title.

1.3 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 That the Council shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.

1.5 The Council shall consider and decide on applications for Development Permits for all uses listed by this Bylaw provided the provisions of Sections 2 and 3 herein are completed in form and substance.

2.0 LAND USE REGULATIONS

2.1 Purpose and Intent

The purpose and intent of this District is to provide for the ~~continuing operation of a metal products manufacturing business~~ Agricultural and Industrial Equipment Storage for an associated dwelling that will remain under one title; and for agricultural activities on the balance of the lands ~~not associated with the metal products manufacturing business~~. The different areas of the DC Bylaw are identified as Cells A and B, as indicated in Schedule "A", for development control purposes.

2.2 List of Uses for Cell A

2.2.1 Agriculture, General
2.2.2 Accessory buildings
2.2.3 Dwelling, Single detached
2.2.4 Home-Based Business, Type I
~~2.2.5 Private Swimming Pool~~

2.3 List of Uses for Cell B

2.3.1 Accessory building associated with the principle use.
2.3.2 Agriculture, General.
~~2.3.3 Fabrication and refurbishing of metal products.~~ Agricultural and Industrial Equipment Storage.
2.3.4 Office associated with the principle use.
2.3.5 Parking
~~2.3.6 Retail store associated with the principle use~~
~~2.3.7 Signs.~~
2.3.8 Storage area associated with the principle use.

2.4 Parcel size

2.5.1 Cell A

Maximum parcel size: 6.07 hectares (15 acres)
Minimum parcel size: 2.02 hectares (12 acres)

Cell B

Maximum parcel size: 2.02 hectares (5 acres)
Minimum parcel size: 1.61 hectares (4 acres)

3.0 DEVELOPMENT REGULATIONS

3.1 Upon Bylaw XXXXX coming into effect, the *Applicant* has ~~30 days~~ 60 days to apply for a Development Permit for the uses and buildings allowed under Bylaw C-5962-2004 for Cell B, as indicated in Schedule A, or the Municipality shall take any and all

actions to bring the buildings, development and uses into compliance with Land Use Bylaw XXXXX as amended.

3.2 ~~No Development Permit for any new use and no *building* permit for any new *building* in Cells A and B shall be issued, and no new *development* shall occur in Cell A and B beyond the buildings and development that existed in Cell A and B at the time Bylaw C-5962-2004 came into effect, until the *Applicant* has entered into a Development Agreement with the Municipality to upgrade Range Road 22 from Big Hill Springs Road to the access point to the Lands, as indicated in Schedule "A", at the Owner's expense, in accordance with the Road Standards Section of the Servicing Standards for Subdivisions and Road Construction as approved by Council on June 1, 1999, a amended.~~

All new development use or building permits shall follow Rocky View County development and building permit servicing standards.

3.2.1 Notwithstanding Section 3.2, two accessory buildings (tents), each measuring a maximum of 151.00 sq. m (1,625.35 sq. ft.) in size, may remain on the subject lands without entering into a Development Agreement.

3.3 Cell A and B

3.3.1 Minimum & Maximum Requirements

3.3.2 Setbacks

(i) Minimum Yard, Front: 25 m (82 ft.)

(ii) Minimum Yard, Side: 25 m (82 ft.)

(iii) Minimum Yard, Rear: 25 m (82 ft.)

3.3.3 Building Requirements

3.3.3.1 Building Design

(i) 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.

3.3.3.2 Building Height

(i) Cell A

(a) principal building - 10.0 m (32.81 ft.)

(b) accessory buildings - 5.5 m (18.0 ft.)

(ii) Cell B

(a) principal building - 10 m (32.81 ft.)

(b) accessory buildings - 10 m (32.81 ft.)

3.2.3.3 Building Size and Number of Buildings

(i) Cell A

(a) 1 Principal building - minimum habitable floor area, excluding basement

1) 92.0 sq. m. (990.3 sq. ft.) single storey dwelling

2) 92.0 sq. m. (990.3 sq. ft.) split level dwelling, the total area of two finished levels

3) 74.0 sq. m. (796.6 sq. ft.) split entry or bi-level on the main floor;
18.0 sq. m. (193.8 sq. ft.) finished lower level
4) 92.0 sq. m. (990.3 sq. ft.) combined floor area, two storey dwelling
5) 92.0 sq. m. (990.3 sq. ft.) main floor for dwelling, moved-in.

(b) Accessory building
1) 1 Accessory building in excess of 80.0 sq. m (861 sq. ft.) but not more than 223.0 sq. m (2,400.4 sq. ft.)
2) Not withstanding other provisions in this Bylaw, accessory buildings less than 80.0 sq. m. (861.0 sq. ft.) building area is a deemed approved use and a Development Permit is not required.

(ii) Cell B
(a) Principal building
1) 1 principal building – 599 sq. m. (6450 sq. ft.)
(b) Accessory building
1) 1 accessory building - in excess of 80.0 sq. m (861 sq. ft.) but not more than 375 sq. m (4036 sq. ft.)
2) 1 accessory building less than 80.0 sq. m. (861.0 sq. ft.) building area is a deemed approved use and a Development Permit is not required.
3) 2 accessory buildings (tents) each measuring a maximum of 151.00 sq. m (1,625.35 sq. ft.) in size.

~~3.3.4 Signs~~

~~3.3.4.1 1 sign is allowed that has a maximum size of 5 sq. m. (54 sq. ft.), which will be located in Cell B.~~

~~3.3.4.2 The design, placement and scale of the sign requires a Development Permit issued by Development Authority, so as to ensure that signage does not detract from the overall appearance of the development and that signage is not obtrusive.~~

~~3.3.4.3 There shall be no flashing or animated signs.~~

3.3.4 Landscaping

3.3.4.1 A minimum of 10% of the site area shall be landscaped including the boundaries of the parcel, to the satisfaction of the Development Officer, as guided by Section 26 of the Land Use Bylaw.

3.3.5 Performance Standards

3.3.5.1 Solid Waste

(i) Solid waste shall be disposed of on a regular basis at an approved disposal site.

3.3.5.2 Air Contaminants, Visible and Particulate Emissions

(i) Airborne particulate matter originating from buildings, storage areas, yards, or parking areas located in Cell B shall, at all times, be suppressed by application of environmentally friendly dust-free

treatments in accordance with Alberta Environment guidelines on those areas as defined in a Development Permit

3.3.5.3 Odorous Matter

(i) No use or operation pursuant to Section 2.0.0 herein, should cause or create the emission or spread of odorous matter or vapour beyond the site, which contains the use or operation, which produces them.

3.3.5.4 Toxic Matter

(i) No use or operation at any location on the site shall cause or create the emission or spread of toxic matter beyond the building or storage area, which contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction and in accordance with any Hazardous Materials Management Plan that may be required by the Municipality and as defined in a Development Permit.

3.3.5.5 Fire and Explosive Hazards

(i) Uses and operations on the site which handle, store, or utilize products which may be hazardous due to their corrosive, poisonous, flammable, or explosive characteristics shall comply with the applicable fire regulations of the Municipality or the regulations of any other government authority having jurisdiction and in accordance with any hazardous materials or emergency management plan that may be required by the Municipality, and as defined in a Development Permit.

3.3.5.6 Fire Protection

(i) Fire protection measures shall be provided as may be required by the Municipality and included in a Development Permit.

3.3.5.7 Business Hours

(i) Monday to Saturday 7am-5:30pm (Closed Statutory Holidays)

3.3.5.8 Sales

(i) Online or by appointment

3.3.5.9 Loading and Unloading

(i) Schedule “A” (1) Page 8 of 8

3.3.5.10 Storage Area

(i) Schedule “A” (2) Page 8 of 8

4.0 DEFINITIONS

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

~~**4.2** Fabrication and refurbishing of metal products means the processing and assembly of raw metal, value added metal and finished metal to create value added items; or the repair and *upgrading of existing metal items.*~~

4.2 Agricultural and Heavy Equipment Storage. Definition: parking of agriculture and heavy equipment in Cell B

4.3 Principle use means the ~~Fabrication and refurbishing of metal products for the purpose of this Bylaw.~~ Sales and storage of Agricultural and Heavy Equipment contained in Cell B screened from adjacent lands and roads.

5.0 IMPLEMENTATION

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

DIVISION 7
File: 06635004 2004-RV-182

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on October 5, 2004, on a motion by Councillor Habberfield.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on February 15th, 2005, on a motion by Councillor Habberfield.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on February 15th, 2005, on a motion by Councillor McLean.

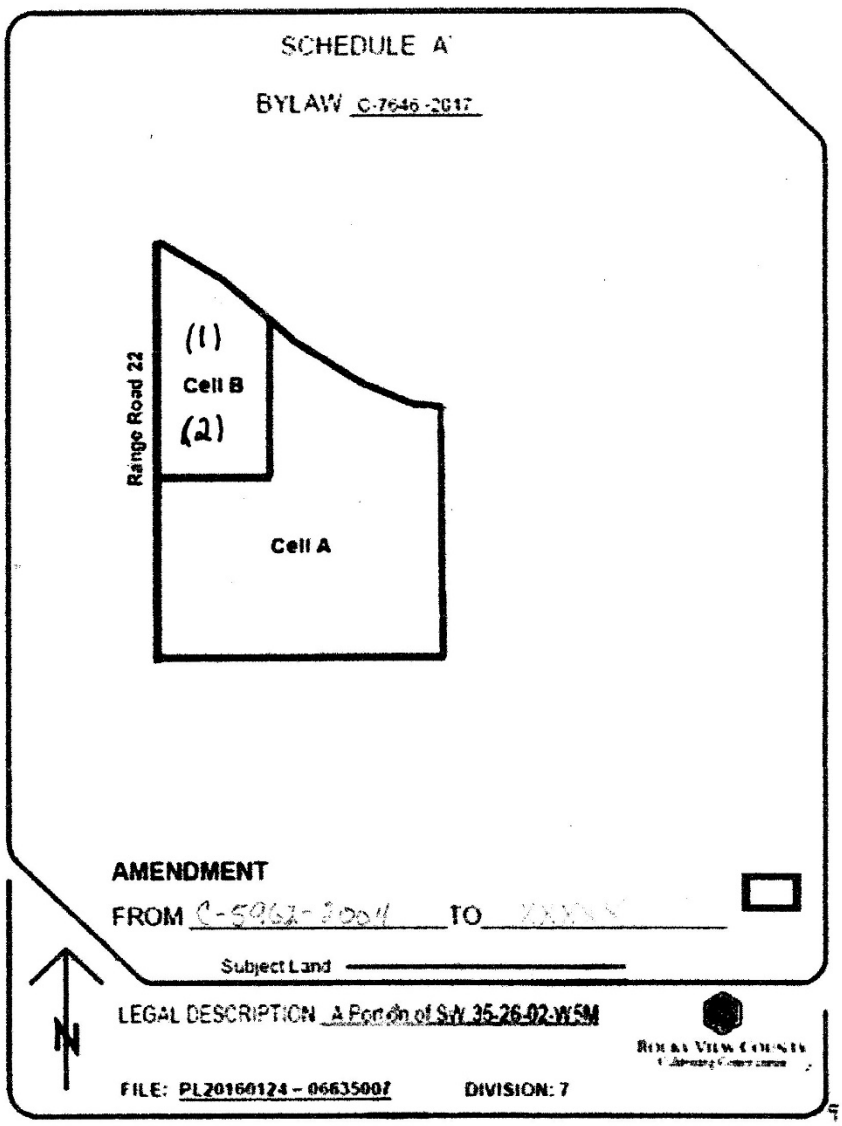
REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

ROCKY VIEW COUNTY
Cultivating Communities

DC-100

BYLAW C-5962-2004





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