ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4499-1995

DC-36

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-4499-95	Original DC Bylaw	September 19, 1995
C-6506-2007	Add portions to Section 5.1.1.7 Delete and replace portions of sec 11.1.f	September 25, 2007
C-6624-2008	Add Section 4.2.a	April 15, 2008
C-8594-2024	Add Section 5.1.1.5 i)	December 3, 2024
C-8580-2024	Add Section 5.1.1.5 ii)	December 3, 2024
C-8721-2026	Add Section 4.26.1 Add Section 5.1.1.4 ii) a)	February 24, 2026

DIRECT CONTROL BYLAW REGULATIONS

1.0 That Direct Control Bylaw C-1769-84 is hereby rescinded;

2.0 That Land Use Bylaw C-1725-84 be amended by redesignating the use of the Lands from Agricultural (2) District, Agricultural Balance District, Agricultural (8) District, and Small Holding District to Direct Control District in accordance with special guidelines;

3.0 That the guidelines of the Direct Control District comprise:

4.0 General Regulations

5.0 Land Use Regulations - Residential Development Cells
6.0 Land Use Regulations - Recreation Development Cells
7.0 Land Use Regulations - Existing Homestead Cell
8.0 Land Use Regulations - Recreational Balance Cell
9.0 Land Use Regulations - Municipal/School Reserve Cell
10.0 Land Use Regulations - Utilities Cell
11.0 Development Regulations
12.0 Definitions
13.0 Implementation

4.0 GENERAL REGULATIONS

4.1 The General Land Use Regulations as contained in Section 8 of the Land Use Bylaw do not apply except where specifically noted herein.

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 and 10.0 herein are completed in form and substance satisfactory to the Municipality, except where specifically noted that Council approval is required.

a. Notwithstanding Section 4.2, for Residential Development Cells 1 through 4, Permitted Used listed in the Bylaw are deemed approved, and Development Permits are not required, provided the provisions of the Bylaw are adhered to.

4.3 The Development Officer shall cause to be issued Development permits which have been approved.

4.4 For the purposes of this bylaw the Lands shall notionally identify Development Cells, the boundaries and description of which shall be more or less as indicated in Schedule "A" attached hereto and forming part herein, except as otherwise approved by the Council.

4.5 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.

4.6 The Residential Development Cells shall consist exclusively of Developable Land.

4.7 No use shall be made of all or any portion of the Lands for the Development of permanent Buildings on the bed and shore of Cochrane Lake or any water body located on the Lands. This provision does not include Development associated with the Recreation Centre cell (Section 6.0 herein).

4.8 The use of any portion of the Lands for man-made lakes associated with services shall be permitted only if the design and construction therefor is in accordance with plans prepared by a qualified Professional Engineer to the satisfaction of the Municipality and Alberta Environmental Protection.

4.9 In addition to the "Permitted Uses" contemplated in Sections 5.0 to 10.0 herein, the following shall be "Discretionary Uses" subject to the approval of the Municipality:

4.9.1 Private roads necessary for access; and private roads contemplated herein shall be constructed in accordance with geometric design guidelines and standards submitted by the Developer to the satisfaction of the Municipality and included in a Development Agreement.

4.9.2 All utility distribution and collection systems necessary to service the Development (excluding water and sewage treatment and disposal systems).

4.9.3 Pedestrian pathways.

4.9.4 Parking and Loading facilities in accordance with Section 8.5.1 of the Land Use Bylaw.

4.10 No Development of the Lands shall be permitted without and until a Historical Impact Assessment prepared by the Developer has been submitted and is satisfactory in both form and substance to each of the Municipality and the Alberta Community Development, Cultural Facilities and Historical Resources Division.

4.11 No Development of the Lands shall be permitted until the Municipality and the Developer have executed a Development Agreement(s) in form and substance satisfactory to the Council in its sole discretion.

4.12 Notwithstanding 4.11 and 4.14 herein, a Development Permit for grading of the Lands and the installation of utilities may be issued by the Development Officer provided the provisions of same are satisfactory to the Municipality in form and substance, subject to the completion of a Historical Impact Assessment as

reference in Section 4.10.0 herein.

4.13 The Municipality may, through the 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.

4.14 Endorsement of any final plan of subdivision within any Development Cell shall not occur until rehabilitation, restoration and improvement of the lakes to the design water levels contemplated by the Cochrane Lake Concept Plan have commenced and have proceeded to the satisfaction of the Municipality.

4.15 No use shall be made of all or any portion of the Lands for a development without and until a Hydrogeological Study prepared by a qualified professional establishes existing groundwater chemistry, the rate and direction of groundwater flow, a long term plan for groundwater monitoring, a chemical management plan for fertilizers, herbicides, pesticides and irrigation and the facilities that will be provided by the Developer to implement the monitoring program and chemical management plan, has been submitted and is satisfactory in both form and substance to each of the Municipality and Alberta Environmental Protection.

4.16 No Development of the Lands shall be permitted without and until the Developer has prepared and submitted a Storm Water Management Plan in form and substance satisfactory to each of the Municipality and Alberta Environmental Protection.

4.17 Highway widening shall be dedicated along the entire length of the Lands adjacent to Highway #22 to the satisfaction of Alberta Transportation and Utilities concurrent with the endorsement of Residential Development Cell 1.

4.18 Improvements to the intersection of Highway #22 and Cochrane Lake Road shall be designed and constructed at the sole expense of the Developer to the satisfaction of Alberta Transportation and Utilities.

4.19 Cochrane Lake Road shall be upgraded at the sole expense of the Developer in accordance with and to the satisfaction of the Municipality and its road standards.

4.20 The existing municipal road accessing Phase I, located within the SE 27-26-4-W5M shall be upgraded at the sole expense of the Developer in accordance with and to the satisfaction of the Municipality and its road standards concurrent with the development of Residential Development Cell 1, Phase I.

4.21 The municipal road allowance between Sections 33 & 34-26-4-W5M shall be constructed at the sole expense of the Developer in accordance with and to the satisfaction of the Municipality and its road standards concurrent with the development of Residential Development Cell 2, Phase II.

4.22 The municipal road adjacent to the north boundary of Section 34-26-4-W5M, easterly to its intersection with HWY #22 shall be upgraded at the sole expense of the Developer in accordance with and to the satisfaction of the Municipality and its road standards concurrent with the development of Residential Development Cell 2, Phase II.

4.23 Improvements to the intersection of HWY #22 and SH #567, shall be undertaken concurrently with construction of the Municipal roads described in 4.21.0 and 4.22.0 above and shall be designed and constructed at the sole expense of the Developer to the satisfaction of Alberta Transportation and Utilities.

4.24 A Traffic Impact Analysis for the entire development shall be provided by the Developer at his sole expense prior to approval of the Tentative Plan for Phase One (1) to determine the timing of construction of the intersectional improvements at Cochrane Lake Road and Highway #22 and the upgrading of Cochrane Lake Road to the satisfaction of the Municipality and Alberta Transportation and Utilities. All necessary road upgrading and intersectional improvements shall be designed and constructed at the sole expense of the Developer to the satisfaction of the Municipality and Alberta Transportation and Utilities.

4.25 The Developer shall apply solely at his cost for any road closures necessary to complete any development phase and in accordance with municipal policy and the requirements of Alberta Transportation and Utilities.

4.26 Section 8.6.0 of the Land Use Bylaw shall apply to the siting of accessory Buildings on the Lands except that no accessory building shall exceed 5.48m (18.00 ft.) in height nor 69.7m^2 (750 sq.ft.) in area.

4.26.1 Notwithstanding 4.26, Section 8.6.0 of the Land Use Bylaw shall not apply to Unit:41 Plan:0513169 in accordance with 5.1.1.4 (ii)(b)

4.27 Section 8.7.3 of the Land Use Bylaw shall apply to the height of any fences on the Lands.

4.28 Section 8.15.1 of the Land Use Bylaw shall apply to the owner(s) of any interest in the Lands.

5.0 LAND USE REGULATIONS - RESIDENTIAL DEVELOPMENT CELLS

The purpose and intent of the Residential Development Cells is to provide for the use of portions of the land for residential Development.

5.1 For the purposes of this bylaw, the following shall apply in all Residential Development Cells (including the existing Homestead Cell):

5.1.1 Minimum and Maximum Requirements

5.1.1.1 minimum area of lot

- single detached - 929m^2 (10,000 sq.ft.)
- semi-detached - 1858m^2 (20,000 sq.ft.)

5.1.1.2 minimum average width of lot

- single detached - 22m (72.18 ft.)
- semi-detached - 40m (131.23 ft.)

5.1.1.3 minimum front yard - 6m (19.68 ft.)

5.1.1.4 minimum side yard

i) principal buildings
- street side of corner site - 3m (9.84 ft.)
- all other sites - 2.4m (7.87 ft.)

ii) accessory buildings
- street side of corner site - 3m (9.84 ft.)
- all other sites - 2.4m (7.87 ft.)

a) Notwithstanding 5.1.1.4 (ii), Unit:41 Plan:0513169 shall have a minimum side yard setback of 2.3m (7.55 ft.) from the northeast property line for the existing accessory building measured at 2.82m x 2.82m in area.

5.1.1.5 minimum rear yard

- principal building - 8m (26.25 ft.)
- accessory building - 2.4m (7.87 ft.)

i) Notwithstanding 5.1.1.5, Unit: 80 Condominium Plan: 0513169 is permitted a minimum rear yard setback of 8m (26.25 ft.) to the existing principal building and a minimum rear yard setback of 7.83m (25.69 ft.) to an attached deck in order to allow the existing attached deck to remain.

ii) Notwithstanding 5.1.1.5, Unit: 98, Condominium Plan: 0513169 is permitted a minimum rear yard setback of 8m (26.25 ft.) to the existing principal building and a minimum rear yard setback of 6.5m (21.33 ft.) to an attached deck in order to allow the existing attached deck to remain.

5.1.1.6 minimum habitable floor area - $120m^2$ (1291 sq.ft.) per unit

5.1.1.7 maximum building height

- principal building - 10m (32.8 ft.) (in Phase 1)
- principal building - 11m (36.1 ft) (in Phases 2 through 5)
- accessory buildings – 5.5m (18 ft)

5.1.1.8 minimum off-street parking spaces - 2 per dwelling unit

5.2 Residential Development Cell 1 (Phase I)

5.2.1 List of Permitted Uses

- dwelling, single detached
- accessory buildings
- fences

5.2.2 List of Discretionary Uses

- home occupations
- dwelling, semi-detached

5.2.3 Minimum and Maximum Requirements

- maximum number of dwelling units: 115
- maximum area: 28.33 ha (70.0 acres)

5.3 Residential Development Cell 2 (Phase II)

5.3.1 List of Permitted Uses

- dwelling, single detached
- accessory buildings
- fences

5.3.2 List of Discretionary Uses

- home occupations
- dwelling, semi-detached

5.3.3 Minimum and Maximum Requirements

- maximum number of dwelling units: 175
- maximum area: 40.47 ha (100.0 acres)
- minimum open space: 2.02 ha (5 acres)

5.4 Residential Development Cell 3 (Phase III)

5.4.1 List of Permitted Uses

- dwelling, single detached
- accessory buildings
- fences

5.4.2 List of Discretionary Uses

- home occupations

- dwelling, semi-detached

5.4.3 Minimum and Maximum Requirements

- maximum number of dwelling units: 165
- maximum area: 23.07 ha (76.0 acres)

5.5 Residential Development Cell 4 (Phase IV)

5.5.1 List of Permitted Uses

- dwelling, single detached
- accessory buildings
- fences

5.5.2 List of Discretionary Uses

- home occupations
- dwelling, semi-detached

5.5.3 Minimum and Maximum Requirements

- maximum number of dwelling units: 135
- maximum area: 29.14 ha (75.0 acres)
- minimum open space: 0.65 ha (1.6 acres)

6.0 **LAND USE REGULATIONS - RECREATIONAL CENTRE CELL** (Phase III)

The purpose and intent of the Recreation Development Cell is to provide for the use of certain portions of the land for recreational facility Development subject to the approval of the Municipality.

6.1 List of Permitted Uses

- fences
- signs - identification
- fire hall

6.2 List of Discretionary Uses

- recreation centre
- golf driving range
- convenience store
- restaurants
- service station

6.3 Minimum and Maximum Requirements

- minimum area of site: 8.10 ha (20.0 acres)
- minimum front yard - 6m (19.68 ft.)
- minimum side yard - 6m (19.68 ft.)
- minimum rear yard - 6m (19.68 ft.)
- maximum height of buildings - 10m (32.81 ft.)

6.4 Special Requirements

6.4.1 Screening (as required in a Development Permit):

a) all sites abutting a residential cell shall be screened from the view of the residential cell to the satisfaction of the Development Officer.
b) all roof-top apparatus shall be screened to the satisfaction of the Development Officer.
c) outside storage areas shall be screened from adjacent sites and public thoroughfares to the satisfaction of the Development Officer.

6.5 Other Requirements

The Development Officer may allow a building to be occupied by a combination of one or more of the above mentioned uses listed for this district and each use shall be considered as a separate use.

7.0 **LAND USE REGULATIONS - EXISTING HOMESTEAD CELL** (Phase I)

The purpose and intent of the Existing Homestead Cell is to provide for the use of certain portions of the land for the existing residence and associated facilities.

7.1 List of Permitted Uses

- dwelling, single detached
- accessory buildings
- fences

7.2 List of Discretionary Uses

- home occupations
- guest cottage

7.3 Minimum and Maximum Requirements

- maximum area of guest cottage - 120m^2 (1291 sq.ft.)
- maximum area: 4.05 ha (10.0 acres)
- the minimum and maximum requirements of Section 5.1.1 herein shall apply to this cell
- maximum number of dwelling units - 2

8.0 **LAND USE REGULATIONS - RECREATIONAL BALANCE CELL** (Phases I - IV)

8.1 List of Discretionary Uses

- public walking trails or paths
- public parks
- lakes and ponds
- signs - identification
- public and private utilities

8.2 Minimum and Maximum Requirements

- minimum area: 58.81 ha (145.33 acres)

9.0 **LAND USE REGULATIONS - MUNICIPAL/SCHOOL RESERVE CELL** (Phase I, II or III)

The purpose and intent of the Municipal/School Reserve Cell is to provide for schools and playing fields.

9.1 List of Permitted Uses

- public schools and related athletic fields and facilities
- accessory buildings and uses
- fences
- signs

9.2 Minimum and Maximum Requirements

a) minimum area: 6.07 ha (15.0 acres)
b) minimum front yard:
   - 30m (98.42 ft.) from any Municipal road
   - 15m (49.21 ft.) from any internal subdivision road
c) minimum side yard:
   - 30m (98.42 ft.) from any Municipal road
   - 6m (19.68 ft.) all other
d) minimum rear yard:
   - 30m (98.42 ft.) from any road
   - 15m (49.21 ft.) all other

10.0 **LAND USE REGULATIONS - UTILITY CELL (All Phases)**

10.1 List of Permitted Uses

- extensive agriculture

10.2 List of Discretionary Uses

- spray irrigation of waste water subject to all municipal approvals pursuant to this bylaw and all requirements of Alberta Environmental Protection.

11.0 DEVELOPMENT REGULATIONS

11.1 No development of the Lands for residential use shall be permitted, no Development Permits or Building Permits for residential use shall be issued by the Development Officer and the endorsement of the final plan of subdivision of the Lands shall not occur until:

a) the Developer has prepared and submitted to the Municipality a Construction Management Plan in form and substance satisfactory to it.

b) the requirements of a wastewater collection, treatment and disposal system necessary to service the Lands or portions thereof have been satisfied by the following:

i) the Developer has received the approval of the Municipality and Alberta Environmental Protection with respect to the provision of wastewater collection, treatment and disposal facilities within the Lands to service the proposed subdivision and/or development and the Developer has submitted to the Municipality and Alberta Environmental Protection complete plans and specifications thereto and said facilities have been substantially constructed and completed in accordance therewith, provided however, that the Municipality shall endorse the final plan of subdivision of the Lands, or portions thereof, (provided it is otherwise satisfactory) or issue Development Permits for residential Development, if the Developer first enters into a Development Agreement contemplated herein, and the developer deposits with the Municipality a Letter(s) of Credit in an amount(s) equivalent to the estimated total cost to complete the construction of the facilities according to the said plans and specifications as certified by independent qualified professionals at the Developer's expense, all at the sole discretion and satisfaction of the Municipality; and the terms of said Development Agreement; or,

ii) the Developer has received Council approval with respect to the provision of wastewater treatment and disposal to service the proposed subdivision and/or development of a connection to the Town of Cochrane sanitary sewer infrastructure and the Developer has submitted to Council an agreement for servicing with complete plans and specifications respecting the connection thereto and the said connection has been completed in accordance therewith, provided however, that the Municipality shall endorse the final plan of subdivision of the Lands or portions thereof (provided it is

otherwise satisfactory) or issue Development Permits for residential development if the Developer first enters into a Development Agreement contemplated by Section 4.11.0 hereto, and deposits with the Municipality a Letter of Credit equivalent to the estimated total cost to complete the subject connection or construct an alternative treatment and disposal facility to service the proposed subdivision and/or development, whichever amount is greater.

c) all necessary licenses, permits and approvals have been received from Alberta Environmental Protection with respect to a water supply and distribution system to service the Lands or portions thereof and a License to Divert and Use Water is obtained from Alberta Environmental Protection.

d) all necessary licenses, permits and approvals have been received from Alberta Environmental Protection with respect to the design, location and operation of the sewage treatment facilities servicing the Lands or portions thereof.

e) all necessary easements and right-of-way related to the supply and distribution of power, water, gas and wastewater collection, treatment and disposal have been approved by the Municipality and registered concurrently with the final plan of subdivision by the Developer against title to the Lands or portions thereof.

f) a Condominium Association has been legally established by the Developer and each owner of an interest in the lands will be a member of the Condominium Association, and that said Condominium Association is responsible for operation and maintenance of all common private and public areas including: Municipal and Environmental Reserve parcels, pathways, parks and playground facilities, water features, public utility lots, snow removal, road maintenance, street lighting, and garbage removal within the Development area.

g) the stability of all slopes proposed for development have been confirmed by a site specific or technical evaluation prepared by a qualified Professional Engineer which is satisfactory to and approved by the Council.

11.2 Development Permits and/or Development Agreements shall be required for the Development Cell or portions thereof, and each Development Permit shall provide that:

a) no stripping, excavation or construction on any of the Lands shall occur until an appropriate Letter of Credit acceptable in form and substance to the Municipality has been deposited with the Municipality.

b) no occupancy of any dwelling unit shall occur until the construction of all roads and Utilities required to serve the Residential Development Cells or portions thereof, have been completed to specifications satisfactory to the

Municipality.

11.3 All development of the Lands shall be in accordance with plans and specifications submitted pursuant to this bylaw and all licenses, permits and approvals pertaining to the Lands and shall be carried out in the phases as contemplated by the "Phasing Plan" contained in the Cochrane Lake Concept Plan.

11.4 Prior to any development that may alter natural storm drainage into Cochrane Lake, the Developer shall prepare and submit a Storm Water Management Plan in form and substance satisfactory to the Municipality and obtain the prior approval of Alberta Environmental Protection.

11.5 All Letters of Credit referred to in this bylaw shall be calculated in accordance with Municipal Policy and the estimate upon which the amount is to be based shall be certified by a Professional Engineer or as determined by the Municipality at it's sole discretion.

11.6 Notwithstanding anything to the contrary, the construction of dwelling units for show-home purposes only, may be permitted at the discretion of the Development Officer within a Residential Development Cell upon the issuance of a Development Permit by the Municipality. No residential occupancy of the said dwelling units shall occur until such time as all required utility services are installed, available and working to service the said dwelling units and the Development Officer has issued an Occupancy Permit, and until a plan of survey is registered for the applicable residential units.

12.0 DEFINITIONS

12.1 **Building** - includes anything constructed or place on, in, over or under land but does not include a highway or public roadway.

12.2 **Concept Plan** - means the Cochrane Lake Concept Plan.

12.3 **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.

12.4 **Developable Lands** - means those portions of the Lands which are considered to be suitable for development by the Council and the development of which is not precluded by this bylaw.

12.5 **Developer** - means a person of corporation who is responsible for any undertaking that requires a permit or action pursuant to this bylaw.

12.6 **Development** - means:

i) any 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 of 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.

12.7 **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.

12.8 **Development Cell** - means an area of land that may contain a number of uses as defined by this bylaw.

12.9 **The Lands** - means the lands as contained within the Cochrane Lake Concept Plan area.

12.10 **Letter of Credit** - means an unconditional and irrevocable Letter of Credit issued by a Canadian chartered bank at the request of the Developer naming the Municipality as the sole beneficiary thereof.

12.11 **Professional Engineer** - is a Professional Engineer who is a member in good standing with the Association of Professional Engineers, Geologists and Geophysicists of Alberta (A.P.E.G.G.A.).

12.12 **Residential Development Cell** - means a Development Cell which shall be used exclusively for residential purposes.

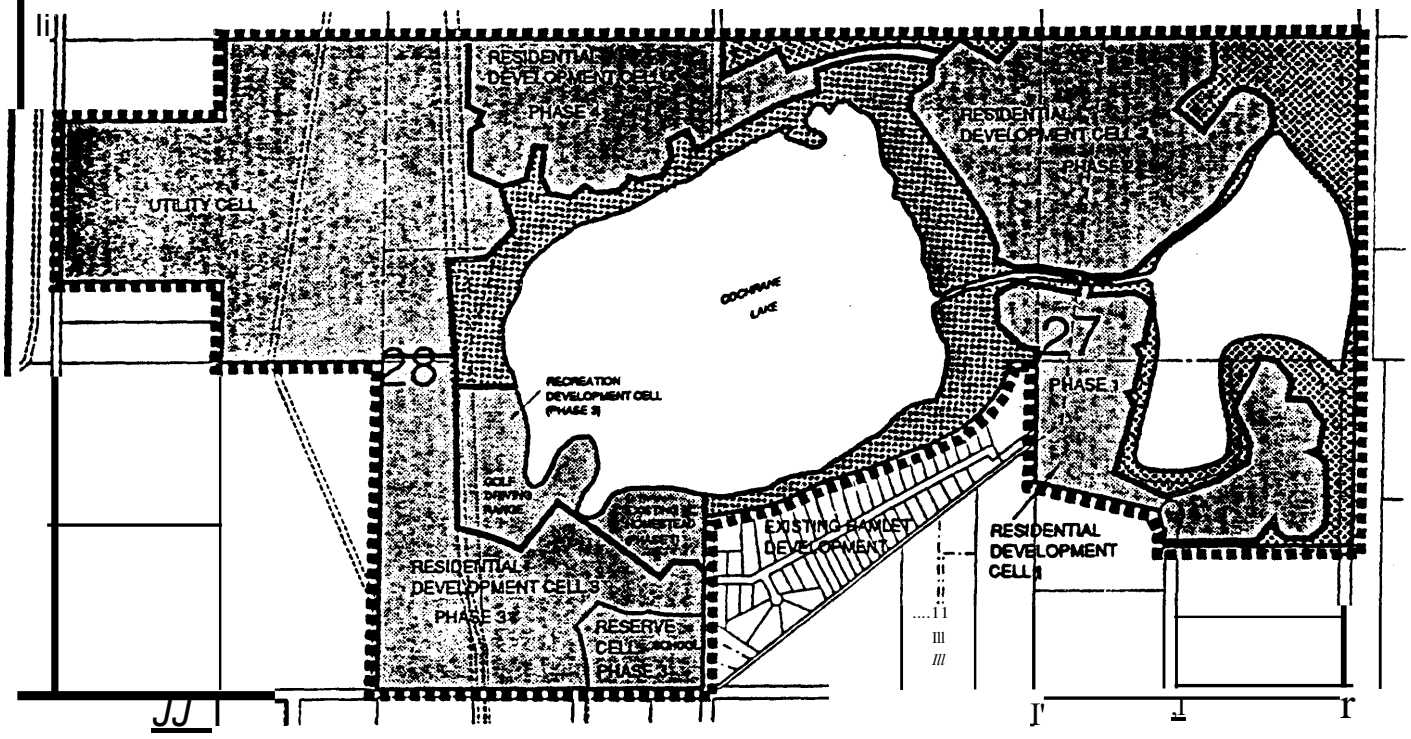
12.13 **Substantially Complete** - means Construction Completion Certificates have been issued by the Municipality.

12.14 **Utilities** - means water treatment and distribution of wastewater collection, treatment and disposal facilities and relevant appurtenances necessary to service the Development Cell(s) or portions thereof in the area covered by the bylaw.

12.15 Terms not defined above have the same meaning as defined in Section 9.0.0 of the Land Use Bylaw C-1725-84.

SCHEDULE "A"

BYLAW: C-4499-95



■ - Denotes Recreational Balance Cell

AMENDMENT

FROM AG-2, AG-B, AG-8, SH & DC TO Direct Control District ■

SUBJECT LAND: ••••

N

LEGAL DESCRIPTION: Pt. See's 27 & 28-26-4-WSM

FILE: 6827001/2/3/4/5/8, 6828001/2/3/4