

**MUNICIPAL DISTRICT OF ROCKY VIEW #44
BYLAW C-6242-2006**

DC-110

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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 (“the Municipality”) has received an application to amend Section 5; Land Use Map No. 48 of Bylaw C-4841-97 to redesignate the NE ¼ 10-24-4-W5M from Ranch and Farm Two District and Agricultural Holdings District to Ranch and Farm District, Ranch and Farm Three District and Direct Control District as shown on attached Schedule “A” (“the Lands”); and,

WHEREAS a notice was published on April 11th, 2006 and April 18th, 2006 in the Rocky View / Five Village Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44 advertising the Public Hearing for May 9th, 2006;

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.

NOW THEREFORE the Council enacts the following:

1. That Part 5, Land Use Map No. 48 of Bylaw C-4841-97 be amended by redesignating the use of the Lands from Ranch and Farm Two District and Agricultural Holdings District to Ranch and Farm District, Ranch and Farm Three District and Direct Control District with special regulations.
2. That the special 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 Officer shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.3.0. Parts One, Two, and Three of Land Use Bylaw C-4841-97 are applicable unless otherwise stated in this Bylaw.

- 1.4.0. All development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw and all licenses, permits and approvals pertaining to the Lands.

2.0.0 LAND USE REGULATIONS

2.1.0 Purpose and Intent

The purpose and intent of this District is to allow for a Highway Maintenance Facility to be developed within the subject lands that does not adversely affect the surrounding land uses.

2.2.0 Uses:

- 2.2.1 Agriculture, General
- 2.2.2 Highway Maintenance Facility
- 2.2.3 Fencing
- 2.2.4 Landscaping
- 2.2.5 Parking
- 2.2.6 Signs

2.3.0 General Land Use Regulations

The General Regulations apply as contained in Part 3 of this Land Use Bylaw as well as the following provisions:

2.4.0 Minimum & Maximum Requirements

- 2.4.1 Parcel size:
 - (a) The maximum parcel size shall be 7.5 hectares (18.5 acres)
- 2.4.2 Minimum Yard, North:
 - (a) 30.0 m (98.4 ft.)
- 2.4.3 Minimum Yard, East:
 - (a) 30.0 m (98.4 ft.)
- 2.4.4 Minimum Yard, South & West:
 - (a) 15.0 m (49.2 ft.)
- 2.4.5 Building Height
 - (a) maximum - 18.0 metres (59.0 ft.)

3.0.0 DEVELOPMENT REGULATIONS

- 3.1.0 No Development Permit shall be issued by the Development Authority and no *development* shall occur on the lands until:
- 3.1.1 The Owner has prepared a Stormwater Management Plan that is satisfactory to both the Municipality and Alberta Infrastructure and Transportation and which shows that the development will not adversely affect the adjacent lands and/or highways;
 - 3.1.2 An Emergency Response Plan has been prepared by the *Applicant* and submitted to the satisfaction of the Municipality, and which plan establishes, among other things, measures for emergency response and fire suppression;
 - 3.1.3 A Chemical Management Plan has been prepared by the *Applicant* and submitted to the satisfaction of the Municipality, and which plan establishes, among other things, measures for chemical and salt containment and remediation, the storage of fuels, salts and other chemicals, and soil contamination;
 - 3.1.4 The Owner has completed a Traffic Impact Analysis for the entire *development*, and it has been approved by both the M.D. of Rocky View and Alberta Transportation, and further, that all road improvements identified in the Traffic Impact Analysis be completed by the *Owner* to the satisfaction of the Municipality and Alberta Infrastructure and Transportation.
 - 3.1.5 The Owner has submitted a Construction Management Plan completed by a qualified professional engineer licensed to practice in the Province of Alberta, satisfactory to the Municipality, which details amongst other items, erosion, dust and noise control measures and stormwater management during construction.
 - 3.1.6 The Owner has received all necessary permits and/or approvals from Alberta Infrastructure and Transportation, in accordance with the Public Highways Development Act and the Highway Development Control Regulation.
- 3.2.0 Water Supply and Sewage Treatment
- a) Potable water for all development on the site shall be provided through the use of water wells, licensed and approved for commercial use by Alberta Environment, to the satisfaction of the Municipality or hauled to the site and stored in cisterns, as approved by the Municipality and to the satisfaction of the Municipality.
 - b) Disposal of wastewater from the development on the site shall be subject to all requirements of Alberta Environment and all Municipal approvals pursuant to this Bylaw. Waste water shall be treated and disposed of by septic tank and field, installed to the satisfaction of the Municipality or stored in holding tanks and removed on a regular basis for disposal and treatment at an approved disposal facility

- c) Any non-domestic waste water, anti-freeze, oil or fuels accumulated on site shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site to the satisfaction of the Municipality and/or Alberta Environment
- d) Solid waste shall be disposed of on a regular basis at an approved disposal site.
- e) A caveat regarding a Deferred Services Agreement is registered on the Lands, notifying the Owner any future owners and all lessees of the requirement to connect to Municipally owned piped water and wastewater systems at their own cost when such services become available. This Agreement is to outline the location of existing services within the Lands, the operation and maintenance of these services, the requirements for their decommissioning once Municipal Servicing becomes available and a commitment from the Owner to participate in mutually beneficial discussions with the Municipality regarding the provision of future Municipal Services including the possible future ownership of their facilities by the Municipality, all to the satisfaction of the Municipality.

3.2.1 Access

- a) No direct access to Highway #22 shall be permitted. All access to the land shall be from Township Road 242 and shall be a minimum of 45 m (147.63 feet) west of Highway #22, or as otherwise approved by Alberta Infrastructure and Transportation and the Municipal District of Rocky View.

3.3.0 Development and Building Standards

3.3.1 Landscaping

- a) Landscaping shall be provided in accordance with a Landscape Plan to be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location, type and extent of all landscaping proposed for the lands, and shall require that a minimum of 10% of the site be landscaped. Within this landscaped area, there shall be a minimum of one (1) tree for every 50 square m (538.2 square feet); a combination of deciduous trees with a minimum caliper of 2.5 inches; and, coniferous trees with a minimum height of 5 feet.

A contoured and rolling landscaped berm shall be developed on the entire perimeter of the site. The berm shall not be higher than two (2) meters measured perpendicular from any road and shall be in accordance with all site line distance requirements.

- b) The Landscape Plan contemplated herein shall identify the location and extent of the landscaping areas, the plant material proposed and the methods of irrigation and maintenance of landscaped areas.

- c) All areas of the site not disturbed as part of the Development Permit shall be maintained in a natural state or under cultivation.
- d) The Landscape Plan should incorporate a weed control program for all areas of the site in accordance with the Weed Control Act of Alberta, and confirmed in a Development Permit.

3.4.0 Controlled Appearance

- a) Parking and loading facilities, where proposed, shall be provided for in accordance with the requirements of the Land Use Bylaw, except that parking shall be screened and/or integrated into building architecture and/or landscaped pursuant to 3.2.1 above. Parking shall not be permitted within any minimum setback area.
- b) All outside storage of sand and salt, and other road maintenance related materials shall be to the satisfaction of the Development Authority.
- c) Signage shall be considered concurrently with a Development Permit application and may be integrated into building architecture and shall be consistent with the overall development theme.
- d) Lighting shall be located, oriented and shielded to prevent adverse affects on adjacent properties and the safe and efficient function of Highway #22

3.4.1 The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the lands must be acceptable to the Development Authority having due regard to:

- i) the compatibility with and the affect on adjacent properties and the surrounding rural area; and,
- ii) the visual enhancement of Highway #22 as an important transportation corridor.

3.4.2 Building form should be consistent with the following:

- i) building materials should reflect the architectural heritage of the surrounding rural landscape by emphasizing natural textures and/or original and historic building materials;
- ii) building massing should present a profile that is more horizontal than vertical to reflect the traditional rural building forms associated with agricultural communities;
- iii) building facades parallel to Highway #22 should avoid long unbroken expanses through the use of architectural detailing and window placement; and,
- iv) colours should reflect and complement natural colour tones evident in the surrounding rural landscape.

3.5.0 Performance Standards

3.5.1 Air Contaminants, Visible and Particulate Emissions

- a) No use within any building or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the building which contains them.

3.5.2 Odorous Matter

- a) No use or operation within a building shall cause or create the emission of odorous matter or vapour beyond the building which contains the use or operation.

3.5.3 Toxic Matter

- a) No use or operation on the lands or within a building shall cause or create the emission of toxic matter beyond the lands or the building 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 Chemical Management Plan that may be required by the Municipality.

3.5.4 Garbage Storage

- a) Garbage and waste material shall be stored in weatherproof and animal-proof containers. Such containers shall be located within buildings or adjacent to the side or rear of buildings, and shall be screened from view by all adjacent properties and roadways, all to the satisfaction of the Development Authority.

3.5.5 Fire and Explosive Hazards

- a) 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.

3.5.6 Fire Protection:

- a) Fire protection measures shall be provided as may be required by the Municipality

4.0.0 DEFINITIONS

- 4.1.0 **Highway Maintenance Facility** – means a use or development providing a service directly related to the maintenance of Alberta Infrastructure and Transportation's Provincial Road Network and public roadways within the MD of Rocky View.
- 4.2.0 **The Lands** - means the lands as shown on Schedule "A" attached hereto.
- 4.3.0 Terms not defined above have the same meaning as defined in Section 9.0.0 of Land Use Bylaw C-4841-97.and included in a Development Permit.

5.0.0 IMPLEMENTATION

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

File: 04810004/007/010 --- 2005-RV-432

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, April 4, 2006, on a motion by Councillor Everett.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, May 9, 2006, on a motion by Councillor Everett.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, May 9, 2006, on a motion by Councillor Neustaedter.

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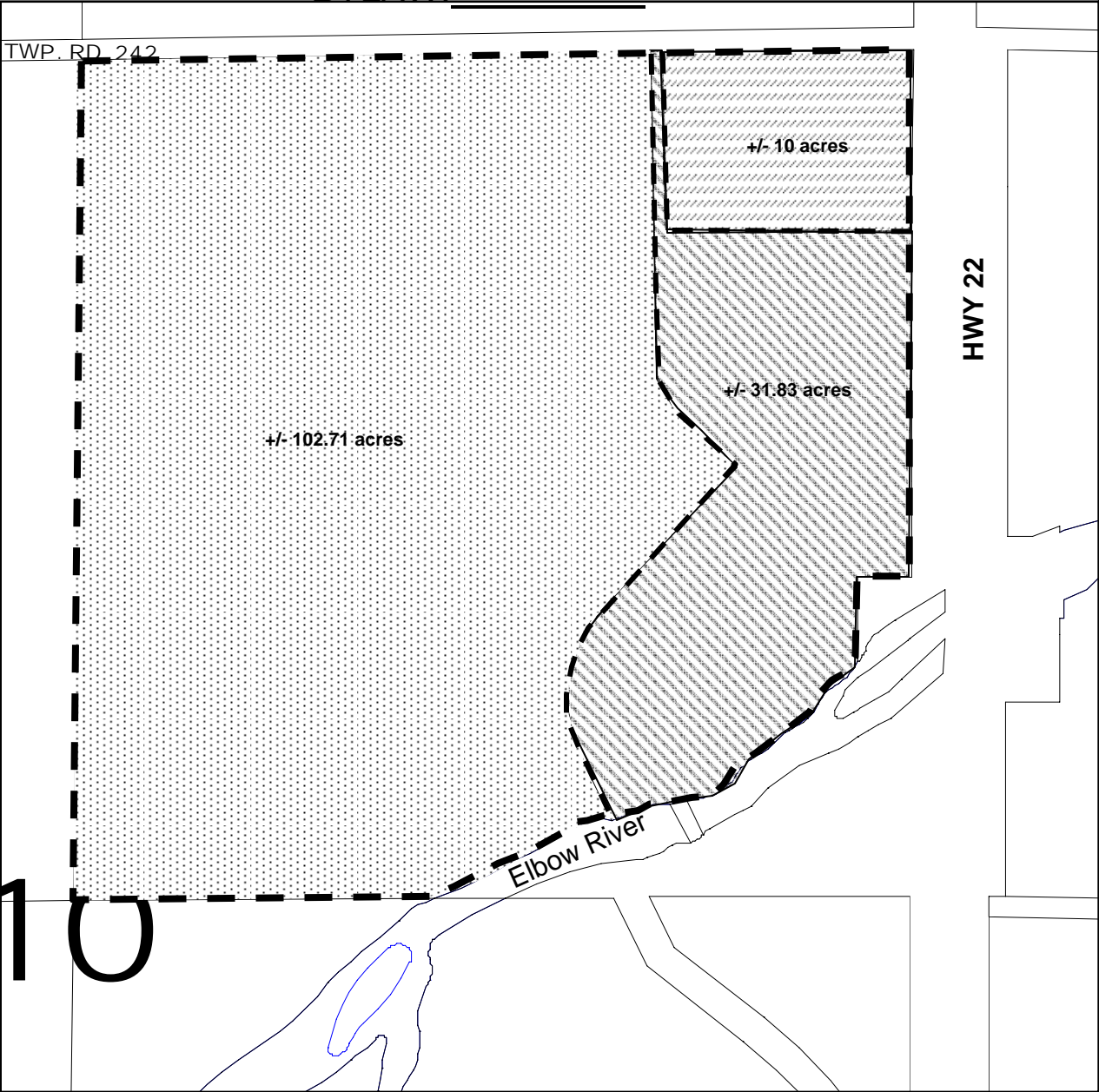
MUNICIPAL SECRETARY

SCHEDULE "A"

DC-110




BYLAW: C-6242-2006

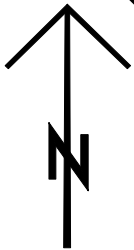
TWP. RD. 242



AMENDMENT

Subject Land

FROM	Ranch and Farm Two District	TO	Ranch and Farm District	
	Ranch and Farm Two District &			
FROM	Agricultural Holdings District	TO	Ranch and Farm Three District	
	Ranch and Farm Two District &			
FROM	Agricultural Holdings District	TO	Direct Control District	



LEGAL DESCRIPTION: NE 10-24-4-W5M

FILE: 04810004/007/010-2005-RV-432 DIVISION: 1

