

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-6402-2006	Original Bylaw	July 31, 2007
C-6777-2009	Amendment of Schedule 'A' and Schedule 'B', Removal of Two Areas from Direct Control District to Commercial, Local Commercial District and Public Service District.	July 7, 2009
C-6965-2010	Addition of Land Use Regulations for Site 3, Expansion of Direct Control District, Amendments to Schedule 'A' and Schedule 'B'	September 28, 2010
C-7275-2013	Amendments to Section 1.5.0 within the General Regulations, and Section 2.6.0 within the Land Use Regulations – Site 2	July 16, 2013
C-7430-2014	Amendments to Section 2.2.0 within the Land Use Regulations – Site 1, addition of Section 3.8.0 within the Development Regulations, and the addition of two definitions within Section 4.0.0	June 9, 2015

DIRECT CONTROL BYLAW REGULATIONS

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 Lands shall be notionally divided into Site 1, Site 2, and Site 3, the boundaries and descriptions of which shall be more or less as indicated in Schedule “B” attached to and forming part of this bylaw, except otherwise approved by Council. The size and shape of Site 1, Site 2, and Site 3 are approximate and will be more precisely determined by a Tentative Plan in form and substance satisfactory to the County, to be submitted to the County by the Developer as an application for subdivision approval.
- 1.2.0 Parts 1, 2 & 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where noted otherwise.
- 1.3.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to 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 County, except where specifically noted that Council approval is required.
- 1.5.0 Notwithstanding Section 1.4.0, the following listed uses within Sites 1-3: Accessory Buildings; Dwelling, Single-detached; and Home Based Business-Type 1; are deemed approved when all other criteria of this Bylaw are met.
- 1.6.0 Council 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 to the development proposals and representations upon which this Bylaw is based, as determined by and to the satisfaction of the Council and its sole and unfettered discretion.

2.0.0 Land Use Regulations – Site 1

2.1.0 Purpose and Intent

The purpose and intent of the Site 1 is to provide for residential uses in the form of single-family dwellings with public roadways, Public Utility Lots (PUL), and Municipal Reserve (MR).

2.2.0 Uses

- 2.2.1 Dwelling, Single-detached
- 2.2.2 Accessory Buildings less than 10.0 m² (107.64 ft²) building area
- 2.2.3 Community Sign
- 2.2.4 Home Based Business-Type 1
- 2.2.5 Private Swimming Pools
- 2.2.6 Public Open Space (MR)
- 2.2.7 Public Utilities

2.3.0 Maximum and Minimum Requirements

- 2.3.1 Parcel Size:
Minimum: 0.10 hectare (0.25 acre), Dwelling, single-detached
- 2.3.2 Lot Width:
Maximum: 60.96 metres (200.0 feet), Dwelling, single-detached
- 2.3.3 Number of Lots within Residential Development Sites:
Maximum (Site 1): 32
- 2.3.4 Number of Dwelling Units per lot:
Maximum: 1
- 2.3.5 Habitable floor area, excluding basement:
Minimum: 140 metres² (1507 feet²), Dwelling, single-detached
- 2.3.6 Height of Buildings:
Maximum building height (principal building): 11.0 metres (36.09 feet)
Maximum building height (accessory building): 3.0 metres (9.84 feet)
- 2.3.7 Off-Street Parking:
Minimum: 2 per dwelling unit
- 2.3.8 Site Coverage
Maximum Total Site Coverage (All Buildings): 35%

Building Setbacks

- 2.3.9 Yard, Front:
Minimum: 3 metres (9.84 feet), Dwelling, single-detached

2.3.10 Yard, Side:
Minimum: 1.5 metres (4.92 feet), Dwelling, single-detached
Minimum: 0.6 metres (1.97 feet), Accessory Building

2.3.11 Yard, Rear:
Minimum: 7.5 metres (24.61 feet), Dwelling, single-detached
Minimum: 2.0 metres (6.56 feet), Accessory Buildings

2.4.0 Special Regulations

2.4.1 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.

2.4.2 The driveway connecting a garage (attached and/or detached) to a road shall be a minimum length of 6.5 meters (21.33 feet) when measured from the back of a curb or back of sidewalk.

2.4.3 Accessory Buildings are not permitted within the Front Yard or Side Yard Setback of any Dwelling Unit.

2.4.4 That notwithstanding Section 2.2.2, Lot 33, Block 1, Plan 0913273 shall be permitted an accessory building no greater than 52.00 m² (559.72 ft²) in size.

2.4.5 That notwithstanding Section 24.1(e) and 24.4 of the Land Use Bylaw, Lot 33, Block 1, Plan 0913273 shall be permitted a Pigeon Loft as an accessory building.

2.4.6 That notwithstanding Section 2.2.0, Lot 33, Block 1, Plan 0913273 shall be permitted Keeping of Racing Pigeons as a use, pursuant to the definition and regulations within this Bylaw.

2.5.0 Land Use Regulations – Site 2

2.6.0 Purpose and Intent

The purpose and intent of the Site 2 is to provide for residential uses in the form of single-family dwellings with public roadways, Public Utility Lots (PUL) and Municipal Reserve (MR).

2.7.0 Uses

2.7.1 Dwelling, Single-detached

2.7.2 Accessory Buildings less than 10.0 metres² (107.64 feet²) building area

2.7.3 Community Sign

2.7.4 Home Based Business-Type 1

2.7.5 Private Swimming Pools

2.7.6 Public Open Space (MR)

- 2.7.7 Publicly Accessible (by Easement) Privately Owned Open Space
- 2.7.8 Public Utilities

2.8.0 Maximum and Minimum Requirements

- 2.8.1 Parcel Size:
Minimum: 0.10 hectare (0.25 acre), Dwelling, single-detached
- 2.8.2 Lot Width:
Maximum: 60.96 metres (200.0 feet), Dwelling, single-detached
- 2.8.3 Number of Lots within Residential Development Sites:
Maximum (Site 2): 118
- 2.8.4 Number of Dwelling Units per Residential lot:
Maximum: 1
- 2.8.5 Habitable floor area, excluding basement:
Minimum: 140 metres² (1507 feet²), Dwelling, single-detached
- 2.8.6 Height of Buildings:
Maximum building height (principal building): 11.0 metres (36.09 ft)
Maximum building height (accessory building): 3.0 metres (9.84 ft)
- 2.8.7 Off-Street Parking:
Minimum: 2 per dwelling unit
- 2.8.8 Site Coverage
Maximum Total Site Coverage (All Residential Buildings): 35%

Building Setbacks

- 2.8.9 Yard, Front:
Minimum: 3 metres (9.84 feet), Dwelling, single-detached
- 2.8.10 Yard, Side:
Minimum: 1.5 metres (4.92 feet), Dwelling, single-detached
Minimum: 0.6 metres (1.97 feet), Accessory Building
- 2.8.11 Yard, Rear:
Minimum: 7.5 metres (24.61 feet), Dwelling, single-detached
Minimum: 2.0 metres (6.56 feet), Accessory Buildings

2.9.0 Special Regulations

- 2.9.1 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.
- 2.9.2 The driveway connecting a garage (attached and/or detached) to a road

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

- 2.9.3 Accessory Buildings are not permitted within the Front Yard or Side Yard Setback of any Dwelling Unit.

2.10.0 Land Use Regulations – Site 3

2.11.0 Purpose and Intent

The purpose and intent of the Site 3 is to provide for residential uses in the form of single-family dwellings with public roadways, Public Utility Lots (PUL), and Municipal Reserve (MR).

2.12.0 Uses

- 2.12.1 Dwelling, Single-detached
- 2.12.2 Accessory Buildings less than 10.0 m² (107.64 ft²) building area
- 2.12.3 Community Sign
- 2.12.4 Home Based Business-Type 1
- 2.12.5 Private Swimming Pools
- 2.12.6 Public Open Space (MR)
- 2.12.7 Publicly Accessible (by Easement) Privately Owned Open Space
- 2.12.8 Public Utilities

2.13.0 Maximum and Minimum Requirements

- 2.13.1 Parcel Size:
Minimum: 0.10 hectare (0.25 acre), Dwelling, single-detached
- 2.13.2 Lot Width:
Maximum: 60.96 metres (200.0 feet), Dwelling, single-detached
- 2.13.3 Number of Lots:
Maximum (Site 3): 110
- 2.13.4 Number of Dwelling Units per lot:
Maximum: 1
- 2.13.5 Habitable floor area, excluding basement:
Minimum: 140 m² (1507 ft²), Dwelling, single-detached
- 2.13.6 Height of Buildings:
Maximum Building Height (Principal Building): 11.0 meters (36.09 feet)
Maximum Building Height (Accessory Building): 3.0 meters (9.84 feet)
- 2.13.7 Off-Street Parking:
Minimum: 2 per dwelling unit

- 2.13.8 Site Coverage
Maximum Total Site Coverage (All Buildings): 35%

Building Setbacks

- 2.13.9 Yard, Front:
Minimum: 3 meters (9.84 feet), Dwelling, single-detached
- 2.13.10 Yard, Side:
Minimum: 1.5 meters (4.92 feet), Dwelling, single-detached
Minimum: 0.6 meters (1.97 feet), Accessory Building
- 2.13.11 Yard, Rear:
Minimum: 7.5 meters (24.61 feet), Dwelling, single-detached
Minimum: 2.0 meters (6.56 feet), Accessory Buildings

2.14.0 Special Regulations

- 2.14.1 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.
- 2.14.2 The driveway connecting a garage (attached and/or detached to a road shall be a minimum length of 6.5 meters (21.33 feet) when measured from the back of a curb or back of sidewalk.
- 2.14.3 Accessory Buildings are not permitted within the Front Yard or Side Yard Setback of a Dwelling Unit.

3.0.0 Development Regulations

- 3.1.0 No subdivision for residential lots shall be endorsed, and no Development or Building Permits shall be issued for any purpose, until:
- 3.1.1 The Developer has prepared and submitted a Stormwater Management Plan prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta in a form and substance satisfactory to the County and/or Alberta Environment.
- 3.1.2 Confirmation of connection to a regional or municipal wastewater sewer system in a form and substance satisfactory to the County, and the developer has submitted all necessary agreements for servicing to the County, with complete plans and specifications respecting the connections thereto, to the satisfaction of the County and Alberta Environment.
- 3.1.3 Confirmation of a piped and treated water supply, licensed by the Province of Alberta, has been confirmed, in a form and substance satisfactory to the County.

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- 3.1.4 All necessary easements and rights-of-way related to the supply and distribution of power, water, gas and wastewater disposal have been approved by the County.
- 3.2.0 Some or all of the Residential Development Sites may be combined in a single Development Permit or Development Agreement, and the Development Permit or Development Agreement shall provide that:
 - 3.2.1 No stripping, excavation, or construction of any of the lands shall occur until an appropriate Letter(s) of Credit acceptable in form and substance has been deposited with the Municipality; and
 - 3.2.2 No occupancy of any dwelling unit shall occur until the construction of all roads and utilities required to serve the Residential Development Sites or portions of them, have been completed to specifications satisfactory to the County.
- 3.3.0 Unless otherwise approved by the County, private roads shall be constructed in accordance with geometric design guidelines and standards outlines in the Servicing Standards for Subdivision and Road Construction as approved by Council, as amended.
- 3.4.0 All Letters of Credit referred to in this Bylaw shall be calculated in accordance with current County Policy and the estimate upon which the amount is to be based shall be certified by a qualified professional(s) or as determined by the County.
- 3.5.0 Show homes may be considered by the Development Authority as a use on the lands for up to five residential dwelling units per Residential Development Site prior to the endorsement of a plan of subdivision provided that conditional approval for subdivision has been granted by Council for that cell and a Development Agreement has been entered into. No occupancy of the said show homes shall occur until full municipal services (power, gas, sewer, water, telephone, etc.) are available to and immediately useable by residents of said dwellings and the plan of subdivision has been registered.
- 3.6.0 Pursuant to the issuance of Development Permits or Development Agreements for grading and stripping of necessary portions of the site under Section 3.3.0 of this Bylaw, no topsoil shall be exported from the lands, and topsoil and non-topsoil materials may be utilized for grading purposes for development within the lands.
- 3.7.0 A temporary sales or information centre may be considered by the Development Authority as a use on the lands.
- 3.8.0 The keeping, breeding, maintenance and flying of pigeons shall be permitted on the following conditions.
 - 3.8.1 The loft shall be of such sufficient size and design, and constructed of such material that it can be maintained in a clean and sanitary condition.

- 3.8.2 There shall be a minimum of 0.19 m² (2.00 ft²) of floor space in any loft for each mature pigeon kept therein.
- 3.8.3 The loft shall be constructed and located in accordance with the appropriate Building Code Requirements and Development Regulations of the County.
- 3.8.4 All feed for said pigeons shall be stored in such containers as to protect against intrusion by rodents and other vermin.
- 3.8.5 The loft shall be maintained in a sanitary condition and in compliance with all applicable health regulations of Rocky View County and the Province of Alberta.
- 3.8.6 All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training and competition: and at no time shall pigeons be allowed to perch or linger on the buildings or property of others.
- 3.8.7 All pigeons shall be fed within the confines of the loft.
- 3.8.8 No one shall release pigeons to fly for exercise, training or competition except in compliance with the following rules:
 - 3.8.8.1 The owner of the pigeons must be a member in good standing or an organized pigeons club, such as the Canadian Racing Pigeon Union Inc., Canadian Pigeon Fanciers Association, American Racing Pigeon Union, Inc., the International Federation of Racing Pigeon Fanciers, the National Pigeon Association, the American Tippler Society, the International Roller Association, the Rare Breeds Pigeon Club, or a local club which has rules that will help preserve the peace and tranquility of the neighborhood.
- 3.8.9 Pigeons shall be banded and registered with one of the national pigeon associations/registries.

4.0.0 Definitions

- 4.1.1 Unless otherwise defined in this bylaw all words and uses shall be defined as per Section 8 (Definitions) of Bylaw C-4841-97 as amended, or Bylaw C-5980-2004, The Calgary – Chestermere Corridor Area Structure Plan, as amended.
- 4.1.2 “Building” - includes anything constructed or placed on, in, over or under land but does not include a highway, public roadway or utility;
- 4.1.3 “Building Scheme” - for the purpose of this Bylaw means a scheme to be registered against title of the Developable Land pursuant to a Restrictive Covenant describing Architectural Controls pertaining to the Development thereof;
- 4.1.4 “Community Sign” - means a sign displaying the name of the community or communities within Section 2-24-3-W5M;

- 4.1.5 “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, site erosion, sedimentation control, noise control and traffic control;
- 4.1.6 “Developable Lands” - means that portion of the Lands which is considered to be suitable for development and by the Council;
- 4.1.7 “Developer” - means that party which owns or has a right to own all of the Lands excepting only any roadway plan therein;
- 4.1.8 “Development” - means:
- a) any excavation or stockpile and the creation of either of them, 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;
 - b) 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
 - c) 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;
- 4.1.9 “Development Agreement” - is an Agreement between the developer and the County specifying development regulations, criteria or conditions necessary to ensure all developments and subdivisions on the land conform to municipal approvals;
- 4.1.10 “Development Site” - means an area of land that may contain a number of uses as defined in this Bylaw and which are numerically identified in Schedule “B”;
- 4.1.11 “Keeping of Racing Pigeons” - means the keeping of a pigeon which, through selective past breeding has developed the distinctive physical and mental characteristics as to enable it to return to its home after having been released a considerable distance therefrom, and which is accepted as such by the Canadian Racing Pigeon Club. Also, commonly known as the Racing Homer, Homing Pigeon, or Carrier Pigeon;
- 4.1.12 “Letter of Credit” - means an area of land that may contain a number of uses as defined in this Bylaw at the request of the developer naming the County as the sole beneficiary thereof;
- 4.1.13 “Lot Width” - is the measurement of a line drawn from the midpoint of one side property line to the midpoint of a second side property line;
- 4.1.14 “Pigeon Loft” - means the structure(s) for the keeping or housing of pigeons permitted by this by-law.
- 4.1.15 “Residential Development Sites” - means those Development Sites which shall

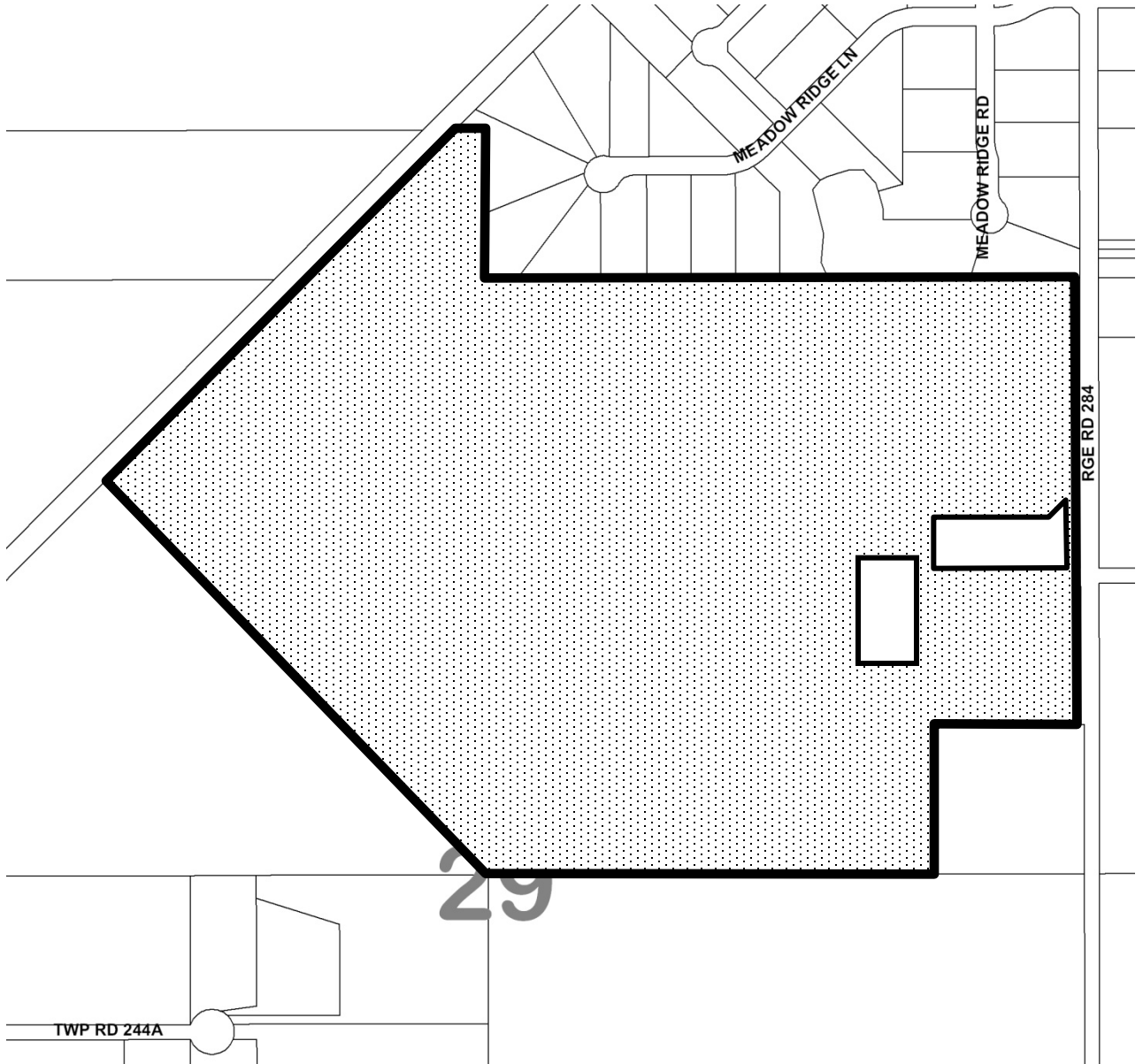
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DIRECT CONTROL BYLAW C-6402-2006**

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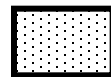
be used for residential purposes and associated open space;

- 4.1.16 “Substantial Completion” - means Construction Completion Certificates have been issued by the County;
- 4.1.17 “Utilities” - means water treatment and distribution and wastewater collection, treatment and disposal facilities, gas, electricity, cable and telephone transmission lines and related facilities and relevant appurtenances necessary to service the development cells or portions thereof in the area covered by the Bylaw. For the purpose of this Bylaw, a system utilizing sewage holding tanks is not considered a utility;

SCHEDULE "A"
Office Consolidation Version



Direct Control District



Subject Land

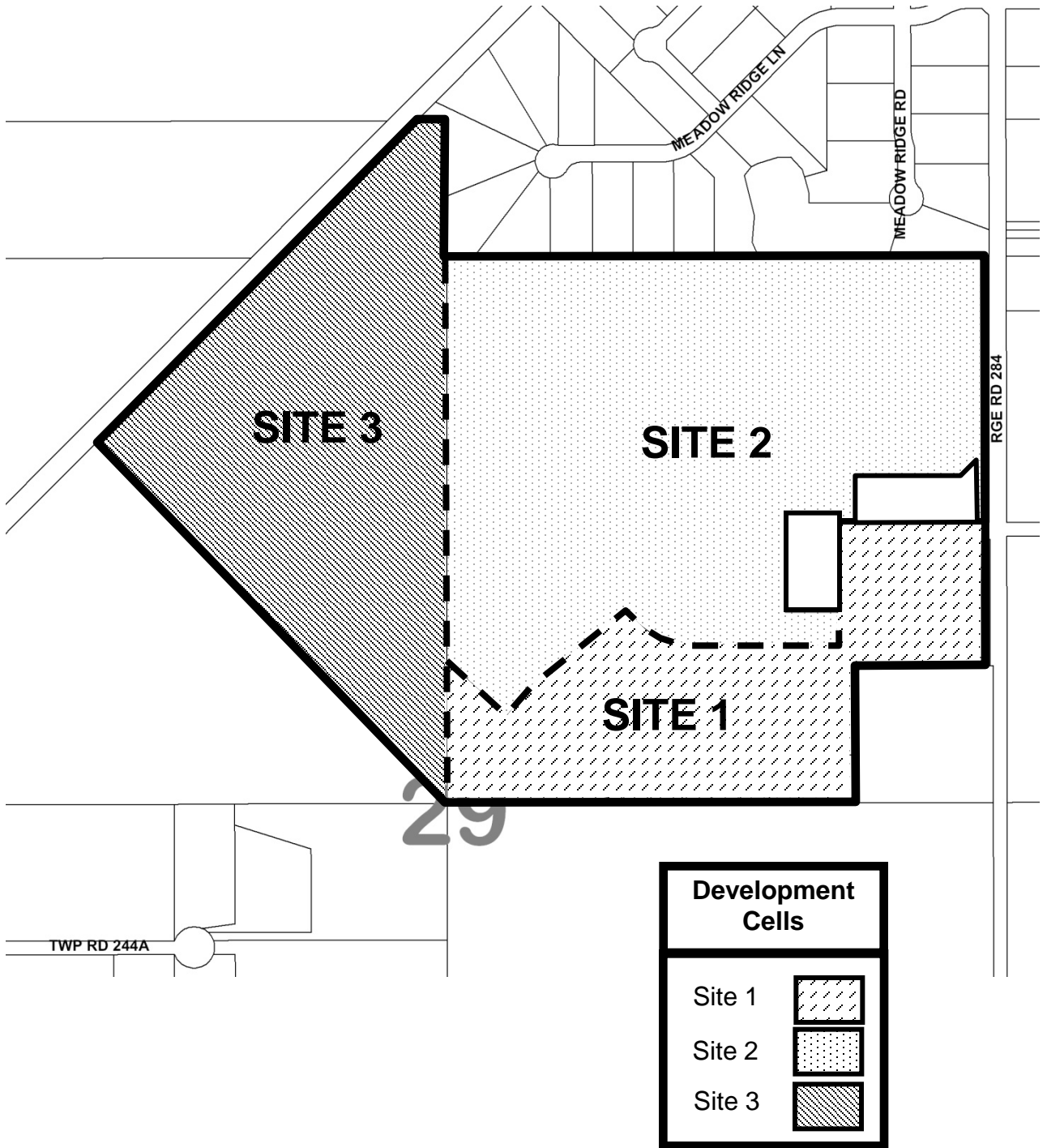


LEGAL DESCRIPTION: Portions of
NW & NE-29-24-28-W4M and SW-32-24-28-W4M



DIVISION: 5

SCHEDULE "B"
Office Consolidation Version



Subject Land _____

LEGAL DESCRIPTION: Portions of
NW & NE-29-24-28-W4M and SW-32-24-28-W4M



DIVISION: 5