

**ROCKY VIEW COUNTY
BYLAW C-6821-2009**

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

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

WHEREAS the Council of Rocky View County has received an application to amend Part 5, Land Use Map No. 82 of Bylaw C-4841-97 to redesignate a portion of the SW 13-28-27-W4M and a portion of the SE 14-28-27-W4M, from Direct Control District to Direct Control District, as shown on Schedule 'A' ("the Lands") and,

WHEREAS a notice was published on Tuesday, August 18, 2009 and Tuesday, August 25, 2009 in the Rocky View Weekly, a newspaper circulating in Rocky View County, advising of the Public Hearing for Tuesday, September 22, 2009; 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 M-27 of the Revised Statutes of Alberta 2000, and all amendments thereto; and

WHEREAS Bylaw C-3656-91 (Direct Control District 45) is to be repealed upon third reading of this Bylaw.

NOW THEREFORE the Council enacts the following:

1. That Part 5, Land Use Map No. 82 of Bylaw C-4841-97 be amended by redesignating a portion of the SW 13-28-27-W4M and a portion of the SE 14-28-27 W4M, from Direct Control District to Direct Control District, as shown on Schedule 'A' attached to and forming part of this Bylaw, in accordance with the regulations;
2. That a portion of the lands within the SW 13-28-27-W4M and a portion of the SE 14-28-27 W4M are hereby redesignated to Direct Control District, as shown on Schedule 'A' attached to and forming part of this Bylaw; and
3. Bylaw C-3656-91 (Direct Control District 45) is repealed in its entirety; and
4. That the regulations of this Direct Control District comprise:
 - 1.0.0 Purpose & Intent
 - 2.0.0 General Requirements
 - 3.0.0 Land Use Regulations
 - 4.0.0 Development Regulations
 - 5.0.0 Definitions

1.0.0 PURPOSE & INTENT

The purpose and intent of this Bylaw is to accommodate an existing Communal Farming Colony, and the activities, uses and structures associated with an industrial scale communal farm. The Bylaw boundary encompasses the developed area of the Colony, and allows for a range of uses, including farm-based industry, in order to allow limited engagement in activities that are not strictly agricultural in nature. This

will allow the Colony to utilize its labour, buildings and machinery in the off-season, diversify its economic base, and provide service to the local community.

2.0.0 GENERAL REQUIREMENTS

- 2.1.0 Parts 1, 2 & 3 of the Land Use Bylaw C-4841-97 apply to all uses contemplated by this Bylaw except where noted otherwise.
- 2.2.0 The Development Authority shall decide on applications for Development Permits for all uses contemplated by this Bylaw provided the provisions of Section 2.0.0, 3.0.0 & 4.0.0 are completed in form and substance to the satisfaction of the Municipality.
- 2.3.0 Provided all other provisions of this Bylaw are complied with, Dwellings, *Single Detached*, and Dwellings, *Attached* contemplated by Section 4.1.0(a & b) are considered “deemed approved” and do not require a Development Permit.
- 2.4.0 All development upon the lands shall be in accordance with all plans and specifications submitted pursuant to this bylaw and all permits and approvals pertaining to the lands

3.0.0 LAND USE REGULATIONS

3.1.0 Uses

- a) *Dwelling, Single Detached*
- b) *Dwelling, Attached*
- c) *Accessory Buildings and Structures no greater than 6,966 sq. m. (75,000 sq. ft.)*
- d) *Communal Kitchen*
- e) *Church*
- f) *School, Colony*
- g) *Abattoir*
- h) *Bee Keeping*
- i) *Horticultural Development where there is a surface supply of water*
- j) *Farm Based Industry*
- k) *Agriculture, General*
- l) *Agriculture, Intensive*

3.2.0 Minimum and Maximum Requirements

3.2.3 Yard, *Front*:

- (a) 45.0 m (147.6 ft.) from any *road, secondary highway or road, municipal*

3.2.4 Yard, *Side*:

- (a) 15.0 m (49.2 ft.)

- 3.2.5 Yard, *Rear*:
- (a) 30.0 m (98.4 ft.)
- 3.2.6 Minimum Habitable Floor Area, excluding basement
- (a) 74 m² (796 ft²) per dwelling unit, total finished floor area
- 3.2.7 Maximum Height of Buildings
- (a) *Dwelling, Single Detached*: 10.0 m (32.8 ft.)
 - (b) *Dwelling, Attached*: 10.0 m (32.8 ft.)
- 3.2.8 Maximum number of *Dwellings, Attached* per Building: 6
- 3.2.9 Maximum Number of Buildings consisting of *Dwellings, Attached*: 6
- 3.2.10 Maximum total building area of all *Buildings and Structures* supporting *Farm Based Industry* operations: 6,966 sq. m. (75,000 sq. ft.)

4.0.0 DEVELOPMENT REGULATIONS

- 4.1.0. Prior to issuing a Development Permit for any use or development, the Development Authority, at its discretion, may require the submission of:
- a) a Storm Water Management Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality and/or Alberta Environment.
 - b) a Traffic Impact Analysis, prepared by a qualified professional, in a form and substance satisfactory to the Municipality and/or Alberta Transportation.
 - c) a Wastewater Management Plan capable of treating the wastewater from the operations of the Abattoir.
 - d) all applicable permits and/or approvals from Provincial and Federal authorities
- 4.2.0 Performance Standards
- a) Air Contaminants, Visible and Particulate Emissions
 - i. No use within an building or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the building which contains them
 - b. Odorous matter
 - i. 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.
 - c. Toxic Matter
 - i. 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.

- 4.3.0 The *Abattoir* facility shall be limited to processing livestock as regulated by the Province of Alberta.

5.0.0 DEFINITIONS

Definitions have the same meaning as the Land Use Bylaw C-4841-97, unless otherwise noted.

- 5.1.0 “*Farm Based Industry*” means the manufacturing, processing, fabrication or assembly of raw materials or goods, or the provision of services related to the agricultural industry. The activities are primarily carried on within an enclosed building. The industry is ancillary to the agricultural use of the land and utilizes farm labour.
- 5.2.0 “*Abattoir*” means a facility for killing, butchering and processing animal products for human consumption
- 5.3.0 “*School, Colony*” means a place of instruction located on a communal farm where the students all reside on the communal farm.

Division: 6
File: 08214001/13002-2008-RV-335

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, July 28, 2009, on a motion by Councillor Boehlke.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, September 22, 2009, on a motion by Councillor Boehlke.

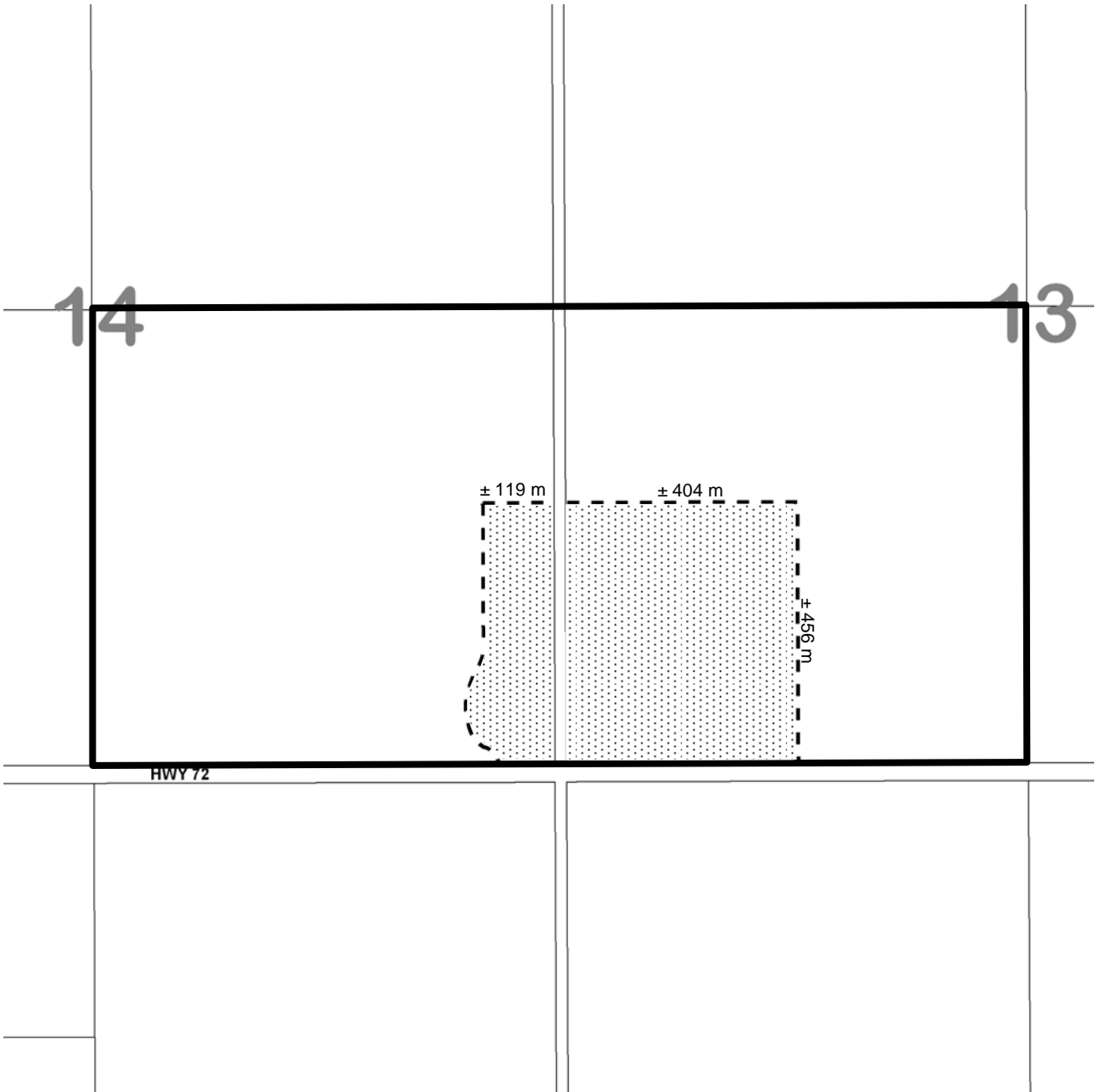
Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, September 22, 2009, on a motion by Councillor Solberg.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

SCHEDULE "A"

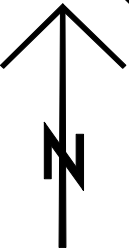
BYLAW: C-6821-2009



AMENDMENT

FROM Direct Control District TO Direct Control District

Subject Land _____



LEGAL DESCRIPTION: SW 13 & SE 14-28-27-W4M

FILE: 08213002/14001-2008-RV-355

DIVISION: 6

