

BYLAW C-7720-2017

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

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7720-2017.

PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the Municipal Government Act.

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 68 and 68-NE of Bylaw C-4841-97 be amended by redesignating the S-1/2-34-26-04-W05M from Ranch and Farm District and Ranch and Farm* District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT S-1/2-34-26-04-W05M is divided into development cells A & B as shown in Schedule 'B' attached to and forming part of this Bylaw.

THAT S-1/2-34-26-04-W05M is hereby redesignated to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT The regulations of the Direct Control District comprise:

- 1.0 General Regulations
- 2.0 Development Cell A – Residential Cell
- 3.0 Development Cell B – Community Facilities Cell
- 4.0 General Development Regulations
- 5.0 Definitions
- 6.0 Implementation

1.0 General Regulations

1.1 For the purposes of this Bylaw, the Lands shall be divided into Cell A and Cell B, the boundaries of which are generally indicated in Schedule "B" attached to and forming part of this bylaw. The size, shape, and location of Cell A and Cell B are approximate and will be more precisely determined at the subdivision and development stages in accordance with the regulations of this Bylaw and with regard to Figure 4 of the Cochrane North Conceptual Scheme.

1.2 The following uses are permitted in all Development Cells:

- 1.2.1 Roads necessary for access and internal vehicular circulation (including road rights-of-way, bridges and areas for intersection improvements);
- 1.2.2 Deep and shallow utility distribution and collection systems and facilities such as sewage, stormwater, stormwater irrigation, potable water or solid waste disposal system or telecommunication, electrical power, water, or gas distribution systems and water treatment facilities;



- 1.2.3 Stormwater systems and facilities;
 - 1.2.4 Raw water supply, storage (i.e. reservoir) and distribution facilities;
 - 1.2.5 Earthworks necessary for the preparation of land for site construction;
 - 1.2.6 Parking and loading;
 - 1.2.7 Planting and seeding;
 - 1.2.8 Pedestrian pathways;
 - 1.2.9 Temporary sales and information centre and signage;
 - 1.2.10 Community entrance feature/sign; and
 - 1.2.11 Fences.
- 1.3 The Subdivision Authority shall be responsible for decisions regarding subdivision applications affecting the land that is the subject of this Bylaw.
 - 1.4 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
 - 1.5 The Development Authority may decide on an application for a Development Permit even though the proposed development does not comply with this bylaw or is a nonconforming building if, in the opinion of the Development Authority, the proposed development will not unduly interfere with the amenities of the neighbourhood, interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed use conforms with the uses outlined within this Bylaw.
 - 1.6 A Dwelling, Single-Detached, Dwelling, Semi-Detached, Home-Based Business, Type I, Utilities, and Accessory Buildings are deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met. All other listed uses shall require a Development Permit unless permitted through execution of a Development Agreement.
 - 1.7 Any accessory building over 10 square metres shall be of the same architectural design and have the same exterior finishing materials and appearance as the principal building.
 - 1.8 A building *may* be occupied by a combination of one or more uses listed in the Cell where the land is located and each use *shall* be considered as a separate use, and each use *shall* obtain a Development Permit. A Development Permit *may* include a number of uses and/or units within a building.
 - 1.9 All signage shall be of a character in keeping with the Cochrane North Architectural Guidelines.
 - 1.10 Buildings and structures will be designed in accordance with the Cochrane North Architectural Guidelines as approved by the Municipality.
 - 1.11 A temporary sales and information centre and show homes may be considered by the Development Authority as uses on the subject lands in Development Cells A and B.
 - 1.12 Show homes in Cell A may be considered by the Development Authority prior to the endorsement of a plan of subdivision provided that:
 - a) conditional approval for subdivision has been granted by Council for that cell;



- b) no occupancy of said homes shall occur until full services (power, gas, sewer, water, telephone, etc.) are available to and immediately usable by residents of said dwellings, and the plan of subdivision has been registered;
- c) the hours that any show homes may be open to the public shall not be earlier than 9:00 a.m. or later than 8:00 p.m.; and
- d) prior to show home construction, an endorsed and secured Development Agreement is required.

1.13 Parts 1, 2, & 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where otherwise noted.

2.0 Development Cell A – Residential Cell

2.1 Purpose and Intent

The purpose and intent of Cell A is to provide an area for single detached and semi-detached dwellings that comprise a clustered prairie-style community. While lower density overall, clustering of homes will create pockets of development that maintain the rural character of the landscape. The character of this cell will be complemented by the inclusion of a public path system that connects pockets of development to community and neighbourhood parks in the cell, as well as recreational and commercial amenities in Cell B. Emphasis will be placed on providing residents with well-designed and integrated access to outdoor recreation opportunities and community facilities, while encouraging and maintaining a prairie village character.

2.2 Uses

Accessory buildings

Commercial communications facilities, Type A

Dwelling, semi-detached

Dwelling, single detached

Home-Based Business, Type I

Home-Based Business, Type II

Private Swimming Pools

Public or Quasi-Public Building

Public parks

Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above that also meets the purpose and intent of this district.

2.3 Development Regulations

2.3.1 Minimum Parcel Size:

- (a) 501.68 square metres (0.12 acres) for *dwelling, single detached*.
- (b) 390.19 square metres (0.10 acres) for *dwelling, semi-detached*.
- (c) Parcels intended as public utility lots or *public buildings* will have no minimum size.



2.3.2 Minimum *Yard, Front for Buildings:*

- (a) 7.00 m (22.97 ft.) from property line to front drive garage.
- (b) 5.00 m (16.40 ft.) from property line to side drive garage.

2.3.3 Minimum *Yard, Side for Buildings:*

- (a) 1.52 m (5.00 ft.) from property line to the garage side.
- (b) 2.13 m (7.00 ft.) from the property line to the side opposite the garage
- (c) Zero setback where a fire separation is built on a property line which separates units within a semi-detached building.
- (d) Except where adjacent to the street on corner lots where shall be 3.05 m (10.00 ft.).

2.3.4 Minimum *Yard, Rear for Buildings:*

- (a) 7.00 m (22.97 ft.) from property line to rear of building.
- (b) 6.00 m (19.58 ft.) from property line to rear deck.

2.3.5 Maximum Height of *Buildings:*

- (a) Principle building: 12.00 m (39.37 ft.).
- (b) Accessory building: 4.00 m (13.12 ft.).

2.3.6 Maximum total building area for all accessory buildings – 120.00 sq. m (1,291.67 sq. ft.).

2.3.7 Maximum number of accessory buildings shall be two (2).

2.3.8 Maximum site coverage for all buildings shall be 40%.

3.0 Development Cell B – Community Facilities Cell

3.1 Purpose and Intent

The purpose and intent of Cell B is to provide an area for community parks, naturalized open spaces, commercial amenities, and community recreation and gathering facilities that are compatible with the uses outlined for Cell A. These uses will encourage both passive and active recreation, facilitate social interaction and community gathering, provide daily conveniences, and be designed to maintain the rural character of the natural landscape.

3.2 Uses

Accessory buildings

Arts and cultural centre

Athletic and recreation facilities

Child care facility

Commercial communications facilities, Type A

Commercial recreational facilities

Community barn

Community gardens



Community outdoor storage, recreational vehicle
Drinking establishment
Farmers market
General store
Health care services
Outdoor café
Outdoor participant recreation services
Patio, accessory to the principal business use
Personal service business
Private clubs and organizations
Public buildings
Public parks
Restaurant
Shared community spaces
Signs
Tourism uses/facilities, recreational

Any use that is similar, in the opinion of the Development Authority, to the permitted or discretionary uses described above that also meets the purpose and intent of this district.

3.3 Development Regulations

3.3.1 Minimum Yard, Front for Buildings:

- (a) 6.00 m (19.58 ft.) from any road, *internal subdivision*.
- (b) 15.00 m (49.21 ft.) from and road, *County*.

3.3.2 Minimum Yard, Side for Buildings:

- (a) Minimum of 6.00 m (19.58 ft.).

3.3.3 Minimum Yard, Rear for Buildings:

- (a) Minimum of 6.00 m (19.58 ft.).

3.3.4 Maximum Height of Buildings:

- (a) 14.00 metres (45.93 ft.).

3.3.5 Uses in Cell B shall be considered in general accordance with Figure 4 of the Cochrane North Conceptual Scheme.

4.0 General Development Regulations

4.1. The following items are required prior to the endorsement of a plan of subdivision or the issuance of a Development Permit:

- 4.1.1 A Construction Management Plan, prepared by a qualified professional, to the satisfaction of the County, which details amongst other items, procedures for



- monitoring and maintaining erosion and sediment controls, dust, weeds, noise control measures, and details of stormwater management best practices to be implemented during construction.
- 4.1.2 An Open Space Management Plan, prepared by a qualified professional, to the satisfaction of the County. This should include information regarding:
 - a) Environmental or open space standards (principles on which to base decisions regarding lands/stewardship);
 - b) Ownership of various different open spaces;
 - c) Maintenance of open spaces;
 - d) Access provided to the open space; and
 - e) Management strategies and practices for various types of open space (strategies for fertilization, haying, noxious weed management, pest management, re-seeding, pond maintenance, habitat maintenance).
 - 4.1.3 A Stormwater Management Plan, prepared by a qualified professional, to the satisfaction of the County and all relevant Federal & Provincial Authorities.
 - 4.1.4 A Transportation Impact Analysis, prepared by a qualified professional, to the satisfaction of the County.
 - 4.1.5 A Biophysical Impact Analysis, prepared by a qualified professional, to the satisfaction of the County.
 - 4.1.6 Confirmation of an approved/cleared Historical Statement of Justification, prepared by a qualified professional, to the satisfaction of the County and all relevant Federal & Provincial Authorities.
 - 4.1.7 A Geotechnical Evaluation, prepared by a qualified professional, to the satisfaction of the County.
 - 4.1.8 A Utility Servicing Plan consistent with the Cochrane North Conceptual Scheme to the satisfaction of the County.
 - 4.1.9 A Solid Waste Management Plan detailing how solid waste will be collected and transported from the development.
 - 4.1.10 A Parking and Loading Plan for all commercial/retail uses, which details the configuration of all parking lots, including the location of all parking stalls, access points, the loading area, and manoeuvring of vehicles. The plan will outline how all the parking lots will be linked, and provide an efficient circulation pattern. A Parking Assessment prepared by a qualified professional may be submitted to determine appropriate parking/loading requirements if different than Section 30 – Parking and Loading and Schedule 5 – Parking, Schedule 6 – Loading, of the Land Use Bylaw (C-4841-97), to the satisfaction of the County. The Parking Assessment shall form part of the Parking and Loading Plan.
 - 4.1.11 Calculations that address the amount of Municipal Reserve owing and a proposal for provision of those reserves (i.e. cash in lieu or land dedication).
 - 4.1.12 Architectural Controls that addresses building form and finishes and the relationship of the buildings to each other and the adjacent streets, parking lots, and open spaces.



- 4.1.13 An Emergency Response Plan, prepared by a qualified professional in a form and substance satisfactory to the Municipality.
- 4.1.14 All necessary easements and rights-of-way related to the sanitary sewer, water and stormwater systems, and the supply and distribution of power, gas, telephone, and cable television, confirmed in form and substance.
- 4.1.15 A Landscaping Plan that details plantings and other related improvements proposed within the development, prepared by a qualified Landscaping Professional, to the satisfaction of the County.
- 4.1.16 An Outdoor Lighting Plan that addresses the Municipality's Dark Sky Policy as well as the International Dark Sky Association Guidelines.
- 4.1.17 All necessary licenses, permits, and approvals have been obtained from Alberta Environment and Parks with respect to:
 - a) a potable water supply and distribution system to service the subject lands, or portions thereof;
 - b) a wastewater collection system to service the subject lands, or portions thereof; and,
 - c) the stormwater system required to service the development or portions thereof.

4.2 Stripping & Grading

Notwithstanding provisions stated elsewhere in this Bylaw, the Municipality may issue a Development Permit for stripping and grading, which does not include installation of underground services, gravel or paving, prior to subdivision endorsement or issuance of a Development Agreement, provided the following is submitted to and approved by the Municipality:

- a) A Grading Plan prepared in accordance with Rocky View County Servicing Standards.
- b) A Construction Management Plan, satisfactory to the County, which details among other items, erosion, dust, weed and noise control measures, and stormwater management during construction.

5.0 Definitions

- 5.1 "Community barn" – means a facility intended to provide indoor and outdoor spaces that can be flexible in occupation for a variety of community and commercial uses, programs, and activities. These uses may share the facility spaces and parking facilities at varying times during a day or week. The facility may contain permanent commercial and/or food service uses in the same building.
- 5.2 "Community Garden" – means the cultivation and harvesting of plant products where the primary purpose is supportive of individual households, community, educational, recreational, rehabilitative or social programming. Accessory uses may include outdoor storage, composting, and buildings for the operation of the Site and the extension of the growing season. This does not include: Agriculture, General; Agriculture, Intensive; Agricultural Processing (neither Major nor Minor); Agricultural Support Services; Livestock Facility; Livestock Operations; Keeping of Livestock; or a Farmstead.



- 5.3 "Community Outdoor Storage, Recreational Vehicle" – means an area of land that is screened by landscaping, fencing, and/or berming that is set aside or otherwise defined for the outdoor storage of vehicle, recreation and vehicle, motor sport. Use of this facility is strictly limited to members of the community association.
- 5.3 "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, stormwater, site erosion, sedimentation control, noise control, and traffic control.
- 5.4 "Qualified Landscaping Professional" - means a professional landscape architect licensed to practise within the Province of Alberta who is a member in good standing with the Alberta Association of Landscape Architects (AALA).

6.0 Implementation

6.1 This Bylaw comes into effect upon the date of its third reading.

PART 4 – TRANSITIONAL

Bylaw C-7720-2017 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 9
File: 06834003/4 /PL20160093

PUBLIC HEARING WAS HELD IN COUNCIL this 27th day of February, 2018

READ A FIRST TIME IN COUNCIL this 27th day of February, 2018

READ A SECOND TIME IN COUNCIL this 8th day of May, 2018

~~UNANIMOUS PERMISSION FOR THIRD READING _____ day of _____, 2018~~

READ A THIRD TIME IN COUNCIL this 8th day of May, 2018

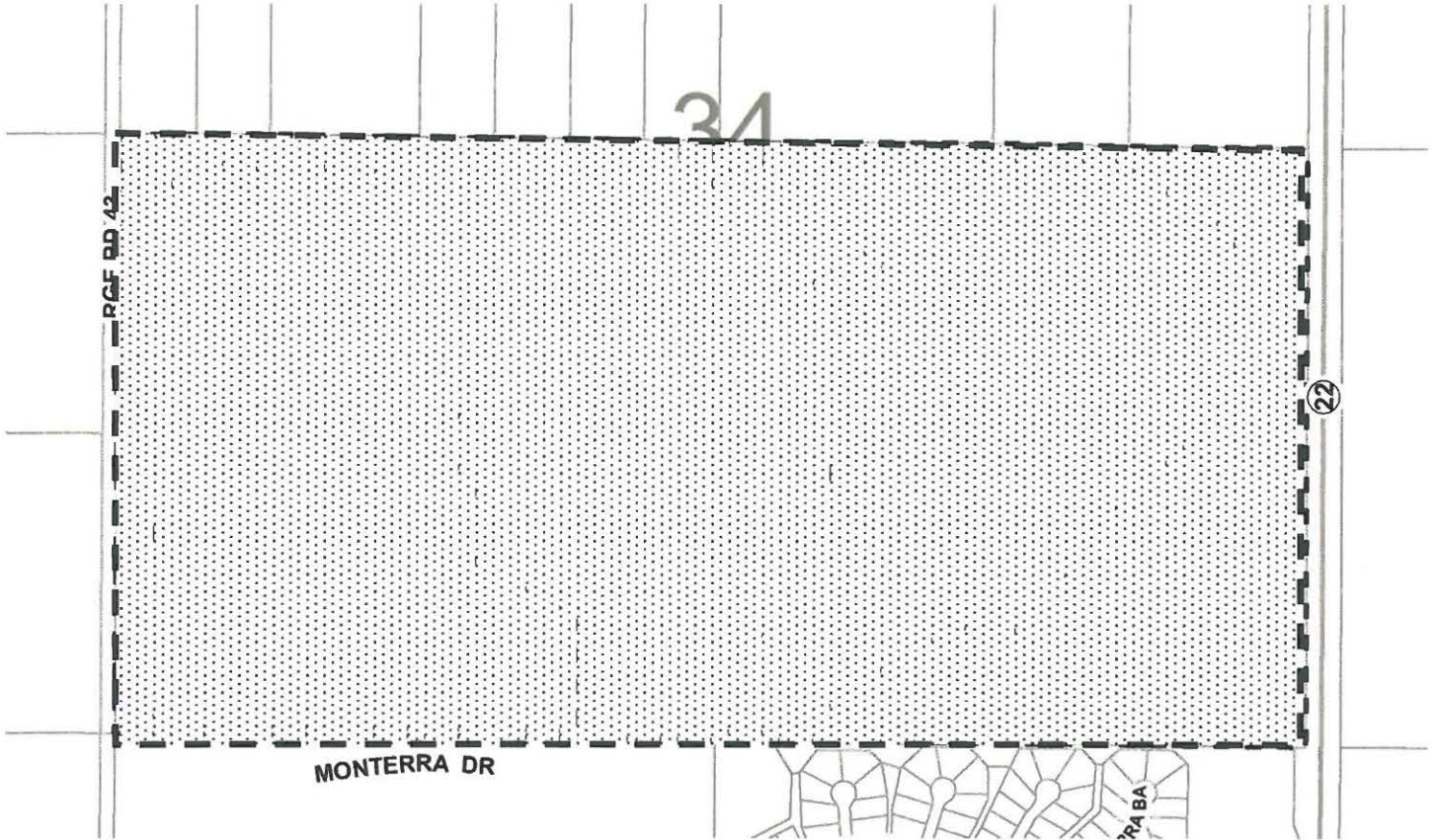
Reeve

Charlotte Satink
CAO or Designate

May 8, 2018
Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7720-2017



AMENDMENT

FROM Ranch and Farm District & TO Direct Control District
Ranch and Farm* District



Subject Land _____

LEGAL DESCRIPTION: S-1/2-34-26-04-W05M



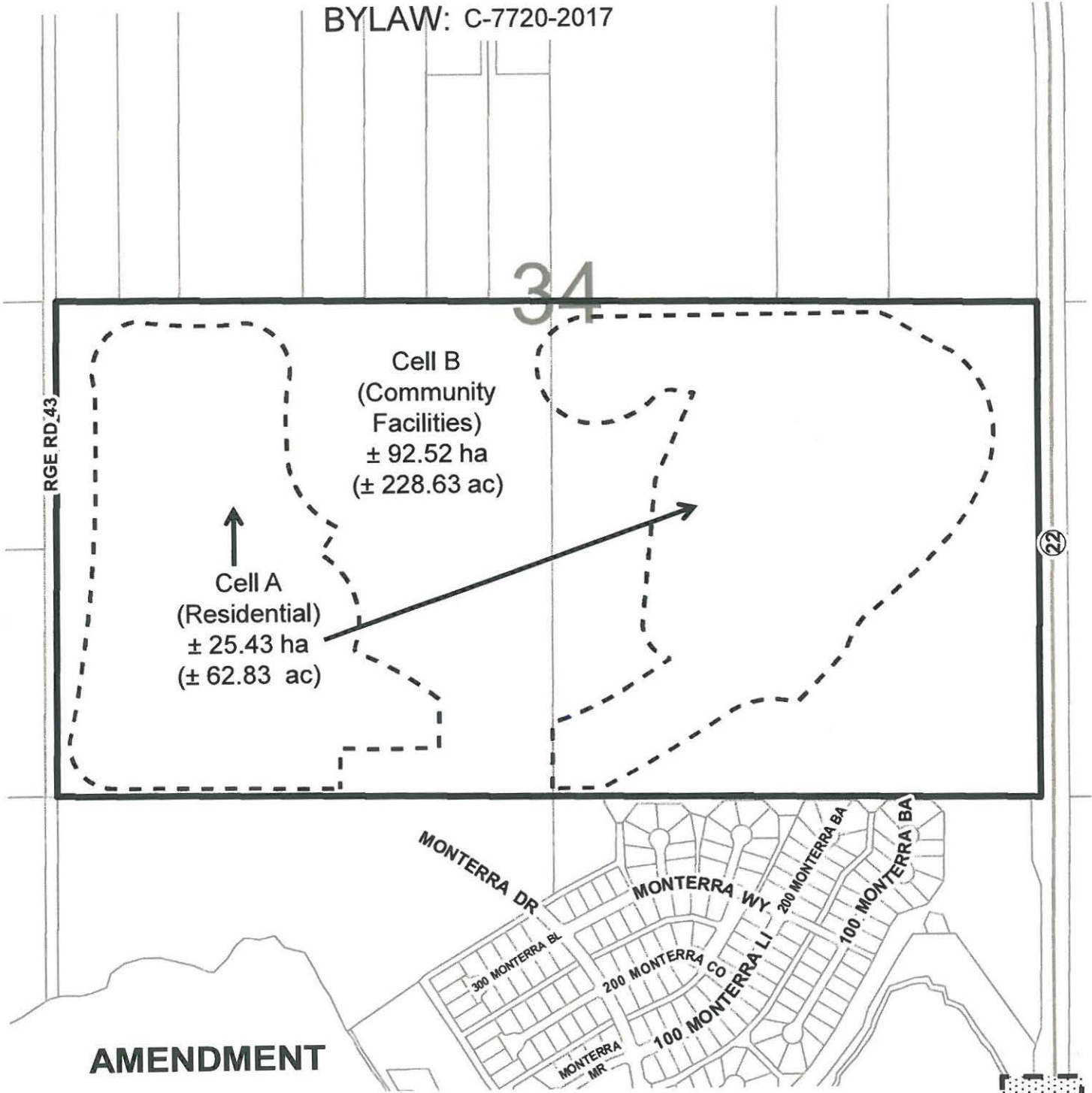
ROCKY VIEW COUNTY
Cultivating Communities

FILE: 06834003-4

DIVISION: 9

SCHEDULE "B"

BYLAW: C-7720-2017



AMENDMENT

FROM Ranch and Farm District & TO Direct Control District
Ranch and Farm* District

Subject Land _____

LEGAL DESCRIPTION: S-1/2-34-26-04-W05M



ROCKY VIEW COUNTY
Cultivating Communities

FILE: 06834003-4

DIVISION: 9