



BYLAW C-7749-2018

A Bylaw of Rocky View County to amend Land Use Bylaw C-4841-97, being the Land Use Bylaw

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7749-2018.

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. 33-NW of Bylaw C-4841-97 be amended by redesignating Lot 1, Plan 9810955 & Lot 3, Plan 9813204 within NW-21-23-28-W04M from Ranch & Farm District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 1, Plan 9810955 & Lot 3, Plan 9813204 are hereby redesignated to Direct Control Bylaw, as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT The regulations of the Direct Control District comprise:

- 1.0.0 General Regulations
- 2.0.0 Land Use Regulations: Cell A
- 3.0.0 Land Use Regulations: Cell B
- 4.0.0 Development Regulations
- 5.0.0 Transitional

1.0.0 GENERAL REGULATIONS

- 1.1.0 For the purposes of this Bylaw, the Lands shall be notionally divided into Development Cell A and Cell B, 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 as otherwise approved by Council. The size and shape of each Development Cell is approximate and will be more precisely determined by a Tentative Plan of Subdivision or Site Development Plan, in form and substance satisfactory to the County.
- 1.2.0 The General Regulations contained within this Section are applicable to the entire Development Area, which includes all Development Cells.
- 1.3.0 The Operative and Interpretive Clauses (Part One), The General Administration (Part Two), and General Regulations (Part Three) of the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this Bylaw.
- 1.4.0 The Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.
- 1.5.0 The Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Direct Control 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.



- 1.7.0 All development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw, and all licences, permits, and approvals pertaining to the lands.
- 1.8.0 In addition to the uses contemplated by this Bylaw, the following shall be permitted in all Development Cells:
 - a) Roads necessary for access and internal vehicular circulation;
 - b) Utilities and facilities necessary to service the Development; and
 - c) Development listed within Section 7 of the Rocky View County Land Use Bylaw.
- 1.9.0 All new development or expansion of uses shall comply with all County and Provincial bylaw, policies, regulations, and standards.
- 1.10.0 The applicant may be required to enter into a Development Agreement to ensure all servicing, access, and technical items are implemented, as directed by this Direct Control Bylaw, the Province of Alberta, and the County's Servicing Standards.

2.0.0 LAND USE REGULATIONS – Cell A

BUSINESS-INDUSTRIAL CAMPUS (B-IC) (SECTION 74)

ROCKY VIEW COUNTY / LAND USE BYLAW C-4841-97

2.1.0 Purpose and Intent

The purpose and intent of this Cell is to accommodate a combination of office and industrial activity, where there may be some on-site nuisance factors, but none off-site. Outdoor storage is provided for but must be satisfactorily screened from adjacent properties. Business-Industrial Campus districts may be located in areas with limited or full services, with industrial and commercial intent, such as transportation routes and such areas identified in adopted Hamlet Plans, Conceptual Schemes, or Area Structure Plans. Development will address issues of compatibility and transition with respect to adjacent land uses. Support businesses are allowed for on-site and locally-based employees, and regional clientele.

2.1.0 Uses, Permitted

Accessory buildings
Commercial Communications Facilities (Types A, B, C)
Contractor, general
Contractor, limited
General industry Type I
Government Services
Offices
Patio, accessory to the principal business use
Restaurant
School or College, Commercial
Signs

2.2.0 Uses, Discretionary

General industry Type II
Kennels
Laboratories
Outdoor display area (See Section 26 of the Land Use Bylaw C-4841-97 for Display Area regulations)



Outdoor storage, truck trailer

Outside storage

Personal Service Business

Recycling collection point

Retail store, local (Floor Area up to 600 m² (6,458.35 ft²))

Retail store, regional

Truck trailer service

Warehouse

Waste transfer site

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

2.3.0 Development Permit applications for both permitted and discretionary uses shall be evaluated in accordance with Section 12 of Land Use Bylaw C-4841 as well as the following provisions:

2.4.0 Minimum and Maximum Requirements

a) *Parcel Size:*

(i) The minimum *parcel* size shall be 14.17 hectares (35.00 acres).

2.5.0 Setbacks

a) Minimum Yard, Front for Buildings:

(i) 6.00 m (19.69 ft.).

b) Minimum Yard, Side for Buildings:

(i) Minimum of 6.00 m (19.69 ft.), except:

(ii) Where built in accordance with the Alberta Building Code, 0.00 m (0.00 ft.);
or

(iii) in the case of a yard, side abutting a railway line, no yard, side may be required.

c) Minimum Yard, Rear for Buildings:

(i) Minimum of 6.00 m (19.69 ft.), or in the case of a yard, rear abutting a railway line, no yard, rear may be required.

d) Minimum Yard, Front for Parking and Storage:

(i) 15.00 m (49.21 ft.) from any road, County or road, highway;

(ii) 8.00 m (26.25 ft.) from any road, internal subdivision or road, service adjacent to a road, highway or road, County.

e) Minimum Yard, Side for Parking and Storage:

(i) 15.00 m (49.21 ft.) from any road, County or road, highway;

(ii) 8.00 m (26.25 ft.) from any road, internal subdivision or road, service adjacent to a road, highway or road, County;

(iii) when adjacent to the same or a similar land use, a setback of 0.00 m (0.00 ft.) may be permitted; and

(iv) 6.00 m (19.69 ft.) all other.



- f) Minimum Yard, Rear for Parking and Storage
 - (i) 15.00 m (49.21 ft.) from any road;
 - (ii) when adjacent to the same or a similar land use, a setback of 0.00 m (0.00 ft.) may be permitted; and
 - (iii) 6.00 m (19.69 ft.) all other.

2.6.0 Building Height

- a) Maximum of 20.00 m (65.62 ft.)

2.7.0 Other Requirements

- a) A Development Authority may require a greater building setback for an industrial development that, in the opinion of a Development Authority, may interfere with the amenity of adjacent sites;
- b) A Development Authority may require an Environmental Impact Assessment where there is uncertainty as to potential impacts of potential significant risk from the proposed development;
- c) A building may be occupied by a combination of one or more uses listed for this District, 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.

2.8.0 Landscaping

- a) A minimum of 10% of the lands shall be landscaped in accordance with the Landscape Plan;
- b) A maximum of 50% of the area required to be landscaped shall be landscaped with hard landscaping;
- c) The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed in the Landscaping Plan.

2.9.0 Storage

- a) All storage is to be located to the rear and side of a principal building and in the event that there is no principal building, the storage setback from the front property line is 15 m (49.21 ft.).

3.0.0 LAND USE REGULATIONS – CELL B

INDUSTRIAL – INDUSTRIAL ACTIVITY (I-IA) (SECTION 75)

ROCKY VIEW COUNTY / LAND USE BYLAW C-4841-97

3.1.0 Purpose and Intent

The purpose and intent of this district is to provide for a range of industrial activity, including industrial activity that *may* have off-site nuisance impacts, and the support services that *may* be associated with such activity.

3.2.0 Uses, Permitted

Accessory Buildings
Agriculture, general



Commercial Communications Facilities (Types A, B, C)

Contractor, general

Contractor, limited

General Industry Type I

General Industry Type II

Government Services

Outdoor storage, truck trailer

Signs

Truck trailer service

Warehouse

3.3.0 Uses, Discretionary

Compost Facility Types I, II

General Industry Type III

Licensed Medical Marijuana Production Facility (See Section 20 of the Land Use Bylaw C-4841-97 for regulations)

Outdoor display area (See Section 26 of the Land Use Bylaw C-4841-97 for Display Area regulations)

Recycling collection point

Storage area

Waste transfer site

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.

3.4.0 *Development Permit* applications for both permitted and discretionary uses shall be evaluated in accordance with Section 12 of Land Use Bylaw C-4841-97 as well as the following provisions:

3.5.0 Minimum and Maximum Requirements

a) Parcel Size:

i) The minimum parcel size shall be 14.17 hectares (35.00 acres).

3.6.0 Setbacks

a) Minimum Yard, Front for Buildings:

i) 15.00 m (49.21 ft.)

b) Minimum Yard, Side for Buildings:

i) Minimum of 15.00 m (49.21 ft.)

c) Minimum Yard, Rear for Buildings:

i) Minimum of 15.00 m (49.21 ft.)

3.7.0 Building Height

a) Maximum of 20.00 m (65.62 ft.)



3.8.0 Other Requirements

- a) A Development Authority may require a greater building setback for an industrial development that, in the opinion of a Development Authority, may interfere with the amenity of adjacent sites;
- b) A Development Authority may require an Environmental Impact Assessment where there is uncertainty as to potential impacts of potential significant risk from the proposed development.

4.0.0 DEVELOPMENT REGULATIONS

- 4.1.0 An update to the Traffic Impact Assessment (TIA), prepared by ISL Engineering and Land Services, dated January 2017, and/or a Traffic Management and Accommodation Plan, may be required prior to the approval of any Development Permit, to the satisfaction of Rocky View County and Alberta Transportation.
- 4.2.0 The Agricultural Boundary Design Guidelines shall be considered and adhered to for all phases of development.
- 4.3.0 Architectural guidelines including, but not limited to, development standards relative to architectural style and theming, landscaping, water conservation, and lighting policies shall be established at the subdivision stage.
- 4.4.0 The Applicant shall enter into a Development Agreement for any necessary on-site and off-site upgrades in accordance with the approved TIA (and any subsequent updates to the approved TIA), County and Provincial standards, to the satisfaction of the County and Alberta Transportation.
- 4.5.0 The Development Authority may issue a Development Permit for stripping and grading, provided the Grading Plan includes the Erosion and Sediment Control Plan and a Construction Management Plan.
- 4.6.0 Exterior lighting should be designed to conserve energy and eliminate upward light. All development will be required to be dark sky compliant.
- 4.7.0 Development applications shall include a Landscaping Plan prepared by a landscape architect. All landscaping shall be in accordance with the Landscaping section of the General Regulations in the Land Use Bylaw.
- 4.8.0 All areas shall be subject to a Weed Control Program prepared by the Applicant/Owner in accordance with the Weed Control Act of Alberta and the County's Servicing Standards, and confirmed in a Development Permit or Development Agreement, to the satisfaction of the County.
- 4.9.0 Disposal of wastewater from the development on-site shall be subject to all Municipal and Provincial approvals.
- 4.10.0 Potable water for all development on the site shall be provided through the use of hauled water that is stored in a cistern.
- 4.11.0 Solid waste removal is the responsibility of the Owner and shall be disposed of on a regular basis at an approved disposal site. The Owners will employ this method on a truck-out basis.
- 4.12.0 The design, character, and appearance of any buildings proposed to be erected or located on the property must be acceptable to the Development Authority, having due regard to its effect on neighboring developments and general amenities of the area.



- 4.13.0 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.
- 4.14.0 Airborne particulate matter originating from storage areas, yards, roads, or parking areas shall, at all times, be suppressed by application of approved dust-free treatments in accordance with Alberta Environment guidelines on those areas as defined in a Development Permit.
- 4.15.0 No use or operation should cause or create the emission or spread of odorous matter or vapour beyond the site that contains the use or operation that produces them.
- 4.16.0 No use or operation at any location on the site shall cause or create hazardous materials or waste. The operation shall be in accordance with the regulations of any government authority having jurisdiction, and shall be in accordance with any Hazardous Materials Management Plan that may be required by the Municipality and as defined in a Development Permit.
- 4.17.0 Fire protection measures shall be provided as may be required by the Municipality and included in a Development Permit.
- 4.18.0 Fire servicing via a hydrant suppression (dry-hydrant) system will be completed to the satisfaction of the County; once the building layout and the Detailed Storm Water Management Plan have been finalized based upon volume and layout/distance requirements.

PART 6 – TRANSITIONAL

Bylaw C-7749-2018 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

Division: 4

File: 03321003/03321008/ PL20170070

PUBLIC HEARING WAS HELD IN COUNCIL this *13th* day of *February*, 2018

READ A FIRST TIME IN COUNCIL this *13th* day of *February*, 2018

READ A SECOND TIME IN COUNCIL this *24th* day of *July*, 2018

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

READ A THIRD TIME IN COUNCIL this *24th* day of *July*, 2018



Jay Koepfle

Reeve

Charlotte Satink

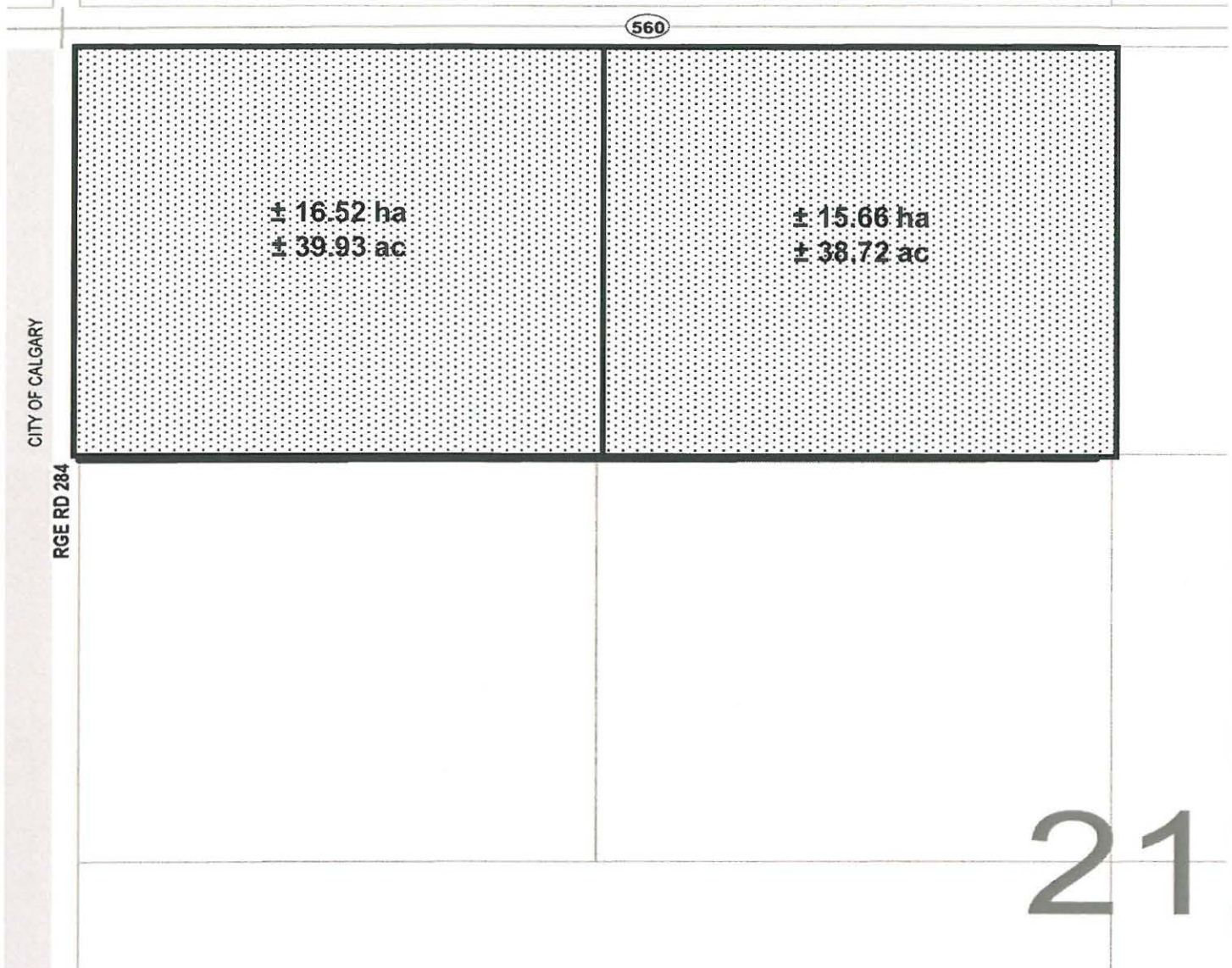
CAO or Designate

July 24, 2018

Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7749-2018



AMENDMENT

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



Subject Land _____



LEGAL DESCRIPTION: Lot 1, Plan 9810955 & Lot 3, Plan 9813204 within NW-21-23-28-W4M

FILE: 03321003/03321008-PL20170070 **DIVISION: 4**



ROCKY VIEW COUNTY
Cultivating Communities

SCHEDULE "B"

BYLAW: C-7749-2018

560

CELL A

CELL B

CITY OF CALGARY

RGE RD 284

21



NW-21-23-28-W04M

Date: May 12, 2017

Division # 4

File: 03321003/03321008