

BYLAW C-8126-2021

A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

1 This bylaw may be cited as *Bylaw C-8126-2021*.

Definitions

2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:

- (1) **“Council”** means the duly elected Council of Rocky View County;
- (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
- (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

3 THAT Schedule B, Land Use Map No. 39 and 39-SE of Bylaw C-8000-2020 be amended by redesignating Lot 1, Block 10, Plan 1911357 from Residential, Urban Residential District and Direct Control District 145 to Direct Control; Lots 5, 6, 7 Block 1 Plan 1741 EW from Commercial, Local Urban District to Direct Control; and, Lots 3 and 4, Block 5, Plan 1911358 from Residential, Urban Residential District to Direct Control as shown on the attached Schedule ‘A’ forming part of this Bylaw.

4 THAT the regulations of the Direct Control District comprise

- (1.0) Purpose
- (2.0) Compliance with Bylaw C-8000-2020
- (3.0) Reference to Bylaw C-8000-2020
- (4.0) Variances
- (5.0) Uses
- (6.0) Uses Not Defined

- (7.0) Development Not requiring a Development Permit
- (8.0) Maximum Building Height
- (9.0) Minimum Setbacks
- (10.0) Additional Requirements

General Regulations

5 THAT the General Regulations of the Direct Control District comprise:

1.0 PURPOSE

- 1.1. The purpose and intent of this District is to provide for a comprehensive mixed-use development including commercial, hospitality and multifamily residential in Bragg Creek Hamlet Core.
- 1.2 Unless otherwise specified, this Direct Control shall be considered a Commercial District.

2.0 COMPLIANCE WITH BYLAW C-8000-2020

- 2.1. Unless otherwise specified, the rules and provisions of Parts 1, 2, 3, 4, 5, 6, 7, and 8 of Bylaw C-8000-2020 apply to this Direct Control District Bylaw.

3.0 REFERENCE TO BYLAW C-8000-2020

- 3.1. Within this Direct Control District Bylaw, a reference to a section of Bylaw C-8000-2020 is deemed to be a reference to the section as amended from time to time.

4.0 VARIANCES

- 4.1. The Development Authority may vary any of the rules contained in this Direct Control District in accordance with Sections 102, 103, 104, 105 and 106 of Bylaw C8000-2020.

Land Use Regulations

6 THAT the Land Use Regulations of the Direct Control District comprise:

5.0 USES

- 5.1. Accessory Building/Structure
- 5.2. Animal Health (Small Animal)
- 5.3. Awning/Canopy Signs
- 5.4. Bed and Breakfast
- 5.5. Cannabis Retail Store
- 5.6. Care Facility (Child)
- 5.7. Care Facility (Clinic)

- 5.8. Care Facility (Group)
- 5.9. Care Facility (Medical)
- 5.10. Care Facility (Seniors)
- 5.11. Communications Facility (Type A)
- 5.12. Conference Centre
- 5.13. Dwelling Unit, Duplex / Semi
- 5.14. Dwelling, Multiple Unit
- 5.15. Dwelling Unit, Rowhouse
- 5.16. Establishment (Drinking)
- 5.17. Establishment (Eating)
- 5.18. Establishment (Entertainment)
- 5.19. Fascia Signs
- 5.20. Farmer's Market
- 5.21. Freestanding Signs
- 5.22. Health, Wellness and Spa Facilities
- 5.23. Hotel/Motel
- 5.24. Mixed-Use Building
- 5.25. Office
- 5.26. Parking and Parking Structures
- 5.27. Post-Secondary
- 5.28. Recreation
- 5.29. Recreation (Culture & Tourism)
- 5.30. Recreation (Outdoor)
- 5.31. Recreation (Private)
- 5.32. Recreation (Public)
- 5.33. Religious Assembly
- 5.34. Retail (General)
- 5.35. Retail (Garden Centre)
- 5.36. Retail (Grocery)
- 5.37. Retail (Shopping Centre)
- 5.38. Temporary Signs

6.0 USES NOT DEFINED

- 6.1. Those uses which are not otherwise defined in this Bylaw, which in the opinion of the Development Authority, are similar to the Uses listed in Section 5 of this Direct Control and which conform to the purpose of this district may be Uses as approved by the Development Authority.

Development Regulations

7 THAT the Development Regulations of the Direct Control District comprise

7.0 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- 7.1. Provided the requirements of Bylaw C-8000-2020 are met, the following development does not require a Development Permit:

- 7.1.1. Awning Signs
- 7.1.2. Fascia Signs
- 7.1.3. Freestanding Signs



7.1.4. Temporary Signs

8.0 MAXIMUM BUILDING HEIGHT

- 8.1. A maximum of 18.0 m with the exception of an architectural element such as a steeple.
- 8.2. A maximum of 4 Storeys

9.0 MINIMUM SETBACKS

9.1. Front Yard

- 9.1.1. 6.0 m from Balsam Avenue
- 9.1.2. 6.0 m from River Drive South
- 9.1.3. 1.0 m from adjacent PUL

9.2. Side Yard

- 9.2.1. 6.0 m from Balsam Avenue
- 9.2.2. 6.0 m from River Drive South
- 9.2.3. 3.0 m from Commercial uses
- 9.2.4. 1.0 m from adjacent PUL
- 9.2.5 1.0 m from a laneway

9.3. Rear Yard

- 9.3.1. 6.0 m from Balsam Avenue
- 9.3.2. 6.0 m from River Drive South
- 9.3.3. 6.0 m from Commercial uses
- 9.3.4. 1.0 m from adjacent PUL
- 9.3.5 1.0 m from a laneway

10.0 ADDITIONAL REQUIREMENTS

10.1. Site Design

- 10.1.1. Pedestrian movement throughout the development area shall be facilitated through a well-developed network of pathways and trails with at least one connection to the main building entrance.
- 10.1.2. A minimum of 10% of lands shall be landscaped.
- 10.1.3. A Site Development Plan shall be required to guide decisions on Development Permit applications including building locations and uses, parking areas, vehicular access and egress, internal circulation, routes, landscaping, at-grade amenity areas, pedestrian connections and other matters deemed necessary by the Development Authority.
- 10.1.4. The Site Development Plan may be submitted in phases and shall show shadow plan on remaining lands.

10.2 Building Requirements



- 10.2.1. The minimum size of a Dwelling Unit shall be 46 m2 (500 ft2).
- 10.2.2. The minimum amenity space shall be 4.0m2 (43.06 ft2) per Dwelling Unit with no minimum dimension less than 2.0 m (6.56 ft)
- 10.2.3. Separate entrances shall be provided for the commercial and residential uses. Each entrance shall have direct and indirect (via common hallway) access to a public street.
- 10.2.4. Where more than one use is to be carried on in a particular site, separation between buildings and construction of separating walls shall be in accordance with the National Building Code, Alberta Edition.
- 10.2.5. All buildings shall be subject to the flood fringe requirements as per Alberta Environment and Parks
- 10.2.6. The exterior design of all buildings and structures shall be subject to approval by the Development Authority.

10.3. Parking

- 10.3.1. Parking requirements shall be calculated based on the comprehensive Site Plan and may be shared between Uses

Effective Date

8 Bylaw C-8126-2021 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME this

23 day of February, 2021

PUBLIC HEARING HELD this

4 day of May, 2021

READ A SECOND TIME this

4 day of May, 2021

READ A THIRD AND FINAL TIME this

4 day of May, 2021

Reeve

Chief Administrative Officer or Designate

May 4, 2021

Date Bylaw Signed

Schedule 'A'

Bylaw C-8126-2021

Amendment

FROM
Residential, Urban
District



TO
Direct Control
District

FROM
Commercial, Local Urban
District



TO
Direct Control
District

FROM
Direct Control District 145



TO
Direct Control
District

Division: 01
Roll: 03913001/3043/ 3044/
3045/3075/3076
File: PL20200171
Printed: Jan 28, 2021
Legal: A portion of SE-13-23-
05-W05M

