

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-4620-96**

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A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-1725-84.

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

WHEREAS the Council of the Municipal District of Rocky View No. 44 has received an application to amend Section 7.3.0; Land Use Map No. 57 of Bylaw C-1725-84 to redesignate a portion of Parcel A, Plan 7537 HK, in the E½ 25-25-3-W5M from Small Holding District to Direct Control District as shown on the attached Schedule "A"; and

WHEREAS a notice was published on March 26 and April 2, 1996 in the Calgary Rural Times, a newspaper circulated in the Municipal District of Rocky View No. 44 advising of the Public Hearing for April 9, 1996; 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 24 of the Revised Statutes of Alberta 1995, and all amendments thereto.

NOW THEREFORE the Council enacts the following:

1. That Section 7.3.0; Land Use Map No. 57 of Bylaw C-1725-84 be amended by redesignating a portion of Parcel A, Plan 7537 HK, in the east 1/2 of 25-25-3-W5M from Small Holding District to Direct Control District as shown on the attached Schedule "A" forming part of this Bylaw.
2. That all lands within a portion of Parcel A, Plan 7537 HK, in the east 1/2 of 25-25-3-W5M are hereby redesignated to Direct Control District as shown on the attached Schedule "A" forming part of this Bylaw in accordance with the following guidelines:
 - A. Purpose and Intent

The purpose and intent of this district is to allow for the use of a portion of the subject lands for a landscaping business which will consist of organizing employees, performing administrative duties, storing landscape supplies, storing light industrial equipment used for landscaping.
 - B. General Land Use Regulations

The general land use regulations shall apply as contained in Section 8 of Land Use Bylaw C-1725-84 as well as the following provisions:
 - C. List of Permitted Uses

None
 - D. List of Discretionary Uses

Landscape business with the following ancillary uses, such as but not limited to:

 - i) indoor storage of landscaping vehicles, equipment and supplies
 - ii) outdoor storage of vehicles related only to the landscaping business
 - iii) outdoor storage of landscaping supplies

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- iv) fuel storage in accordance with the Part IV Alberta Fire Code and to the satisfaction of the Municipal Fire Chief
- v) administrative office to be contained within the existing detached single family dwelling
- vi) tree nursery (where there is a surface supply of water)
- vii) signage

E. No retail sales permitted on site.

F. Minimum and Maximum Requirements

Maximum Area of the Site - 13 acres

Front Yard

- a) 45m (147.64 ft.) from any municipal road
- b) 60m (196.84 ft.) from any primary highway or any secondary road or highway
- c) 16m (49.21 ft.) from any internal subdivision road or service road

Side Yard

- a) 45m (147.64 ft.) from any municipal road
- b) 60m (196.84 ft.) from any primary highway or any secondary road or highway
- c) 15m (49.21 ft.) from any internal subdivision road or service road
- d) 6m (19.68 ft.) all other

Rear Yard Setbacks

- a) 30m (98.42 ft.) from any road
- b) 15m (49.21 ft.) all other

Maximum height of buildings

- a) residence, 10m (32.81 ft.)
- b) accessory buildings, 7.62m (25 ft.)

Maximum floor area of office - 1205 sq.ft.

Maximum height of any stock-piled materials is not to exceed 2.5m

Maximum dwellings per lot - 1

Maximum aggregate building area for all accessory buildings - 4,400 sq.ft.

Maximum Number of Accessory Buildings - 3

G. Residential Use

Adult Occupants of the residence shall be full-time employees of the landscaping business.

H. Employees - the maximum number of employees working onsite at any time shall be 12

I. Signs for the purposes of advertising and identifying the business shall be designed in accordance with the objectives of "Improving Calgary's Entrances" study 1994 as adopted by the City of Calgary and to the satisfaction of Alberta Transportation and Utilities and the Development Officer.

J. Landscaping, Security and Controlled Appearance

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- a) Landscaping, fencing, berming and visual screening shall be compatible with the adjacent land uses and shall be as required by the Development Officer through the consideration of a Development Permit for any development on the site.
- b) Outdoor storage of landscaping vehicles, equipment and supplies related to the landscape business shall be fully screened from view by fencing or other screening as may be required by the Development Officer.
- c) The location and appearance of buildings and structures shall be to the satisfaction of the Development Officer as a consideration of any Development Permit issued for the site.

K. There shall be no use made of the site for any aspect of the Landscape business nor signage until a Roadside Development Permit has been issued by and to the satisfaction of Alberta Transportation and Utilities. Access to the site shall be provided to the satisfaction of the Municipality and Alberta Transportation and Utilities.

3. The Bylaw comes into effect upon the date of its third reading

File: 5725006

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on March 19, 1996, on a motion by Councillor MacFarlane.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on April 9, 1996, on a motion by Councillor MacFarlane.

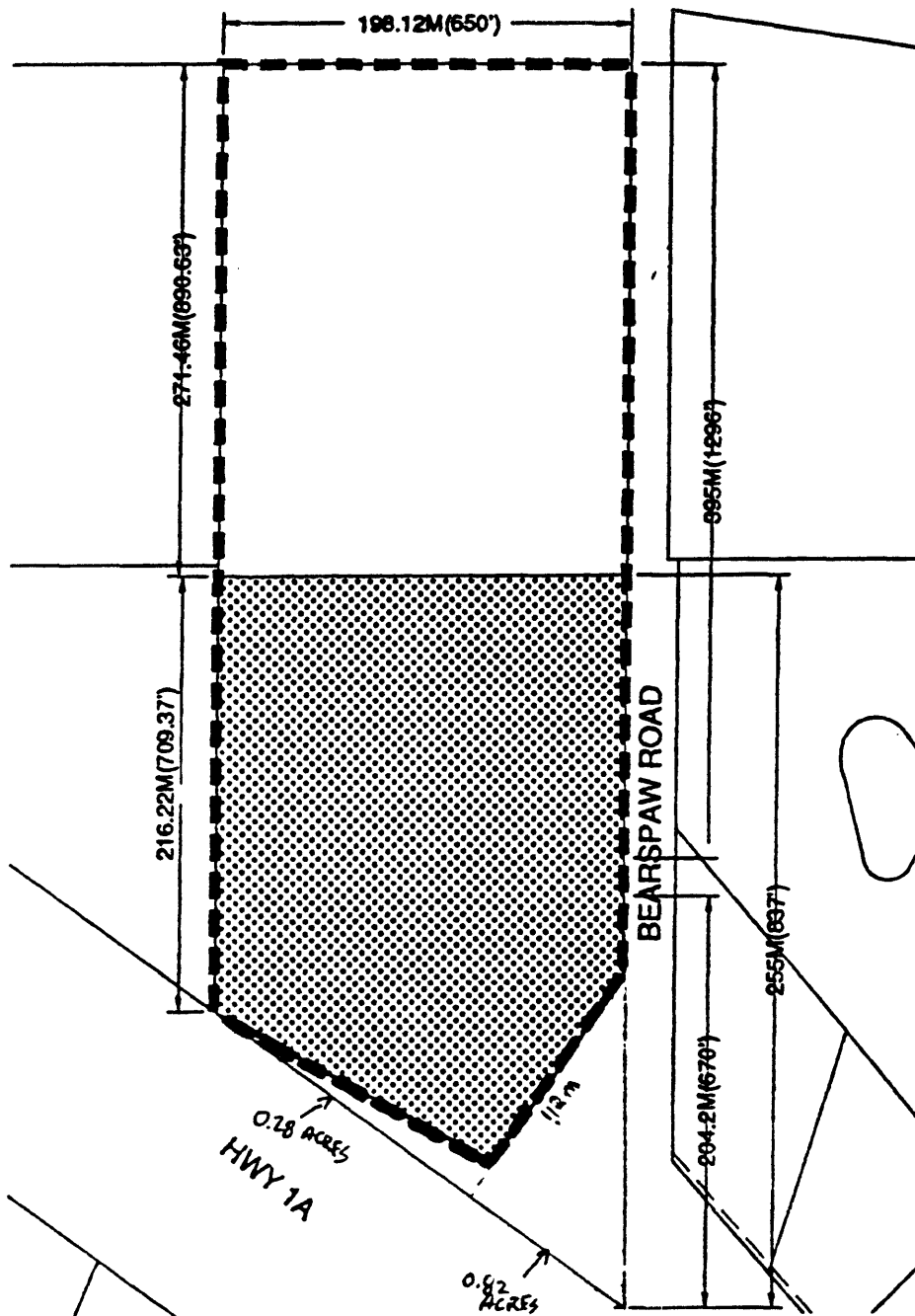
Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on April 9, 1996, on a motion by Councillor Wilkinson.


REEVE


MUNICIPAL SECRETARY

SCHEDULE "A"

BYLAW: C-4620-96



AMENDMENT FROM Small Holding District TO Direct Control District

SUBJECT LAND: 

LEGAL DESCRIPTION: A portion of Parcel A, Plan 7537
HK, in the E 1/2 25-25-3-W5M

FILE: 5725006

