

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44  
BYLAW C-5904-2004**

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-4841-97.

**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 Part 5, Land Use Map No. 47 and 47-SW of Bylaw C-4841-97 to redesignate Block 2, Plan 9812133 from Agricultural Holdings District to Direct Control District, with special regulations, with respect to those certain lands as shown on the attached Schedule 'A' attached hereto and forming part hereof (the "Lands"); and;

**WHEREAS** a notice was published on Tuesday, May 25<sup>th</sup>, 2004 and Tuesday, June 1<sup>st</sup>, 2004 in the Rocky View Five Village Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44, advising of the Public Hearing for Tuesday, June 22<sup>nd</sup>, 2004; 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-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

File: 04716017 2003 RV 428

**NOW THEREFORE** the Council enacts the following:

1. That Part 5, Land Use Map No. 47 and 47-SW of Bylaw C-4841-97 be amended by redesignating Block 2, Plan 9812133 from Agricultural Holdings District to Direct Control District, with special regulations;
2. That all lands within Block 2, Plan 9812133 are hereby redesignated to Direct Control District as shown on the Schedule 'A' attached hereto and forming part of the Bylaw; and
3. That the regulations of the Direct Control District comprise:
  - 1.0.0 General Regulations
  - 2.0.0 Land Use Regulations
  - 3.0.0 Definitions
  - 4.0.0 Implementation
4. The Bylaw comes into effect upon the date of its third reading.

**1.0.0 GENERAL REGULATIONS**

- 1.1.0 The General Regulation contained within this Section are applicable to the entire Development Area.
- 1.2.0 For the purposes of this Bylaw, the subject lands' boundaries and description shall be more or less as indicated in Schedule "A" attached hereto and forming part herein, except as otherwise approved by Council.
- 1.3.0 The General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this bylaw.
- 1.4.0 The Development Authority shall cause to be issued Development Permits that have been approved.
- 1.5.0 No development shall take place within the area shown as Floodway of the Elbow River in

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Schedule 7 of the Land Use Bylaw (C-4841-97).

- 1.6.0 No development of the Lands shall be permitted without and until the Owner has prepared and submitted a Geotechnical Study, conducted by a qualified professional licensed to practice in the Province of Alberta, to identify suitable building envelopes for 2 residences, consisting of one contiguous acre for each residence, containing stable slopes of less than 15%. At least 20% of the identified acre must not be within the setback requirements noted under this bylaw, in accordance with the Geotechnical Requirements of the Servicing Standards for Subdivisions and Road Construction as approved by Council on June 1, 1999, as amended. This must be prepared prior to stripping and grading of any portion of the site, all to the satisfaction of the Municipality.
- 1.7.0 No development of the site shall take place until an easement agreement with the MD of Rocky View has been executed and registered at the owner's expense, to cover the portions of the cul-de-sac bulb at the north end of Range Road 34 that have been constructed on the southwest portion of the subject lands.

**2.0.0 LAND USE REGULATIONS**

**2.1.0 Purpose and Intent**

The Purpose and intent of these regulations is to provide for 2 residential uses on a single parcel of land.

**2.2.0 General Regulations**

Section 47 Residential Two District (R-2) of Land Use Bylaw C-4841-97 is applicable to this parcel unless otherwise stated in this Bylaw.

**2.3.0 Uses**

- Dwelling , single detached*
- 2<sup>nd</sup> Dwelling, single detached*
- Accessory buildings less than 150.0 sq. m (1,614.0 sq. ft.) building area*
- Home-Based Business, Type I*
- Home-Based Business, Type II*
- Keeping of animals at densities of no greater than one (1) livestock manure unit per 1.6 hectares (4.0 acres)*
- Private swimming pools*
- Kennels, Hobby*

**2.4.0 Minimum Requirements**

**2.4.1 Parcel size:**

The minimum *parcel* size shall be 13.81 acres.

**2.5.0 Maximum *dwelling units* permitted with the titled area is Two.**

**3.0.0 DEVELOPMENT & BUILDING REGULATIONS**

**3.1.0 No Development Permits or Building Permits shall be approved, shall be issued for any purpose, until:**

- a) The Owner has entered into a Deferred Services Agreement with the Municipality to connect to a piped waste and wastewater system, at the owner's cost, when such services become available.

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- b) The Owner has provided an individual water well for each residence. The Owner is also to prepare and submit a Well Driller's Report for each well to determine whether an adequate supply of water is available to each new lot. In addition, the Well Driller's Report, a Real Property Report showing the location of the well on each new lot is to be submitted to the Municipality proving each new lot has a well in place. The Development or Building Permit shall not be granted until it has been demonstrated that there is a well for each new residence capable of supplying a minimum of one (1) IGPM of water for household purposes in accordance with the Water Wells Section of the Servicing Standards for the Subdivision and Road Construction as approved by Council on June 1, 1999, as amended, all to the satisfaction of the Municipality;
- c) The Owner has prepared a Construction Management Plan, including interim stormwater management measures, in form and substance satisfactory to the Municipality.

3.2.0 No development or building shall be situated on slopes greater than 15%.

3.3.0 No development permit or building permit shall be issued for a second dwelling on the site until such time as the Owner up-grades the gravel portion of Range Road 34, north of the River Spirit Golf Course, to a municipal gravel standard, including complete approaches to the lot, at the Owner's expense, in accordance with the Road Standards Section of the Servicing Standards for Subdivision and Road construction as approved by Council on June 1, 1999, as amended;

3.4.0 If the Owner upgrades Range Road 34 to a higher standard than would have been necessary to service the development allowed by this bylaw, the Municipality will enter into an Endeavour to Assist Agreement with the Owner.

3.5.0 Each residence must by its own wastewater collection, treatment, and disposal system. No communal systems shall be permitted.

**4.0.0 DEFINITIONS**

4.1.0 Unless otherwise defined in this bylaw all words and uses shall be defined as per Section 8 (Definitions) of Bylaw C-4841-97.

**5.0.0 IMPLEMENTATION**

5.0.1 This Bylaw comes into effect upon the date of its third and final reading thereof.

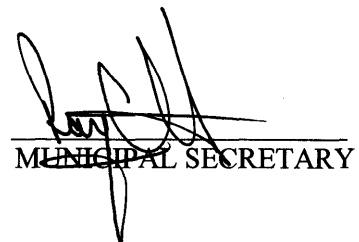
**File:** 04716017/2003-RV-428

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, May 18, 2004 on a motion by Councillor Goode.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, June 22, 2004 on a motion by Councillor Goode

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, June 22, 2004 on a motion by Councillor Habberfield.

  
REEVE OR DEPUTY REEVE

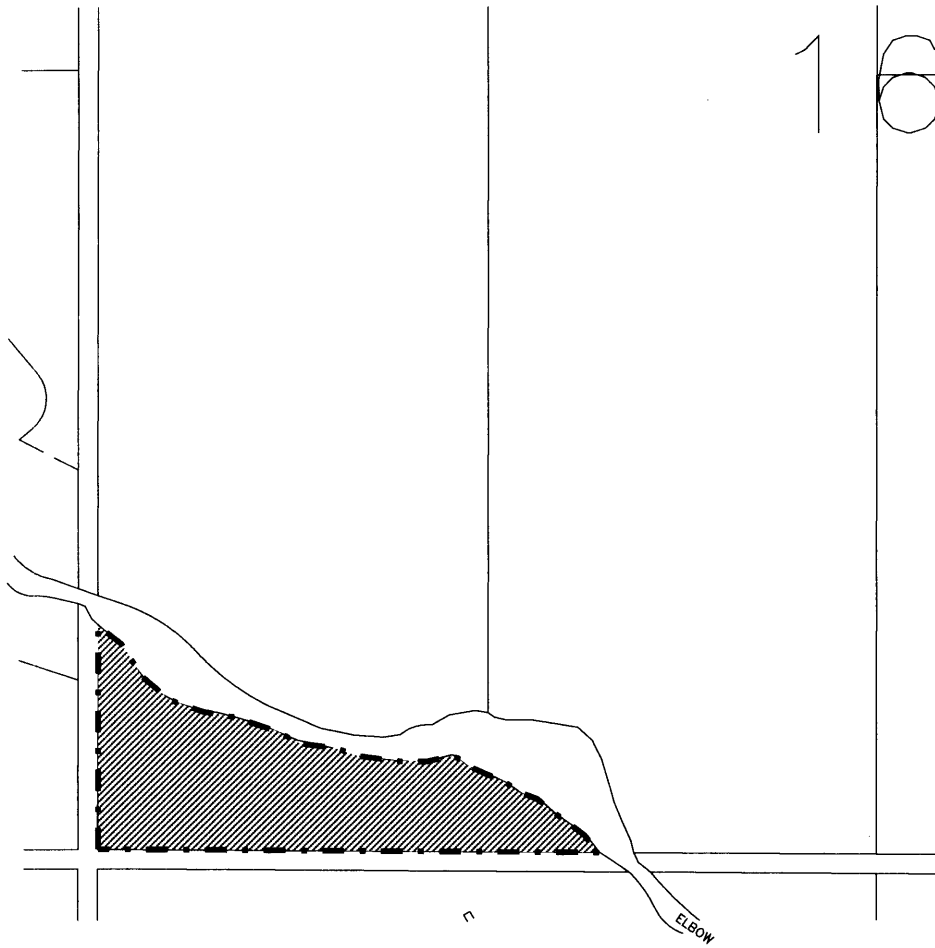
  
MUNICIPAL SECRETARY

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SCHEDULE "A"

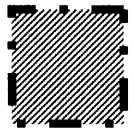
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**AMENDMENT**

FROM Agricultural Holdings District TO Direct Control District



Subject Land - - - - -



LEGAL DESCRIPTION: Block 2 Plan 9812133  
within SW 16-24-3-W5M

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