

Yellow: Potential RVC Administration Amendment. Although not part of this application, the County may wish to review this for accuracy and/or alignment with current LUB.

Red: Applicant Proposed Amendment

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-6767-2009**

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** (the “Municipality”) has received an application to amend Section 5, Land Use Map No. 43 of Bylaw C-4841-97 to redesignate SE ¼ 6-24-28-W4M from Ranch and Farm District to Direct Control District as shown on attached Schedule ‘A’ (“the Lands”); and

WHEREAS a notice was published on Tuesday, March 24, 2009 and Tuesday, March 31, 2009 in the Rocky View Weekly, a newspaper circulating in the Municipality of Rocky View No. 44 advertising the public hearing for Tuesday, April 28, 2009; and

WHEREAS Council held a Public Hearing and has 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 5, Land Use Map No. 43 of Bylaw C-4841-97 be amended by redesignating SE ¼ 6-24-28-W4M from Ranch and Farm to Direct Control District as shown on Schedule ‘A’ attached to and forming part of this Bylaw.

2. That all lands within SE ¼ 6-24-28-W4M are hereby redesignated to Direct Control District as shown on Schedule ‘A’ attached to and forming part of this Bylaw.

3. That the special regulations of the Direct Control District comprise:

- 1.0.0 General Regulations
- 2.0.0 Land Use Regulations
- 3.0.0 Development Regulations
- 4.0.0 Implementation

1.0.0 General Regulations

1.1.0 The Operative and Interpretative Clauses (Part One) 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.

1.2.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.

1.3.0 All uses in all Development Cells, including the expansion of uses, shall require a Development Permit.

- 1.4.0 Notwithstanding Section 1.3.0 the following uses are deemed approved without a Development Permit:
- Agriculture, General
 - Accessory Buildings to Agricultural, General
 - Accessory Uses to Agriculture, General
- 1.5.0 The Development Authority may, through Development Agreement(s) required by this Bylaw, specifically any development regulation, criteria or condition necessary to ensure all Development and Subdivision on the Lands conform to the development proposals and representations upon which this Bylaw is based, as determined by and to the satisfaction of the Council or the Development Authority at its sole and unfettered discretion.
- 1.6.0 All development upon the lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw. The policies of **Janet Area Structure Plan** ~~The Shepard Plan~~ and the Frontier Phase 2 Conceptual Schemes shall apply to all applications for subdivision and development.

2 Land Use

- 2.2.0 Purpose and Intent – To accommodate a wide range of industrial and associated uses which are compatible with each other, do not adversely affect the surrounding land use and may be located in areas with limited or full services.
- 2.3.0 Uses
- Accessory Buildings
 - Accessory Use
 - Agriculture, General
 - Agricultural Support Services
 - Animal Health Care Service
 - Auctioneering Services
 - Automotive Services
 - Commercial Communications Facilities (types A, B, C)
 - Contractor, General
 - Contractor, Limited
 - Convenience Store
 - Dealership/Rental Agency, Automotive
 - Dealership/Rental Agency, Recreational Vehicle
 - Dealership/Rental Agency, Implement and Equipment
 - Dwelling Unit, Accessory to Use
 - General Industry Type I
 - General Industry Type II
 - Indoor Participant Recreation Services
 - Industrial Business
 - Mini Storage
 - Patio, accessory to principle type
 - Personal Service Business
 - Offices
 - Outdoor Display Area

Outside Storage, Recreational Vehicles
 Restaurant
 Retail Store, Local
 Signs
 Storage Area
 Tractor Trailer Service Depot
 Warehouse
 Warehouse Stores, excluding hazardous goods
Waste Transfer Site

2.3.1 Special Use Regulations

(a) The use 'Waste Transfer Site' is only permitted on the parcel legally described as Lot 17, Block 2, Plan 111 3710 containing ± 3.848 HA (± 9.51 acres).

2.4.0 Minimum and Maximum Requirements

2.4.1 Parcel Size:

- (a) The minimum parcel size shall be 0.61 hectares (1.5 acres).
- (b) Notwithstanding 2.4.1 a), Bare land Condominium parcels created for the purpose of facilitating a phased Building Condominium project shall have no minimum parcel size, provided the following conditions are met:
 - a. the proposed Bare land Condominium units must have Common Land that is used for access/egress, and
 - b. all technical reports that are required as part of the subdivision application or Development Permit process, must assess the individual Bare land Condominium development as one project and not as individual lots.

2.4.2 Minimum *Yard, Front* for Buildings:

- (a) 6.0 m (19.7 ft.)

2.4.3 Minimum *Yard, Side* for Buildings:

- (a) 6.0 m (19.7 ft.)

2.4.4 Minimum *Yard, Rear* for Buildings:

- (a) 6.0 m (19.7 ft.)

2.4.5 Building Height

- (a) Maximum of 20.0 m (65.62ft)

3.2.0 Building Design

- (a) The design, character and appearance of all *buildings shall be* appropriate and compatible with the surrounding area and *shall* be constructed of durable materials designed to maintain the initial quality throughout the life of the project.

3.3.0 Landscaping

- (a) A minimum of 10 % of the site area shall be landscaped.
- (b) As a condition of subdivision, a landscape concept plan shall be prepared for the rear building setback for all sites abutting Peigan Trail.
 - (i) The landscape concept plan shall be implemented as a condition of the Development Permit only when the final alignment and purchase of the Peigan Trail right-of-way has occurred.

3.4.0 Stormwater

- (a) A Development Permit shall not be issued until a Stormwater Management Plan that addresses stormwater management for the proposed development has been submitted to the satisfaction of the Municipality.

3.5.0 Display area

- (a) Display Area – Display areas shall not be wider than 20% of the width of the front property line.

4 Implementation

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

DIVISION 5 File: 04306001 2008-RV-003

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, March 17, 2009, on a motion by Councillor Solberg.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, April 28, 2009, on a motion by Councillor Solberg.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, April 28, 2009, on a motion by Councillor Boehlke.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

DC:

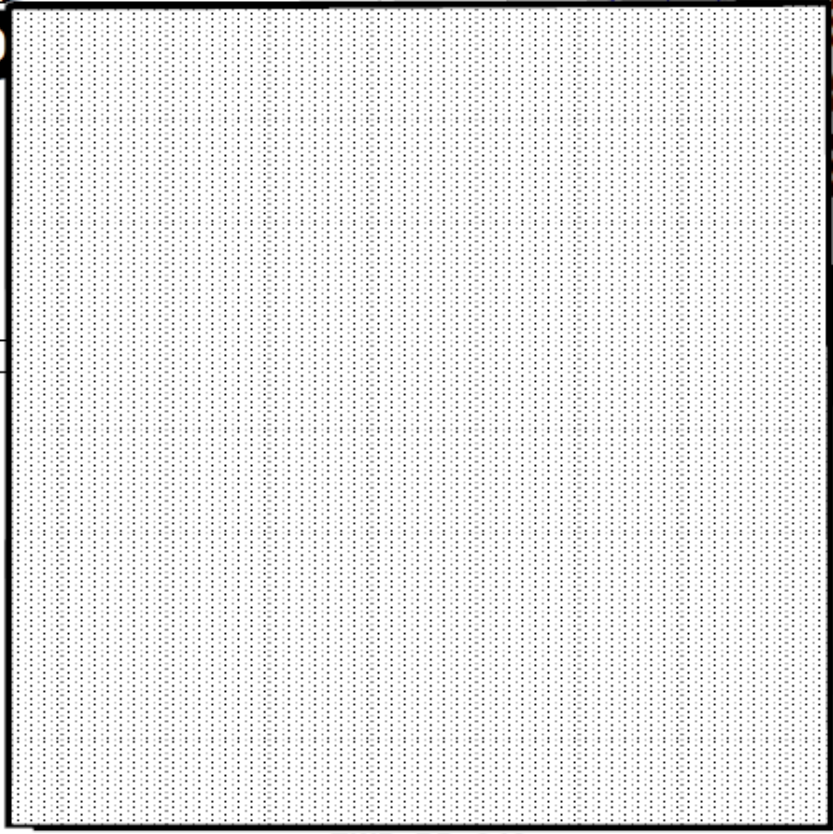
SCHEDULE "A"

BYLAW: C-6767-2009

City of Calgary

6

RGE. RD. 285



TWP. RD. 240

AMENDMENT

FROM Ranch and Farm District TO Direct Control District

Subject Land _____



LEGAL DESCRIPTION: SE 6-24-28-W4M

FILE: 04306001-2008-RV-003

DIVISION: 5



TEXTUAL AMENDMENTS TO BYLAW C-6767-2009

(DIRECT CONTROL BYLAW)

DC-133

1. Amend Section 1.6.0 as follows:

All development upon the lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw. The policies of ~~The Shepard Plan~~ **the Janet Area Structure Plan** and the Frontier Phase 2 Conceptual Schemes shall apply to all applications for subdivision and development.

2. Amend Section 2 Land Use as follows:

Add the following Use under Section 2.3.0:

'Waste Transfer Site'

3. Amend Section 2 Land Use as follows:

Add the following regulation:

2.3.1 Special Use Regulations

- (a) The use 'Waste Transfer Site' is only permitted on the parcel legally described as Lot 17, Block 2, Plan 111 3710 containing ± 3.848 HA (± 9.51 acres).**