



DC 161

BYLAW C-7818-2018

A Bylaw of Rocky View County to amend Land Use Bylaw C-4841-97.

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7818-2018.

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 and 33-NW of Bylaw C-4841-97 be amended by redesignating Block 11, Plan 9810626 within W-1/2-29-23-28-W04M from Recreation Business District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
- THAT** Block 11, Plan 9810626 within W-1/2-29-23-28-W04M is hereby redesignated to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
- THAT** The regulations of the Direct Control District comprise:
- 1.0 General Regulations
 - 2.0 Land Use Regulations
 - 3.0 Variances
 - 4.0 Development Regulations
 - 5.0 Subdivision Regulations
 - 6.0 Implementation

1.0 General Regulations

- 1.1 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule "A" attached hereto and forming part hereof.
- 1.2 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 are applicable, unless otherwise stated in this Bylaw.
- 1.3 The policies of the Janet Area Structure Plan (Bylaw C-5330-2001) and the Heatherglen Industrial Business Park Conceptual Scheme (Bylaw C-7817-2018) shall apply unless otherwise specified in this Bylaw.
- 1.4 Administration is the Development Authority and shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.
 - 1.4.1 For Lots 9, 10, and 11, Council is the Development Authority and shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.
- 1.5 All uses including the expansion of uses approved by Development Permit shall require a Development Permit.



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- 1.6 In addition to the uses contemplated by Section 2.0 of this Bylaw, the following may be uses in all Development areas:
 - 1.6.1 Roads necessary for access and internal vehicular circulation; and
 - 1.6.2 Utilities and facilities necessary to service the Development.
- 1.7 All development upon the Lands shall be in accordance with all licenses, permits and approvals pertaining to the Lands required from Alberta Environment and any other Provincial Agencies.
- 1.8 The policies of the Heather Glen Industrial Business Park Conceptual Scheme should be considered in all applications for subdivision and development.
- 1.9 No subdivision shall be endorsed and no Development Permit shall be issued for any purpose until the applicable Development Regulations (4.0) and Subdivision (5.0) have been met.

2.0 Land Use Regulations

2.1 Purpose and Intent

The purpose and intent of this District is to ensure the development of a comprehensively planned limited-service industrial business park. The industrial business park will accommodate a diversity of business and industrial uses that are appropriate on limited service sites, require small to medium sized land parcels, are compatible with each other and do not create any significant adverse off-site impacts. The range of operations that will take place within the development may include offices as well as the manufacturing, transporting, or retailing of a wide variety of items. Local retail stores may be permitted providing that they are limited to serving the local business area.

2.2 List of Uses

- Accessory Building
- Agriculture, General
- Agricultural Support Services
- Animal Health Care Services
- Auctioneering Services
- Automotive Services
- Commercial Communications (CC) Facilities – Type A, B, C
- Contractor, General
- Contractor, Limited
- Dealership/Rental Agency, Automotive
- Dealership/Rental Agency, Recreational Vehicle
- Dealership/Rental Agency, Implement and Equipment
- General Industry – Type I
- General Industry – Type II
- Mini-Storage



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- Offices
 - Offices, ancillary to the principal business use
 - Outdoor Display Area
 - Outside Storage
 - Personal Service Business
 - Restaurant
 - Retail Store, Local
 - Signs
 - Storage Area
 - Tractor Trailer Service Depot
 - Warehouse
 - Warehouse Store, excluding hazardous good
- 2.3 Minimum/Maximum Requirements
- 2.3.1 Minimum Yard, Front for Buildings: 6.0 metres (19.68 feet)
- 2.4 Minimum Yard, Side for Buildings:
- 2.4.1 Street side: 6.0 metres (19.68 feet)
- 2.4.2 Adjacent to a property line: 3.0 metres (9.8 feet)
- 2.5 Minimum Yard, Rear: for Buildings: 3.0 metres (9.8 feet)
- 2.5.1 Backing onto the Western Headworks Canal: 8.0 metres (26.2 feet)
- 2.5.2 Adjacent to any other property line: 3.0 metres (9.8 feet)
- 2.6 Minimum Lot Size: 0.8 hectares (2.0 acres)
- 2.7 Notwithstanding Section 2.6, the Minimum Lot Size does not apply to Public Utility Lots or for the purposes of approving and registering a bareland condominium for the purposes of creating a unit for the registration of a future building condominium.
- 2.8 Maximum Building Height: 20.0 m (65.62 ft)
- 2.9 Maximum Building Coverage: Principal and Accessory Buildings: 40% of the lot

3.0 Variances

- 3.1 The Development Authority may grant a variance to the minimum building setbacks by a maximum of 5%.

4.0 Development Regulations

- 4.1 Stripping and Grading, interface treatments for the lands to the south, lighting plans, landscaping plans, building treatments, and performance standards shall be in accordance with the Heatherglen Industrial Business Park Conceptual Scheme.
- 4.2 Signage and building design to be consistent with Heatherglen Industrial Business Park Conceptual Scheme.



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- 4.3 The Development Authority may issue a development permit for stripping and grading prior to issuance of a development agreement; or, prior to subdivision approval; or, prior to development permit issuance for a listed use provided the following conditions have been met:
- 4.3.1 The Owner has provided a rough grading plan depicting subgrades, an erosion and sediment control plan, and a construction management plan that are satisfactory to the County:
- 4.3.1.1 The Owner shall furnish securities in an amount satisfactory to the County;
- 4.3.1.2 No topsoil shall be removed from the plan area without prior approval by the County; and,
- 4.3.1.3 The Owner has provided storm water management plan that is satisfactory to the County.

5.0 Subdivision Regulations

- 5.1 Prior to final subdivision endorsement by the County, a Site Servicing Franchise Agreement shall be entered into that reflects the operational details of Stormwater and Fire Suppression servicing. This Agreement shall include provisions related to:
- 5.1.1 Ownership of the water and wastewater treatment and management facilities,
- 5.1.2 Turnover strategy for facilities and infrastructure,
- 5.1.3 Franchise Agreement and franchised utility provider information,
- 5.1.4 Transition and transfer of water allocation(s) and associated water licenses required under this approval and conditions.
- 5.2 Prior to subdivision endorsement the following items are required:
- 5.2.1 The owner has submitted a Construction Management Plan satisfactory to the County, which details amongst other items, erosion, dust, debris and noise control measures and storm water management during construction.
- 5.2.2 The Owner has submitted a Stormwater Management Plan in form and substance satisfactory to the County and/ or Alberta Environment.
- 5.2.3 The owner has submitted a Traffic Impact Assessment satisfactory to the County.
- 5.2.4 The owner has submitted a Landscaping Plan satisfactory to the County.
- 5.2.5 The owner has submitted a Solid Waste Management Plan satisfactory to the County.

6.0 Implementation

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



PART 4 – TRANSITIONAL

Bylaw C-7818-2018 is passed when it receives third reading and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 5
File: 03329002 /PL20180022

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>15th day of November, 2018</i>
<i>READ A FIRST TIME IN COUNCIL this</i>	<i>15th day of November, 2018</i>
<i>READ A SECOND TIME IN COUNCIL this</i>	<i>15th day of November, 2018</i>
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>15th day of November, 2018</i>
<i>READ A THIRD TIME IN COUNCIL this</i>	<i>15th day of November, 2018</i>



Reeve



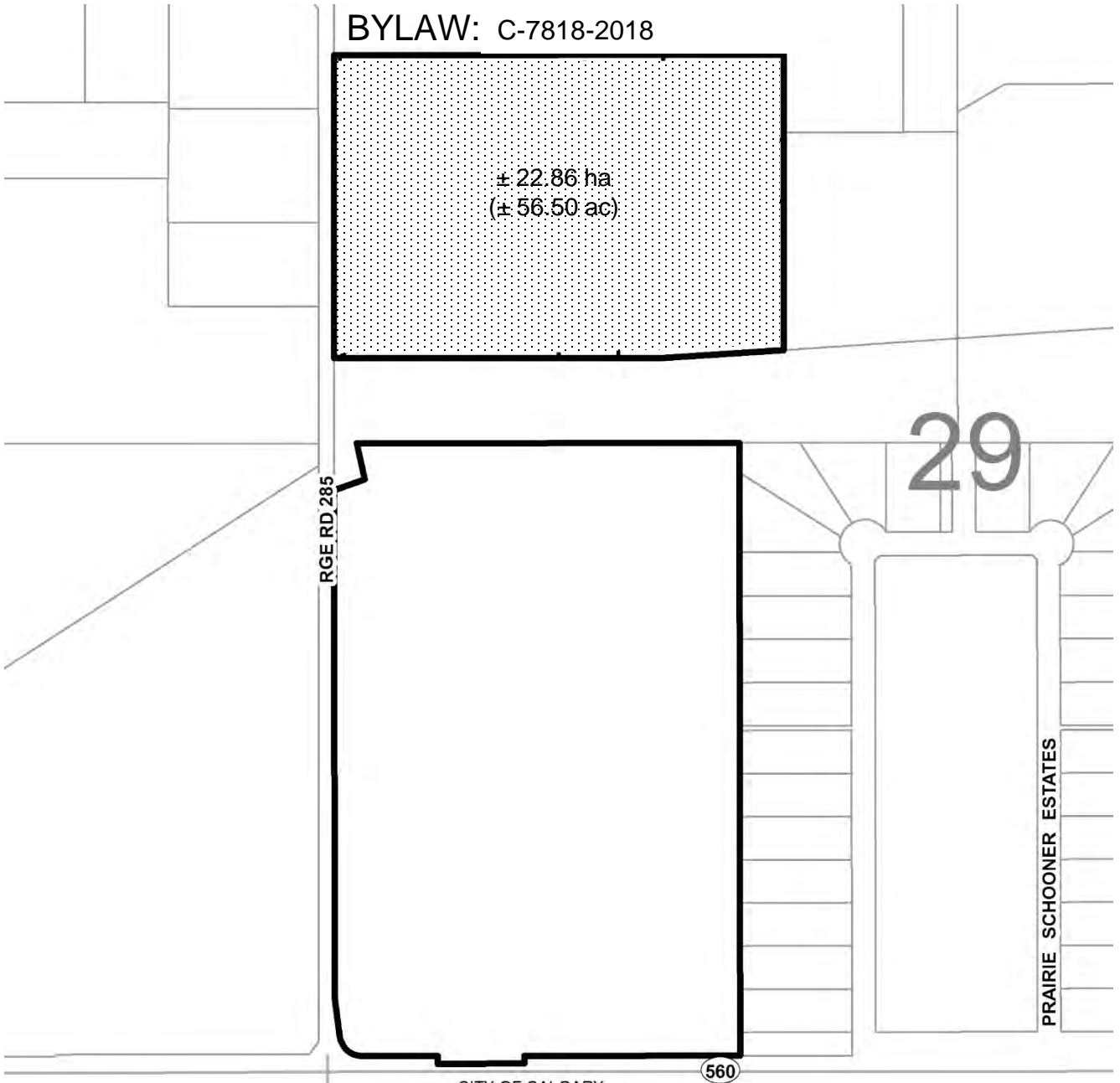
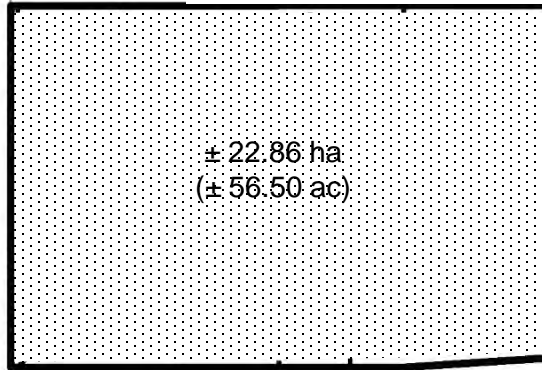
CAO or Designate

November 15, 2018

Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7818-2018



AMENDMENT

FROM Recreation Business District TO Direct Control District

Subject Land _____

LEGAL DESCRIPTION: Block 11, Plan 9810626 within
W-1/2-29-23-28-W04M



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FILE: 03329002

DIVISION: 5