



## 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 Heatherglen 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.



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

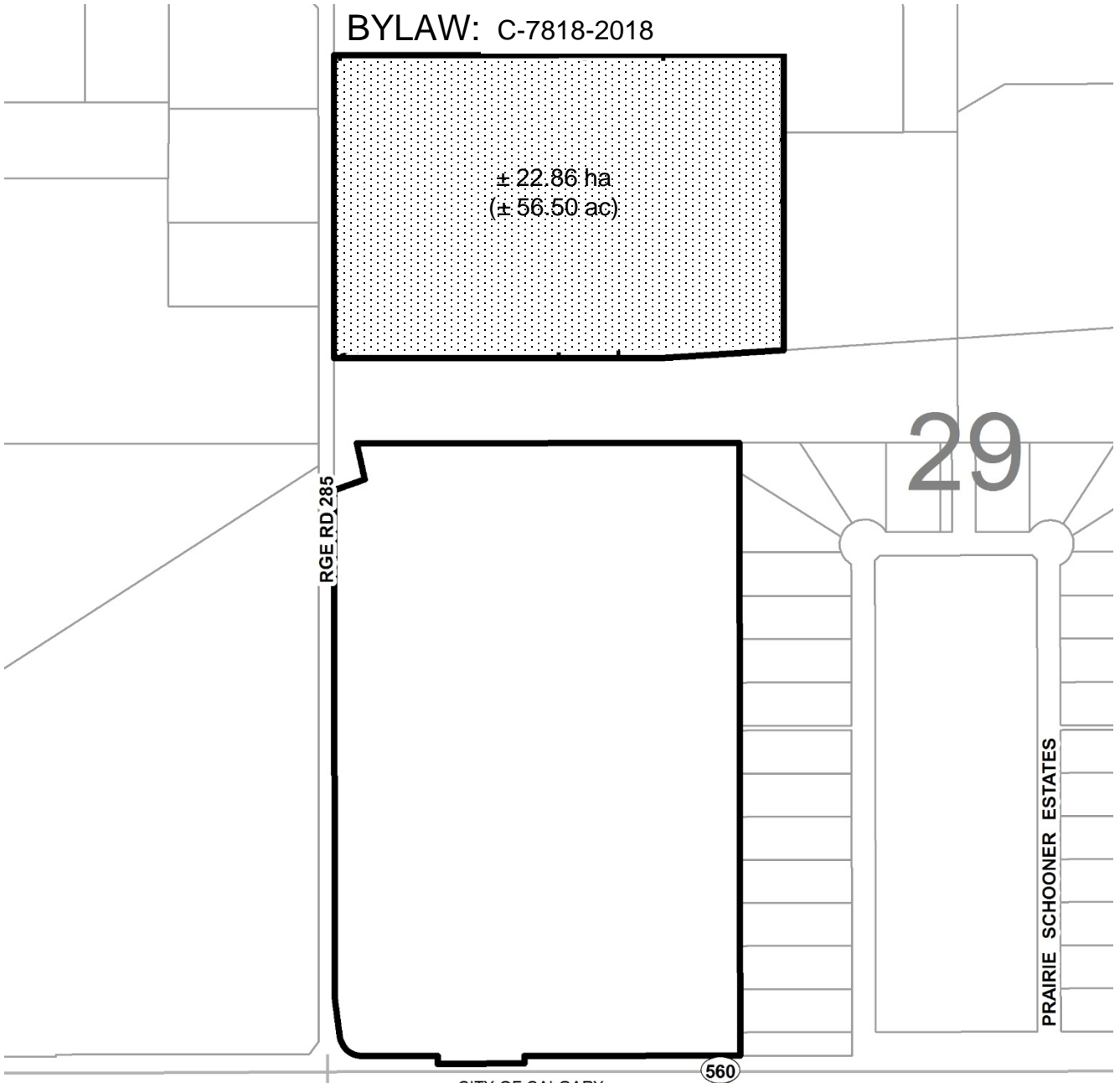
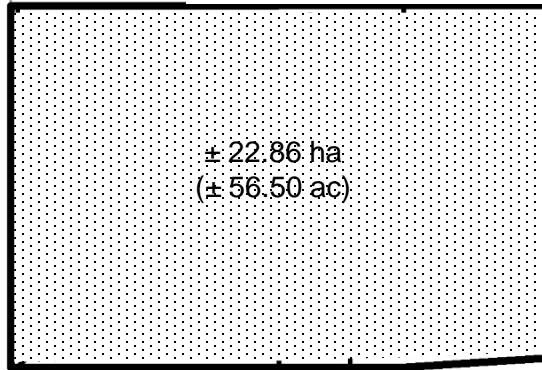
  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
CAO or Designate

*November 15, 2018*  
\_\_\_\_\_  
Date Bylaw Signed

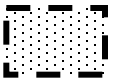
SCHEDULE "A"

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**

**ATTACHMENT E: POLICY REVIEW**

<b>Definitions</b>		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

<b>City of Calgary Intermunicipal Development Plan</b>	
<b>15.0 Plan Implementation</b>	
15.1	<i>Circulation and Referral Processes (c) All applications for development permits, including renewals</i>
Consistent	The application was circulated to the City of Calgary for review and comment. The City of Calgary had no concerns and noted an advisory comment to ensure that the property adheres to the ultimate regional CSMI stormwater solution for the subject lands.

<b>Janet Area Structure Plan</b>	
<b>Appendix B: Landscaping &amp; Design Guidelines</b>	
1.0	<i>Local plans shall address the County's Land Use Bylaw landscaping and screening requirements and the County's Commercial, Office and Industrial Design Guidelines and document how the local plan meets those requirements and guidelines</i>
Consistent	The subject property is under the Heatherglen Industrial Business Park Conceptual Scheme, which details specific development requirements
2.0	<i>Where buildings are located adjacent to a residential area, the building design emphasis should be on those building elevations that are facing the residential area.</i>
Consistent	The subject property is located within the noted business park and is surrounded by similar zoned properties along the north and west property lines. The property to the east, although not residential, is agricultural zoned. The design along the east side is incorporating a variety of design elements, to bring emphasis and visual interest to the façade. Along the south, the Western Irrigation Canal is parallel to the south property line, with southern residential. The proposed building has been located in a northern location to provide buffering from the south Viewscape. Design elements have also been incorporated and southern landscaping.
3.0	<i>Within any single parcel, the colours, materials and finishes of all buildings shall be coordinated to achieve a reasonable continuity of appearance.</i>
Consistent	The building design is coordinated on all four exteriors to achieve an exterior continuity of design.
4.0	<i>All buildings shall be permanent structures with good quality exterior finishing materials which may include quality metal panel products, pre-cast concrete, architectural site-cast concrete, architectural tile, and commercial grade stucco, brick or stone masonry. Wood, unfinished concrete and concrete block may be used as a secondary material only.</i>
Consistent	The building design includes all good quality materials and exterior finishing including multiple types of pre-cast metal cladding and steel elements.
5.0	<i>Facades of buildings which exceed 30 metres measured horizontally, and facing residential areas or roadways, shall incorporate wall plane projections or recesses</i>

	<i>having a depth of at least 3 per cent of the length of the façade and extending at least 20 per cent of the length of the façade.</i>
Generally Complies	The building has incorporated multiple depth difference in the pre-cast metal siding to help achieve the intent of the requirement. A variety of contrasting colours and alternating horizontal and vertical plane textures have also been incorporated to meet the intent of this regulation in establishing a visual break in building design.
6.0	<i>Facades of buildings facing adjacent residential areas shall include at least three of the following architectural elements:</i> <i>a. colour change;</i> <i>b. texture change;</i> <i>c. material module change; and</i> <i>d. expression of an architectural or structural bay through a change in plane such as an offset, reveal, or projecting rib</i>
Consistent	The building has incorporated colour change, texture change and material module changes in the east and south elevation facades
7.0	<i>Rooftop apparatus should be located and concealed to reduce or eliminate public view from adjacent roads or homes</i>
Consistent	No rooftop apparatus has been proposed
8.0 – 12.0	<i>Roofs should have at least two of the following features:</i> <i>a. Parapets concealing flat roofs and / or rooftop mechanical and electrical equipment;</i> <i>b. Overhanging eaves extending past the supporting wall;</i> <i>c. Sloping or pitched roofs with two or more roof slope planes; and</i> <i>d. Roof-top gardens that support ecological functions such as stormwater retention, building insulation, bird habitat, outdoor green space, etc.</i>
Consistent	The building has incorporated overhanging eaves and a sloped roof
13.0	<i>Each primary building shall have a clearly defined main entrance featuring at least two of the following:</i> <i>a. Canopy or portico;</i> <i>b. Overhang or arcade;</i> <i>c. Raised corniced parapet over the door;</i> <i>d. Outdoor amenity area;</i> <i>e. Upgraded window glazing areas; or</i> <i>f. Integrated planters or landscaped sitting areas</i>
Consistent	The building has incorporated a canopy above the main entrance, overhang, outdoor amenity area and integrated planters
14.0	<i>A minimum 3.0 metre landscaped area shall be provided between the front of any primary building and any adjoining parking or lot area</i>
Generally Complies	A 3.0 metre hard landscape area has been provided between the front of the building and an adjacent parking area. In addition, the parking area is adjacent to the amenity area and landscaping along the north elevation
15.0	<i>Landscape plans shall:</i> <i>a. promote the use of native plant material and plant proven for the climate of the region;</i> <i>b. not rely on potable water for irrigation once the landscaped areas are established;</i> <i>c. avoid species monoculture over large areas;</i> <i>d. provide for massing of plantings;</i> <i>e. ensure retaining walls and front yard fencing is decorative as well as functional; and</i> <i>f. provide attractive landscape designs at key public intersections and entryways</i>



Consistent	The landscape plan promotes the use of native plant material for the climate region of 3B, no potable water is proposed to be used for irrigation, provides for massing of plantings and no decorative elements are required.
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<b>Land Use</b>	
10.3	<i>Industrial uses such as distribution logistics, warehousing, transportation, services, construction, and manufacturing that do not have a significant offsite nuisance impact are appropriate within the industrial area.</i>
Consistent	The proposed business is in manufacturing and construction that is appropriate within an industrial business park, which includes no significantly deemed offsite nuisance impacts
10.4	<i>Commercial, institutional, and other business uses that are compatible with industrial uses and have minimal impact on the local infrastructure, and do not generate large retail traffic volumes may be appropriate within the industrial area.</i>
Consistent	The proposed development will not generate large traffic volumes
<b>Lighting</b>	
10.6	<i>All private lighting including security and parking area lighting shall be designed to respect the County's 'dark sky' Land Use Bylaw requirements, conserve energy, reduce glare, and minimize light trespass onto surrounding properties.</i>
Consistent	The development submitted a lighting plan, which includes lighting spec details that confirm fully shielded facing-downward lighting has been proposed. A photometrics plan was also submitted and showed no adverse offsite impacts

<b>Heatherglen Industrial Business Park Conceptual Scheme</b>	
<b>Internal Industrial Roadways &amp; Access</b>	
5.2.1	<i>All driveway approaches shall be deferred to the Development Permit stage.</i>
Consistent	The development has proposed one approach off Heatherglen Place. The approach has been previously rough graded with the subdivision and will be required to be paved to a commercial/industrial standard in accordance with the County's Servicing Standards.
<b>Fire Services &amp; Fire Suppression System</b>	
7.2.3	<i>All industrial and commercial buildings should provide fire suppression systems, as appropriate at the Development Permit stage, and they shall be in compliance with the Alberta Building Code</i>
Consistent	The development included details of connection to the business park pressurized fire water distribution system. As a condition of occupancy, a fire hydrant flow test is required. Additionally, at time of initial Building Permit submission, all appropriate fire suppression items will be reviewed and confirmed in accordance with the National Building Code – 2023 Alberta Edition.
7.2.4	<i>Individual services to the lots will be constructed at the Development Permit stage if a service is required for the individual lot's proposed use.</i>
Consistent	The initial servicing has been completed as part of the subdivision. This development will extend and complete all servicing work as needed.
<b>Emergency Response Plan</b>	
7.4.2	<i>Individual Emergency Response and Evacuation Plans shall be submitted for individual lots, as applicable, to the satisfaction of the County at the Development Permit stage</i>
Consistent	Noted as a permanent condition

10.3.0	<i>Commercial, Office and Industrial Design Guidelines Development standards and architectural guidelines will be utilized at the Development Permit stage to ensure that all new site development will be compatible with adjacent land uses. Architectural Controls and Restrictive Covenants, reflecting the County's "Commercial, Office and Industrial Design Guidelines" will be prepared at the subdivision stage. These controls, as per the above noted County Policy, will need to address site layout, site essentials, and building design. The development standards and architectural guidelines will review the appropriateness and feasibility of green building techniques and energy efficient building design.</i>
Consistent	The design guidelines have been reviewed against the application and the registered Architectural Controls on title – all includes development standards and architectural guidelines
10.3.1	<i>Architectural Controls and Restrictive Covenants, reflecting the County's "Commercial, Office and Industrial Design Guidelines" shall be detailed and registered on title at the subdivision Stage by the Developer.</i>
Consistent	Architectural Controls have been registered on title
10.3.2	<i>Architectural Controls should be implemented at the Development Permit stage</i>
Consistent	Architectural Controls have been reviewed at Development Permit stage and applied accordingly. Additionally, written signoff from the Developer has also been requested, to ensure overall compliance with the intended controls.
<b>Parking</b>	
10.5.1	<i>Access, Parking and Loading Entrances shall be designed to accommodate the turning movement of tractor-trailers and shall be positioned to allow for safe and adequate site distances. Parking and loading facilities shall be in accordance with the applicable requirements of the County Land Use Bylaw. Loading and vehicle servicing areas shall be integrated into the site and building architecture. Parking areas for employees and visitors shall be provided for in clearly defined areas</i>
Consistent	The development has included a site layout that will allow for various commercial vehicle maneuvering, with limited site access options. The one approach has been enlarged to allow for wider turning movements, while not impacting incoming/outgoing vehicle movements
<b>Signage</b>	
10.5.2	<i>The size and placement of all signage shall be considered an integral part of site development and complement the overall character of the development. Unnecessary and unsightly signage that overpowers both individual buildings and their surroundings shall not be permitted. Signs shall be built of durable permanent quality materials</i>
Not Applicable	The development has not requested signage at this time and will apply under a separate Development Permit
<b>Lighting</b>	
10.5.3	<i>The County supports a night friendly lighting policy. All outdoor lighting shall be located, oriented and shielded to prevent light from being directed at adjoining properties, skyward, interfering with the use and enjoyment of neighbouring lands or disrupting the effectiveness of any traffic control devices. Similarly, all uses shall demonstrate adequate lighting that meets the provisions of an approved Crime Prevention Through Environmental Design (CPTED) strategy submitted as part of a development permit application.</i>
Consistent	The development submitted a lighting plan, which includes lighting spec details that confirm fully shielded facing-downward lighting has been proposed. A photometrics plan was also submitted and showed no adverse offsite impacts

<b>Outside Storage</b>	
10.5.4	<i>All outside storage shall be screened from neighbouring sites and public streets with appropriate berming, vegetation, and/or fencing. Outside storage shall not be located within any required setback.</i>
Consistent	All outside storage will be screened with chain-link fencing, 2.43 m (8.00 ft.) in height, which includes vinyl slats and perimeter landscaping along the north, south and east property lines. Outside Storage has not been permitted in any required setback area.
<b>Outside Display Area</b>	
10.5.5	<i>Outside Display Areas shall be permitted provided they are not located within a required front, rear or side yard setbacks and are limited to merchandise related to industrial uses on-site.</i>
Consistent	No Outside Display Areas have been proposed
<b>Fencing</b>	
10.5.6	<i>On-site fencing is permitted when it is being used to provide visual screening to the WH Canal Pathway, to provide security, or to provide screening outside storage areas, garbage enclosures or pieces of equipment</i>
Consistent	Onsite perimeter chain-link fencing, 2.43 m (8.00 ft.) in height is proposed, to provide for security and outside storage screening from adjacent properties and the WH Canal Pathway.
<b>Landscaping</b>	
10.5.7	<i>At the subdivision stage the Developer shall provide Landscaping Plan for the proposed PUL and the south interface area between the proposed industrial lands and the Prairie Schooner Estates residential lands, WH Canal trail system, and the Heatherglen south golf course lands. The south interface should include a landscaped buffer in the rear yard setback area, the buffer should include coniferous tree plantings and should be protected with an 8.0 m wide easement. In addition, landscape plans for each individual lot shall be submitted at the Development Permit stage. Individual landscape plans will identify the location and extent of landscaped areas, the plant material proposed, and the methods of irrigation and maintenance of landscaped areas. Individual landscape plans should also consider the following:</i> <ul style="list-style-type: none"> <li>• <i>The site area shall be landscaped in accordance with the Land Use Bylaw Heatherglen Industrial Business Park Conceptual Scheme</i></li> <li>• <i>Tree species and other foliage shall be appropriate for dry prairie conditions. Natural prairie grass landscaping is preferred over high water consumptive non-native grass species. Where non-native grasses are used, low water species shall be required. All plant species shall conform to the standards of the Canadian Nursery Trades Association for nursery stock.</i></li> </ul>
Consistent	The development includes the constructed landscaping that was required as part of the subdivision. A landscaping plan has been submitted with the application

<b>Architectural Controls (as regulated through the Conceptual Scheme and on title)</b>	
<b>General</b>	
10	(a) Both principal entrances to any building and primary building elevation should orient to public streets and be well defined; (b) Details of the proposed colours must be shown on the building drawings. Bright

	<p><i>or contrasting colours shall be used for trims and accents only;</i></p> <p><i>(c) Long horizontal roof lines shall be broken up by providing articulations in the facade of buildings including, but not limited to, changes in height of roofs, changes in colour, or changes in material;</i></p> <p><i>(d) All buildings must have each of the following elements:</i></p> <ul style="list-style-type: none"> <li><i>(i) Architectural panels which may include, but not be limited to, insulated metal panels, metals composite panels, and/or aluminum composite panels.</i></li> <li><i>(ii) Canopies over the main entrance door, with welded frames or elements on the top and side;</i></li> <li><i>(iii) Enhanced architectural elements for all walls facing a road, including the usage of multiple complimentary materials and articulation of the building face;</i></li> <li><i>(iv) (A minimum of two color tones;</i></li> </ul> <p><i>(e) All buildings must include at least four of the following elements:</i></p> <ul style="list-style-type: none"> <li><i>(i) Masonry with a minimum height of 1.5 meters;</i></li> <li><i>(ii) Trim around all exterior windows;</i></li> <li><i>(iii) Windows with mullions;</i></li> <li><i>(iv) A slanted exterior wall;</i></li> <li><i>(v) Exterior architectural accent panels, coloured with a primary color;</i></li> <li><i>(vi) Upgraded main entrance feature; or</i></li> <li><i>(vii) Unique window treatments.</i></li> </ul>
Consistent	The development has proposed the principal elevation both along the north and west building façade, which the west façade the primary public street. The overall building design appears to incorporate all the above listed elements.
<b>Fencing</b>	
11.0	<p><i>(a) All exterior storage areas are to be fully fenced;</i></p> <p><i>(b) The only acceptable fencing materials are as follows:</i></p> <ul style="list-style-type: none"> <li><i>(i) Chain link;</i></li> <li><i>(ii) Vinyl; and</i></li> <li><i>(iii) Masonry;</i></li> </ul> <p><i>c) Notwithstanding the above, good quality wood fencing may only be used for gates, or a garbage enclosure;</i></p> <p><i>(d) No fences are permitted in the front yards;</i></p> <p><i>(e) No part of a fence shall exceed a height of 2.5 meters;</i></p> <p><i>(f) No fence shall extend past, or be in front of the face of a building;</i></p> <p><i>(g) The Purchaser shall not alter the grades of any easements when installing fencing;</i></p> <p><i>(h) The Purchaser shall not permit any fencing to interfere with the drainage on or related to a Building Lot;</i></p> <p><i>(i) No fence shall be located in excess of 2.2 meters from the property line of a Building Lot;</i></p> <p><i>(j) If a fence is angled otherwise than vertical at its top, it must be angled towards the interior of the Building Lot; and</i></p>

	<i>(k) All fences must be located within the boundaries of the Building Lot.</i>
Consistent	Per above, the development has incorporated fencing. Appears compliant to the above listed elements
<b>Garbage</b>	
12.0	<i>(a) Garbage containers must be hidden from the public view by either a freestanding enclosure or be placed within the principal building; and (b) Small containers used by individual bays in multi-bay buildings may be placed against the rear of the multi-bay building and do not require enclosures</i>
Consistent	Garbage containers are proposed along the west property line, south of the proposed vehicle parking area. The units will be enclosed with a metal clad exterior, to match the proposed building, up to 1.82 m (6.00 ft.) in height.
<b>Landscaping</b>	
13.	<i>(a) A landscaping plan must be prepared and submitted with the Development Proposal; (b) A minimum of the first 5 meters extending from the front of the property line must be landscaped; (c) Rocky View County landscaping guidelines are acceptable standards; (d) Landscaping must be maintained, repaired and replaced if necessary, consistent with initial approvals in a timely fashion; and (e) Grass must be cut at a minimum of twice a month during growing season.</i>
Generally Complies	The development included a landscaping plan, which included a 4.00 m (13.12 ft.) landscaping strip along the west property line and a 3.00 m (9.84 ft.) landscaping strip along the north property line. Under 26.11(d) of the Land Use Bylaw, the County can reduce the required landscaping strip if appropriate. Due to the unique access of this site, this was considered appropriate.
<b>Lot Grading</b>	
14	<i>(a) Lot grading is to be approved by the ADC; and (b) A coordinating grading review will be carried out by the ADC and the Owner's designated engineer to ensure that the proposed final grades of each Development do not adversely affect any adjacent Development and the Owner reserves the right to adjust the final grading requirements to the mutual benefit of adjacent Building Lots.</i>
Consistent	The development included a lot grading plan, to be reviewed as a final version by Administration before acceptance.

<b>Direct Control District 161</b>	
<b>General Regulations</b>	
1.2	<i>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.</i>
Consistent	The subject application was assessed against the Direct Control and regulated Land Use Bylaw, with no conflicts.
1.4 1.4.1	<i>Administration is the Development Authority and shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.</i>

	<i>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.</i>
Consistent	As the subject lot is Lot 9, this application is being presented to Council for decision
1.5	<i>All uses including the expansion of uses approved by Development Permit shall require a Development Permit.</i>
Consistent	The development has not commenced onsite and has applied for the required Development Permit, prior to commencement
1.8	<i>The policies of the Heatherglen Industrial Business Park Conceptual Scheme should be considered in all applications for subdivision and development.</i>
Consistent	All applicable policies of the Conceptual Scheme have been reviewed against the development permit application
1.9	<i>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</i>
Consistent	<i>The development complies with all Development Regulations noted in Section 4.0 of Direct Control District 161.</i>

### Land Use Regulations

2.1	<i>Purpose and Intent</i>		
	<i>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</i>		
Consistent	The proposed business is industrial in nature and is best located within an industrial business park, on a limited service site.		
2.1	<i>List of Uses</i>		
	<i>Accessory Building</i>	<i>Agricultural, General</i>	<i>Agricultural Support Services</i>
	<i>Animal Health Care</i>	<i>Auctioneering Services</i>	<i>Automotive Services</i>
	<i>Commercial Communications (CC) Facilities – Type A, B, C</i>	<i>Contractor, General</i>	<i>Contractor, Limited</i>
	<i>Dealership/Rental Agency, Automotive</i>	<i>Dealership/Rental Agency, Recreational Vehicle</i>	<i>Dealership/Rental Agency, Implement and Equipment</i>
	<i>General Industry, Type I</i>	<i>General Industry, Type II</i>	<i>Mini-Storage</i>
	<i>Offices</i>	<i>Offices, ancillary to the principal business use</i>	<i>Outdoor Display Area</i>
	<i>Outside Storage</i>	<i>Personal Services Business</i>	<i>Restaurant</i>
	<i>Retail Store, Local</i>	<i>Signs</i>	<i>Storage Area</i>

	<i>Tractor Trailer Service Depot</i>	<i>Warehouse</i>	<i>Warehouse Store, excluding hazardous goods</i>
Consistent	The development falls under General Industry, Type II		
2.3 2.3.1	<i>Minimum Yard, Front for Buildings: 6.0 metres (19.68 feet)</i>		
Consistent	The proposed building is well away from the front of the property		
2.4 2.4.2	<i>Minimum Yard, Side for Buildings: Adjacent to a property line: 3.0 metres (9.8 feet)</i>		
Consistent	The proposed building is located 13.09 m (42.94 ft.) from the north property line and 79.67 m (261.38 ft.) from the south property line		
2.5 2.5.1 2.5.2	<i>Minimum Yard, Rear: for Buildings: 3.0 metres (9.8 feet) Backing onto the Western Headworks Canal: 8.0 metres (26.2 feet) Adjacent to any other property line: 3.0 metres (9.8 feet)</i>		
Consistent	The proposed building is located 4.00 m (13.12 ft.) from the east property line; Although not the rear, the building is located 79.67 m (261.38 ft.) from the south property line, which is backing onto the Western Headworks Canal		
2.8	<i>Maximum Building Height: 20.0 m (65.62 ft)</i>		
Consistent	The proposed building includes a maximum height of 8.75 m (28.70 ft.)		
2.9	<i>Maximum Building Coverage: Principal and Accessory Buildings: 40% of the lot</i>		
Consistent	Proposed: 10.15%		
<b>Variances</b>			
3.0 3.1	<i>The Development Authority may grant a variance to the minimum building setbacks by a maximum of 5%</i>		
Consistent	No variance required		
<b>Development Regulations</b>			
4.1	<i>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.</i>		
Consistent	All noted within the conceptual scheme		
4.2	<i>Signage and building design to be consistent with Heatherglen Industrial Business Park Conceptual Scheme.</i>		
Consistent	No signage proposed with this application. The building design is consistent to the required policy		
4.3 4.3.1 4.3.1.1 4.3.1.2 4.3.1.3	<p><i>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:</i></p> <p><i>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:</i></p> <p><i>The Owner shall furnish securities in an amount satisfactory to the County;</i></p> <p><i>No topsoil shall be removed from the plan area without prior approval by the County; and,</i></p>		

	<i>The Owner has provided storm water management plan that is satisfactory to the County.</i>
Consistent	Not required as a separate application, as rough grading has been completed and final grades to be approved under the Development Permit

<b>Land Use Bylaw C-4841-97 [regulated by Direct Control District 161]</b>	
<b>Definitions</b>	
Section 8	<p><i>GENERAL INDUSTRY means the following activities:</i></p> <ul style="list-style-type: none"> <li><i>(a) the processing of raw, value added, or finished materials;</i></li> <li><i>(b) the manufacturing or assembling of goods, products, or equipment;</i></li> <li><i>(c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;</i></li> <li><i>(d) the storage or transshipping of materials, goods and equipment, including petro- chemical products and supplies;</i></li> <li><i>(e) the training of personnel in general industrial operations; and</i></li> <li><i>(f) It may include any indoor display, office, technical or administrative support areas, or any sales operation accessory to the general industrial uses, but does not include Cannabis Cultivation or Cannabis Facility.</i></li> </ul> <p><i>GENERAL INDUSTRY TYPE II means those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered a General Industry Type III</i></p>
Consistent	The business specializes in steel and metal fabrication and welding, with an office and outside storage components occurring both indoors and outdoors, with no major significant nuisance or environment factors. This type of business is commonly found in industrial areas, as due to the type of business operations.
<b>Business Development</b>	
25.4	<p><i>25.4 Business Development</i></p> <ul style="list-style-type: none"> <li><i>(b) 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.</i></li> <li><i>(d) The exterior design and finishing materials of all buildings shall be as shown on the approved plan and subject to the approval of the Development Authority.</i></li> <li><i>(e) Facades of buildings which exceed 31 m measured horizontally and facing public roadways shall incorporate visual and physical characteristics to add visual interest, by including at least three of the following architectural elements:</i> <ul style="list-style-type: none"> <li><i>(i) Colour change;</i></li> <li><i>(ii) Texture change;</i></li> <li><i>(iii) Material module change; or</i></li> </ul> </li> </ul>



	<p>(iv) Expression of architectural or structural bay through a change in plane such as an offset, reveal, or projecting ribs or recesses extending at least 20% of the length and 3% of the depth of the façade.</p> <p><i>Visual Impacts and Screening</i></p> <p>(g) To the satisfaction of the County, the following shall be enclosed from view or screened to soften the visual impact on adjacent or proximal sites, roadways, and public thoroughfares:</p> <ul style="list-style-type: none"> <li>(i) All heating, ventilating, and air conditioning (HVAC) apparatus on the roof, with the exception of solar power;</li> <li>(ii) Outside storage areas;</li> <li>(iii) Exterior work areas;</li> <li>(iv) Garbage, waste, and waste handling and collection areas;</li> <li>(v) Wrecked or damaged motor vehicles;</li> <li>(vi) Outdoor service areas, including any loading and vehicular service areas, that are visible from an adjacent residential property or from a public road other than a lane;</li> <li>(vii) Bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage, vehicle storage, and similar uses; and</li> <li>(viii) The parking or storage of large trucks, tractor-trailers, and heavy industrial equipment.</li> </ul> <p>(h) The location, length, thickness, and height of screening shall be in accordance with the Landscaping Plan or Development Permit approved by the County.</p> <p>(i) Such screening shall be maintained to mitigate visual impact from the ground to a height of 2.00 m, or as may be stipulated as a condition of the Development Permit.</p> <p>(j) Where, because of height of materials stored, a form of screening to a height of 2.00 m would not be sufficient, a form of screening with sufficient height to mitigate the view shall be provided, to the satisfaction of the County.</p> <p>(k) Garbage and waste must be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup</p>
Consistent	As noted above, the development appears compliant to the noted policies.
<b>Landscaping</b>	
26.3	<p>All trees/shrubs and tree/shrub planting required pursuant to this section shall be hardy to the Calgary Region and shall be required to conform to the following:</p> <p>(a) evergreen shrubs shall be at least 40.00 cm (15.70 in.) in height when planted. Deciduous shrubs shall be at least 60.00 cm (23.60 in.) height when planted;</p> <p><b>Coniferous</b> 40.00 cm (15.70 inches) = 1.30 ft.</p> <p><b>Deciduous</b> 60.00 cm (23.60 inches) = 1.97 ft.</p>

	<p><i>(b) the proportion of deciduous to evergreen trees shall be approximately 60:40, unless the Landscaping Plan is designed by a registered professional Landscape Architect; and</i></p> <p><i>(c) trees required shall be at least 4.50 cm (1.77 in.) calliper for deciduous trees, and at least 2.00 m (6.56 ft.) in height for evergreen trees.</i></p>
Consistent	The proposed landscape planting noted as hardy to Calgary Region. No shrubs have been proposed with the subject development
26.5	<i>All yards and all open spaces on the site of business developments (excluding parking stalls; on-site circulation, outdoor storage, display, and service areas) shall be required to be landscaped with trees, shrubs, sod, or suitable hard landscaping. The number of trees required pursuant to this section, may be determined on the basis of a minimum of one (1) tree for each 46.00 sq. m (495.14 sq. ft.) of any required yard or setback at grade, or as required pursuant to a Landscaping Plan as a condition of a Development Permit</i>
Consistent	The landscape area required for this site is 1,367.84 sq. m, with 30 trees planted at a minimum of one tree per 46.00 sq. m of area. The proposed landscaping plan is compliant to the minimum requirements with 30 trees proposed, at the minimum ratio requirement
26.9	<i>Potable water should not be used for the irrigation of landscaping plantings and vegetation.</i>
Consistent	Noted as condition of approval
26.10	<i>Plantings should be placed in a minimum of 6 inches depth of landscaping soil.</i>
Consistent	600 mm of planting depth proposed
26.11	<p><i>(c) A minimum of 10% of the development area shall be landscaped, in accordance with the Landscaping Plan approved by the County.</i></p> <p><i>(d) A landscaped strip of at least 4.00 m width shall be provided in front yards and side yards adjacent to a road. Alternate configurations that provide for equivalent area of landscaping, with a minimum width of 1.00 m, may be allowed at the discretion of the Development Authority.</i></p> <p><i>(t) Up to 50% of the required number of trees may be substituted with shrubs at a ratio of 3 shrubs to 1 tree for deciduous trees, and 4 shrubs to 1 tree for coniferous trees, providing that any associated screening requirements are met to the satisfaction of the County.</i></p>
Consistent	The required landscaping amount is 1,367.84 sq. m. (10%). The development is proposing 1,370.21 sq. m (10.02%).
<b>Lighting</b>	
27.1	<i>All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.</i>
Consistent	The development submitted a lighting plan, which includes lighting spec details that confirm fully shielded facing-downward lighting has been proposed. A photometrics plan was also submitted and showed no adverse offsite impacts.
27.2	<p><i>27.2 Business Development</i></p> <p><i>The intent of this section is to encourage lighting practices and systems that minimize light pollution, glare, and light trespass onto adjacent properties, while maintaining night-time, on-site safety and security, and allowing for product display</i></p>

	<p>during evening operating hours. The intent is to ensure that all light fixtures are installed to maximize their effectiveness on the targeted property and to minimize their adverse impact beyond the property. It is not the intent of this section to require the complete screening of indirect light on adjacent properties or to eliminate all light trespass, but to minimize light trespass and to avoid direct glare onto surrounding properties.</p> <p>(a) Outdoor lighting on any development shall comply with the following provisions:</p> <p>(i) All developments shall use full cut-off (shielded) outdoor light fixtures that direct the light downward;</p> <p>(ii) no light structure shall exceed a height of 7.62 m (25.00 ft.); and no light shall be attached to a structure above a height of 7.62 m (25.00 ft.) along that structure,</p> <p>(iii) the developer, at the discretion of the County, shall provide a plan, completed by a qualified professional, indicating the location of all exterior lights, a description of any measures taken to shield direct glare onto adjacent properties, and the projected light patterns in relation to adjacent properties, roadways, and developments;</p> <p>(iv) no flashing, strobe, or revolving lights, which may impact the safety of motorists using adjacent public roadways, shall be installed on any structure or site unless otherwise required for the safe and efficient function of an airport;</p> <p>(v) no light shall result in adverse effects on the safe and efficient function of an airport or highway;0</p> <p>(vi) notwithstanding (a), light fixtures may be directed upward to illuminate buildings or landscaping or for decorative purposes, but such lighting shall have at least ninety (90) percent of its total distribution pattern within the profile of the illuminated object;</p> <p>(vii) direct glare shall not be visible to adjacent buildings or nearby land or be perceptible to persons operating motor vehicles on public roadways, and shall be judged by whether the illuminating device (i.e. bulb) is visible from the property line or beyond. Illustrations showing examples of Full Cut-off Lighting Structures</p> <p>(b) Illumination levels shall not exceed the levels recommended by the Illuminating Engineers Society of North America (IESNA).</p> <p>(c) At the discretion of the County and in the opinion of a qualified professional, the requirements of this section may be altered if the proposed design is found to be within the standards of the Illuminating Engineers Society of North America (IESNA).</p>
Generally Complies	<p>Overall, the development generally complies with these regulations except for overall height. The mounted lighting fixtures are proposed at 9.14 m (30.00 ft.) however as per (c), the proposed height is an appropriate height for an industrial area, to provide lighting around the building and applying Crime Prevention Through Environmental Design principles</p>

<b>Parking</b>																					
30.1	<table border="1"> <thead> <tr> <th>Description</th> <th>A Parking Angle</th> <th>B Stall Width</th> <th>C Stall Length</th> <th>D Isle Width</th> </tr> </thead> <tbody> <tr> <td>Parallel Stalls</td> <td>0</td> <td rowspan="4">2.59 m (8.50 ft.)</td> <td>6.99 m (22.96 ft.)</td> <td>3.59 m (11.80 ft.)</td> </tr> <tr> <td rowspan="2">Angled Stalls</td> <td>45</td> <td>5.48 m (18.04 ft.); (15% of required number may be</td> <td>3.59 m (11.80 ft.)</td> </tr> <tr> <td>60</td> <td>4.60 m (15.10 ft.))</td> <td>5.48 m (18.04 ft.)</td> </tr> <tr> <td>Perpendicular Stalls</td> <td>90</td> <td>6.99 m (22.96 ft.)</td> </tr> </tbody> </table>	Description	A Parking Angle	B Stall Width	C Stall Length	D Isle Width	Parallel Stalls	0	2.59 m (8.50 ft.)	6.99 m (22.96 ft.)	3.59 m (11.80 ft.)	Angled Stalls	45	5.48 m (18.04 ft.); (15% of required number may be	3.59 m (11.80 ft.)	60	4.60 m (15.10 ft.))	5.48 m (18.04 ft.)	Perpendicular Stalls	90	6.99 m (22.96 ft.)
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Perpendicular Stalls	90		6.99 m (22.96 ft.)																		
Consistent	28 perpendicular stalls are proposed to be 2.60 m (8.53 ft.) wide by 6.20 m (20.34 ft.) long with an isle width greater than 7.00 m (22.96 ft.)																				
<b>Signage</b>																					
35	<i>Not Applicable</i>																				
Consistent	The development has not requested signage at this time and will apply under a separate Development Permit																				
<b>Fencing</b>																					
42.3	<p><i>No fence higher than 2.00 m (6.56 ft.) shall be erected in any District unless the Development Authority has determined that:</i></p> <p><i>(a) the fence is required as part of the principal use of the site that the fence is to enclose;</i></p> <p><i>(b) the fence would not interfere with the amenities of the neighbourhood; and</i></p> <p><i>(c) the fence would not materially interfere with or affect the use, enjoyment, or value of neighbouring properties.</i></p>																				
Consistent	As noted above, perimeter fencing, 2.43 m (8.00 ft.) is proposed, for security purposes and screening from adjacent properties																				