



ROCKY VIEW COUNTY

BYLAW C-8047-2020**A bylaw of Rocky View County to amend Direct Control Bylaw C-6635-2008**

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-8047-2020.

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 Bylaw C-6635-2008 is hereby amended as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-8047-2020 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: 04
File: 02329001 / PL20200045

READ A FIRST TIME IN COUNCIL this	23rd	day of	June	, 2020
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>		<i>day of</i>		<i>, 2020</i>
READ A SECOND TIME IN COUNCIL this		day of		, 2020
READ A THIRD TIME IN COUNCIL this		day of		, 2020

 Reeve

 CAO or Designate

 Date Bylaw Signed



ROCKY VIEW COUNTY

**SCHEDULE 'A'
FORMING PART OF BYLAW C-8047-2020**

Schedule of textual amendments to Direct Control Bylaw C-6635-2008.

Amendment #1: Add and remove the following provisions2.2.0 List of Uses**ALL DEVELOPMENT CELLS**

- 2.2.1 Accessory Building**
- 2.2.2 General Agriculture Agriculture, General**
- ~~2.2.3 Fencing~~
- 2.2.4 Horticultural Development where there is a surface supply of water**
- ~~2.2.5 Landscaping~~
- 2.2.6 Maze Feature**
- ~~2.2.7 Agricultural Tourism Use~~ **Tourism Uses/Facilities, Agricultural**

CELL A

- ~~2.2.5 Accessory Buildings~~
- 2.2.8 Dwelling, single-detached**
- ~~2.2.9 Food and Beverage Services, ancillary to the Agricultural Tourism use~~
- ~~2.2.10 Market Garden, ancillary to the Agricultural Tourism Use~~
- ~~2.2.11 Parking Area~~
- ~~2.2.12 Principal Building~~
- 2.2.13 Retail Store, Local & Market Stand, ancillary to the Agricultural Tourism use**
- 2.2.14 Signage**

CELL B

- ~~2.2.9 Accessory Buildings~~
- ~~2.2.15 Amusement and Entertainment Services, ancillary to the Agricultural Tourism use~~
- 2.2.16 Dwelling, single-detached**
- ~~2.2.17 Food and Beverage Services, ancillary to the Agricultural Tourism use~~
- ~~2.2.12 Landscaping~~
- ~~2.2.18 Market Garden, ancillary to the Agricultural Tourism Use~~
- ~~2.2.19 Parking Area~~
- ~~2.2.20 Principal Buildings~~
- ~~2.2.21 Retail Store, Local & Market, ancillary to the Agricultural Tourism use~~
- 2.2.22 Signage**

CELL C

- ~~2.2.23 Horticultural Development, where there is a surface supply of water~~

2.3.0 Minimum and Maximum Requirements

- 2.3.1 Minimum Parcel Size: 32.3 hectares (80.0 acres)**
- ~~2.3.2 Maximum Number of Freestanding Signs: 1~~
- 2.3.3 Maximum Height of Freestanding Signs: 5.5m (18.0 ft)**
- 2.3.4 Maximum Area of a Sign is ~~4.6mm² (50 ft²)~~ 9.29 sq. m. (100.0 sq. ft.)**
- 2.3.5 Minimum Setback from any Road for Sign: ~~30 m (98.4 ft.)~~ 15.0 m (49.21 ft)**
- ~~2.3.6 Maximum Number of Principal Buildings: 1~~
- 2.3.7 Maximum Building Height:**
 - a) ~~10.0 meters (32.8 feet)~~ **for Principal Buildings 12.0 m (39.37 ft)**
 - b) ~~5.5 meters (18.0 feet)~~ **for Accessory Buildings**
- ~~2.3.8 Maximum Number of Dwelling Units: (not including principal and/or accessory buildings) 1~~



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- ~~2.3.9 Maximum combined area of Principal Buildings shall not exceed 232.3 m² (2,500 sq. ft.)~~
- ~~2.3.10 Maximum combined area of Accessory Buildings associated with Agricultural Tourism Use, Maze Feature and/or Horticultural Development shall not exceed 464.5 m² (5,000 sq. ft.)~~
- ~~2.3.11 Maximum combined area of Accessory Buildings associated with Dwelling, single detached shall not exceed 185.8 m² (2,000 sq. ft.)~~
- 2.3.12 Minimum Front/Side/Rear Yard for all Buildings and Parking area: 30 m (98.4 ft.)
- ~~2.3.13 Minimum Side Yard for all Buildings and Parking Area: 30 m (98.4 ft.)~~
- ~~2.3.14 Minimum Rear Yard for Buildings and Parking: 30 m (98.4 ft.)~~
- 2.3.15 Minimum Front/Side/Rear Yard for all Parking Areas: 15.0m (49.2 ft.)

Amendment #2: Delete provision 3.3.0

~~3.1.0 No Development Permit for any use or development or building permit for any building shall be issued by the Development Authority and no development shall occur on the lands until:~~

~~3.1.1 The Owner has prepared and submitted an Overall Site Development Plan, which includes an illustration of the vehicular and pedestrian movement corridors, parking and loading facilities as well as all other facilities that are to be located on the site, and a development phasing plan, to the satisfaction of the Development Authority.~~

~~3.1.2 The Owner has submitted a Construction Management Plan satisfactory to the Municipality, which details amongst other items, erosion, dust and noise control measures and stormwater management during construction.~~

~~3.1.3 The Owner has submitted a Traffic Impact Analysis to assess the capacity of transportation routes proposed to be utilized and a strategy to implement improvements to same should additional traffic anticipated by the development warrant road improvements.~~

~~3.1.4 All other requirements of this Bylaw have been completed to the satisfaction of the Development Authority.~~

Amendment #3: Include Cell A in provision 3.4.2

- 3.4.2 A Parking Area shall be provided for within Cell B **and/or A** in accordance with the requirements of the Land Use Bylaw, as amended. The Parking Area shall be screened from adjacent building sites by implementing landscaping treatments required by 3.3.3 of this Bylaw.

Amendment #3: Delete Section 3.5.4 & 3.5.5

~~3.5.4 The seating area associated with Food and Beverage Services shall be limited to a maximum capacity of 150 people.~~

~~3.5.5 Hours of Operation Uses listed in 2.2.1, 2.2.4, 2.2.7, 2.2.8, 2.2.11, 2.2.14 & 2.2.15 of this Bylaw shall operate seasonally between April 15 November 15 and only between the hours of 8:00 am and 9:00 p.m.~~

Amendment #4: Amend Section 4.0.0

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.

~~4.2.0 Agricultural Tourism Use means a business facility that provides for tourism ventures related to agriculture, such as petting zoos, wagon rides and other activities that are similar in character.~~

~~4.2.0 Agriculture, General means the raising of crops or the rearing of livestock, either separately, or in conjunction with one another, and includes buildings and other structures incidental to the operation, except where the operation is intensive.~~

4.3.0 **Food and Beverage Services** – means a facility where food and ~~non-alcoholic~~ beverages are served or offered for sale for consumption within a *Principle or Accessory Building* whose seating area may be contained outside a *Principle or Accessory Building*.

4.3.0 **Maze Feature** – means a development featuring a maze (or labyrinth) that defines movement corridors using plants or other non-permanent material and may include picnic areas and other similar ancillary uses.

~~4.4.0 Market Garden means the use of land for the commercial growing of vegetables or fruit.~~



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~~4.5.0 Retail Store means a building or part thereof in which foods, wares, merchandise, substances, articles, or things are offered or kept for sale directly to clientele at retail.~~

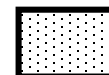
~~4.2.0 Tourism Uses/Facilities, Agricultural means a business facility that provides for tourism ventures related to agriculture. This may include the provision of accommodation, retail establishments, food and beverage services, entertainment, agricultural tours, classes, workshops, retreats, outdoor and wildlife-related recreation, festivals and events, and demonstrations, as described by Alberta Agriculture and Forestry.~~

Amendment #5:

Minor spelling, punctuation, renumbering and formatting amendments throughout.



Schedule 'A'

Bylaw
C-8047-2020AmendmentFROMDirect Control
District (DC 124)TODirect Control
District Amended (DC 124)

DC 124 → DC 124
(Amended)
± 32.99 ha (± 81.53 ac)

TWP RD 224

RGE RD 284



Division: 04
Roll: 02329001
File: PL20200045
Printed: May 13, 2021
Legal: A portion of SE-29-22-
28-W04M

**ROCKY VIEW COUNTY
BYLAW C-6635-2008****OFFICE CONSOLIDATION**

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

Bylaw	Amendment Type	Date of Approval
C-6635-2008	Original Bylaw	September 14, 1999
C-8047-2020	Amend Section 2.2.0, 2.3.0, 3.4.2, 4.0.0 and Delete 3.1.0, 3.5.4, 3.5.5	

DC - 124**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44****BYLAW C-6635-2008**

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. 23 of Bylaw C-4841-97 to redesignate a portion of the SE-29-22-28-4 from Ranch and Farm District to Direct Control District, and a portion of the SE-29-22-28-4 from Ranch and Farm District to Ranch and Farm Two District as shown on the attached Schedule "A", attached to and forming part of this Bylaw; and

WHEREAS a notice was published April 29, 2008 and May 6, 2008 in the Rocky View Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44, advising of the Public Hearing for June 10, 2008; 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.

NOW THEREFORE the Council enacts the following:

1. That Part 5, Land Use Map No. 23 of Bylaw C-4841-97 be amended by redesignating a portion of the SE-29-22-28-4 from Ranch and Farm District to Direct Control District and a portion of the SE-29-22-28-4 from Ranch and Farm District to Ranch and Farm Two District, as shown on Schedule "A" and Schedule "B" attached to and forming a part of this Bylaw; and
2. That a portion of the lands within the SE-29-22-28-4 are hereby redesignated to Direct Control District, as shown on Schedule "A" and Schedule "B" attached to and forming a part of this Bylaw; and
3. That the regulations of this Direct Control District comprise:
 - 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Development Regulations
 - 4.0.0 Definitions
 - 5.0.0 Implementation

1.0.0 GENERAL REGULATIONS

- 1.1.0 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule "A" and Schedule "B" attached hereto and forming part hereof.
- 1.2.0 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 are applicable, unless otherwise stated in this Bylaw.
- 1.3.0 The Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw provided the provisions of Sections 2 and 3 herein are completed in form and substance, satisfactory to the Municipality.

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- 1.4.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.5.0 Proposals for uses and subdivision beyond that provided by this Bylaw shall require an amendment to this bylaw to be permitted.

2.0.0 LAND USE REGULATIONS**2.1.0 Purpose and Intent**

The purpose and intent of this District is to provide for the development of a corn maze attraction and related agricultural tourism uses on portions of the Lands and general agricultural with a related dwelling on other portions of the lands, while ensuring high quality, attractive and aesthetically pleasing development.

2.2.0 List of Uses**ALL DEVELOPMENT CELLS****2.2.1 Accessory Building****2.2.2 General Agriculture Agriculture, General**~~**2.2.3 Fencing**~~~~**2.2.3 Horticultural Development where there is a surface supply of water**~~**2.2.4 Maze Feature**~~**2.2.5 Agricultural Tourism Use Tourism Uses/Facilities, Agricultural**~~**CELL A****2.2.6 Dwelling, single-detached**~~**2.2.7 Food and Beverage Services, ancillary to the Agricultural Tourism use**~~~~**2.2.8 Retail Store, Local ancillary to the Agricultural Tourism use**~~**2.2.9 Market Garden****2.2.10 Signage****CELL B**~~**2.2.9 Accessory Buildings**~~**2.2.11 Amusement and Entertainment Services****2.2.12 Dwelling, single-detached**~~**2.2.13 Food and Beverage Services, ancillary to the Agricultural Tourism use**~~~~**2.2.12 Landscaping**~~**2.2.14 Market Garden**~~**2.2.19 Parking Area**~~~~**2.2.20 Principal Buildings**~~~~**2.2.15 Retail Store, Local ancillary to the Agricultural Tourism use**~~**2.2.16 Market Garden****2.2.17 Signage****CELL C**~~**2.2.18 Horticultural Development, where there is a surface supply of water**~~**2.3.0 Minimum and Maximum Requirements****2.3.1 Minimum Parcel Size: 32.3 hectares (80.0 acres)**~~**2.3.2 Maximum Number of Freestanding Signs: 1**~~

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- 2.3.3 Maximum Height of Freestanding Signs: 5.5m (18.0 ft)
- 2.3.4 Maximum Area of a Sign is ~~4.6mm² (50 ft²)~~ **9.29 sq. m. (100.0 sq. ft.)**
- 2.3.5 Minimum Setback from any Road for Sign: ~~30 m (98.4 ft.)~~ **15.0 m (49.21 ft)**
- ~~2.3.6 Maximum Number of Principal Buildings: 1~~
- 2.3.7 Maximum Building Height:
- a) ~~10.0 meters (32.8 feet) for Principal Buildings~~ **12.0 m (39.37 ft)**
- b) ~~5.5 meters (18.0 feet) for Accessory Buildings~~
- ~~2.3.8 Maximum Number of Dwelling Units: (not including principal and/or accessory buildings) 1~~
- ~~2.3.9 Maximum combined area of Principal Buildings shall not exceed 232.3 m² (2,500 sq. ft.)~~
- ~~2.3.10 Maximum combined area of Accessory Buildings associated with Agricultural Tourism Use, Maze Feature and/or Horticultural Development shall not exceed 464.5 m² (5,000 sq. ft.)~~
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- 2.3.12 Minimum Front/**Side/Rear** Yard for all Buildings ~~and Parking area:~~ 30 m (98.4 ft.)
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- 2.3.7 Minimum Front/Side/Rear Yard for all Parking Areas: 15.0m (49.2 ft.)**

3.0.0 DEVELOPMENT REGULATIONS

- ~~3.1.0 No Development Permit for any use or development or building permit for any building shall be issued by the Development Authority and no development shall occur on the lands until:~~
- ~~3.1.1 The Owner has prepared and submitted an Overall Site Development Plan, which includes an illustration of the vehicular and pedestrian movement corridors, parking and loading facilities as well as all other facilities that are to be located on the site, and a development phasing plan, to the satisfaction of the Development Authority.~~
- ~~3.1.2 The Owner has submitted a Construction Management Plan satisfactory to the Municipality, which details amongst other items, erosion, dust and noise control measures and stormwater management during construction.~~
- ~~3.1.3 The Owner has submitted a Traffic Impact Analysis to assess the capacity of transportation routes proposed to be utilized and a strategy to implement improvements to same should additional traffic anticipated by the development warrant road improvements.~~
- ~~3.1.4 All other requirements of this Bylaw have been completed to the satisfaction of the Development Authority.~~

3.2.0 Water Supply and Sewage Treatment Requirements

- 3.2.1 Potable water for all development on the site shall be provided via a well, licensed and approved for use by Alberta Environment, or hauled to the site and stored in cisterns, to the satisfaction of the Calgary Health Region.
- 3.2.2 Certified documentation is provided identifying the location of any existing septic fields/tanks and location of any existing water wells.
- 3.2.3 Disposal of wastewater shall be subject to all requirements of the Safety Codes Act, as

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amended, pursuant to this Bylaw.

3.2.4 Solid waste shall be disposed of on a regular basis at an approved disposal site.

3.3.0 Landscaping Requirements

3.3.1 Landscaping shall be provided in accordance with a Landscape Plan. The Landscape Plan shall be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location, type and extent of all hard and soft landscaping proposed for the lands, the plant material proposed, the methods of irrigation and maintenance, and shall require that a minimum of 10% of the lands within the development area shall be landscaped, excluding all areas not associated with permanent structures.

3.3.2 The quality and extent of landscaping established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed in the Landscape Plan.

3.3.3 Landscaping treatment within the Plan Area means the modification and enhancement of the surface area of a site through the use of any or all of the following elements:

- i) Soft landscaping consisting of vegetation such as berms, trees, shrubs, hedges, grass and ground cover; and,
- ii) Hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.

3.3.4 Any landscaping that dies shall be replaced by June 30 the following year.

3.3.5 All areas of the site not disturbed as part of the Development Permit shall be maintained in a natural state or under cultivation.

3.3.6 All area of the site has a weed control program in accordance with the Weed Control Act of Alberta, and confirmed in a Development Permit

3.4.0 Controlled Appearance

3.4.1 The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the lands must be acceptable to the Development Authority having due regard to the compatibility with and the effect on adjacent properties and the surrounding rural area.

3.4.2 A Parking Area shall be provided for within Cell B **and/or A** in accordance with the requirements of the Land Use Bylaw, as amended. The Parking Area shall be screened from adjacent building sites by implementing landscaping treatments required by 3.3.3 of this Bylaw.

3.4.3 Signage shall be considered concurrently with a Development Permit application and may be integrated into building architecture and shall be consistent with the overall development theme.

3.4.4 There shall be no flashing or animated signs.

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- 3.4.5 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.
- 3.5.0 Performance Standards
- 3.5.1 Garbage Storage - Garbage and waste material shall be stored in weatherproof and animal-proof containers. Such containers shall be located within buildings or adjacent to the side or rear of buildings, and shall be screened from view by all adjacent properties and roadways, all to the satisfaction of the Development Authority.
- 3.5.2 Fire Protection - Fire protection measures shall be provided, as may be required, by the Municipality and included in a Development Permit.
- 3.5.3 The provision of Food and Beverage Services within the site must be approved by all relevant provincial and Municipal authorities.
- ~~3.5.4 The seating area associated with Food and Beverage Services shall be limited to a maximum capacity of 150 people.~~
- ~~3.5.5 Hours of Operation - Uses listed in 2.2.1, 2.2.4, 2.2.7, 2.2.8, 2.2.11, 2.2.14 & 2.2.15 of this Bylaw shall operate seasonally between April 15 - November 15 and only between the hours of 8:00 am and 9:00 p.m.~~

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.
- ~~4.2.0 **Agricultural Tourism Use** means a business facility that provides for tourism ventures related to agriculture, such as petting zoos, wagon rides and other activities that are similar in character.~~
- 4.2.0 **Food and Beverage Services** – means a facility where food and ~~non-alcoholic~~ beverages are served or offered for sale for consumption within a *Principle or Accessory Building* whose seating area may be contained outside a *Principle or Accessory Building*.
- 4.3.0 **Maze Feature** – means a development featuring a maze (or labyrinth) that defines movement corridors using plants or other non-permanent material and may include picnic areas and other similar ancillary uses.

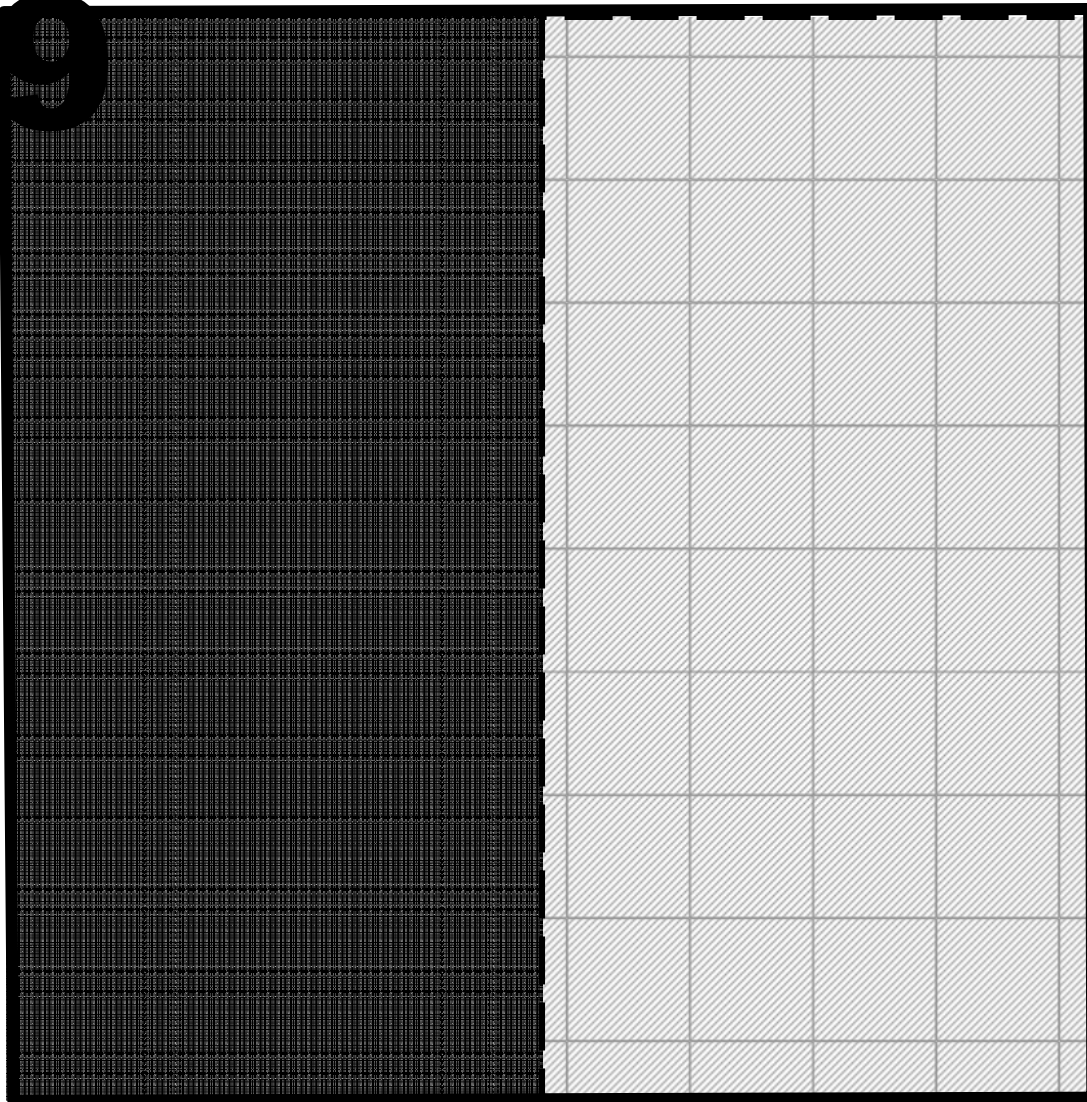
5.0.0 IMPLEMENTATION

- 5.1.0 The bylaw comes into effect upon the date of its third reading.

SCHEDULE "A"

BYLAW: C-6635-2008

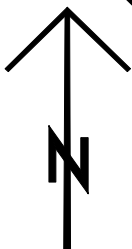
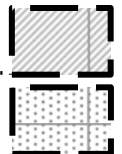
29



TWP. RD. 224

RGE. RD. 284 (Undeveloped)

AMENDMENT

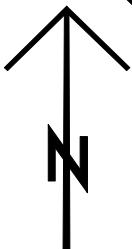
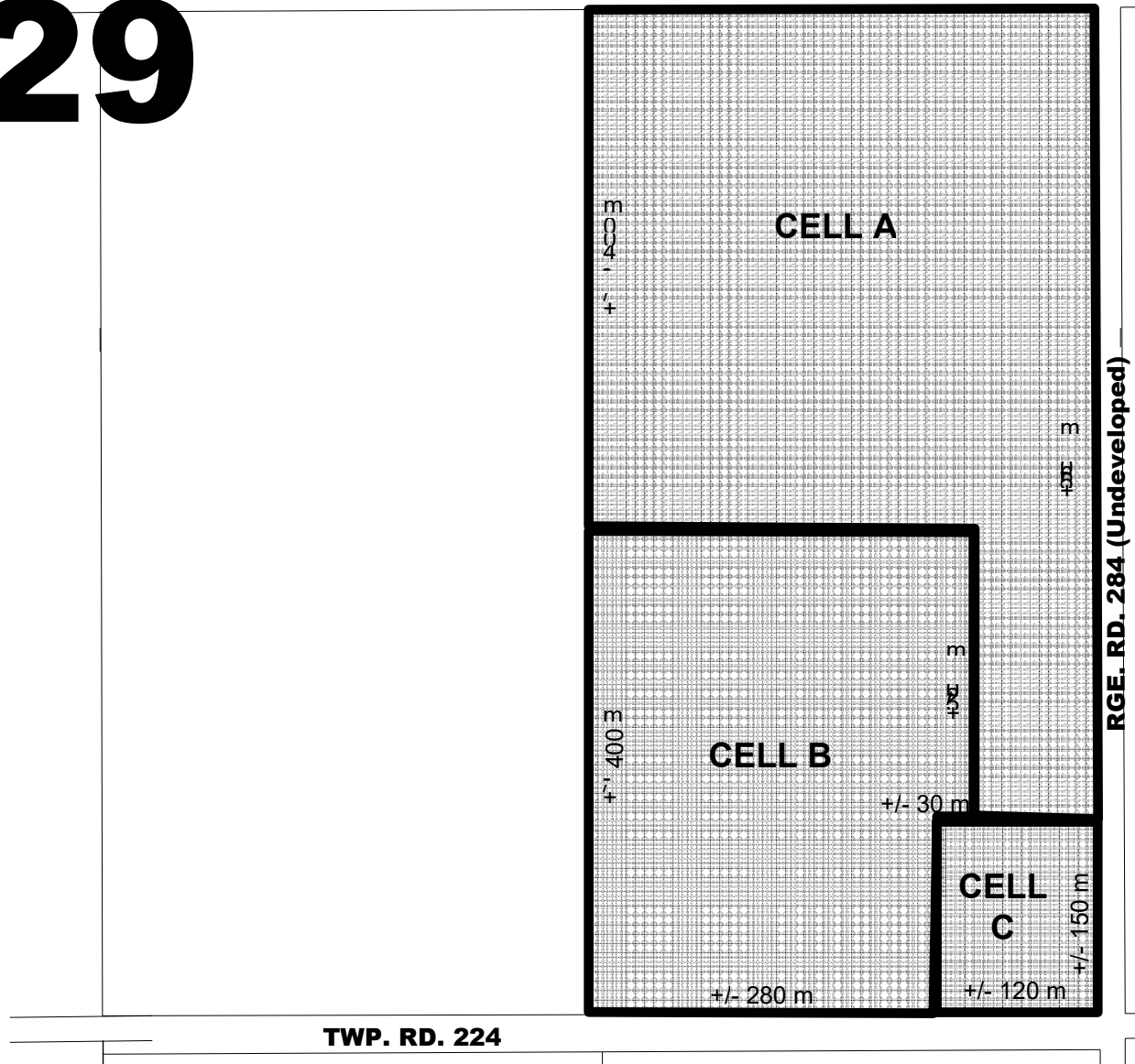
FROM Ranch and Farm District TO Direct Control DistrictFROM Ranch and Farm District TO Ranch and Farm Two District
Subject Land _____LEGAL DESCRIPTION: SE 29-22-28-W4MFILE: 02329001-2007-RV-480

DIVISION: 4



"SCHEDULE B" DEVELOPMENT CELLS

BYLAW: C-6635-2008

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LEGAL DESCRIPTION: SE 29-22-28-W4M



FILE: 02329001-2007-RV-480

DIVISION: 4