

BYLAW C-8085-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Direct Control Bylaw C-6688-2008 (DC-129).

The Council of Rocky View County enacts as follows:

Title

1 This Bylaw may be cited as *Bylaw C-8085-2020*.

Definitions

- Words in this Bylaw have the same meaning as those set out in the Direct Control Bylaw C-6688-2008 (DC-129), Land Use Bylaw C-4841-97, and the *Municipal Government Act* except for the definitions provided below:
 - (1) "Council" means the duly elected Council of Rocky View County;
 - (2) "Municipal Government Act" means the Municipal Government Act, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) "Rocky View County" means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

THAT Direct Control District (DC-129, Bylaw C-6688-2008) be amended as detailed in Schedule A forming part of this Bylaw.

Transitional

Bylaw C-8085-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



READ A FIRST TIME IN COUNCIL this	day of	, 2020
PUBLIC HEARING HELD this	day of	, 2020
READ A SECOND TIME IN COUNCIL this	day of	, 2020
READ A THIRD TIME IN COUNCIL this	day of	, 2020
	Reeve	
	Chief Administra	ative Officer or Designate
		ned



SCHEDULE 'A' FORMING PART OF BYLAW C-8085-2020

Amendment #1

Amend Section 5.2.0 as follows:

The lands within VC-1 Cell shall be notationally divided into two areas (Area A and Area B) and subcells, as per Schedule "C", in order to apply permitted uses. and development regulations. The location, size, and shape of each area are approximate and will be more precisely determined at the subdivision stage in a form and substance satisfactory to the County. Proposed development within each Area is to be and in accordance with the architectural guidelines at time of development permit.

Amendment #2

Add the 'Wellness Resort' as a use under Section 5.3.1 Village Core 1 Development Cell (VC-1) Area A

5.3.1.52 Wellness Resort

Amendment #3

Amend Section 5.4.0 as follows:

5.4.0 Minimum <u>Setback</u> Requirements:

a) The minimum building setback to a property line is 0 m (0 ft).

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a) Cell A (High Street - Waterfront Plaza):
      i) Front Yard:
             .1 Mixed-Use Development/Commercial Development: 0 m (0 ft).
                  All other uses: 3.5 m (11.8 ft).
             Side Yard:
             .1 Mixed-Use Development/Commercial Development: 0 m (0 ft).
             .2 All other uses: 1.2 m (3.9 ft).
             Rear Yard:
                    Mixed-Use Development/Commercial Development: 2 m (6.6
                    All other uses: 3.0 m (11.5 ft).
b) Cell B (Core Avenue):
      i) Front Yard:
                   Mixed-Use Development / Commercial Development/ Dwelling, Multi-
                    Family east of Cell A: 0 m (0 ft).
             .2 All other uses: 2.5 m (8.2 ft).
      ii) Side Yard: 1.2 m (3.9 ft).
             Rear Yard: 6.0 m (20 ft).
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e) Cell C (Beach Club Area):

i) Front Yard: 2.5 m (8.2 ft).

ii) Side Yard: 3.5 m (11.5 ft).

iii) Rear Yard: 3.0 m (9.8 ft).

d) Cell D (Balance of Village Core and Peninsula)

i) Front Yard: 2.5 m (8.2 ft).

ii) Side Yard:

.1 Dwelling Multi-Family; Dwelling, Semi-Detached; Dwelling, Single Detached; Dwelling, Row: 1.2 m (3.9 ft).

.2 All other uses: 3.5 m (11.5 ft).

iii) Rear Yard: 3.0 m (9.8 ft).
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Delete Section 5.6.0 b) vii) Building Orientation and Design – Residential Area as follows:

vii) For residential units with front attached garages, driveway lengths need to be a minimum length of 6.0 m (19.69 ft) from back of sidewalk or road curb to the front of the garage.

Amendment #5

Amend Section 5.8.0 a) Live/Work Units as follows:

a) That portion used for work purposes shall be restricted to the ground floor only and shall not exceed 50% of the gross floor area of all floors in the live/work unit.

Amendment #6

Delete Section 5.8.0 e) Live/Work Units as follows:

e) The non-residential components of live/work units shall be limited to the uses in this Cell.

Amendment #7

Delete Section 5.8.0 g) Live/Work Units as follows:

g) Residential units shall not be located below the second storey of the buildings on the High Street Site or the Waterfront Plaza Street excluding stairwells/entranceways.

Amendment #8

Amend Section 5.8.0 h) Live/Work Units as follows:

h) Except as provided elsewhere in this Bylaw, a portion of the *residential unit* may be located on the same floor as a non-residential use in the Mixed-Use / Commercial Areas provided it is no more than 30% of the net floor area excluding stair entry.



Delete Section 5.8.0 j) Live/Work Units as follows:

j) Except as provided in this Bylaw, the residential unit shall not be located at street level in the Mixed-Use / Commercial areas.

Amendment #10

Delete Section 5.8.0 k) Live/Work Units as follows:

k) Separate entrances shall be provided for the commercial and residential uses. Each entrance shall have direct or indirect (via a common hallway) access to a public street or parking area in the Mixed-Use / Commercial areas.

Amendment #11

Delete Section 5.9.0 b) Mixed-Use Development and Commercial Development as follows:

b) Residential units and commercial premises shall not be permitted on the same storey of a building.

Amendment #12

Delete Section 5.9.0 c) Mixed-Use Development and Commercial Development as follows:

c) Residential units shall not be located on the ground floor of a building excluding stairwells/entranceways to access such units.

Amendment #13

Amend Section 5.12.0 b) Retaining Walls and Fences as follows:

The height of a fence above grade measured at any point along the fence line, including the height of any retaining wall, which represents a logical vertical extension of the fence, shall not exceed 1.8 m (5.9 ft) 2.0 m (6.56 ft) unless otherwise allowed by the County.

Amendment #14

Delete Section 5.13.0 Special Regulations as follows:

5.13.0 Special Regulations

5.13.1 Notwithstanding Section 5.3.2, the following uses are not permitted within Cell C:

- a. Dwelling, Multi-Family
- b. Dwelling, Row
- e. Dwelling, Semi-Detached
- d. Dwelling, Single Detached
- e. Secondary Suite



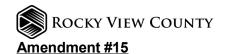
5.13.2 Notwithstanding 5.5.0 g), the maximum size of Retail Store, Local within Cell C is 464.5 m^2 (5,000 ft²).

Amendment #14

Amend Section 8.7.1 Village Residential 1 Development Cell Special Regulations as follows:

The front driveway connecting a garage (attached and/or detached) to a public road shall be a minimum length of 6.0 m (19.68 ft) in length, when measured from the back of a curb or back of sidewalk to the front of the garage whichever is greater .:

- 1. the back of the public sidewalk to the front of the garage; or
- 2. the road curb where there is no public sidewalk to the front of the garage.



Amend Table 1 – Village Residential Parcel Regulations as follows:

TABLE 1 (8.5.1) - Village Residential Parcel Regulations

<u> </u>		LOT WIDTH FRONTAGE 9		MINIMUM FRONT YARD SETBACKS		MINIMUM REAR YARD SETBACKS		MINIMUM SIDE YARD SETBACKS ^a		MAXIMUM RATIO	
HOUSING TYPE ⁹	Minimum	Maximum	MINIMUM LOT AREA m² (ft²)	Principal Building	Garage/Accessory Building	Principal Building	Attached or Detached Garage/Accessory Building	Principal Building/Attached Garage	Detached Garage/ Accessory Building	OF GARAGE TO TOTAL BUILDING FACE	MAXIMUM LOT COVERAGE (%)
	Metres	s (Feet)	III (IL)	Metres (Feet)		Metres (Feet)		Metres (Feet)		(%)	(7
REAR ACCESS	_										
Single Detached	13.41 (44.00)	15.23 15.24 (49.99) (50.00)	526.00 (5,661.82)		N.P.	9.00 (29.53) ^b	Attached or Detached Garage Minimum 6.00 (19.69) or Maximum 0.91 (3.00)	4.26 total/2.74 one side (14.00 total/9.00 one side)	1.52 (5.00)/0 if building side is constructed of maintenance-free materials 0.60 (1.97)	N.A.	40
	15.24 15.25 (50.00) (50.01)		607.00 (6,533.69) 324.00 (3,487.51) 243.00 (2,615.63)					4.88 total/3.35 one side (16.00 total/11.00 one side)		N.A.	
Semi- Detached	10.36 (34.00)	N.A.		(,		7.50 (24.60) ^b	Accessory Building 0.60 (1.97)	1.52 (5.00)/0 from property line on which a party wall is located	1.82 (6.00)/0 from property line on which a party wall is located	N.A.	55
Townhomes	9.14 (30.00)							1.52 (5.00)/0 from property line on which a party wall is located	2.43 (8.00)/0 from property line on which a party wall is located	N.A.	60
FRONT ACCES	S										
Single Detached	18.29 (60.00)	24.37 24.38 (79.99) (80.00)	728.00 (7,836.13)	6.00 (19.69)		9.00 (29.53)	Attached or Detached Garage f Minimum 6.00 (19.69) or Maximum 0.91 (3.00)	5.48 total/3.35 one side (18.00 total/11.00 one side) °	0.60 (1.97)	60 ^d	
	24.38 24.39 (80.00) (80.01)	30.47 30.48 (99.99) (100.00)	1012.00 (10,893.08)		10.50 (34.45)			6.70 total/4.57 one side (22.00 total/15.00 one side) ^c		50 ^d	35
	30.48 30.49 (100.00) (100.01)		1,335.00 (14,369.82)	9.00 (29.53)°		12.00 (39.37)	Accessory Building 0.60 (1.97)	9.14 total/6.09 one side (30.00 total/20.00 one side) ^c		45 ^d	
Semi- Detached	13.41 (44.00)	N.A.	N.A. 404.00 (4,348.62) 319.00 (3,433.69)	6.00 (19.69)		7.50 (24.60)	Attached or Detached Garage N.P.	1.52 (5.00)/0 from property line	1.82 (6.00)/0 from property line on which a party wall is located	N.A. ^d	50
Townhomes	10.97 (36.00)				0.00 (13.03)			Accessory Building 0.60 (1.97)	on which a party wall is located	2.43 (8.00)/0 from property line on which a party wall is located	60 ^d

For rules regarding minimum projection into the side yard, refer to the Development Regulations section of the Rocky View County Land Use Bylaw. Where it can be demonstrated that a relaxation of up to 0.05 m is required, and it can be demonstrated that the relaxation is required due to construction error, Administration may grant a relaxation at its sole discretion.

Where a rear garage is attached to the principle building, the minimum rear yard setback shall be 6.00 metres (19.69 feet) or a maximum of 0.91 m (3.00 feet).

Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).

d If garage front is parallel to street then garage eaveline shall not project greater than 2.43 metres (8.00 feet) from the eaveline of the house front.

Minimum front yard reduced to 6.10 metres (20.00 feet) if garage doors do not face the street is oriented perpendicular to street.

Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control process. If driveway access is provided to a rear garage from both the front and the rear (i.e. a drive-through garage), the minimum 6.00 (19.69) and maximum 0.91 (3.00) attached/detached garage rear setbacks apply.

g. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.

^{*} N/A indicates "Not Applicable"

^{**} N.P. indicates "Not Permitted"



Amend Section 9.7.1 Village Residential 2 Development Cell Special Regulations as follows:

The <u>front</u> driveway connecting a garage (attached and/or detached) to a public road shall be a minimum length of 6.0 m (19.68 ft) in length, when measured from the back of a curb or back of sidewalk to the front of the garage whichever is greater:

- 1. the back of the public sidewalk to the front of the garage; or
- 2. the road curb where there is no public sidewalk to the front of the garage.

Amendment #17 Amend Table 2 – Village Residential 2 Parcel Regulations as follows:

HOUSING TYPE	LOT WIDTH FRONTAGE 9		MINIMUM	Parcel Regulations MINIMUM FRONT YARD SETBACKS		MINIMUM REAR YARD SETBACKS		MINIMUM SIDE YARD SETBACKS ^a		MAXIMUM RATIO OF	
	Minimum	Maximum	LOT AREA m² (ft²)	Principal Building	Garage/Accessory Building	Principal Building	Attached or Detached Garage/Accessory Building	Principal Building/ Attached Garage	Detached Garage/ Accessory Building	GARAGE TO TOTAL BUILDING FACE (%)	MAXIMUM LOT COVERAGE (%
	Metres (Feet)		(1)	Metres (Feet)		Metres (Feet)		Metres (Feet)			
REAR ACCESS											
	11.58 (38.00)	13.40 13.41 (43.99) (44.00)	380.00 (4,090.27)	4.50 (14.76)			Attached or Detached	3.05 total/1.52 one side (10.00 total/5.00 one side)			45
Single Detached	13.41 -13.42 (44.00) (44.01)	15.23 15.24 (49.99) (50.00)	442.00 (4,736.12)			9.00 (29.53) ^b	Garage Minimum 6.00 (19.69) or	3.66 total/1.52 one side (12.00 total/5.00 one side)	1.52 (5.00)/0 if building side is constructed of maintenance-free		
	15.24 15.25 (50.01)		500.00 (5,381.96)	6.00 (19.69)			Maximum 0.91 (3.00)	4.26 total/1.52 one side (14.00 total/5.00 one side)	materials 0.60 (1.97)		45
Single- Detached (Wide Shallow)	17.07 (56.00)		460.00 (4,951.40)	4.50 (14.76)	N.P.		Accessory Building 0.60 (1.97)	3.66 total/1.52 one side (12.00 total/5.00 one side)	1.52 (5.00) one side	N.A.	45
Semi-Detached	10.36 (34.00)	N.A.	310.00 (3,336.81)	6.00 (19.69)		7.50 (24.60)	Attached/Detached Garage	1.52 (5.00)/0 from property line on which a party wall is located	1.82 (6.00)/0 from property line on which a party wall is located		55
Townhomes	6.10 (20.00) two party walls / 9.14 (30.00) one party wall		200.00 (2,152.78)	4.50 (14.76)			N.A. Accessory Building 0.60 (1.97)	1.52 (5.00)/0 from property line on which a party wall is located	2.43 (8.00)/0 from property line on which a party wall is located		60
FRONT ACCESS											
Single Detached	12.09 12.19 (40.00)	14.01 14.02 (45.99) (46.00)	395.00 (4,251.75)	6.00 (19.69)		9.00 (29.53) 8.00 (26.24)		3.05 total/1.52 one side (10.00 total/5.00 one side) °		75 67 ^d	45
	14.02 14.03 (46.00) (46.01)	18.28 18.29 (59.99) (60.00)	460.00 (4,951.40)				Attached or Detached Garage ^f Minimum 6.00 (19.69) or Maximum 0.91 (3.00)	3.66 total/1.52 one side (12.00 total/5.00 one side) ^c	0.60 (1.97)	65 ^d	40
	18.29 18.30 (60.00) (60.01)	24.28 24.38 (79.99) (80.00)	600.00 (6,458.35)			9.00 (29.53)		4.87 total/1.52 one side (16.00 total/5.00 one side) °		60 ^d	
	24.29 24.39 (80.00) (80.01)	30.47 30.48 (99.99) (100.00)	800.00 (8,611.13)	9.00 (29.53) °		10.50 (34.45)	Accessory Building	5.48 total/1.52 one side (18.00 total/5.00 one side) ^c		50 ^d	35
	30.48 30.49 (100.00) (100.01)	N.A.	1,000.00 (10,763.91)			12.00 (39.37)	6.70 total/2.13 one side (22.00 total/7.00 one side) c		45 ^d	33	
Single Detached (Wide Shallow)	21.95 (72.00)	N.A.	570.00 (6,135.43)	4.50 (14.76)		9.00 (29.53 <mark>)</mark>		4.26 total/1.52 one side (14.00 total/5.00 one side) ^c		60 ^d	40
Semi-Detached	13.41 (44.00) 11.58 (38.00)	13.40 (43.99) (44.00)	324.00 (3,487.51)	6.00 (19.69)		7.50 (24.60)	Attached or Detached Garage 1.52 (5.00)/0 from			65 ^d	50
	13.41 (44.01)	N.A.	402.00 (4,327.09)				N.A. N.P.	which a party wall is located		60 ^d	
Townhomes	10.97 (36.00)	N.A.	328.00 (3,530.56)		Accessory Building 0.60 (1.97)		1.52 (5.00)/0 from property line on which a party wall is located	ine on which a party wall is property line on which		55	

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- a. For rules regarding minimum projection into the side yard, refer to the Development Regulations section of the Rocky View County Land Use Bylaw. Where it can be demonstrated that a relaxation of up to 0.05 m is required, and it can be demonstrated that the relaxation is required due to construction error, Administration may grant a relaxation at its sole discretion.
- b. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet) or a maximum of 0.91 m (3.00 feet).
- c. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).
- d. If a garage front is parallel to street, then garage eaveline shall not project greater than 2.43 m (8.00 ft) from the eaveline fe of the house front.
- e. Minimum front yeard yard reduced to 6.10 m (20.00 feet) if garage is oriented perpendicular to street.
- f. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Buildign Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control Process. If driveway access is provided to a rear garage from both the front and the rear (i.e. a drive-through garage), the minimum 6.00 (19.69) and maximum 0.91 (3.00) rear attached/detached garage setbacks apply
- g. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer

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Add the following definitions under Section 10.0

Front Yard Setback – Unless otherwise specified, the Front Yard Setback means the perpendicular distance as measured between that part of a building nearest to the front property line.

Lot Frontage – The distance between the side properly lines measured at a point set back 6 m from either the front property line or rear property line (whichever is shortest) utilizing an angle perpendicular to the average azimuth angles of the two side property lines. Lot Frontages are calculated at time of subdivision and identified for each parcel in the Lot Frontage Plan, provided by the developer.

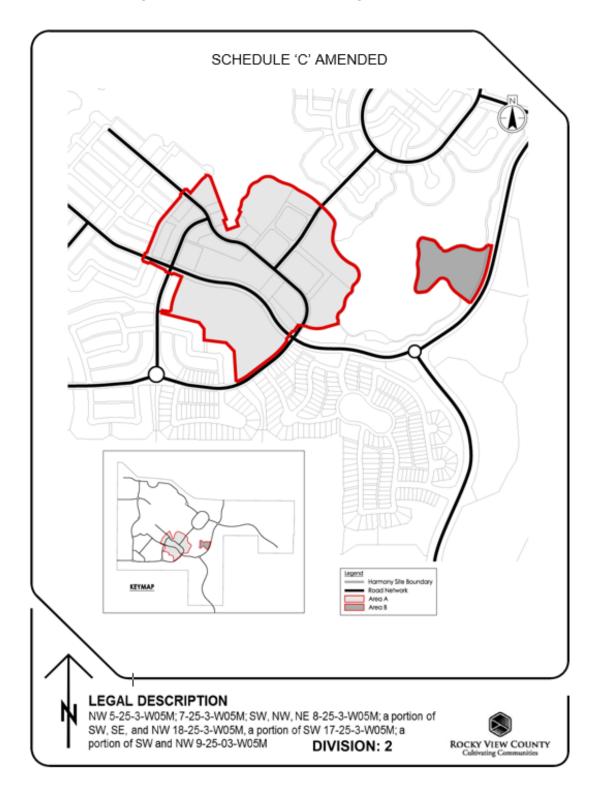
Rear Yard Setback - Unless otherwise specified, the Rear Yard Setback means the perpendicular distance as measured between that part of a building nearest to the rear property line.

Side Yard Setback - Unless otherwise specified, the Side Yard Setback means the perpendicular distance as measured between that part of a building nearest to the side property line.

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Replace the existing Schedule 'C' with the following map:





Overall Abbreviations, Numbering, Grammar, Spelling and Punctuation

- Renumbering the Bylaw as required.
- Wherever the renumbering of the Bylaw affects a numbering reference elsewhere in the Bylaw, adjust the affected reference.
- Italicize all definitions within the Bylaw.
- Without changing the meaning or intent of the Bylaw, correct all grammatical, spelling, punctuations and spacing errors.
- Without changing the meaning or intent of the Bylaw, relabel 'The Municipal District of Rocky View No. 44' to 'Rocky View County'.