



# BYLAW C-8086-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

## Title

- 1 This Bylaw may be cited as *Bylaw C-8086-2020*.

## Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
  - (1) **“Accessory Buildings”** means any permanent structure on the site which may or may not require servicing, as is accessible to all members of the development. These include but are not limited to:
    - a. Recreational Buildings;
    - b. Community Buildings;
    - c. Workshops;
  - (2) **“Council”** means the duly elected Council of Rocky View County;
  - (3) **“Detached Single Family Dwelling”** means a building over 5 meter (16.4 feet) in width containing one dwelling unit which is completely separated on all sides from any other dwelling or structure and, except as otherwise allowed by this Bylaw;
  - (4) **“Developer”** refers to the owner and operator of the Lands;
  - (5) **“Development”** means:
    - a. any excavation or stockpile and the creation of either of them;
    - b. a Building or an addition to, or replacement, or repair of a Building and the construction of placing in, on, over or under land of any of them;
    - c. a change in use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change of use of the land or the Building; or
    - d. a change in the intensity of the use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in the change of intensity of use of the land or the Building.



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- (6) **“Mobile Single Family Dwelling”** means a dwelling unit, which may be moved or relocated with the use of equipment, but not on its own;
- (7) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
- (8) **“Plot Plan”** means a dimensional plan to scale which shows the boundaries of the site and the location of existing and or proposed buildings and the distances which separate buildings, proposed buildings, and boundaries;
- (9) **“Professional Engineer”** is a professional engineer who is a member in good standing with the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA);
- (10) **“Recreation Vehicle Dwelling”** refers to a recreational vehicle which may be parked and skirted to have the appearance of a permanent structure;
- (11) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
- (12) **“Seniors”** persons who have attained the age of 50 years or more;
- (13) **“Site Development Plan”** means a plan which shows each site within a Development Cell and the area within each site where a building could be located pursuant to Section 2.0.0 of this Bylaw;
- (14) **“Storage Facilities”** referring to any non-permanent structure which may be moved without disassembly;
- (15) **“Vehicle Storage and Parking Area”** means the area of a site set aside for the parking and /or storage of vehicles, including recreation vehicles;

**Effect**

- 3 THAT Part 5, Land Use Map No. 32 & 32 NW of Bylaw C-8000-2020 be amended by redesignating Area A, Plan 9710719, within SW-30-23-27-W4M from Business, Agriculture District, and Agricultural, Small Parcel District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT Area A, Plan 9710719, within SW-30-23-27-W4M is hereby redesignated to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 5 That the guidelines of the Direct Control District comprise:
  - 1.0 General Regulations
  - 2.0 Land Use Regulations
  - 3.0 Definitions
  - 4.0 Implementations

**1.0 GENERAL REGULATIONS**

- 1.1. Notwithstanding any provisions to the contrary, the residents (lease holders) of the residential units or the subject lands shall be “Seniors”.
- 1.2. Except where specifically noted that Council approval is required, the Development Officer shall consider and decide on application for development permits for those uses which are listed as “Permitted Uses” and “Discretionary Uses” by this bylaw.
- 1.3. The Development Officer shall cause to be issued Development Permits which have been approved.
- 1.4. In addition to the “Permitted Uses” contemplated in Section 2 herein, the following shall be “Discretionary Uses” subject to the approval of the Municipality.
  - 1.4.1 Private roads necessary for access; and private roads contemplated herein shall be constructed in accordance with geometric design guidelines and standards prepared by a professional engineer and submitted by the Developer to the satisfaction of the Municipality.
  - 1.4.2 All utility distribution and collection systems necessary to service the Development (excluding water and sewage treatment and disposal systems).
  - 1.4.3 Pedestrian pathways.
  - 1.4.4 Parking and Loading facilities in accordance with Section 30 of the Land Use Bylaw.

**2.0 LAND USE REGULATIONS**

- 2.1. The purpose and intent of this District is to provide for the use of Lands to accommodate a seniors recreational facility with related ancillary uses, and provided for future development needs of the facility.
- 2.2. List of Permitted Uses
  - 2.2.1 Detached Single Family Dwelling
  - 2.2.2 Storage Facilities
- 2.3. List of Discretionary Uses
  - 2.3.1 Mobile Single Family Dwelling
  - 2.3.2 Recreation Vehicle Dwelling
  - 2.3.3 Accessory buildings
    - a) Recreational Buildings
    - b) Community Building



## 2.3.4 Fences

2.4. Minimum and Maximum Requirements

## 2.4.1 Maximum area of Site – 33.82 hectares (83.56 acres)

The following requirements shall apply to all principal and accessory buildings only.

## 2.4.2 Minimum Front Yard

- a) 7.62m (25 ft.) from edge of internal roadway

## 2.4.3 Minimum Side Yard

- a) 0.91m (3 ft.) for Dwellings
- b) 0.91m (3ft.) for Accessory Buildings

## 2.4.4 Minimum Rear Yard

- a) 3.05m (10 ft.)

## 2.4.5 Maximum requirements of buildings or structures

- a) Minimum site area 275 sq.m. (2,960 sq.ft)
- b) Maximum structure height 7.92m (26 ft.)
- c) Dwelling floor area 139.4 sq.m (1,500 sq.ft)
- d) Storage Facility floor area 11.14 sq.m (1203 sq.ft)
- e) Workshop floor area 557.42 sq.m (6000 sq.ft)
- f) Community building 613.16 sq.m (6,600 sq.ft)
- g) Recreational buildings 613.16 sq.m (6,600 sq.ft)

2.5. Site Access

- 2.5.1 Access to and from the development will be controlled by way of “key card” access.
- 2.5.2 Community building access will be available by “key card” access
- 2.5.3 Access to community “blocks” within the development will be controlled by “key card”

**3.0 DEVELOPMENT REGULATIONS**



- 3.1. No development of the Lands for any use shall be permitted, no Development Permits or Building Permits for any use shall be issued by the Development Officer until:
- 3.1.1 The Developer has received the approval of Council and Alberta Environment with respect to the provision of private wastewater collection, treatment and disposal facilities within the Lands to service the proposed development and the Developer has submitted to and had approved by Council and Alberta Environment, complete plans and specifications thereof and said facilities have been substantially constructed and completed in accordance therewith, and;
  - 3.1.2 The provisions of Section 3.1.0 b), c), d), e), f), g) and h) have been completed in form and substance satisfactorily to the Municipality;
  - 3.1.3 All necessary licenses, permits and approvals have been received from Alberta Environment and the Municipality with respect to the design, location and operation of the sewage treatment facilities servicing the Lands or portions thereof to the satisfaction of the Municipality;
  - 3.1.4 The Developer has received the approval of Council and Alberta Environment with respect to the provision of a private water supply,
  - 3.1.5 Treatment and distribution system within the Lands to service the proposed residential subdivision and/or development and the Developer has submitted to and had approved by Council and Alberta Environment, complete plans and specifications thereof and said facilities have been substantially constructed and completed in accordance therewith, provided however, that the Municipality may endorse a plan of subdivision for the Lands or portions thereof, (provided the plan of subdivision is otherwise satisfactory) or issue development permits for residential development, if the Developer and the Municipality enter into a Development Agreement, and the developer deposits with the Municipality a Letter(s) of Credit in an amount(s) equivalent to the estimated total cost to complete the construction of the facilities according to the said plans and specifications as certified by independent qualified professionals at the developer's expense, all at the sole discretion and satisfaction of the Municipality; and
  - 3.1.6 The provisions of Section 3.1.0 a), b), d), e), f), g) and h) have been completed in form and substance satisfactorily to the Municipality;
  - 3.1.7 All necessary licenses, permits and approvals have been received from Alberta Environment with respect to a water supply and distribution system to service the Lands or portions thereof;
  - 3.1.8 All necessary easements and rights-of-way related to the supply and distribution of power, water, gas and wastewater collection, treatment and disposal have been approved by the Municipality and registered concurrently with the final plan of development by the Developer against title to the Lands or portions thereof;



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- 3.1.9 The developer is solely responsible for the construction, maintenance, operation and inspection of all off-site and on-site sewer and water treatment facilities and appurtenances thereto.
- 3.2. Wastewater treatment and disposal systems utilizing septic tanks and tile fields are not permitted within the lands.
- 3.3. A minimum of 30% of the subject lands shall be landscaped in accordance with the site development plan.
- 3.4. All permanent structures on the subject lands shall conform to an architectural theme as approved by the development officer.

**Severability**

- 6 If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

**Effective Date**

- 7 Bylaw C-8086-2020 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

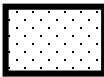
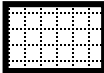
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Reeve

\_\_\_\_\_  
Chief Administrative Officer or Designate

\_\_\_\_\_  
Date Bylaw Signed



## Schedule 'A'

Bylaw  
C-8086-2020AmendmentFROMAgricultural,  
Small Parcel  
DistrictTODirect Control  
DistrictFROMBusiness,  
Agriculture DistrictTODirect Control  
District

SEC HWY 791

791

± 29.91 ha  
(± 73.91 ac)± 3.91 ha  
(± 9.65 ac)

560

GLENMORE TRAIL