

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-5086-99	Original Bylaw	September 14, 1999
C-7644-2017	Add Section 2.5.15 to include Child Care Facility and School or College, Commercial	March 28, 2017
C-8040-2020	Amend Section 1.0.0, 2.3.0, 2.12.1, 2.13.0, 2.14.0, 3.3.0, 4.0.0 and Add Section 2.3.16 for a lot specific amendment	

DIRECT CONTROL BYLAW REGULATIONS

The regulations of the 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 The **Operative and Interpretive Clauses (Part One)**, General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this bylaw.
- 1.2.0 Except where specifically noted that Council approval is required, the Development Authority shall consider and decide on applications for Development Permits for those uses which are listed as ~~“Permitted Uses” and~~ “Discretionary Uses” in this bylaw.
- 1.3.0 For the purposes of the bylaw, the Lands shall be notionally divided into three Development Cells, the boundaries and description of which shall be more or less as shown in Schedule “B” attached to and forming part of this bylaw, except as otherwise approved by Council.
- 1.4.0 In addition to the uses contemplated by Section 2.0.0 of this bylaw, underground *utility* distribution and collection systems necessary to service the *development* of the lands identified in Schedule “A” of this bylaw shall be Discretionary Uses in all Development Cells, subject to the approval by the Development Authority with a Development Permit.
- 1.5.0 All permitted uses, which otherwise satisfy the requirements and regulations of this bylaw, do not require a Development Permit
- ~~1.5.0 For the purposes of this bylaw, the following sections of Land Use Bylaw C-4841-97 shall apply to all Development Cells in addition to any requirement relating to them found elsewhere in this bylaw:~~
 - ~~1.5.1 Section 42 relating to fences;~~
 - ~~1.5.2 Section 35 relating to signs;~~
 - ~~1.5.3 Section 30 relating to parking and loading; and~~
 - ~~1.5.4 Section 26 relating to landscaping and screening.~~

2.0.0 LAND USE REGULATIONS

- 2.1.0 Land Use Regulations for Commercial Land Uses Development Cell ‘A’
- 2.2.0 Permitted Uses
 - 2.2.1 Fences
 - 2.2.2 Pathways and Landscaping

2.2.3 Driveways

2.3.0 Discretionary Uses

2.3.1 Health Care Services

~~2.3.2 Grocery Store~~

2.3.3 Personal Service Business

~~2.3.4 Post offices~~

2.3.5 Restaurants

~~2.3.6 Retail Store~~

2.3.7 Drinking Establishment

2.3.8 Liquor Sales

2.3.9 Outdoor Café

2.3.10 Signs

2.3.11 *Dwelling unit* ancillary and subordinate to the principal commercial ~~land~~ use~~2.3.12 Loading areas for the principal commercial use~~~~2.3.13 Parking areas related to the subordinate dwelling unit~~~~2.3.14 Attached garages ancillary and subordinate to a dwelling unit~~2.3.15 **The following additional uses on UNIT 22, Plan 0010821 Excepting-out Unit 22 Condominium Plan 0010821, which will include the following institutional uses:**

- (i) Child Care Facility; and
- (ii) School or College, Commercial.

2.3.16 The following additional use on UNITS 5 & 6, Plan 0010821

- (i) Animal Health Care Services, Small Animal**

2.3.17 Retail Food Store**2.3.18 Retail Garden Centre****2.3.19 Retail Store, Local**

2.4.0 Maximum Requirements

2.4.1 Number of Bareland Condominium Units - 17

2.4.2 Number of commercial *buildings* per condominium unit - 12.4.3 Number of *dwelling units* permitted within a condominium unit – 12.4.4 Number of *dwelling units* within Development Cell 'A' – 16

2.4.5 Condominium Unit size – 0.10 hectares (0.25 acres)

2.4.6 *Building Height* – 10.0 metres (32.8 feet)

2.4.7 Area of Development Cell 'A' – 0.57 hectares (1.40 acres)

- 2.4.8 Width of an individual condominium unit – 31.8 metres (104.4 feet)
- 2.4.9 Ground Floor Size of a commercial *building* – 351 square metres (3,779 square feet)
- 2.5.0 Minimum Requirements
 - 2.5.1 Width of a Condominium Unit – 6.3 metres (21 feet)
 - 2.5.2 Habitable floor area per ancillary and subordinate *dwelling unit* – 62 square metres (667.3 square feet)
 - 2.5.3 Size of a commercial *building* – 100 square metres (1076.4 square feet)
- 2.6.0 Special Requirements
 - 2.6.1 A subordinate and ancillary *dwelling unit* shall be part of and contiguous with the *building* that contains the principal commercial land use (ie: on the second floor above the commercial *building*, or attached to the commercial *building*, or a combination thereof, but not a separate detached *building*).
 - 2.6.2 The entrance and parking for a *dwelling unit* shall be located on the west side of each commercial *building*.
- 2.7.0 Land Use Regulations for Access and Landscaping Development Cell 'B'
 - 2.8.0 Permitted Uses
 - 2.8.1 Fences
 - 2.8.2 Pathways, landscaping and open space
 - 2.8.3 Condominium access driveways
 - 2.9.0 Maximum Requirements
 - 2.9.1 Area of Development Cell 'B' – 0.14 hectares (0.36 acres)
 - 2.9.2 Number of bareland condominium units – 1
- 2.10.0 Land Use Regulations for Access, Parking and Landscaping Development Cell 'C'
 - 2.11.0 Permitted Uses
 - 2.11.1 Fences
 - 2.11.2 Pathways, landscaping and open space
 - 2.11.3 Parking and loading areas
 - 2.12.0 Discretionary Uses
 - 2.12.1 **Accessory Building** ~~Parking Garage, detached~~
 - 2.13.0 Maximum requirements
 - 2.13.1 Number of **Accessory Buildings (detached garage)** ~~detached parking garages~~ – 3
 - 2.13.2 Number of parking stalls per **Accessory Building (detached garage)** ~~garage~~ – 2
 - 2.13.3 Area of Development Cell "C" – 0.83 hectares (2.06 acres)
 - 2.13.4 Height of **Accessory Building (detached garage)** ~~parking garage~~ –

5.50 metres (18.00 feet)

2.13.5 Number of bareland condominium units – 1

2.14.0 Minimum Requirements

2.14.1 Front yard setback for **Accessory Buildings (detached garage)**
~~parking garage~~ – 45.00 metres (147.63 feet)

2.14.2 Rear yard setback for **Accessory Buildings (detached garage)**
~~parking garage~~ – 9.00 metres (29.52 feet)

2.14.3 Side yard setback for **Accessory Buildings (detached garage)** ~~parking garage~~ – 3.00 metres (9.84 feet)

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 *applicant* has prepared a storm water management plan, dealing with both on-site and off-site storm water, completed by a qualified professional engineer licensed to practice in the Province of Alberta, that is satisfactory to the Municipality, and which shows that the *development* will not adversely affect the *adjacent land*. Further, the storm water management plan shall ensure that post-*development* storm water flows do not exceed pre-*development* storm water flows;
 - 3.1.2 The *applicant* has prepared an overall site grading plan completed by a qualified professional engineer licensed to practice in the Province of Alberta for the entire *development* (that area identified in Schedule 'A') that is based on the storm water management plan identified in section 3.1.1 and the hydrogeological study in section 3.1.4, and which recommends specific grades for the area identified in Schedule 'A', to the satisfaction of the Municipality;
 - 3.1.3 The *applicant* has prepared a Traffic Impact Analysis for the entire *development* (all condominium units contained within Development Cell 'A') completed by a qualified professional engineer licensed to practice in the Province of Alberta, and it has been approved by the Municipality, and further, that all road improvements identified in the Traffic Impact Analysis be completed or financially secured by *letter of credit* by the *applicant* at his/her sole expense;
 - 3.1.4 The *applicant* has completed a hydrogeological study prepared by a qualified professional engineer licensed to practice in the Province of Alberta, that establishes the level of the existing groundwater table, and which recommends and sets *building* grades and elevations to the satisfaction of the Municipality;
 - 3.1.5 The *applicant* has submitted a Construction Management Plan completed by a qualified professional engineer licensed to practice in the Province of Alberta, which details, amongst other items, erosion, dust and noise control measure, construction traffic access, and hours of construction; and,
 - 3.1.6 The *applicant* has submitted a plan to the Municipality which indicates adequate numbers of fire hydrants and sufficient fire-fighting access so that fire-fighting vehicles and equipment can access the site, as well as sufficient fire flow pressures from the fire hydrants, to the sole and unfettered discretion of the Rocky View Fire Chief.
 - 3.1.7 Pedestrian access to the area identified in Schedule 'A' of this bylaw be provided

across SH #797 (Centre Street) from the NW-22-23-27-W4M via a pedestrian crossing that is marked and signed, at the sole expense of the *applicant*, and to the sold and unfettered satisfaction of the Municipality.

3.2.0 Servicing Standards

- 3.2.1 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:
- (a) the *applicant* has received all necessary permits and/or approvals from Alberta Environment for a wastewater collection and disposal system and water supply system necessary to service the proposed *development*;
 - (b) all necessary easements and rights-of-way related to the supply and distribution of power, water and gas have been approved by the Municipality.
 - (c) the *applicant* has submitted a report prepared by a qualified professional engineer licensed to practice in the Province of Alberta, stating that there is sufficient capacity in the Hamlet of Langdon sewage treatment system to accommodate all sewage generated by the proposed *development*; and further, that this report and its recommendations shall be reviewed and approved by an independent third party professional engineer licensed to practice in the Province of Alberta at the *applicant's* sole expense, to the sole satisfaction and unfettered discretion of the Municipality;
 - (d) Water to each unit in Development Cell 'A' shall be provided via a piped treated surface water supply system in accordance with the requirements of Alberta Environment and the Municipality; and,
 - (e) Sewage collection and disposal shall be provided by connection to the Hamlet of Langdon sewage treatment system in accordance with the requirements of Alberta Environment and the Municipality.

3.3.0 Performance Standards

- ~~3.3.1 All on-site lighting shall be located, oriented and shielded to prevent any adverse effect on adjacent lands.~~
- 3.3.2 Garbage and waste material at any location within the lands shall be stored in weatherproof and animal-proof containers located within *buildings* or adjacent to the side or rear of *buildings* and shall be screened from view by all adjacent properties and roadways.
- 3.3.3 Signage shall be ~~considered concurrently with a Development Permit application for each building, and shall be~~ integrated into the site and *building* architecture and be consistent with the overall *development* of the lands.
- 3.3.4 Landscaping shall be provided in accordance with a Landscaping Plan to be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location, type and extent of all landscaping proposed for the lands, and shall require that a minimum of 10% of the lands be landscaped. Within this landscaped area, there shall be a minimum of one (1) tree for every 50 square metres (538.2 square feet). There shall be a combination of deciduous trees with a minimum caliper of 2.5 inches and/or coniferous trees with a minimum height of 5 feet.
- 3.3.5 Parking and loading facilities, where proposed, shall be provided for in

accordance with the requirements of the Land Use Bylaw, except that parking shall be screened and/or landscaped pursuant to 3.3.4 above.

- 3.3.6 No use within any *building* or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the *building* that contains them.
- 3.3.7 No use or operation within a *building* shall cause or create the emission of odourous matter or vapour beyond the *building* that contains the use or operations.
- 3.3.8 No use or operation within a *building* shall cause or create the emission of toxic matter beyond the *building* that contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

3.4.0 Building Standards

- 3.4.1 The design, character and appearance of any *buildings*, structure or signs proposed to be erected or located on the lands must be acceptable to the Development Authority having due regard to:
 - (a) the general compatibility with the designs of the *buildings* shown on the attached Schedule 'C';
 - (b) the use of traditional and historic *building* materials, such as wood or imitation-wood siding, brick or stone.
 - (c) the *building* massing which should present a profile that reflects the traditional *building* forms associated with a small agricultural community; and,
 - (d) the *building* façade parallel to Centre Street which should avoid long unbroken expanses through the use of architectural detailing and window placement.

- 3.5.0 Notwithstanding section 3.1.0 and 3.2.0 of this bylaw, the Development Authority may issue a Development Permit for stripping and grading without the requirement for advertising as required by the Land Use Bylaw (Bylaw C-4841-97).

4.0.0 DEFINITIONS

- 4.1.0 All words and uses not defined in this section shall be defined as per Section 8 of Bylaw C-4841-97, **as amended**.

~~4.2.0 *Adjacent land* means a title of land that is contiguous to the lands and includes land that would be contiguous if not for a public roadway, river, stream or municipal reserve parcel.~~

~~4.3.0 *Applicant* means the person(s) or company(ies) that own or have a right to own all of or a portion of the lands.~~

~~4.4.0 *Building* includes anything constructed or placed, in over or under land but does not include a highway, public or private roadway or underground utilities.~~

- 4.5.0 *Development* – means:

- (a) **any excavation or stockpile and the creation of either of them, a building or an addition to, or replacement, or repair of a building and construction of placing in, on, over or under land or any of them;**
- (b) **a building or an addition to or replacement or repair of a building and the**

~~construction or placing of any of them on, in, over or under land, a change of 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 in the use of the land or building; or,~~

- (c) ~~a change of 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 in the use of the land or building, or~~
- (d) ~~a change~~ in the intensity of use of land, or a building or an act done in relation to land or a building, that results in or is likely to results **in or is likely to result** in a change in the intensity of use in the land or building.

~~4.6.0 Dwelling unit means a self-contained portion of a building with one common-cooking/eating facility, sleeping and sanitary facilities for domestic use of one or more individuals.~~

4.7.0 *Letter of credit* – means an unconditional, irrevocable, *letter of credit* issued by a Canadian chartered bank at the request of the development naming the Municipality as the sole beneficiary thereof.

~~4.8.0 Utilities means water treatment and distribution and wastewater collection, treatment and disposal facilities, gas, electricity, cable and telephone transmission lines and related facilities and relevant appurtenances necessary to service the development or portions in the area covered by this bylaw.~~

5.0.0 IMPLEMENTATION

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