



## THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any Prior to Release conditions (if listed) *must* be completed.

## NOTICE OF DECISION

Drews, Jerry

Page 1 of 4

Tuesday, April 22, 2025

Roll: 06135006

**RE: Development Permit #PRDP20243683**

**SW-35-26-26-04; (265068 RGE RD 262)**

The Development Permit application for Cannabis Cultivation (existing accessory building), relaxation to the minimum dwelling unit separation distance requirement and relaxation to the maximum fence height requirement [replacement of PRDP20234443] has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

### Description:

1. That Cannabis Cultivation within an existing accessory building, approximately 421.96 sq. m. (4,541.91 sq. ft.) in size, may commence on the subject lands in general accordance with the application and site plan.
  - i. That Cannabis Cultivation, ancillary office use, product packaging, and storage may occur within the existing accessory building;
  - ii. That the minimum dwelling unit separation distance is relaxed from **150.00 m (492.13 ft.) to 143.00 m (469.16 ft.)**; and
  - iii. Building Enclosure Fencing (existing), with green fabric mesh.
    - a. That the maximum fence height requirement is relaxed from **2.00 m (6.56 ft.) to 2.44 m (8.00 ft.)**.

### Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall provide an updated parking plan that indicates the dimensions and locations of the parking stalls in accordance with Sections 232 – 239 of the *Land Use Bylaw C-8000-2020* (LUB).
  - i. A minimum of four (4) parking stalls, including one (1) barrier free parking stall, are required in accordance with Section 236 of the LUB; and
  - ii. The plan shall include barrier-free no parking stalls in accordance with Section 3.8.3.23 of the National Building Code 2023 - Alberta Edition (NBC 2023).
3. That prior to release of this permit, the Applicant/Owner shall install the fabric mesh screening on the existing fence to the satisfaction of the Development Authority.
  - i. That once completed, the Applicant/Owner shall contact the County for an inspection or provide dated photographs.



Drews, Jerry **PRDP20243683**

Page 2 of 4

4. That prior to release of this permit, the Applicant/Owner shall install a physical barrier at the end of the existing southern farm road approach off Range Road 262, to ensure the existing access route is not being utilized by Cannabis Operations, to the satisfaction of the Development Authority.
  - i. That once completed, the Applicant/Owner shall contact the County for an inspection or provide dated photographs.
5. That prior to release of this permit, the Applicant/Owner shall submit payment of the County's Transportation Off-Site Levy Bylaw C-8007-2020, for the applicable gross acreage of the development area for the proposal. The payment required is \$4,595.00 per acre; the Final amount to be determined and confirmed by the County.
6. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements or permits shall be required for any hauling along the County road system, to confirm the presence of County road ban restrictions.
  - i. The Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire (*Bylaw C-8323-2022*) and send the information to [roaduse@rockyview.ca](mailto:roaduse@rockyview.ca);
  - ii. Any required agreements or Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations;
  - iii. If a road use agreement is required, the Applicant/Owner shall be required to provide a refundable security to the County pursuant to the *Road Use Agreement Bylaw C-8323-2022*; and
  - iv. Written confirmation shall be received from County Road Operations confirming the status of this condition.

## Permanent:

7. That if the prior to release conditions have not been met by **DECEMBER 31, 2025**, or from an approved extension date, then this approval is null and void and the Development Permit shall not be issued.
8. That this Development Permit shall be valid until **MAY 31, 2035**.
9. That this approval does include the packaging of product(s) but does not include a *Cannabis Retail Store or Cannabis Processing*, as defined under the *Land Use Bylaw C-8000-2020* (LUB).
10. That there shall be no water discharged off-site from the subject property at any time.
11. That all on-site lighting shall meet Sections 225-227 of the LUB and all private lighting, including site security lighting and parking area lighting, should be designed to conserve energy, reduce glare, and reduce uplift. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
12. That no signage shall be placed on the subject property, related to the approved *Cannabis Cultivation* use. Any future signage related to the development shall require separate development permit approval.



Drews, Jerry **PRDP20243683**

Page 3 of 4

13. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
14. That no outdoor storage shall be allowed at any time for the business use.
15. That any waste containers, garbage, or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
16. That the operation shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. At all times, the privacy of the adjacent residential dwellings shall be preserved, and the business shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
17. That the Applicant/Owner shall take whatever means necessary to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties.
18. That no native topsoil shall be removed from the subject lands.
19. That the existing northern farm gravel approach off Range Road 262, approximately 8.00 m (26.24 ft.) shall remain as is, in accordance with the County's Servicing Standards.
20. That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
  - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way.
  - ii. That upon completion of the proposed development, the County may request the Applicant/Owner submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the of the Development Permit application, or in response to a Prior to Release condition.
21. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

## **Advisory:**

- That the Applicant/Owner shall adhere to the County's *Noise Bylaw C-8067-2020* and *Road Use Agreement Bylaw C-8323-2022* at all times.
- That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County's *Municipal Addressing Bylaw*, to facilitate accurate emergency response.
- That a Building Permit and applicable sub-trade permits shall be submitted to Building Services, for the proposed change of use for the existing building.



Drews, Jerry **PRDP20243683**

Page 4 of 4

- That the site shall remain free of Regulated, Prohibited Noxious or Noxious Weeds and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.
- That the Applicant/Owner shall obtain any required Health Canada, Alberta Health Services, and Alberta Gaming and Liquor Commission approval(s).
- That all cannabis waste shall be managed in accordance with Alberta Cannabis Waste Management Fact Sheet.
- That all commercial licenses for water supply from Alberta Environment and Parks shall be the responsibility of the Applicant/Owner.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - That the Applicant/Owner shall submit a copy of any Health Canada licensing/approvals to the County, once obtained.
  - That the subject site shall adhere to any requirements noted within Instrument #251 074 314 (*Easement*).

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, May 13, 2025**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to release. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Land Property Rights Tribunal.

Regards,

A handwritten signature in black ink, appearing to read "D. K. [illegible]".

Development Authority

Phone: 403-520-8158

Email: [development@rockyview.ca](mailto:development@rockyview.ca)