



## 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

Carswell Planning Inc. (Bart Carswell)

Tuesday, August 12, 2025

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Roll: 06228005

**RE: Development Permit #PRDP20243615**  
**NE-28-26-27-04**

The Development Permit application for a Farm Gate Sales & Agricultural (Intensive), for a local produce market; construction of one (1) Accessory Building (green house) greater than 930.00 sq. m. (10,010.40 sq. ft.) and installation of one (1) non-illuminated freestanding sign has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

#### Description:

1. That a Farm Gate Sales & Agricultural (Intensive) may take place on the subject land in accordance with the site plan submitted with the application as amended, and includes:
  - i. U-Pick Operation, in accordance with the areas identified on the site plan;
  - ii. Construction of one (1) Accessory Building (greenhouse) greater than 930.00 sq. m. (10,010.40 sq. ft.), approximately 1,174.53 sq. m. (12,642.54 sq. ft.) in building footprint;
  - iii. Existing Accessory Building may be used in the Farm Gate Sales & Agricultural (Intensive) operations in accordance with the approved site plan;
  - iv. Site grading in accordance with the approved technical; and
  - v. Installation of one (1) non-illuminated freestanding sign (Zen Berry Gardens), approximately 0.74 sq. m (8.00 sq. ft.) in area.

#### Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a lighting photometrics plan and lighting spec details for all exterior outdoor lighting in accordance with Section 225 – 227 of the *Land Use Bylaw C-8000-2020* (LUB).
3. That prior to release of this permit, the Applicant/Owner shall submit elevation and floor plan drawings for the proposed Accessory Building (greenhouse) in accordance with Section 95 (g), 100, 167, & 315 of the LUB.
4. That prior to release of this permit, the Applicant/Owner shall submit a revised site plan, in accordance with Section 233, 239, 251 and 252 of the LUB. The plan shall include:
  - i. A minimum parking aisle width of 7.00 m (22.97 ft.);



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- ii. A minimum of 15 parking stalls including two (2) barrier-free parking stalls;
  - iii. A chip-sealed surface approach, approximately 10.00 m (32.81 ft.) in width, as amended; and
  - iv. The garbage storage or collection areas.
5. That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional storm water engineer, in accordance with the County's Servicing Standards. The SSIP must include a grading plan that illustrates the original ground profiles; the depth of proposed fill; and an analysis of the pre- and post-construction grades considering site stormwater storage, site release, site parking area, and offsite drainage to ensure there are no impacts to adjacent properties or the County's public road network.
6. That prior to release of this permit, the Applicant/Owner shall submit a Refundable Security of \$10,000.00 per the final approved approach, to secure the construction of the new approach to the subject lands in accordance with the County's Security Requirements Policy C-407.
  - i. That the Applicant/Owner shall upgrade the approach to a chip-sealed industrial/commercial standard in accordance with the County Servicing Standards, Table 400D – Approach Design.
7. That 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. Information provided will confirm if a Road Use Agreement or a Roadata/Heavy Haul/Overweight/Overdimension Permit will be required for any hauling along the County Road system and 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.
8. That prior to release of this permit, the Applicant/Owner shall submit a Traffic Impact Assessment (TIA), that includes an intersection analysis of Range Road 273/the subject site approach and Range Road 273/Township Road 264, as prepared by a transportation engineer for the proposed development, in accordance with the County's Servicing Standards, to supplement the submitted *Trip Generation Review Memo*, as prepared by Bunt & Associates, dated April 23, 2025 and noted recommendations.
  - i. If the recommendations of the transportation impact assessment/letter require off-site improvements, then the Owner shall enter into a Development Agreement with the County.
9. That prior to release of this permit, the Applicant/Owner shall provide payment of the Transportation Off-site Levy in accordance with *Transportation Off-Site Levy Bylaw C-8007-2020*, for the parking area(s), driveway access, all structures (buildings) and storage areas of the development. *The base levy is \$4,595.00 per gross acre.*



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## Prior to Occupancy:

10. That prior to site occupancy, all parking and final site surfaces shall be placed prior to occupancy of the site and/or building.
  - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without parking and final site surface completion provided that an Irrevocable Letter of Credit or refundable security in the amount of 150.00% of the total cost of completing all the development components shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
11. That prior to site occupancy, the Applicant/Owner shall install any recommendations of the final SSIP, as accepted, and submit as-built drawings of the final infrastructure, including all site grades, in accordance with the County's Servicing Standards. The as-built drawings shall be accepted by the County and a site inspection shall be completed by County Engineering Services.
12. That prior to occupancy of the site and buildings, if required, all infrastructure and/or improvements required under the conditioned Development Agreement, that is necessary to service this lot, should be constructed and that Construction Completion Certificates (CCC's) for the infrastructure has been issued by the County and/or as otherwise advised or accepted by the County.
13. That prior to site occupancy, the County shall perform an inspection of the site to verify that the road approaches have been installed in accordance with the County's Servicing Standards and approved plans.
  - i. That any portion of the ditch that has been disturbed as a result of the approach construction or other activities on site, shall be restored to the original grades and adequately topsoiled & seeded, to the satisfaction of the County.

## Permanent:

14. That if this Development Permit is not issued by **MARCH 31, 2026**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued
15. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity, including:
  - i. Trip Generation Review prepared by Bunt & Associated (File No.: 02-25-0057), dated April 23, 2025.
16. That the hours of operation for the Farm Gate Sales, including any U-Pick operations, are Saturday, Sunday and statutory holidays from 9:00 a.m. to 6:00 p.m.
17. That the Farm Gate Sale shall only sell produced products from the subject development/site. No imported or off-site vendors/retail shall be sold onsite.
18. That this approval does not include the uses of *Abattoir*, *Agriculture (Processing)*, *Cannabis Cultivation*, *Cannabis Processing* or *Farmers Market* as defined in Part 8 of the LUB.
19. That there shall be a minimum of 15 parking stalls including two (2) barrier-free parking stalls maintained on-site at all times.



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20. That all parking stalls shall be maintained onsite at all times. There shall be no parking within or on a County road right-of-way.
21. That water conservation strategies shall be implemented and maintained at all times in accordance with the County's Policy C-600.
  - i. That no potable water shall be used for irrigation purposes.
22. That if any chemicals used within the greenhouse operations, the chemicals shall be properly contained, stored in a safe manner, with no adverse impacts on local groundwater or surface water.
23. That there shall be no outdoor storage of materials, vehicles or equipment at any time.
24. That if conditions of the permit are not satisfied, the County may draw upon the Letter of Credit or refundable security without recourse to the Applicant/Owner, to cover the cost of the approach upgrade and/or cost involved in actions necessary to ensure compliance with any other conditions of this permit.
25. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed Accessory Building (green houses) under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
26. 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; and
27. That no topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be re-spread onsite and seeded to grass or landscaped after building construction is complete, as part of site restoration.
28. That the sign shall be kept in a safe, clean, and tidy condition at all times.
  - i. That the sign shall be maintained in accordance with the design drawings and site plan as submitted with the application and shall not be digital, flashing or animated at any time.
  - ii. That no temporary or permanent signage shall be placed within the adjacent Road Allowances at any time.
  - iii. That any wayfinding/onsite direction/informational signage is permitted and does not require any additional approvals.
29. That the entire site shall be maintained in a neat and orderly manner at all times. All garbage and waste material onsite shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings. The garbage and waste material shall be screened from view from all adjacent properties.
  - i. That all garbage and refuse shall be removed from the parking area and market areas after each Farmers Market day to ensure debris is not blowing onto adjacent properties.
30. That disposal of wastewater shall be subject to all requirements of Alberta Environment and the County Servicing Standards. Portable toilets may be placed onsite where required but include appropriate screening from adjacent properties and RGE RD 273.



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31. That any onsite lighting for the development, include any site security lighting and parking area lighting, shall meet sections 225-227 of the County's *Land Use Bylaw C-8000-2020*. Lighting shall be designed to conserve energy, reduce glare and reduce uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and minimizes glare as viewed from nearby residential properties.
32. That the applicant/owner shall take whatever means necessary to prevent dust associated with the development from escaping the site and having adverse effect on adjacent roadways and properties.
33. That any expansion/intensification/changes of the approved business areas shall require a new Development Permit.
34. That vehicular access for emergency vehicles to and from the subject parcels remain unimpeded/unobstructed at all times.
35. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 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 it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County *Municipal Addressing Bylaw (Bylaw C-7562-2016)*, for the principal building/commercial use located on the subject site, to facilitate accurate emergency response.
- That the subject development shall conform to the County's *Noise Bylaw C-8067-2020* and *Road Use Agreement Bylaw C-8323-2020*, as amended, in perpetuity.
- That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious weeds in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - That the Applicant/Owner shall obtain the necessary licenses from the Ministry of Environment and Protected Areas prior to using the existing Private Sewage Treatment System and a Commercial Water License for the existing well for commercial purposes.
  - That any fire protection measures onsite shall be adhered to in accordance with the *National Building Code 2023 – Alberta Edition*; and
  - That the subject site shall adhere to any requirements noted within Instrument #001 214 636 (Right-of-Way Agreement) and Instrument #001 356 129 (Right of Way Agreement), in perpetuity.
- That a Building Permit and all applicable sub-trade permits are required through the County's Building Services department, prior to any construction taking place. Compliance with the *National Energy Code* is also required.



ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2

403-230-1401  
[questions@rockyview.ca](mailto:questions@rockyview.ca)  
[www.rockyview.ca](http://www.rockyview.ca)

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***Note: That the Applicant/Owner shall be responsible for any Ministry of Environment and Protected Areas approvals/compensation, under the Water Act, if any identified wetland is impacted/disturbed by the proposed development activities. If required, the Applicant shall submit to the County copies of any issued approvals.***

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, September 2, 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 and Property Rights Tribunal.

Regards,

Development Authority

Phone: 403-520-8158

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

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