

# SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

February 19, 2020

ROCKY VIEW COUNTY  
COUNCIL CHAMBERS  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY, AB  
T4A 0X2

## A CALL MEETING TO ORDER

## B DEVELOPMENT APPEALS

### 9:00 AM APPOINTMENTS

#### 1. Division 6 File: 07119008; PRDP20194334

Page 2

An appeal against the Development Authority's decision to APPROVE a development permit application for cannabis cultivation and construction of a Quonset at Lot 2 Block 2 Plan 1810775; SW-19-27-26-W4M and located approximately 0.5 miles east of Range Road 270 and 1.0 mile north of Highway 567.

Appellants: Steve Greenhough and Dani Thomas  
Applicant: Brandon Emery  
Owners: Tristan and Julia Jackson

### 10:30 AM APPOINTMENTS

#### 2. Division 5 File: 05328003; PRDP20194227

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An appeal against the Development Authority's decision to conditionally APPROVE a development permit application for a special care facility (existing dwelling), construction of an addition and relaxation of the minimum front yard setback at 254244 Range Road 284 (Lot 1 Block 1, Plan 0911779; NW-28-25-W4M) and located on the east side of Range Road 284 and on the north side of Serenity Place.

Appellants: Jennifer and Shawn O'Farrell  
Applicant: Clem Lau Architect Inc.  
Owner: Brian Morrissey

## C CLOSE MEETING

## D NEXT MEETING: March 11, 2020



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision and Development Appeal Board

**DATE:** February 19, 2020      **DIVISION:** 6

**FILE:** 07119008      **APPLICATION:** B-1; PRDP20194334

**SUBJECT:** Cannabis Cultivation

<b>PROPOSAL:</b> The proposal is for Cannabis Cultivation, to grow cannabis within a new Quonset	<b>GENERAL LOCATION:</b> Located approximately 0.5 miles east of Range Road 270, and 1 mile north of Highway 567
<b>APPLICATION DATE:</b> November 26, 2019	<b>DEVELOPMENT AUTHORITY DECISION:</b> Discretionary – Approved
<b>APPEAL DATE:</b> February 3, 2020	<b>DEVELOPMENT AUTHORITY DECISION DATE:</b> January 14, 2020
<b>APPELLANT:</b> Steve Greenhough & Dani Thomas	<b>APPLICANT:</b> Brandon Emery
<b>LEGAL DESCRIPTION:</b> Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M	<b>MUNICIPAL ADDRESS:</b> N/A
<b>LAND USE DESIGNATION:</b> Ranch and Farm District (RF)	<b>GROSS AREA:</b> ± 108.73 acres
<b>DISCRETIONARY USE:</b> Cannabis Cultivation is discretionary use under Ranch and Farm District within the Land Use Bylaw.	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Section 12.2 (Discretionary Use Applications) provides scope to approve Development Permit Applications not conforming with the Land Use Bylaw, subject to the extent of interference with neighbouring parcels and the amenities of the neighbourhood. No variance was requested by the Applicant.
<b>PUBLIC SUBMISSIONS:</b> The application was circulated to 19 adjacent parcels. At the time this report was prepared, one appeal application with a petition signed by 20 neighbors from 11 adjacent parcels was received.	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>County Plan (C-7280-2013)</li> <li>Land Use Bylaw (C-4841-97)</li> </ul>

### EXECUTIVE SUMMARY:

The proposal is for Cannabis Cultivation, to grow cannabis within a new Quonset. The Applicant is in the process of purchasing the subject land, and proposes to build a facility for micro cannabis cultivation.

The property can be accessed through the existing approach off Township Road 274. The facility will be 487.68 sq. m (5249.34 sq. ft.) in size, and 7.22 m (23.69 ft.) in height. In accordance with the federal *Cannabis Regulations (SOR/2018-144)*, the Applicant indicated that plant surface area will not exceed





200 sq. m (2,152 sq. ft.), leaving the rest of the building area for equipment and storage. The Applicant proposes to operate the facility as discreetly as possible, so the facility will be intentionally designed as a black-out greenhouse for security purpose. The facility will be surrounded by a 2.44 m (8 ft.) wire top chain-link fence buried with 0.15 m (0.5 ft.) vibration sensor. The Applicant proposes to service the cannabis micro-cultivation facility with a water cistern system with truck-in and a sewer holding tank with truck-out.

The proposed Quonset would be located at least 100 meters away from the existing wetland.

The application has been assessed in accordance with Sections 20 and 43 of the Land Use Bylaw. The proposal meets the applicable regulations and policies. The application was conditionally approved on January 14, 2020.

On February 3, 2020, adjacent landowners submitted an appeal application to appeal against the decision of the Development Authority. A petition signed by 20 neighbors from 11 adjacent lands is attached to the appeal. They raised concerns relating to the following:

- Increased risk of crime in the neighborhood due to Cannabis operations;
- Potential impacts on the existing water well users and water aquifer due to Cannabis cultivation;
- Possible odors generated from cannabis cultivation that might cause potential health issues;
- Potential impacts on the existing large wetland and migratory bird path; and
- Affect the use, enjoyment and/or value of the neighboring parcels.

**APPEAL:**

See attached report and exhibits.

Respectfully submitted,



Dominic Kazmierczak  
Supervisor, Planning & Development Services

XD/lt

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> November 26, 2019	<b>File:</b> 07119008
<b>Application:</b> PRDP20194334	<b>Applicant:</b> Brandon Emery <b>Owner:</b> Tristan & Julia Jackson
<b>Legal Description:</b> Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M	<b>General Location:</b> Located approximately 0.5 miles east of Range Road 270, and 1 mile north of Highway 567.
<b>Land Use Designation:</b> Ranch and Farm District	<b>Gross Area:</b> ± 108.73 acres
<b>File Manager:</b> Xin Deng	<b>Division:</b> 06

### PROPOSAL:

The proposal is for Cannabis Cultivation, to grow cannabis within a new Quonset.

- There is no development on the property. The Applicant is in the process of purchasing the subject land, and proposes to build a Quonset for micro cannabis cultivation.
- The Applicant proposes to operate the facility as discreetly as possible, so the facility will be intentionally designed as a black-out greenhouse for security purpose. It will be 487.68 sq. m (5249.34 sq. ft.) in size, and 7.22 m (23.69 ft.) in height. The plant surface area will not exceed 200 sq. m (2,152 sq. ft.), leaving the rest building area for equipment and storage.
- The Applicant proposes to service the cannabis cultivation with water cistern system with truck in and sewer holding tank with truck out.
- The Applicant indicated that they will have two part-time employees: a master grower and budtender. They will come to the property based on variance in the growing cycle.
- There is sufficient land on the property and employee parking will not be a problem.
- All activities will be conducted according to federal and provincial regulations, which will require fencing and monitoring. The greenhouse will be surrounded by 2.44 m (8 ft.) wire top chain-link fence buried with 0.15 m (0.5 ft.) vibration sensor.
- There will be no retail customers to the property.
- The proposed cannabis cultivation will be compatible with adjacent agricultural uses.

### LAND USE BYLAW:

#### Section 8 Definitions

*CANNABIS CULTIVATION means the growing and harvesting of cannabis as licensed by Health Canada.*

#### Section 20.9 Cannabis Cultivation and Cannabis Facility

- a) *Cannabis Cultivation and/or Cannabis Facility shall not occur in a building where a residential use is located.*
  - There is no development on the subject land, and the proposed facility will be the first building on site.
- b) *A Health Care Site for the purposes of Section 20.9 of this Bylaw means the lot(s) or parcel(s) on which a Health Care Practice or Health Care Services is situated.*
  - Noted.



- c) *A School Site for the purposes of Section 20.9 of this Bylaw means the lot(s) or parcel(s) on which a School, public or separate, a School, private, or a Child Care Facility is situated.*
  - Noted.
- d) *The minimum separation distance between Cannabis Cultivation and/or Cannabis Facility and other uses shall be established by measuring the shortest distance between the Cannabis Cultivation and/or Cannabis Facility building or field and the other building. If the requirement states a minimum distance to a site, then the distance shall be established by measuring the shortest distance between the Cannabis Cultivation and/or Cannabis Facility building or field and the other site.*
  - Noted.
- e) *In the B-2, I-IA, and B-AS districts, Cannabis Cultivation and/or Cannabis Facility must be located at least 75 m from a residential site.*
  - It is not applied in this case, as the subject land is designated Ranch and Farm District.
- f) *In all other districts, Cannabis Cultivation and/or Cannabis Facility must be located:*
  - (i) At least 150 m from a Health Care Site or School Site;
  - (ii) At least 100 m from a site that is designated as a school reserve on title;
  - (iii) At least 100 m from a residential site.
  - The proposal meets the requirement, as there are no health care site, school site or residential site on neighboring lands within the prescribed distances.
- g) *A Development Permit for Cannabis Cultivation and/or Cannabis Facility shall be limited, and the term of the Development Permit shall not exceed three years.*
  - Noted in conditions
- h) *A residential development constructed or created on a site after the approval of a Cannabis Cultivation and/or Cannabis Facility use shall not be considered a residential site for the purposes of interpreting Section 20.9(e) and Section 20.9 (f) of this Bylaw.*
  - Noted.

Section 43 Ranch and Farm District

43.10 Uses, Discretionary  
Cannabis Cultivation

- The proposed cannabis cultivation is discretionary use, therefore, a Development Permit is required.

43.12 Minimum Requirements

- (a) Front yard setback (from the county road to the north)
  - Required: 45.00 m (147.64 ft.)
  - Proposed: Lots, meets the requirement
- (b) Side yard setback (from others lands to the east and west)
  - Required: 6.00 m (19.69 ft.) / 6.00 m (19.69 ft.)
  - Proposed: Lots/Lots, meets the requirement

(c) Rear yard setback (from others lands to the south)

- Required: 15.00 m (49.21 ft.)
- Proposed: Lots, meets the requirement

### **PARCEL INFORMATION**

#### Planning History:

- PL20170143: Subdivision application for boundary adjustment was conditionally approved on January 18, 2018. The Plan is registered on Plan 1810775 in 2018.

#### Development Permit History:

- No history of development permit application

#### Building Permit History:

- No history of building permit application

### **STATUTORY PLANS:**

The subject land does not fall within any Area Structure Plan and Intermunicipal Development Plan, therefore, the application was assessed in accordance with the Land Use Bylaw.

### **INSPECTOR'S COMMENTS:**

No inspection at time report was completed.

### **CIRCULATIONS:**

#### Alberta Health Services

Based on the information provided, we recommend the following considerations:

1. Confirmation that there is an adequate water supply available for the proposed use, and that use of the projected volumes of water will not adversely affect neighboring properties' water supplies.
2. Consider the types and volume of chemicals (such as pesticides, solvents, cleaning products and fertilizers) that will be stored onsite for the proposed operation. Ensure the proposed methods and location of chemical storage, utilization and disposal does not create hazardous conditions for the facility or adjacent properties.
3. Chemicals and hazardous materials must be handled appropriately so as to not contaminate cannabis products intended for consumption.
4. The waste management plan for the proposed operation should specify the type and volume of waste materials. The manner in which waste material will be handled, stored and disposed of must not create a situation that could harm the health of the public.
5. Implement mitigation strategies to ensure that odours from the proposed facility are controlled so as not to affect neighbouring properties.
6. Consider installing monitors to assist in maintaining carbon monoxide levels within safe parameters.

#### Fire Services & Emergency Management, Rocky View County:

- If the applicant is only growing and storing the product at this facility, then the Fire Service has no comments at this time.
- If the applicant is processing at this site, then they will need to set up the facility so that it complies with an F-2 occupancy classification under the National Fire Code.

Agricultural Services, Rocky View County:

- No agricultural concerns

Municipal Enforcement, Rocky View County:

- No response received at the time of this report

Building Services, Rocky View County

- No objection to Cannabis Cultivation.
- A Declaration of Use must be filled out and signed under the New Farm Location Permit to determine if a Building Permit is required.

Operations Division, Rocky View County

- Capital Delivery: No response received at the time of this report.
- Utility Services: No response received at the time of this report.
- Maintenance: No response received at the time of this report.
- Transportation Services: No response received at the time of this report.
- Solid Waste: No response received at the time of this report.

Planning and Development Services - Engineering**General:**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.
- As per the application, the applicant is proposing construction of a new building (greenhouse) for micro-cultivation of cannabis.
- As an advisory condition, all commercial licenses from Health Canada shall be the responsibility of the applicant.

**Geotechnical:**

- As per GIS contour information, no steep slopes are observed.
- Engineering has no requirements at this time.

**Transportation:**

- Access to the subject lands is proposed via a new private driveway off Twp Rd 274 through the existing panhandle. As per GIS review, no approach to the panhandle is present at this time.
- The applicant is required to construct a paved road approach off Twp Rd 274 as per county servicing standards.
  - Prior to DP issuance, the applicant is required to provide a \$10,000 security for the road approach as per policy C-407.
  - Prior to occupancy, an inspection and approval by roads operations must be completed.
- Significant increase to traffic volume is not anticipated for this micro-cultivation operation. Therefore, the applicant will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw.

**Sanitary/Waste Water:**

- Engineering generally recommends the use of holding tanks and a trucked service to dispose of wastewater for industrial, commercial and institutional uses in accordance with Policy 449.
- Engineering has no requirements at this time.

**Water Supply and Waterworks:**

- The applicant states that potential well sites are being considered as water sources.
- As an advisory condition, all commercial licenses for water supply from AEP shall be the responsibility of the applicant. Engineering has no requirements at this time.

**Storm Water Management:**

- Engineering has no requirements at this time.
- The applicant is proposing to construct a 32m x 15m greenhouse as well as an adjacent 8m x 15m parking area connecting to a private driveway. The resulting imperviousness from the proposed development is unlikely to have a significant impact on the current drainage relative to the lot size

**Environmental:**

- Engineering has no requirements at this time.
- As per GIS review, a large wetland is located on the western portion of the subject lands. This wetland is not anticipated to be disturbed as part of the proposed development.
- Should the applicant propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.

**OPTIONS:**

Option #1 (this would approve the proposed Cannabis Cultivation)

That the appeal against the decision of the Development Authority to issue a Development Permit for Cannabis Cultivation at Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M be denied, and the decision of the Development Authority be upheld, and that a Development Permit be issued, subject to the following conditions:

**Description:**

- 1) That *Cannabis Cultivation* may commence on the subject lands in general accordance with the submitted application and approved site plan and includes:
  - i. Cannabis Cultivation (micro)
  - ii. Construction of a Quonset, approximately 487.68 sq. m (5,249.34 sq. ft.)
  - iii. Parking area, approximately 120.00 sq. m (1,291.66 sq. ft.) in area
  - iv. Construction of an over height enclosure fence, approximately 2.43 m (8.00 ft.)

**Prior to Issuance:**

- 2) That prior to issuance of this development permit, the Applicant/Owner shall submit a security for the proposed road approach as per policy C-407. The security shall be \$10,000 per new approach proposed.
- 3) That prior to issuance of this development permit, the Applicant/Owner shall submit a waste management plan that specifies the type, volumes and handling of any waste materials.

**Prior to Occupancy:**

- 4) That prior to site and building occupancy, the Applicant/Owner shall contact County Road Operation for a final inspection and approval of the constructed approach, to ensure the approach complies with County Servicing Standards.
  - i. Written confirmation shall be received by County Road Operations, confirming the acceptance of the approach.
  - ii. Once confirmation is received, the County shall return the registered security back to the Applicant/Owner.



**Permanent:**

- 5) That this approval does not include a *Cannabis Retail Store* or *Cannabis Facility*.
- 6) That the Applicant/Owner shall submit an *Application for Road Approach* to County Road Operations, prior to construction commence of the approach.
- 7) That sewage disposal shall be by a pump-out holding tank that is hauled off-site to an approved sewage disposal site.
- 8) That water servicing for the proposed development shall be by a water cistern or commercial well.
  - a) That should groundwater be used for the proposed development, the Applicant/Owner shall obtain commercial registration with Alberta Environment & Parks (AEP), prior to operation.
- 9) That no outdoor storage shall be allowed at any time for the proposed development use.
- 10) 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.
- 11) That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
- 12) That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplift. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
- 13) That the facility shall maintain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response.
- 14) That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
- 15) That any chemicals and hazardous materials must be handled appropriately so as to not contaminate cannabis products intended for consumption.
- 16) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

**Advisory:**

- 17) That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 18) That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
- 19) That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 20) That a Building Permit/Farm Building Location Permit shall be obtained through Building Services, prior to any construction taking place. The application shall also include a Declaration of Use.
- 21) 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.

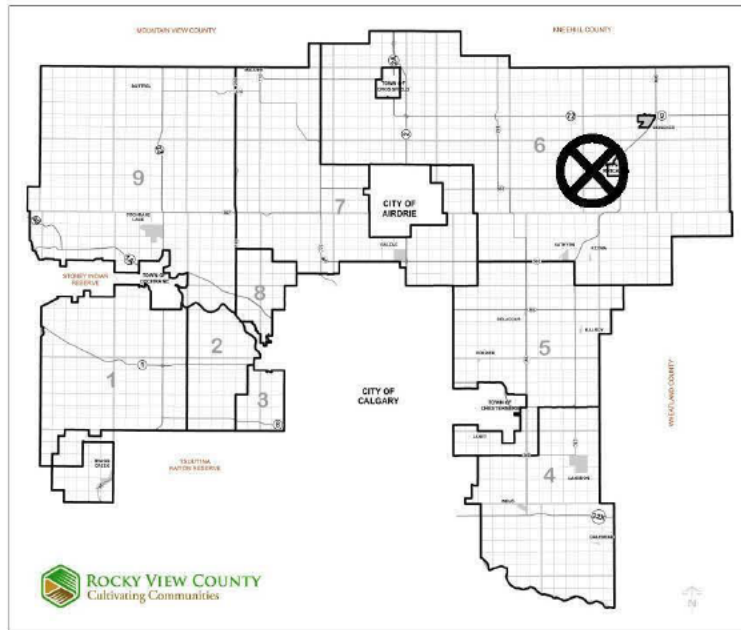




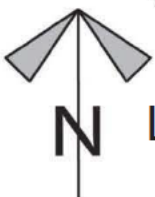
- 22) That the Applicant/Owner shall implement mitigation strategies to ensure that odours from the proposed facility are controlled so as not to affect neighbouring properties.
- 23) That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
  - a) That the Applicant/Owner shall obtain any required Health Canada & Alberta Health Services approval(s).
  - b) That any Cannabis waste shall be managed and disposed in accordance with the Alberta Cannabis Waste Management Fact Sheet. Any Cannabis waste shall not create a situation that could harm the public health.
  - c) That the Applicant/Owner shall obtain all required Alberta Environment & Parks (AEP) approvals, if any wetland is directly impacted by the development
- 24) That if this Development Permit has not been issued by **JUNE 30, 2020** then this approval is null and void and the Development Permit shall not be issued.
- 25) That this Development Permit, once issued, shall be valid until **March 31, 2021**.

Option #2 (this would not approve the proposed Cannabis Cultivation)

That the appeal against the decision of the Development Authority to issue a Development Permit for Cannabis Cultivation at Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M be upheld, and the decision of the Development Authority be revoked.



## LOCATION PLAN



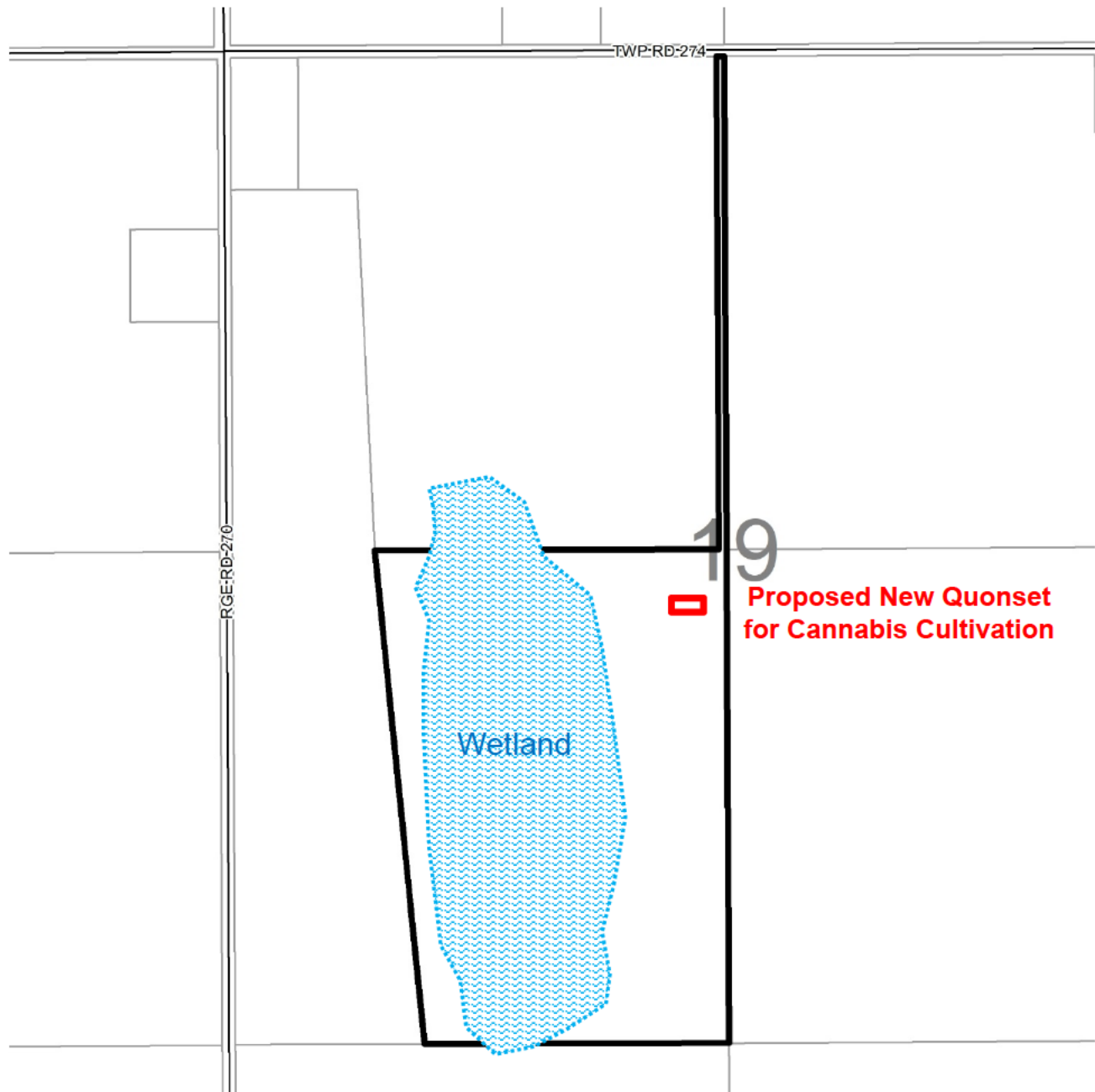
Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M

Date: February 5, 2020

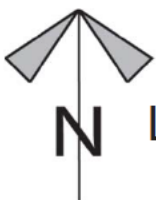
Division # 6

File: PRDP20194334 - 07119008

**DP Proposal:** Cannabis Cultivation, grow cannabis within a new Quonset



**SITE PLAN**



Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M

Date: February 5, 2020

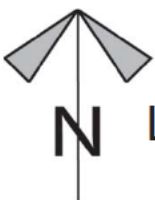
Division # 6

File: PRDP20194334 - 07119008



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**  
Spring 2018

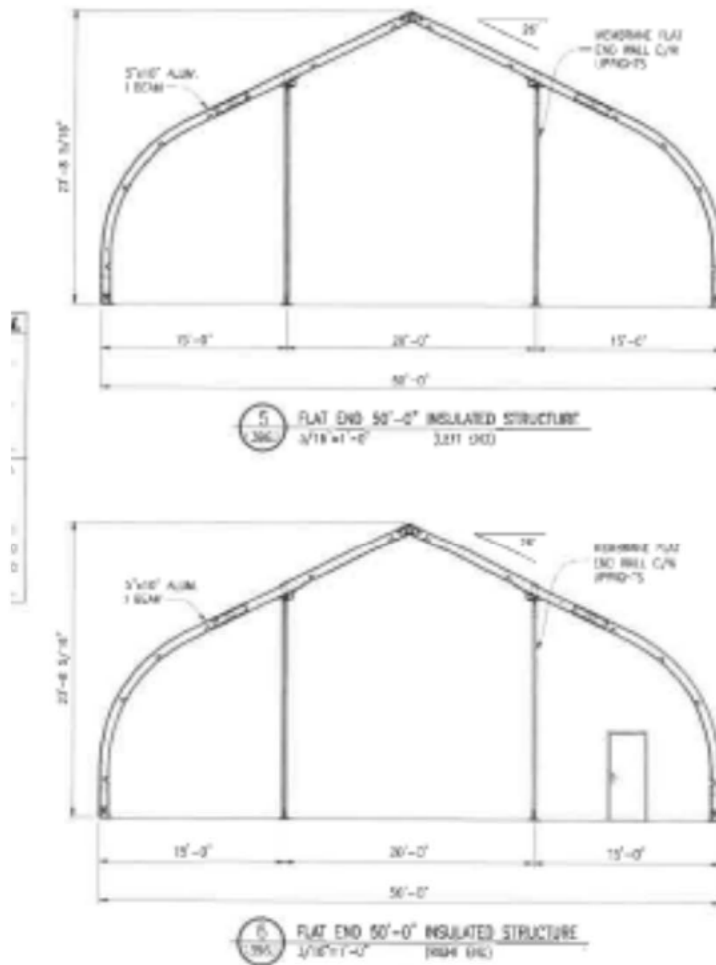
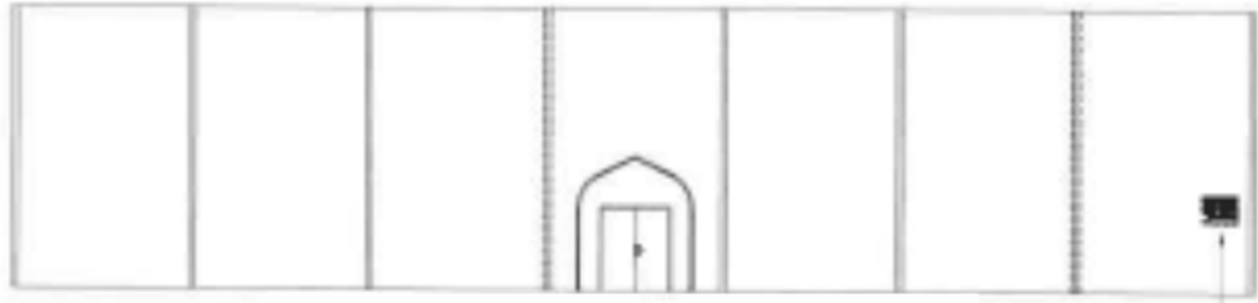


Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M

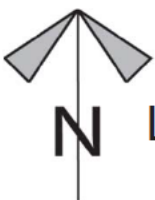
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## ELEVATION PLAN

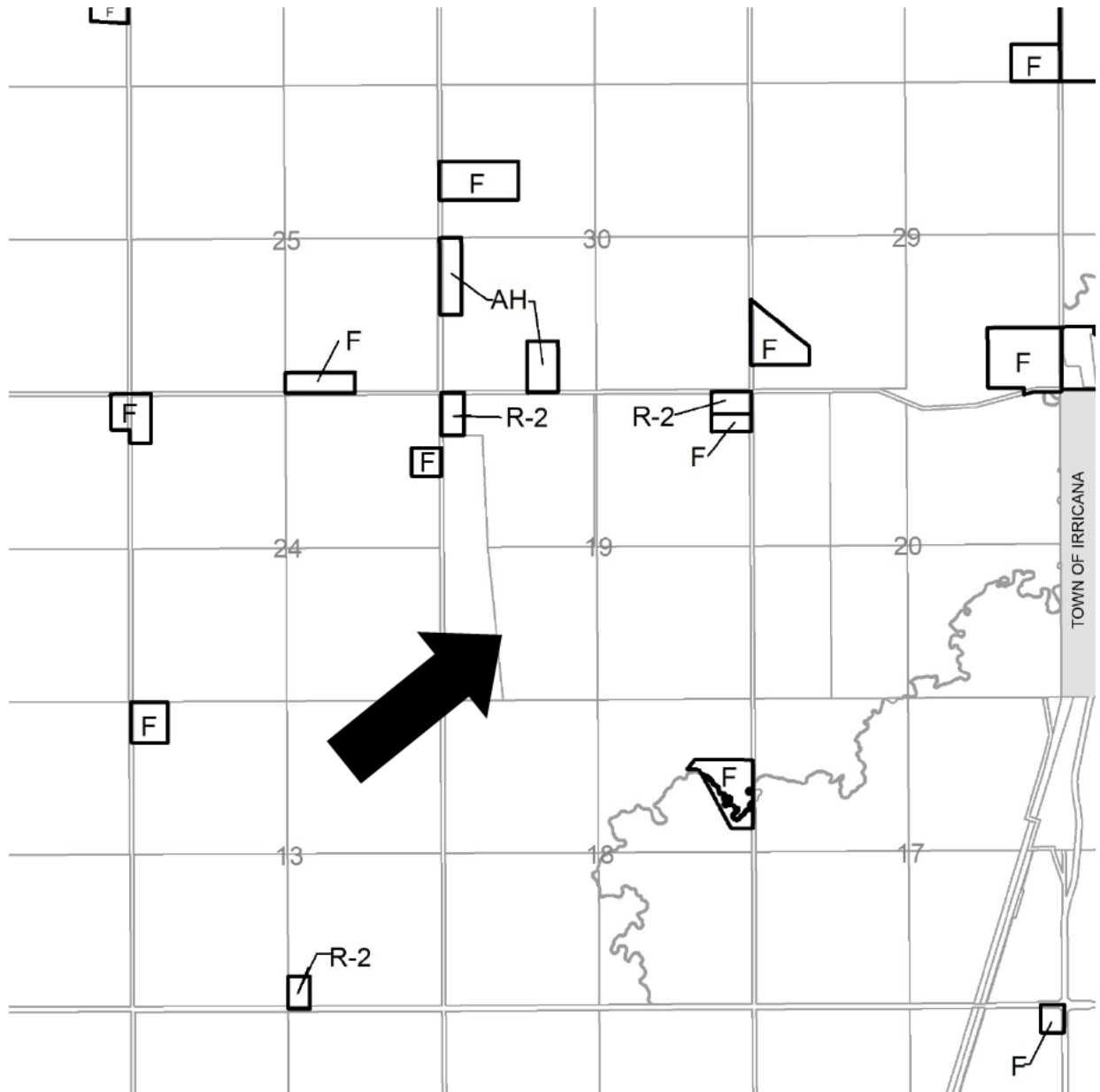


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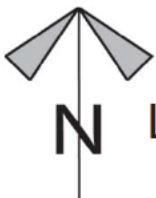
Division # 6

File: PRDP20194334 - 07119008



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

## LAND USE MAP



Lot 2,Block 2,Plan 1810775,SW-19-27-26-W04M

Date: February 5, 2020

Division # 6

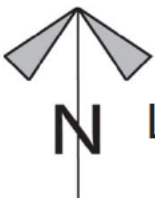
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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

**TOPOGRAPHY**  
*Contour Interval 2 M*



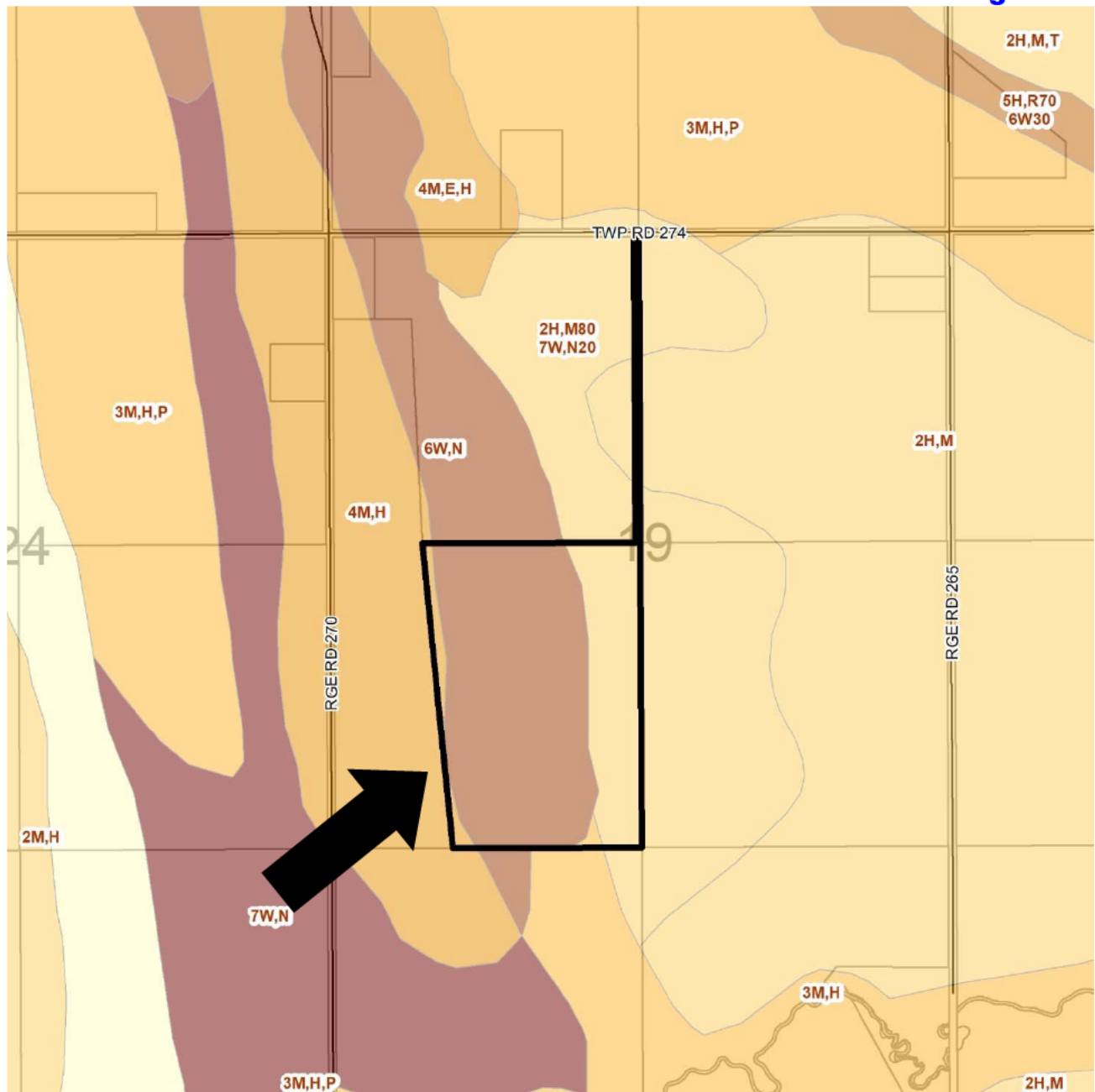
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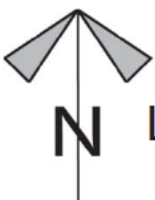




**LAND CAPABILITY CLASSIFICATION LEGEND**  
*Limitations refer to cereal, oilseeds and tame hay crops*

CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high sodicity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

**SOIL MAP**

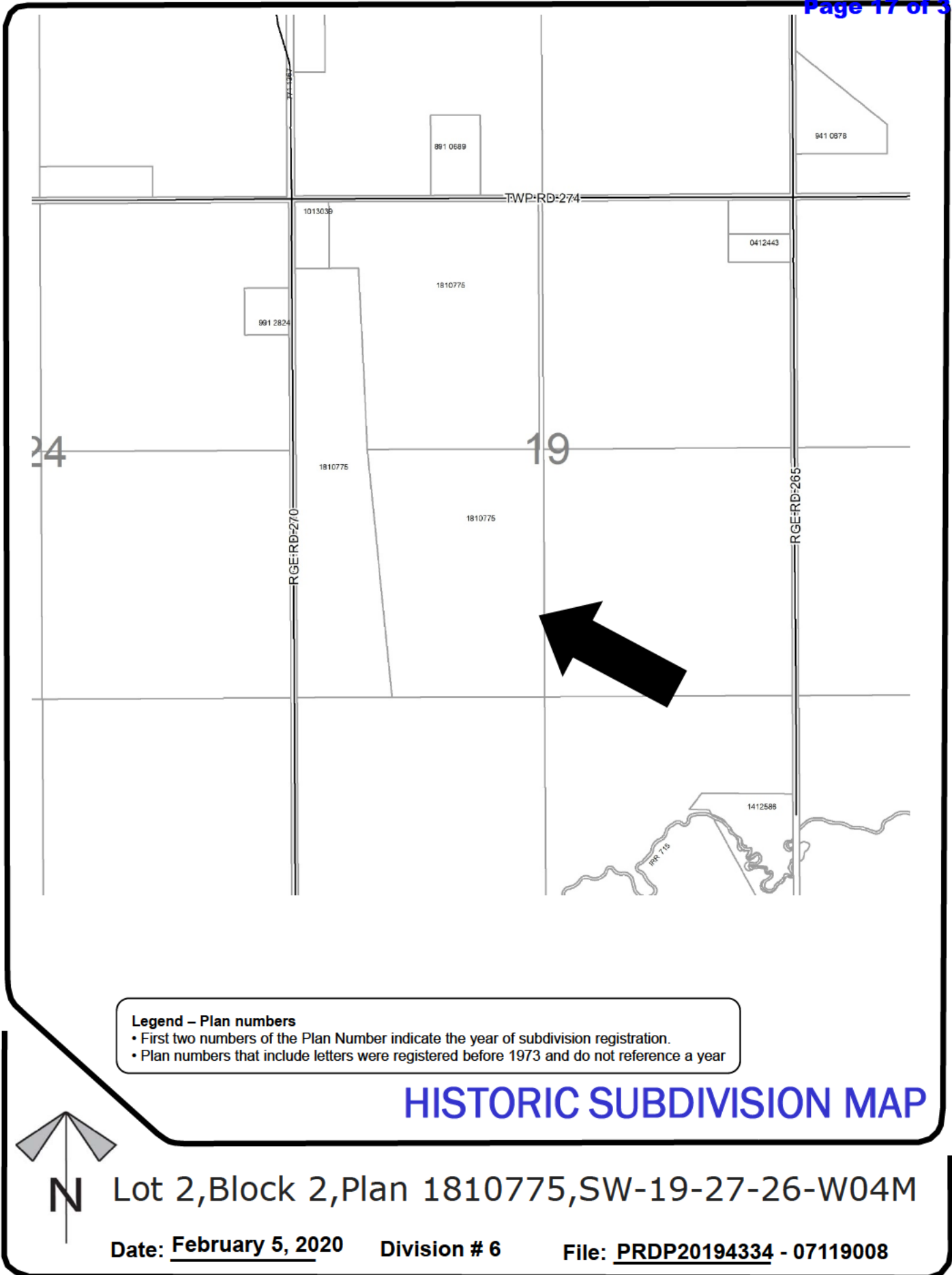


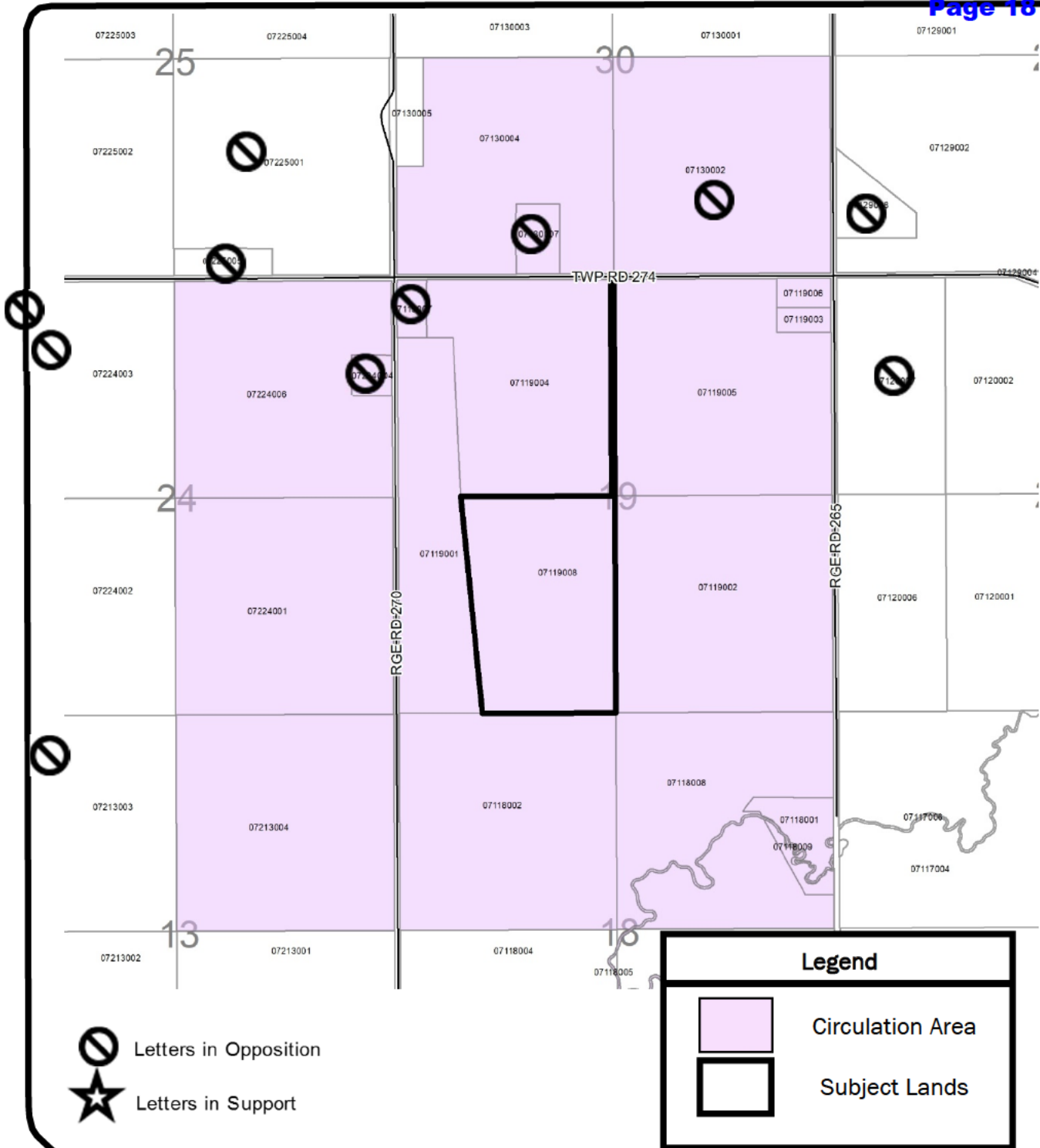
Lot 2, Block 2, Plan 1810775, SW-19-27-26-W04M

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## LANDOWNER CIRCULATION AREA

N

Lot 2,Block 2,Plan 1810775,SW-19-27-26-W04M

Date: February 5, 2020

Division # 6

File: PRDP20194334 - 07119008

# **Notice of Appeal**

**Subdivision and Development Appeal Board  
Enforcement Appeal Committee**

## **Appellant Information**

Name of Appellant(s) **Steve Greenhough & Dani Thomas**

## **Site Information**

Municipal Address <b>Lot 2 Block 2 Plan 1810775</b>	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <b>Lot 2 Block 2 Plan 1810775</b>
Property Roll # <b>07119008</b>	Development Permit, Subdivision Application, or Enforcement Order # <b>PRDP20194334</b>

## **I am appealing: (check one box only)**

### **Development Authority Decision**

- ☒ Approval  
☐ Conditions of Approval  
☐ Refusal

### **Subdivision Authority Decision**

- ☐ Approval  
☐ Conditions of Approval  
☐ Refusal

### **Decision of Enforcement Services**

- ☐ Stop Order  
☐ Compliance Order

## **Reasons for Appeal (attach separate page if required)**

- Security of the property and a rise in crime that comes with Cannabis operations. (we already have an issue with crime in our neighbourhood).
- Concerns with well water usage for the cannabis growth and cultivation.
- Concern for secondary building (residence) as it will need a well and not a cistern.
- Concern for an already over used and under producing aquifer in the area.
- Concerns with odors being omitted from the building causing potential health issues.
- Concerns protecting large wetland and migratory bird path located on this property.
- The general neighbourhood opposition to the proposed development of a cannabis cultivation business.
- If approved, this would materially interfere with or affect the use, enjoyment and/or value of the neighboring parcels of land.



This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

Appellant's Signature

**Feb. 3, 2020**

Date



We are petitioning to STOP Application #PRDP20194334 (Cannabis Cultivation and construction of a Quonset) on Lot 2 Block 2 Plan 1810775, SW-19-27-26-04:

- We live in the vicinity of the above mentioned property and are not in favour of a Marijuana Cultivation operation.
- We have concerns about the water wells and disturbances/volume requests for the operation, overall security, crime, traffic, odors, waste water, effect on migratory bird path and large wetland, chemical, environmental, and light pollution.

[illegible]



**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 Issuance conditions (if listed) *must* be completed.

**NOTICE OF DECISION**

Brandon Emery  
[REDACTED]

Page 1 of 3

Tuesday, January 14, 2020

Roll: 07119008

**RE: Development Permit #PRDP20194334**

**Lot 2 Block 2 Plan 1810775, SW-19-27-26-04;**

The Development Permit application for Cannabis Cultivation and construction of a Quonset has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

**Description:**

- 1) That *Cannabis Cultivation* may commence on the subject lands in general accordance with the submitted application and approved site plan and includes:
  - a) Cannabis Cultivation (micro)
  - b) Construction of a Quonset, approximately 487.68 sq. m (5,249.34 sq. ft.)
  - c) Parking area, approximately 120.00 sq. m (1,291.66 sq. ft.) in area
  - d) Construction of an over height enclosure fence, approximately 2.43 m (8.00 ft.)

**Prior to Issuance:**

- 2) That prior to issuance of this development permit, the Applicant/Owner shall submit a security for the proposed road approach as per policy C-407. The security shall be \$10,000 per new approach proposed.
- 3) That prior to issuance of this development permit, the Applicant/Owner shall submit a waste management plan, that specifies the type, volumes and handling of any waste materials.

**Prior to Occupancy:**

- 4) That prior to site and building occupancy, the Applicant/Owner shall contact County Road Operation for a final inspection and approval of the constructed approach, to ensure the approach complies with County Servicing Standards.
  - a) Written confirmation shall be received by County Road Operations, confirming the acceptance of the approach.
  - b) Once confirmation is received, the County shall return the registered security back to the Applicant/Owner.





Brandon Emery #PRDP20194334

Page 2 of 3

**Permanent:**

- 5) That this approval does not include a *Cannabis Retail Store* or *Cannabis Facility*.
- 6) That the Applicant/Owner shall submit an *Application for Road Approach* to County Road Operations, prior to construction commence of the approach.
- 7) That sewage disposal shall be by a pump-out holding tank that is hauled off-site to an approved sewage disposal site.
- 8) That water servicing for the proposed development shall be by a water cistern or commercial well.
  - a) That should groundwater be used for the proposed development, the Applicant/Owner shall obtain commercial registration with Alberta Environment & Parks (AEP), prior to operation.
- 9) That no outdoor storage shall be allowed at any time for the proposed development use.
- 10) 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.
- 11) That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
- 12) That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
- 13) That the facility shall maintain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response.
- 14) That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
- 15) That any chemicals and hazardous materials must be handled appropriately so as to not contaminate cannabis products intended for consumption.
- 16) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

**Advisory:**

- 17) That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 18) That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
- 19) That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].



Brandon Emery #PRDP20194334

Page 3 of 3

- 20) That a Building Permit/Farm Building Location Permit shall be obtained through Building Services, prior to any construction taking place. The application shall also include a Declaration of Use.
- 21) 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.
- 22) That the Applicant/Owner shall implement mitigation strategies to ensure that odours from the proposed facility are controlled so as not to affect neighbouring properties.
- 23) That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
  - a) That the Applicant/Owner shall obtain any required Health Canada & Alberta Health Services approval(s).
  - b) That any Cannabis waste shall be managed and disposed in accordance with the Alberta Cannabis Waste Management Fact Sheet. Any Cannabis waste shall not create a situation that could harm the public health.
  - c) That the Applicant/Owner shall obtain all required Alberta Environment & Parks (AEP) approvals, if any wetland is directly impacted by the development
- 24) That if this Development Permit has not been issued by **JUNE 30, 2020** then this approval is null and void and the Development Permit shall not be issued.
- 25) That this Development Permit, once issued, shall be valid until **February 5, 2023**.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, February 4, 2020**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. 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 Development Appeal Committee.

Regards,

Development Authority

Phone: 403-520-8158

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





ROCKY VIEW COUNTY  
Cultivating Communities

20194334

# APPLICATION FOR COMMERCIAL/OFFICE/INDUSTRIAL DEVELOPMENT PERMITS

B-1  
07119008; PRDP20194334

FOR OFFICIAL USE ONLY Page 26 of 35

Fee Submitted \$1000.00	File Number 07119008
Date of Receipt Nov 26/19	Receipt # 2019022906

Name of Applicant Brandon Emery Email [REDACTED]  
Mailing Address [REDACTED] Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
For Agents please supply Business/Agency/ Organization Name 2220629 Alberta LTD  
Registered Owner (if not applicant) Tristan and Julia Jackson  
Mailing Address [REDACTED] Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SW ¼ Section 19 Township 27 Range 26 West of 4 Meridian  
b) Being all / parts of Lot 2 Block 2 Registered Plan Number 1810775  
c) Municipal Address 265133 Township road 274, Rockyview, AB  
d) Existing Land Use Designation RF Parcel Size 108 acres Division [REDACTED]

## 2. APPLICATION FOR

Cannabis Cultivation

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property (s)? Yes ☒ No ☐  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes ☐ No ☒  
(Sour Gas facility means well, pipeline or plant)  
c) Is there an abandoned oil or gas well or pipeline on the property? Yes ☐ No ☒  
d) Does the site have direct access to a developed Municipal Road? yes  
e) Has the Design Guidelines checklist been completed? Yes ☐ No ☐  
f) Has supplementary information been provided? (photos, sketches written descriptions etc.) Yes ☒ No ☐  
g) Details of additional information thumb drive and prints

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I BRANDON EMERY hereby certify that ☐ I am the registered owner  
(Full Name in Block Capitals) ☒ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company

Applicant's Signature Brandon Emery Owner's Signature [REDACTED]

Date Nov 25/19

PLEASE SEE REVERSE

**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Brandon Emery

Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Brandon Emery, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Brandon Emery  
Signature

Nov 25/19  
Date

**FOR OFFICE USE ONLY**

Application: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

General Location: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2220629 Alberta Ltd  
953 Reunion Gateway NW  
Airdrie, AB  
T4B 0G8

25 November 2019

To whom it may concern;

Please find enclosed our Development Permit Application for property located at 265133 Township Rd 274, Rocky View, AB. It is our intention, as per the notifications sent to you previously, to build a facility for micro cannabis cultivation.

It is our intention to operate the facility as discreetly as possible which will mean there will be no external signage or industrial lighting as we wish this facility to appear as an ordinary greenhouse for security purposes. The facility will be staffed on a part time basis by two employees, one of which will be a master grower and the other a bud tender. This will be a black-out greenhouse with a heavy duty HVAC/carbon filtration system which means there will be no light and or scent pollution.

This building will be built to Health Canada standards and operating under the Health Canada licence granted to Stigma & Stamen Inc.

Sincerely,



Brandon Emery

403-710-4329

Address Locator 0300A  
Ottawa ON  
K1A0K9  
APP-OARZ2IM57E-2018

2019-03-01

Stigma & Stamen Inc.  
c/o Edward Wilson  
PO Box 789  
Irricana, Alberta  
T0M 1B0

**Subject: Confirmation of Readiness for a Licence under the *Cannabis Regulations***

Dear Mr. Wilson,

The Licensing and Medical Access Directorate is writing in regards to Stigma and Stamen Inc. application of December 12<sup>th</sup>, 2018, to become a Licence Holder under the *Cannabis Regulations*. The application has been assessed under the relevant provisions of the *Cannabis Regulations* which replaced the *Access to Cannabis for Medical Purposes Regulations* on October 17, 2018.

We have completed the initial review of your Micro-Cultivation subclass licence application; you are now at the **Confirmation of Readiness Stage**. However, more information is needed to demonstrate that there is a functioning facility at the proposed site. At this time, a licence cannot be granted until you can demonstrate compliance with all relevant provisions of the *Cannabis Act* and its *Regulations* and until all the required security clearance checks are completed.

Please provide documentation, including, but not limited to detailed descriptions, photographs, site and building plans, and videos, that clearly illustrate compliance (refer to Appendix 1-Guidelines for the Submission of Site Readiness Evidence), as required below.





Attn: Lindsey Ganczar, RPP, MCIP  
Senior Planner, Planning Services  
Rocky View County

Please let this letter serve as notice that Edward Wilson and Kailey Parkin, as owners of Stigma & Stamen Inc, are anticipating submitting an application to Health Canada to grow cannabis no later than June 1, 2020.

We are applying for Cultivation - Micro licence. This will take place in our newly constructed building located at 265133 Township Road 274.

Please advise if there are any questions or concerns or to review our plans and application at your convenience.

Thank you,

We look forward to speaking with you,

  
Edward Wilson  
Kailey Parkin

Stigma & Stamen Inc.  
587-577-5482  
info@stigmaandstamen.com





Attn: Sgt. Norman MERCIER  
Detachment Coordinator  
Beiseker Detachment

Insp. Kimberley Pasloske  
Detachment Commander  
Airdrie Detachment

Please let this letter serve as notice that Edward Wilson and Kailey Parkin, as owners of Stigma & Stamen Inc, are anticipating submitting an application to Health Canada to grow cannabis no later than June 1, 2020.

We are applying for Cultivation - Micro licence. This will take place in our newly constructed building at 265133 Township Road 274.

Please advise if there are any questions or concerns or to review our plans and application at your convenience.

Thank you,

We look forward to speaking with you,

Edward Wilson

Kailey Parkin

Stigma & Stamen Inc.  
587-577-5482  
info@stigmaandstamen.com



Attn: Laura Harvey  
Administrative Coordinator  
Fire Services - Rocky View

Randy Smith  
Manager of Fire Services  
Fire Chief - Rocky View County

Please let this letter serve as notice that Edward Wilson and Kailey Parkin, as owners of Stigma & Stamen Inc, are anticipating submitting an application to Health Canada to grow cannabis no later than June 1, 2020.

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Please advise if there are any questions or concerns or to review our plans and application at your convenience.

Thank you,

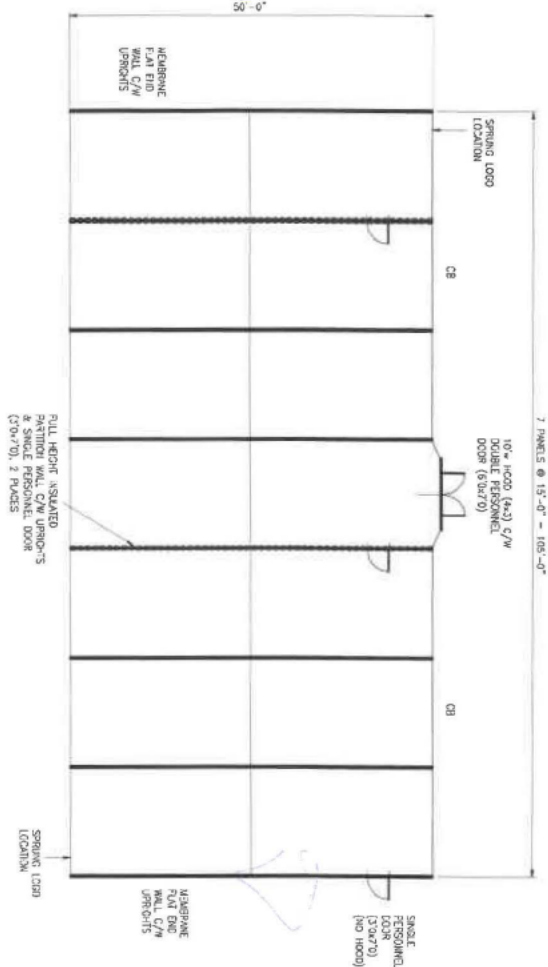
We look forward to speaking with you,

Edward Wilson

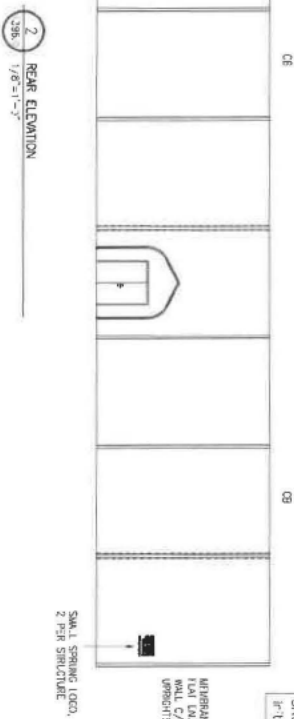
Kailey Parkin

Stigma & Stamen Inc.  
587-577-5482  
info@stigmaandstamen.com

CB = CABLE BRIDGING



PLAN VIEW  
1/8" = 1'-0"



2 REAR ELEVATION  
296.  $1/8" = 1' - 0"$

**DRAWING APPROVAL**

Signature \_\_\_\_\_

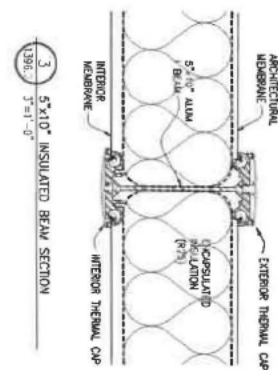
Print Name \_\_\_\_\_

Date: \_\_\_\_\_

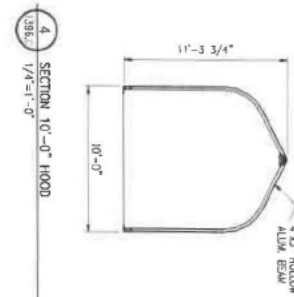
Confirmation of design  
loads at site per the  
local building dept.:

WIND: q50 \_\_\_\_\_ kPa  
      Ss \_\_\_\_\_ kPa  
SNOW: S<sub>f</sub> \_\_\_\_\_ kPa  
      S<sub>f</sub> \_\_\_\_\_ kPa

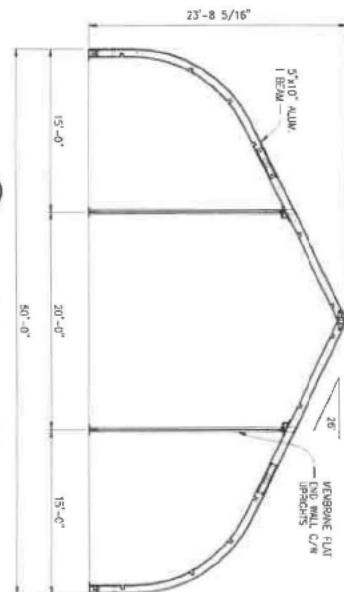
Mr./Ms. \_\_\_\_\_



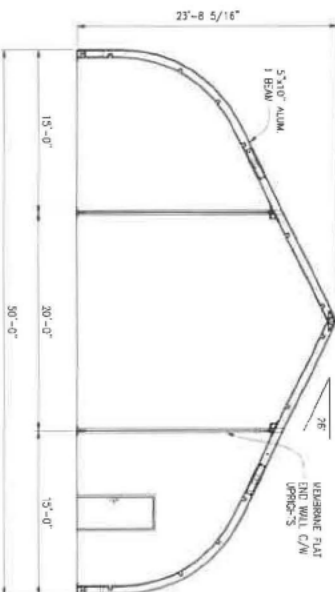
$$\frac{3}{1396.5} \quad 5 \times 10^{-6} \text{ INSULATED BEAM SECTION}$$



SECTION 10'-0" HOO  
1/4"=1'-0"  
4  
1396.



5 FLAT END 50°-0° INSULATED STRUCTURE  
(LEFT END)



6 FLAT END 50'-0" INSULATED STRUCTURE  
y/15°=1'-0" (HIGH END)  
:396

[illegible]

## SPRUNG STRUCTURES

## BUILDING COMPONENTS



### Aluminum Substructure

Sprung utilizes an extruded military grade aluminum substructure which provides superior performance, durability, and longevity. The Sprung aluminum substructure has an indefinite life expectancy and comes with a 50-year pro-rata guarantee. Our one piece extruded aluminum I-beam with membrane retainer is engineered to endure extreme weather and environmental conditions.

- ✓ Rustproof
- ✓ Lightweight
- ✓ Strong
- ✓ Versatile
- ✓ Economical
- ✓ Long Lasting
- ✓ Environmentally Friendly

### Performance Architectural Membrane



Sprung's high performance architectural membrane is not only as tough, durable and color fast as conventional building materials, it offers real cost advantages, through energy efficiency, climate control and quicker build times.

- ✓ Tough
- ✓ Attractive
- ✓ Durable
- ✓ Wide Range Of Color Options
- ✓ Color Fast
- ✓ Safe

### We have membrane solutions for specific structure applications

For Permanent Structures  
For Interim and Relocatable Buildings  
For Cold Weather Installations

- Dupont TEDLAR Coated or Sprung's Kynar Coated Membrane
- Sprung's Polyurethane Coated Membrane
- Sprung's Low-Temperature Arctic Membrane

### Performance Insulation

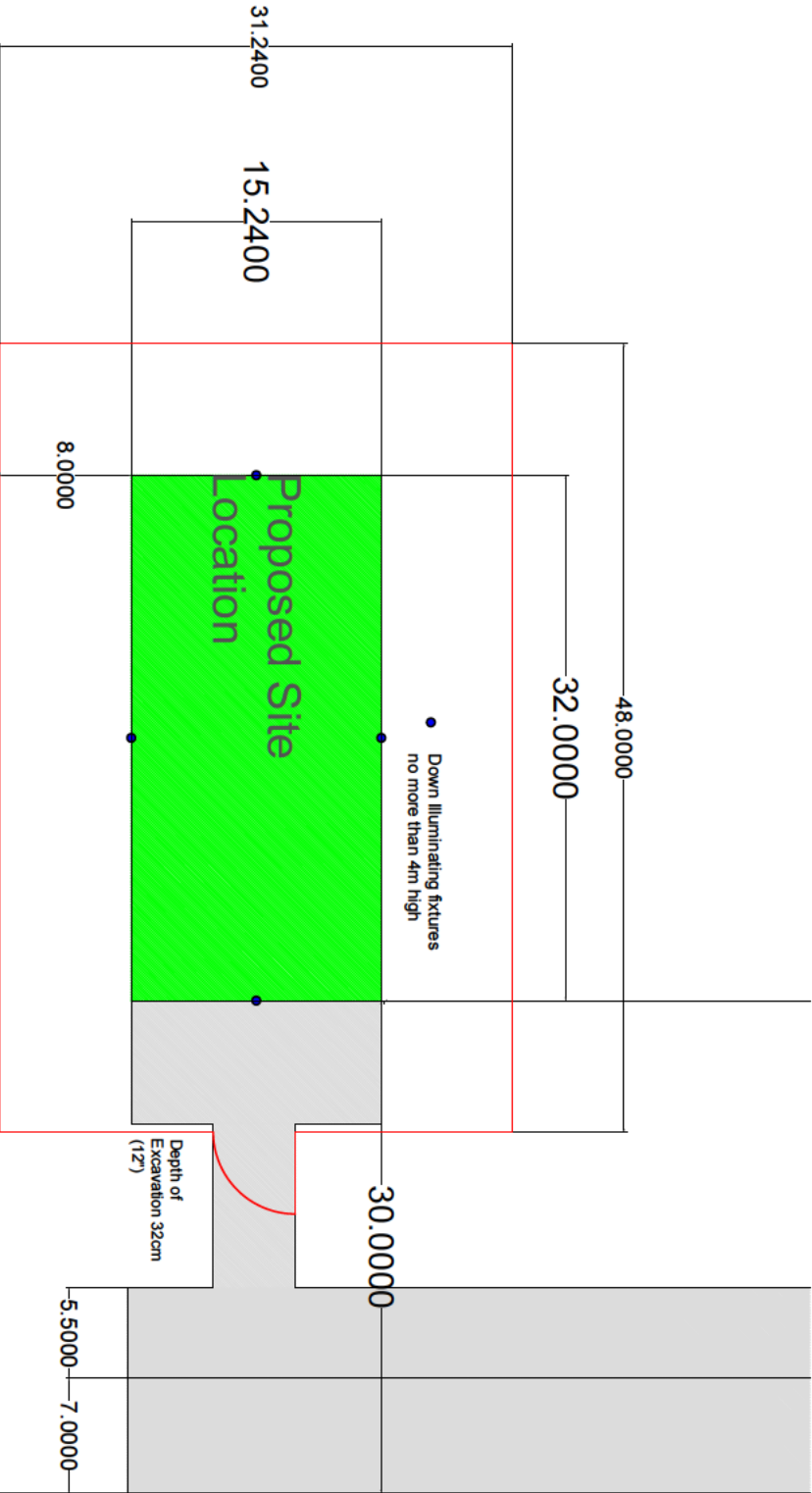


Sprung tensioned membrane structures are engineered to provide naturally better climate control with optimal heating and cooling efficiency. This virtually airtight system, combined with a fully lofted layer of fiberglass blanket insulation and tensioned interior membrane, contribute to a highly efficient building solution.

- ✓ Healthier Structure
  - formaldehyde-free fiberglass insulation
- ✓ Energy Efficiency
  - aluminum foil backing maximizing efficiency
- ✓ Sustainability



PRODUCED BY AN AUTODESK STUDENT VERSION



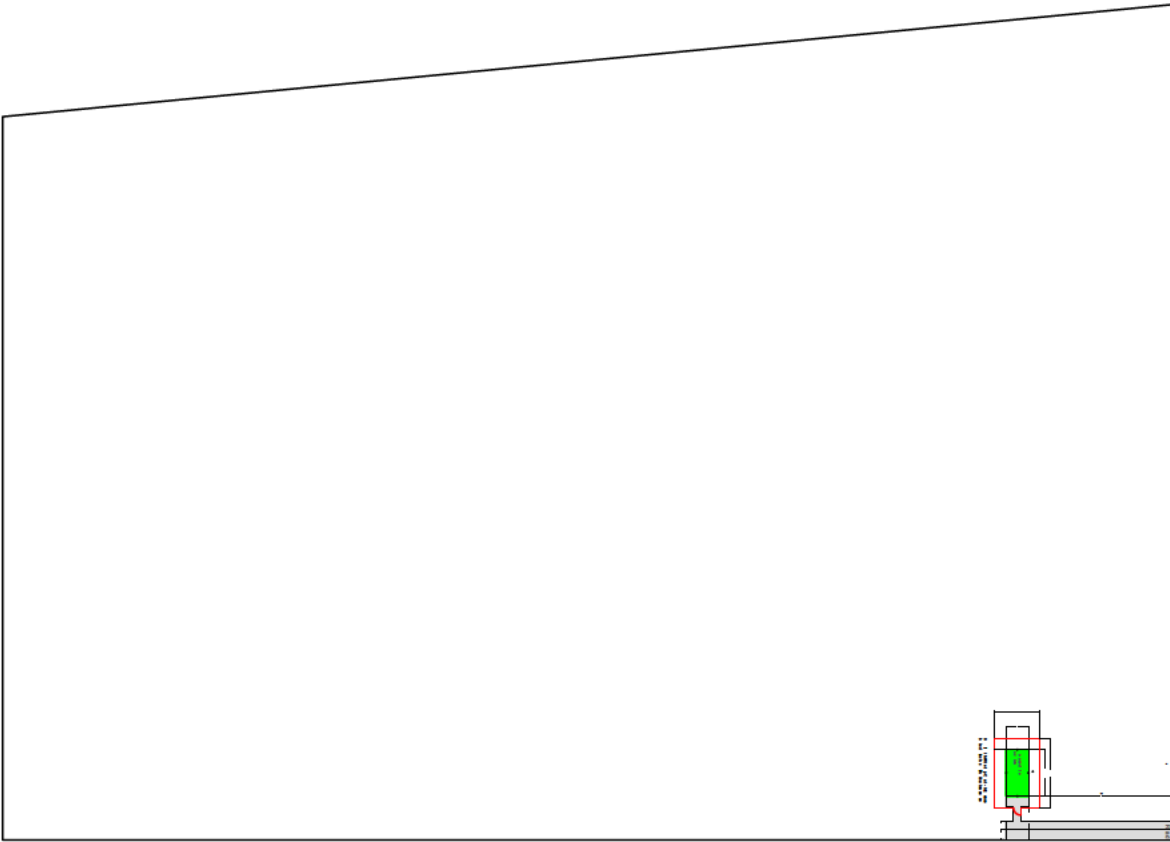
(2.4384m) 8' T all with Wire top Chain-link fence  
buried 6 inches with vibration sensor.  
(0.1524m)

- (0.3048m) - 12 in excavation followed by compaction and geo-textile fabric
- (0.1524m) - 6" of backfill with 80mm - gravel
- (0.1016m) - 4" of 24mm crush
- (0.0635m) - 2-3" of 3/4 in crush
- Final compaction with a vibrating roller.



PRODUCED BY AN AUTODESK STUDENT VERSION

PRODUCED BY AN AUTODESK STUDENT VERSION



PRODUCED BY AN AUTODESK STUDENT VERSION

PRODUCED BY AN AUTODESK STUDENT VERSION

### PLANNING & DEVELOPMENT SERVICES

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**TO:** Subdivision and Development Appeal Board

**DATE:** Wednesday, February 19, 2020      **DIVISION:** 05

**FILE:** 05328003      **APPLICATION:** B-2; PRDP20194227

**SUBJECT:** Special Care Facility

---

<b>PROPOSAL:</b> Special Care Facility (existing dwelling) and construction of an addition and relaxation of the minimum front yard setback requirement	<b>GENERAL LOCATION:</b> located on the east side of Rge. Rd. 284 and on the north side of Serenity Place.
<b>APPLICATION DATE:</b> November 19, 2019	<b>DEVELOPMENT AUTHORITY DECISION:</b> Discretionary-Approved
<b>APPEAL DATE:</b> February 4, 2019	<b>DEVELOPMENT AUTHORITY DECISION DATE:</b> January 14, 2020
<b>APPELLANT:</b> Jennifer & Shawn O'Farrell	<b>APPLICANT:</b> Clem Lau Architect Inc. <b>OWNER:</b> Brian Morrissey
<b>LEGAL DESCRIPTION:</b> Lot 1 Block 1 Plan 0911779, NW-28-25-28-04	<b>MUNICIPAL ADDRESS:</b> 254244 RGE RD 284
<b>LAND USE DESIGNATION:</b> Residential Two District	<b>GROSS AREA:</b> 1.61 hectares (4.00 acres)
<b>PERMITTED USE:</b> A Special Care Facility is a Discretionary use within the Residential Two District.	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> The Development Authority has variance ability within Section 12.2 of the Land Use Bylaw.
<b>PUBLIC SUBMISSIONS:</b> The application was circulated to 30 adjacent landowners. At the time this report was prepared, five letters were received in support of the application and no letters were received in objection to the application.	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>•County Plan</li> <li>•Land Use Bylaw</li> <li>•Serenity Estates Conceptual Scheme</li> </ul>

#### EXECUTIVE SUMMARY:

The proposal is for a Special Care Facility (existing dwelling), and construction of an addition and relaxation of the minimum front yard setback requirement.

The application is to convert an existing dwelling, single detached into a Special Care Facility (including multiple bedrooms and kitchenettes). The facility operators (2) will reside onsite, within the dwelling unit, while the remaining four rooms will be occupied by full-time residents, who require special or additional assistance. The principal unit will also include 10 washrooms, a living room, laundry room, mechanical room, and office/reception area (original dwelling area [to be converted]). The facility will run 24/7 and is not anticipating an increase in traffic besides average residential use. The combined footprint of the facility is 465.90 sq. m (5,015.00 sq. ft.) and access to the site is off Rge. Rd. 284 and Serenity Place.

The existing dwelling, single detached was constructed in 1977 and is considered non-conforming. As the application is proposing to construct an addition, the dwelling must be brought into compliance with the current Land Use Bylaw. Therefore, a front yard setback variance from 45.00 m (147.63 ft.) to 32.95 m (108.10 ft.) is also being requested (26.77%).

The application was assessed against the County's Land Use Bylaw and the Serenity Estates Conceptual Scheme and as such was discretionary-approved, with conditions, by the Development Authority on January 14, 2020.

On February 7, 2020, the Appellant appealed the decision of the Development Authority. Reasons for the appeal included:

- Unsure of what the purpose of the facility is;
- Concerns about the development and management of facility;
- Concerns about water supply for surrounding area;
- Concerns about the types of residents and their needs;

#### **PROPERTY HISTORY:**

September 28, 2004	The subject 1.61 hectares (4.00 acres) lot was included with Planning Application #2003-RV-101 for the <i>Residential One District and Residential Two District in order to facilitate the creation of thirteen +/- 2 acre parcels and two +/- 4 acre parcels served by an internal cul-de-sac road</i>
1977	Dwelling, Single detached was constructed

#### **APPEAL:**

See attached report and exhibits.

Respectfully submitted,

---

Sean MacLean  
Supervisor Planning

JT/

### DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> November 19, 2019	<b>File:</b> 05328003
<b>Application:</b> PRDP20194227	<b>Applicant/Owner:</b> Clem Lau Architect Inc.
<b>Legal Description:</b> Lot 1, Block 1, Plan 0911779, NW-28-25-28-04	<b>General Location:</b> located on the east side of Rge. Rd. 284 and on the north side of Serenity Place.
<b>Land Use Designation:</b> Residential Two District	<b>Gross Area:</b> 1.61 hectares (4.00 acres)
<b>File Manager:</b> Jacqueline Targett	<b>Division:</b> 05

### PROPOSAL:

The proposal is for a Special Care Facility (existing dwelling), construction of an addition, relaxation of the minimum front yard setback requirement.

The application is to convert an existing dwelling, single detached into a Special Care Facility (including multiple bedrooms and kitchenettes). The facility operators (2) will reside onsite, within the dwelling unit, while the remaining four rooms will be occupied by full-time residents, who require special or additional assistance. The principal unit will also include 10 washrooms, a living room, laundry room, mechanical room, and office/reception area (original dwelling area [to be converted]). The facility will run 24/7 and is not anticipating an increase in traffic besides average residential use. There is no minimum requirement for parking stalls for this use but it is anticipated that the site will accommodate all resident vehicles.

#### ***Dwelling Details:***

The dwelling, single detached as existing (2,066.00 sq. ft. in area [including a garage]) onsite will be converted to an office area/main entrance point for all incoming patients. An interior floor plan layout has not been provided, only a footprint. No signage is proposed at this time.

With construction of the addition, footprint of 273.97 sq. m (2,949.00 sq. ft.), the addition will be constructed of durable materials and will remain residential in appearance. The existing dwelling exterior will be modified to be cohesive with the addition. The Serenity Estates subdivision includes custom-designed luxury dwellings. The proposed unit as designed would appear to maintain the residential character of the subdivision.

#### ***Materials Legend:***

Asphalt Shingles	Dual Brown
Pre-finished Metal Fascia & Flashing Gnetek	Saddle Brown
Stucco Imasco	Crème de la Cream
Trims, Columns, Windows & Door Frames	General Paint White
Parging Paint March to Stucco	Crème de la Cream
Door Paint	General Paint White

The addition will include:

- Basement: 216.96 sq. m (2,335.30 sq. ft.)
- Main Floor Area: 273.97 sq. m (2,949.00 sq. ft.)
- Second Floor Area: 297.48 sq. m (3,202.00 sq. ft.)
- 2 Exterior Decks

***Property Onsite-Details:***

The subject property is located within the Serenity Estates Conceptual Scheme and includes quadruple facing roadway frontage. Currently, there are two access points from Rge. Rd. 284 and Serenity Place. No new access points are proposed. The parking area and access points will include a gravel surface.

The property includes a large stormwater management pond [including a large drainage right-of-way], which is part of the four pond management plan for the Serenity Estates Conceptual Scheme stormwater management. The property is currently serviced by the Serenity Estates Water Co-op and private septic field. A letter was included from a certified water system installer, providing confirmation that the water would be sufficient to accommodate the increase in population to the entire subdivision. However, confirmation from the Serenity Water Co-Op has not been provided for the additional servicing proposed.

For the subject proposal, an additional septic field will be installed onsite. A letter was included from a certified septic tank installer, providing confirmation.

The property is developed with mature landscaping, that will be maintained onsite.

The application includes a grading plan, with all pre and post grades within 1.00 m difference. No grading variances have been requested.

***Adjacent Landowner Submissions:***

Four letters were included with the application, from adjacent landowners within the Serenity Estates subdivision, providing support for the proposal.

***Property History:***

***Development Permits:***

- 2007-DP-12570 (stripping & grading [15 lots])

***Building Permits:***

- 1999-BP-13431 (Accessory building [storage]); File Closed July 2008
- FBLP-19990929-115 (Farm Building); Issued September 29, 1999
- FBLP-19990829-37 (Farm Building); Issued August 29, 1999
- 1990-BP-1666 (Addition to a Dwelling); Final inspection May 6, 1991

***Planning Applications:***

- **2003-RV-101** (*To redesignate the subject land from Agricultural Holdings District to Residential One District and Residential Two District in order to facilitate the creation of thirteen +/- 2 acre parcels and two +/- 4 acre parcels served by an internal cul-de-sac road*); Closed-Approved
- **2003-RV-311** (*to adopt a conceptual scheme to provide a policy framework to guide and evaluate future residential development within the subject lands*); Closed-Approved



- **2004-RV-373** (to create two +/- 4 acre parcels, thirteen +/- 2 acre parcels, one emergency access road and one additional road to service future subdivisions south of the subject land); Closed-Registered

**Land Use Bylaw:**Section 8 Definitions

*DWELLING UNIT means a self-contained building or portion of a building with one common cooking/eating facility, living, sleeping, and sanitary facilities for domestic use of one or more individuals*

*SPECIAL CARE FACILITY means a building or portion thereof which provides for the care or rehabilitation of one or more individuals in the case of a half-way house for five or more individuals in all other cases, with or without the provision of overnight accommodation, and includes nursing homes, geriatric centres, and group homes, but does not include hostels, child care facilities, and senior citizens housing;*

Section 12.2(c)*A Use, Discretionary:*

- (i) *May approve the application, with or without conditions, if the proposed development conforms with the Bylaw;*
- (ii) *May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, if: (1) the proposed development would not: (A) unduly interfere with the amenities of the neighbourhood, or (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and (2) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.*
- (iii) *May refuse the application even though it meets the requirements of the Bylaw.*

Section 50 Residential Two District (R-2)*50.3 Discretionary Uses: Special Care Facilities**50.5(b)(i) Front yard setback from a County road is 45.00 m (147.63 ft.)*

- The proposed front yard setback is 32.95 m (108.10 ft.). This is a relaxation request of 26.77%. As per Section 12.2 of the Land Use Bylaw, this variance is acceptable as the setback is the closest point to the existing dwelling, single detached. As the dwelling was constructed in 1977, the dwelling was deemed non-conforming. With the proposal, the Applicant is required to bring the dwelling into compliance with the current Land Use Bylaw. As the dwelling is no encroaching further into the setback, there is no further impact from roadway distances and sightlines.

*50.5(c)(iii) Side yard setback from an internal subdivision is 15.00 m (49.21 ft.)*

- The proposed north side yard setback is 18.90 m (62.00 ft.)
- The proposed south yard setback is 16.98 m (55.70 ft.)

*50.5(d) Rear yard setback from any roadway is 30.00 m (98.42 ft.)*

- The proposed east rear yard setback is 119.76 m (392.91 ft.)

*50.7(a) Maximum height of a principal building is 10.00 m (32.81 ft.);*

- The proposed height of the principal building is 9.77 m (32.08 ft.).

*50.8 Maximum dwelling units per lot is one Dwelling, Single Detached, and one Accessory Dwelling Unit.*

- The application is proposing 1 dwelling unit in total, with multiple bedrooms areas.

*50.9 Total building area for all accessory buildings – 225.00 sq. m (2,421.88 sq. ft.).*

*50.10 Maximum number of accessory buildings – 3*

- The subject parcel includes one minor accessory building (shed [4.58 sq. m (49.37 sq. ft.)])

#### **STATUTORY PLANS:**

The property does not fall under any approved area structure plan or intermunicipal development plan. The application was assessed in accordance with the Land Use Bylaw.

#### **NON STATUTORY PLANS:**

The property falls under the Serenity Estates Conceptual Scheme. The scheme does not provide any guidance on the nature of this application, but supports residential development and ancillary uses such as home-based business operations.

#### **INSPECTOR'S COMMENTS:**

Inspection: Not completed at the time of this report.

#### **CIRCULATIONS:**

##### Alberta Health Services

- No response received at the time of this report.

##### Building Services Review (December 30, 2019)

- Prior to Issuance - Provide 3.2.2. Building Code Classification to Building Services. Entire building must be sprinklered with fire alarm. – Appears to be a Group B occupancy.
- Prior to Issuance - Provide Hydrant to Siamese dimension, the hydrant location depends on the 3.2.2 classification.
- Prior to Issuance – Provide Access Routes design as per article 3.2.5.6., including centerline turning radius and clear widths.
- Prior to Issuance – Private Water Supply design must conform to article 3.2.5.7. and NFPA 1142.
- Advisory Condition – Architectural, structural, mechanical, and electrical drawings are required with professionals seals at BP application.
- Advisory Condition - Building shall conform to the National Energy Code 2017, with documentation/design at Building Permit stage.

##### Engineering Services Review (December 13, 2019)

##### General

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.

##### Geotechnical - Section 300.0 requirements:

- Engineering have no requirements at this time.

**Transportation** - Section 400.0 requirements:

- Prior to issuance, the applicant shall provide a trip generation memo, which details the amount of traffic that will be generated by the proposed development.

**Sanitary/Waste Water** - Section 500.0 requirements:

- The applicant provided a Residential Onsite Wastewater Treatment System Design prepared by Rockglen Excavating dated November 14, 2019. The report recommends the use of two 3000 Imperial Gallon. holding tanks with pump out service.
- Engineering have no requirements at this time.

**Water Supply and Waterworks** - Section 600.0 & 800.0 requirements:

- The applicant provided a letter from M&M Pumps Inc. that indicates that the installation of 4-330 gallon cisterns will provide an adequate supply of water without going over the monthly limit supplied by the Serenity Estates Water Co-op.
- Engineering have no requirements at this time.

**Storm Water Management** – Section 700.0 requirements:

- Prior to issuance, the applicant shall submit a Site-Specific Stormwater Implementation Plan (SSIP) to demonstrate how stormwater from the site will be managed and integrated with the overall stormwater management system of the Serenity Conceptual Scheme.
- As a permanent condition, the applicant will be required to operate the site in accordance with the approved SSIP.
- As a permanent condition, upon request from the County the applicant shall submit as-built drawings of the stormwater infrastructure.

**Environmental** – Section 900.0 requirements:

- As a permanent condition the applicant is responsible for any AEP, AHS, and Health Canada approvals that may be required as part of the development.
- Engineering have no requirements at this time.

**Fire Services Review (January 2, 2020)**

- The Fire Service requests that all construction to this addition comply with the B-3 classification in the National Building Code. This is not the same as a B&B as the Applicant states.
- There are no further comments at this time.

**I&O Review (January 10, 2020)**

- *Transportation Services:*
  - Applicant to contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - Applicant to be reminded staff and clientele parking is restricted to onsite only.
  - Applicant to be reminded no business signage to be installed within the County Road Allowance
- *Utility Operations:*
  - I believe it would be in the best interests of the County and the applicant to get verification from the water supplier (Serenity Estates Co-op) that there is capacity, ability and an agreement to supply the proposed development with the required water demand.

**OPTIONS:**Option #1: (this would approve the Facility)

The appeal against the decision of the Development Authority to conditionally approve a Development Permit for Special Care Facility (existing dwelling), construction of an addition, relaxation of the minimum front yard setback requirement on Lot 1, Block 1, Plan 0911779; NW-28-25-28-04 (254244 RGE RD 284) be denied, that the decision of the Development Authority be confirmed, and that a Development Permit be conditionally approved, subject to the following conditions:

**Description:**

1. That Special Care Facilities (*Special Care Facility*) may commence on the subject site in general accordance with the approved site plan and application [as amended], prepared by Clem Lau Architect Designers, Dwgs. A-1.0, A-2.0; A-2.2, A-3.0, A-3.1 dated November 15, 2019; Dwg. A-2.1 dated January 8, 2019 and includes the following:
  - i. Operation of a *Special Care Facility*;
  - ii. Conversion of an existing dwelling, single detached, approximately (2,066.00 sq. ft. in footprint), including an office/reception area;
  - iii. Construction of an addition, approximately 273.97 sq. m (2,949.00 sq. ft.) in footprint, including up to 5 living units;
  - iv. Relaxation of the minimum front yard setback requirement from 45.00 m (147.63 ft.) to 32.95 m (108.10 ft.);
  - v. Exterior Decks; and
  - vi. Site Grading;

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit confirmation from Serenity Estates Water Co-op confirming water capacity and allocation to service the proposed development.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Dwg. A-2.1 of the existing dwelling, single detached, confirming the interior floor plan and proposed uses, to the satisfaction of the County.
4. That prior to issuance 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 will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a Trip Generation Memo, which will detail the amount of traffic that will be generated by the proposed development, in accordance with County Servicing Standards.
6. That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), that will demonstrate how stormwater from the



site will be managed and integrated with the overall stormwater management system of the Serenity Conceptual Scheme, in accordance with County Servicing Standards.

7. That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800.00.

**Permanent:**

8. That the subject land shall ensure mature landscaping is maintained onsite, around the *Special Care Facility*.
9. That all on site Lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting should 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 eliminates glare as viewed from nearby residential properties.
10. That there shall be no offsite resident parking on any County road right-of-way at any time.
11. That the proposed development shall have adequate water servicing & wastewater disposal.
12. That no topsoil shall be removed from the site. All native topsoil shall be retained on-site and shall be spread and seeded after building construction is complete.
13. That there shall be no more than a 1.00 m (3.28 ft.) grade change adjacent to or within 15.00 m (49.21 ft.) of the proposed addition under construction, unless a separate Development Permit has been issued for additional fill.
14. That upon request from the County, the Applicant/Owner shall prepare and submit as-built drawings of the implemented stormwater infrastructure on the subject property, to the satisfaction of the County.
15. That there shall be no signage on the subject property, advertising the *Special Care Facility*, unless a separate Development Permit has been issued.
16. That this approval does not include *Accommodation Unit, Bed & Breakfast home, Health Care Practice, Hostels, Child Care Facilities, Senior Citizen Housing or Lodging Houses and Country Inn*.
17. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity, including the required SSIP.

**Advisory:**

18. That the Applicant/Owner shall contact County Road Operations and submit application for approval for any modification or alteration of any driveway/approach for the subject property, prior to commencing any work on the driveway/approach, if required.
19. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, December 2017*].
20. That a Building Permit shall be obtained through Building Services, prior to any construction taking place and shall include:

- i. a 3.2.2. Building Code Classification; Note, the entire building shall be sprinklered and would appear to be a Group B occupancy;
- ii. Hydrant to Siamese dimension, the hydrant location depends on the 3.2.2 classification;
- iii. Access Routes design as per Article 3.2.5.6. of the Alberta Building Code 2014 (ABC), including centerline turning radius and clear widths.
- iv. Private Water Supply design shall conform to Article 3.2.5.7 of ABC and National Fire Protection Association (NFPA) 1142;
- v. Architectural, structural, mechanical, and electrical drawings are required with professional's seals;

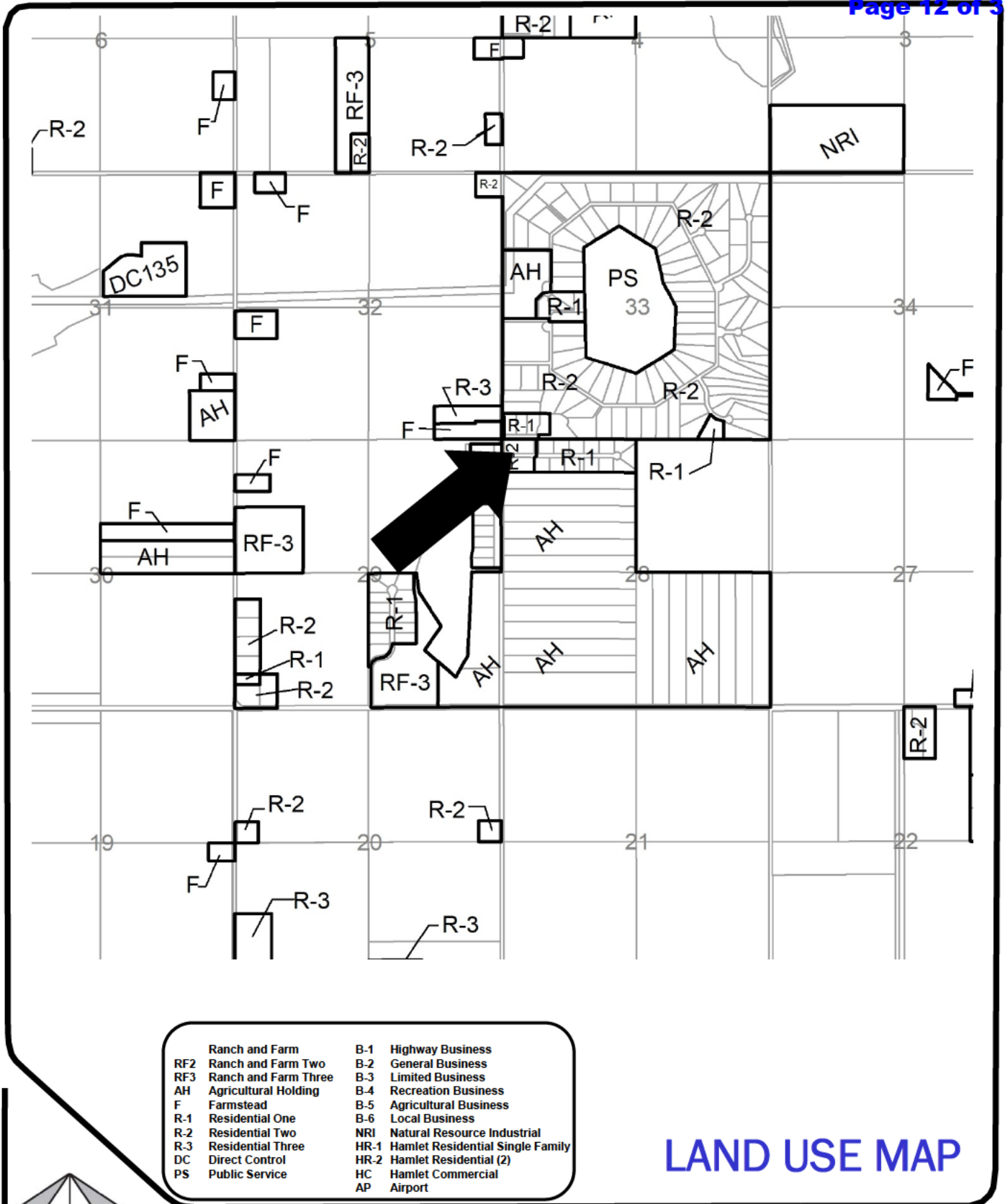
*Note: the Building shall conform to the National Energy Code 2017, with documentation / design at Building Permit stage.*

21. That there shall be fire extinguishers, emergency lighting and smoke detectors on each level of the Special Care Facility, as per the ABC.
22. That all garbage and waste material onsite shall be screened and stored in weatherproof and animal-proof containers located within the building or adjacent to the side or rear of the building.
23. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner, including any Alberta Health Services licenses/approvals prior to operation.
24. 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.
25. That if the Development Permit is not issued by **JULY 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Option #2: (this would not allow the facility)

The appeal against the decision of the Development Authority to conditionally-approve a Development Permit for Special Care Facility (existing dwelling) and construction of an addition and relaxation of the minimum front yard setback requirement on Lot 1, Block 1, Plan 0911779; NW-28-25-28-04 (254244 RGE RD 284) be upheld, that the decision of the Development Authority be revoked, and that a Development Permit be refused.

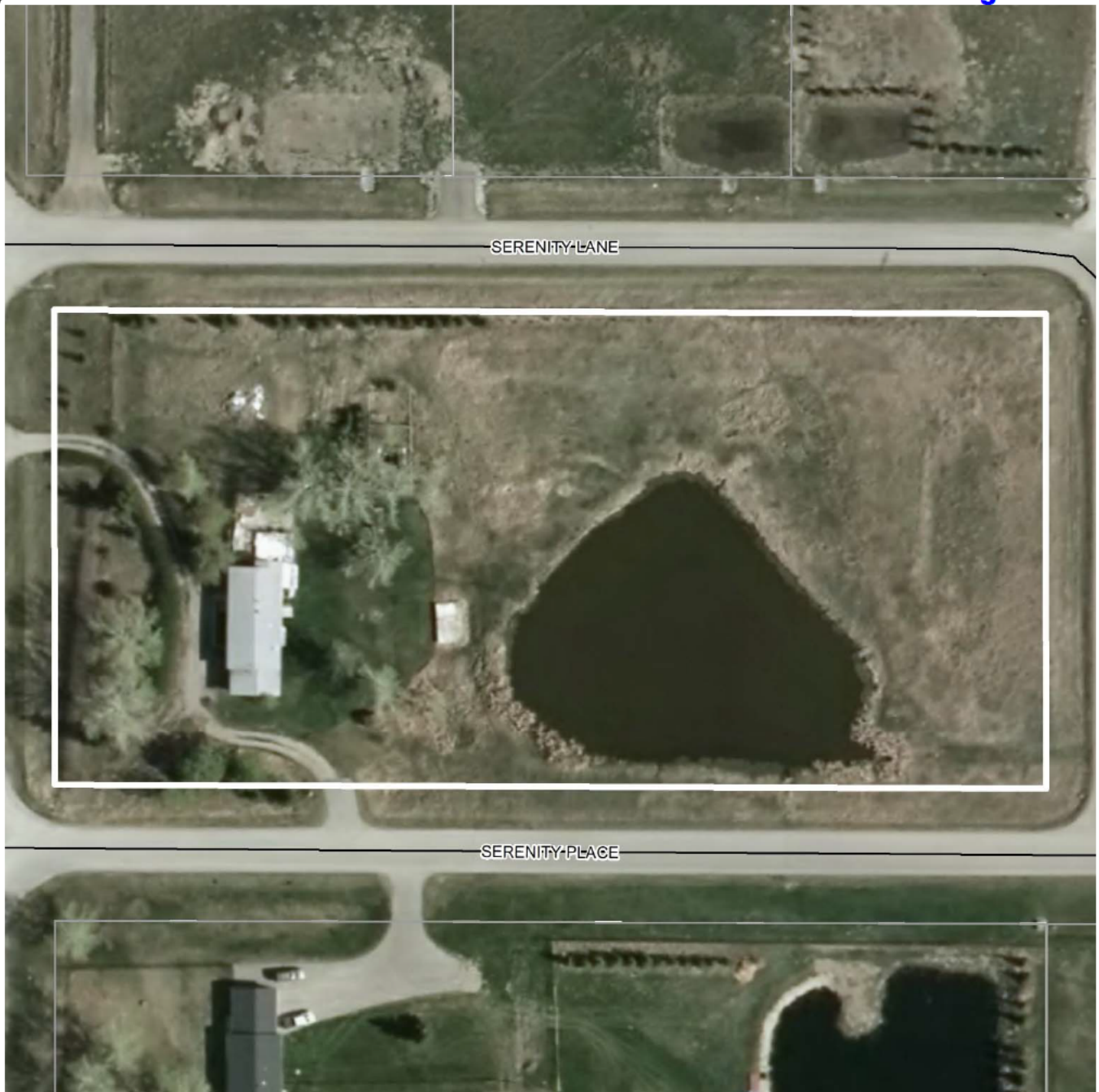




NW-28-25-28-W04M  
Lot:1 Block:1 Plan:0911779

Date: February 5, 2020 Division # 5 File: 05328003

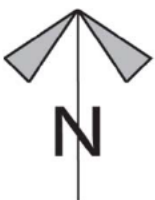




Note: Post processing of raw aerial  
photography may cause varying degrees  
of visual distortion at the local level.

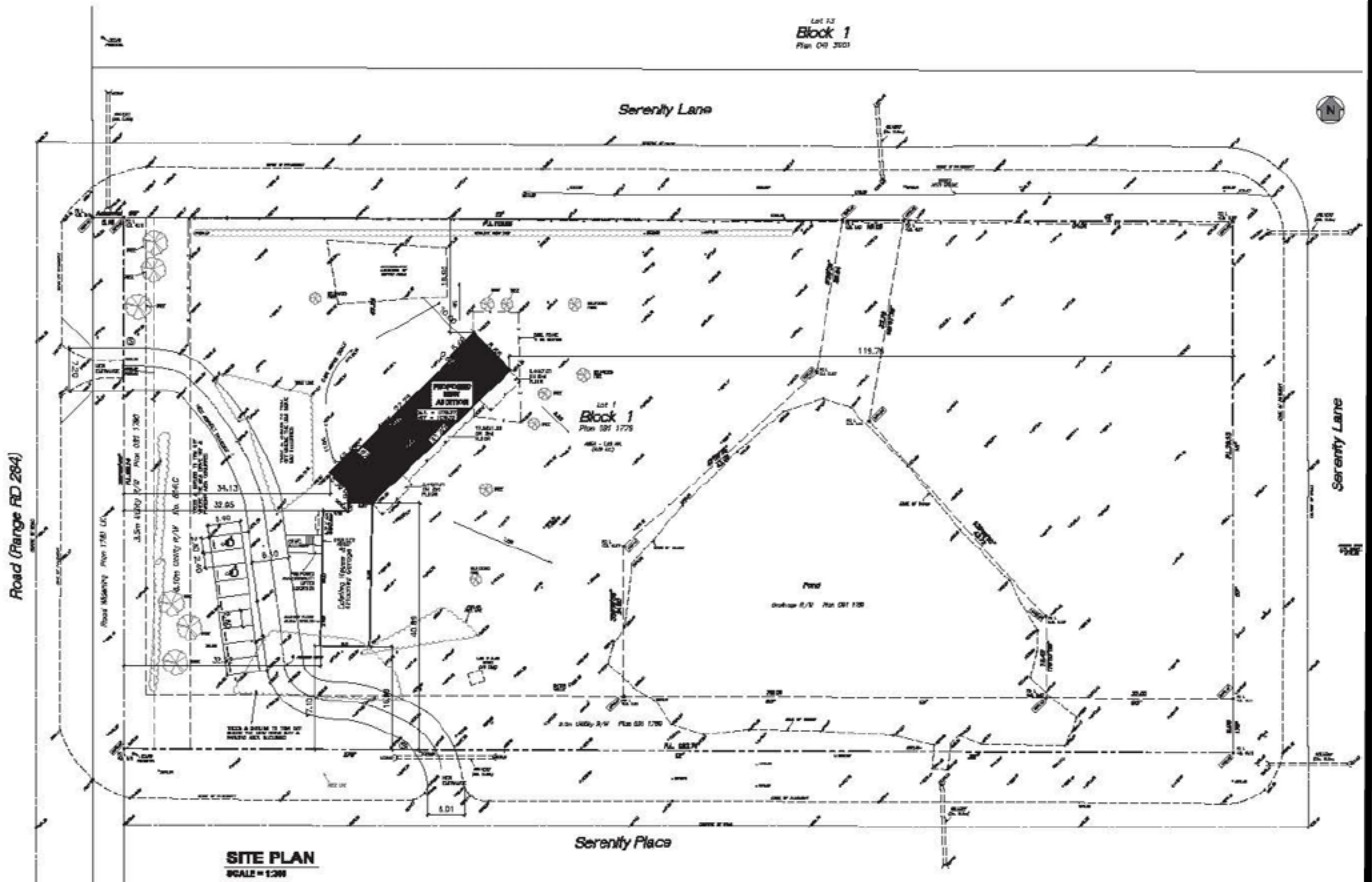
**AIR PHOTO**

*Spring 2018*

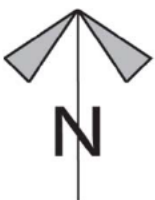


NW-28-25-28-W04M  
Lot:1 Block:1 Plan:0911779

Date: February 5, 2020 Division # 5 File: 05328003

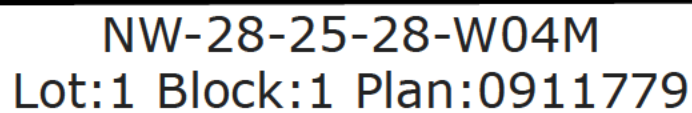


SITE PLAN



NW-28-25-28-W04M  
Lot:1 Block:1 Plan:0911779

Date: February 5, 2020 Division # 5 File: 05328003



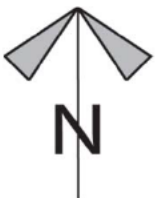
**Agenda**  
**Page 51 of 69**





## SITE INSPECTION PHOTOS

JAN 2020



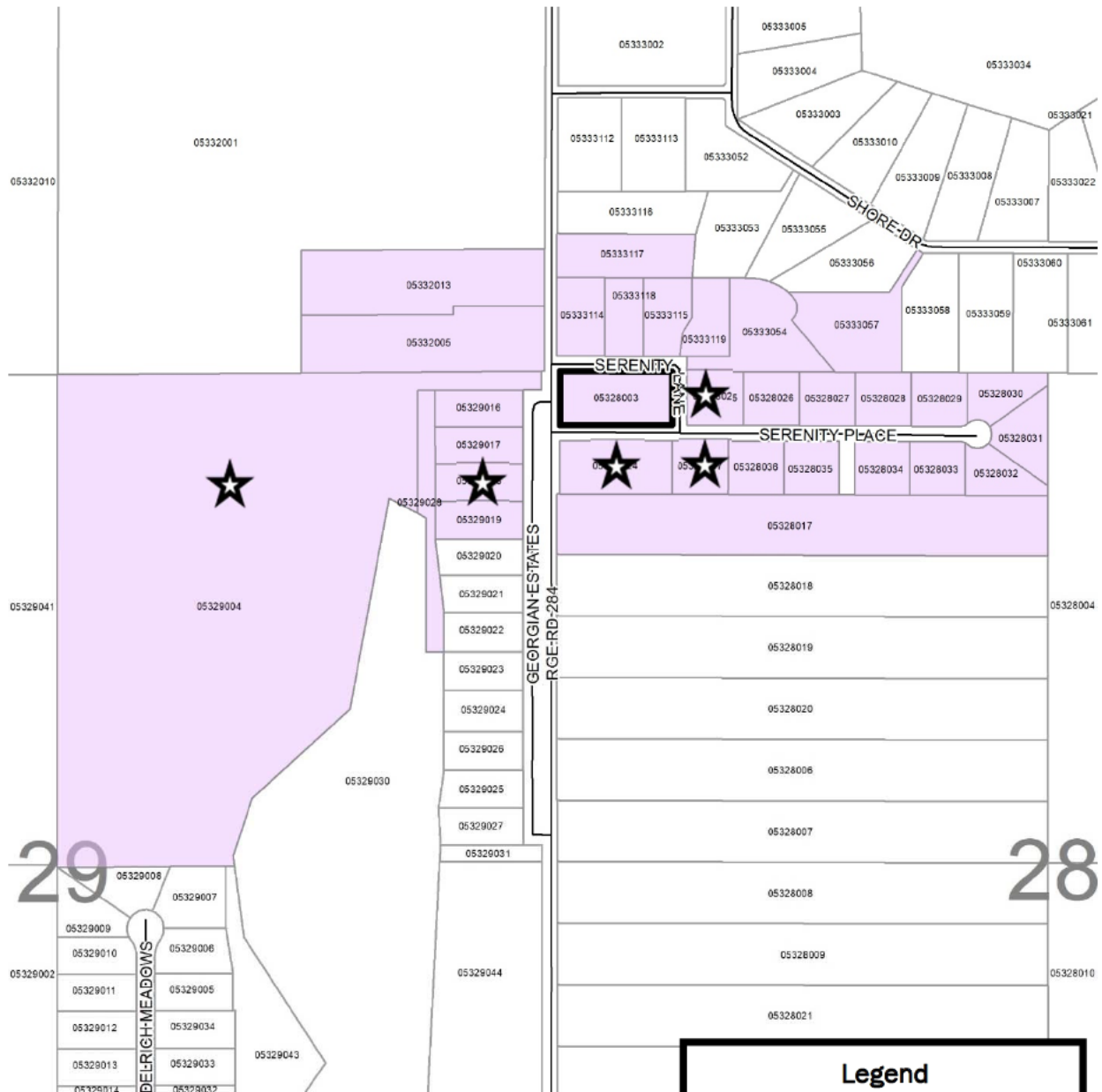
NW-28-25-28-W04M  
Lot:1 Block:1 Plan:0911779

Date: February 5, 2020 Division # 5 File: 05328003





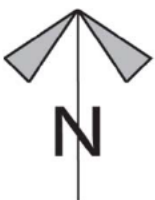




⊘ Letters in Support of Application  
 ★ Letters in Support

Legend	
	Circulation Area
	Subject Lands

## LANDOWNER CIRCULATION AREA



NW-28-25-28-W04M  
 Lot:1 Block:1 Plan:0911779

Date: February 5, 2020 Division # 5 File: 05328003



**Notice of Appeal**  
Subdivision and Development Appeal Board  
Enforcement Appeal Committee

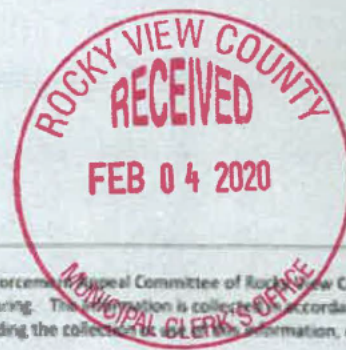
<b>Appellant Information</b>
Name of Appellant(s) Jennifer + Shawn O'Farrell



<b>Site Information</b>	
Municipal Address 254244 Serenity Pl	Legal Land Description (lot, block, plan OR quarter section township-range-meridian) Plan 0911779 Blk 1 Lot 1
Property Roll # <b>05328003</b>	Development Permit, Subdivision Application, or Enforcement Order # PRDP 20194227

I am appealing: (check one box only)		
<b>Development Authority Decision</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

<b>Reasons for Appeal (attach separate page if required)</b> • unsure of what the purpose of the facility is • concerns about the development + management of facility • concerns about water supply for surrounding area • concerns about the types of residents + their needs
---



This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the Freedom of Information and Protection of Privacy Act. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

Jen O'Farrell  
Appellant's Signature

Feb 4/2020  
Date



# ROCKY VIEW COUNTY

## 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 Issuance conditions (if listed) *must* be completed.

## NOTICE OF DECISION

Clem Lau Architect Inc.  
1619 - 11th AVE SW  
Calgary , AB T3C 0N3

Page 1 of 3

Tuesday, January 28, 2020

Roll: 05328003

**RE: Development Permit #PRDP20194227**

**Lot 1 Block 1 Plan 0911779, NW-28-25-28-04; (254244 RGE RD 284)**

The Development Permit application for *Special Care Facility* (existing dwelling), construction of an addition and relaxation of the minimum front yard setback requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

### Description:

1. That *Special Care Facilities (Special Care Facility)* may commence on the subject site in general accordance with the approved site plan and application [as amended], prepared by Clem Lau Architect Designers, Dwgs. A-1.0, A-2.0; A-2.2, A-3.0, A-3.1 dated November 15, 2019; Dwg. A-2.1 dated January 8, 2019 and includes the following:
  - i. Operation of a *Special Care Facility*;
  - ii. Conversion of an existing dwelling, single detached, approximately (2,066.00 sq. ft. in footprint), including an office/reception area;
  - iii. Construction of an addition, approximately 273.97 sq. m (2,949.00 sq. ft.) in footprint, including up to 5 living units;
  - iv. Relaxation of the minimum front yard setback requirement from 45.00 m (147.63 ft.) to 32.95 m (108.10 ft.);
  - v. Exterior Decks; and
  - vi. Site Grading;

### Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit confirmation from Serenity Estates Water Co-op confirming water capacity and allocation to service the proposed development.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Dwg. A-2.1 of the existing dwelling, single detached, confirming the interior floor plan and proposed uses, to the satisfaction of the County.
4. That prior to issuance 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 will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.





Clem Lau Architect Inc. #PRDP20194227

Page 2 of 3

- i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a Trip Generation Memo, which will detail the amount of traffic that will be generated by the proposed development, in accordance with County Servicing Standards.
6. That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), that will demonstrate how stormwater from the site will be managed and integrated with the overall stormwater management system of the Serenity Conceptual Scheme, in accordance with County Servicing Standards.
7. That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800.00.

**Permanent:**

8. That the subject land shall ensure mature landscaping is maintained onsite, around the *Special Care Facility*.
9. That all on site Lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting should 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 eliminates glare as viewed from nearby residential properties.
10. That there shall be no offsite resident parking on any County road right-of-way at any time.
11. That the proposed development shall have adequate water servicing & wastewater disposal.
12. That no topsoil shall be removed from the site. All native topsoil shall be retained on-site and shall be spread and seeded after building construction is complete.
13. That there shall be no more than a 1.00 m (3.28 ft.) grade change adjacent to or within 15.00 m (49.21 ft.) of the proposed addition under construction, unless a separate Development Permit has been issued for additional fill.
14. That upon request from the County, the Applicant/Owner shall prepare and submit as-built drawings of the implemented stormwater infrastructure on the subject property, to the satisfaction of the County.
15. That there shall be no signage on the subject property, advertising the *Special Care Facility*, unless a separate Development Permit has been issued.
16. That this approval does not include *Accommodation Unit, Bed & Breakfast home, Health Care Practice, Hostels, Child Care Facilities, Senior Citizen Housing or Lodging Houses and Country Inn*.
17. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity, including the required SSIP.

**Advisory:**

18. That the Applicant/Owner shall contact County Road Operations and submit application for approval for any modification or alteration of any driveway/approach for the subject property, prior to commencing any work on the driveway/approach, if required.



Clem Lau Architect Inc. #PRDP20194227

Page 3 of 3

19. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, December 2017*].
20. That a Building Permit shall be obtained through Building Services, prior to any construction taking place and shall include:
  - i. a 3.2.2. Building Code Classification; Note, the entire building shall be sprinklered and would appear to be a Group B occupancy;
  - ii. Hydrant to Siamese dimension, the hydrant location depends on the 3.2.2 classification;
  - iii. Access Routes design as per Article 3.2.5.6. of the Alberta Building Code 2014 (ABC), including centerline turning radius and clear widths.
  - iv. Private Water Supply design shall conform to Article 3.2.5.7 of ABC and National Fire Protection Association (NFPA) 1142;
  - v. Architectural, structural, mechanical, and electrical drawings are required with professional's seals;

*Note: the Building shall conform to the National Energy Code 2017, with documentation / design at Building Permit stage.*
21. That there shall be fire extinguishers, emergency lighting and smoke detectors on each level of the Special Care Facility, as per the ABC.
22. That all garbage and waste material onsite shall be screened and stored in weatherproof and animal-proof containers located within the building or adjacent to the side or rear of the building.
23. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner, including any Alberta Health Services licenses/approvals prior to operation.
24. 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.
25. That if the Development Permit is not issued by **JULY 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, February 18, 2020**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. 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 Development Appeal Committee.

Regards,

Development Authority

Phone: 403-520-8158

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

**THIS IS NOT A DEVELOPMENT PERMIT**





20194227

05328003; PRDP20194227

FOR OFFICE USE ONLY B-2

Fee Submitted

\$1000.00

File Number

05328003

Date of Receipt

Nov 19/19

Receipt #

# APPLICATION FOR COMMERCIAL / OFFICE / INDUSTRIAL DEVELOPMENT PERMITS

Name of Applicant

CLGM LAW

Email

Mailing Address

Postal Code

Telephone (B)

Fax

For Agents please supply Business/Agency/ Organization Name

CLGM LAW ARCHITECT

Registered Owner (if not applicant)

Mailing Address

Postal Code

Telephone (B)

(H)

Fax

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NW  $\frac{1}{4}$  Section 28 Township 25 Range 28 West of 4 Meridian  
b) Being all / parts of Lot 1 Block 1 Registered Plan Number 0911779  
c) Municipal Address 254244 SERENITY PLACE  
d) Existing Land Use Designation R-2 Parcel Size 4 ACRES Division

## 2. APPLICATION FOR

ADDITION TO AN EXISTING HOUSE.  
FOR A SPECIAL CARE FACILITY. CONTAINING  
10 Rooms Total.

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property (s)? Yes ☐ No ☒  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes ☐ No ☒  
(Sour Gas facility means well, pipeline or plant)  
c) Is there an abandoned oil or gas well or pipeline on the property? Yes ☐ No ☒  
d) Does the site have direct access to a developed Municipal Road? RANGE ROAD 284  
e) Has the Design Guidelines checklist been completed? Yes ☒ No ☐  
f) Has supplementary information been provided? (photos, sketches written descriptions etc.) Yes ☒ No ☐  
g) Details of additional information

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I BRIAN MORRISSEY hereby certify that ☒ I am the registered owner  
(Full Name in Block Capitals)

☐ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company

Applicant's Signature

Owner's Signature

Date

2019-11-15

PLEASE SEE NEXT PAGE

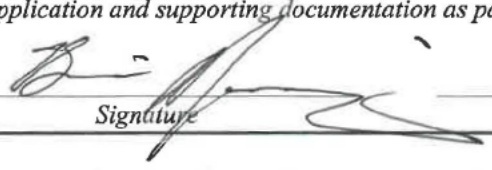
5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

  
Applicant's / Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application including technical studies will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the **Municipal Government Act**, R.S.A. 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner / Applicant) are deemed to consent to its public release. Information provided will only be used for purposes related to the evaluation and consideration of the development application. Questions about information can be directed to the Public Information Officer, 911 - 32 Ave NE, Calgary, Alberta, T2E 6X6; Phone: 403.520.8199

I, \_\_\_\_\_, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
Signature

\_\_\_\_\_  
Date

DATED: November 18, 2019

THE DEVELOPMENT PLANNER,  
262075 ROCKY VIEW POINT,  
ROCKY VIEW COUNTY, AB, T4A0X2

**RE: A PROPOSAL TO THE COUNTY TO ALLOW PERMISSION FOR EXPANSION OF THE EXISTING HOME FOR THE OWNERS TO LIVE IN AND RUN A SPECIAL CARE FACILITY (GROUP HOME)**

DEAR SIR,

I AM ATTACHING HERewith AN APPLICATION FOR A DEVELOPMENT PERMIT FOR A SPECIAL CARE FACILITY ON MY PROPERTY THAT I OWN IN THE COUNTY. ALL THE REQUIRED PAPERS INCLUDING THE PLANS AND SUPPORTING DOCUMENTS ARE ATTACHED HERewith. DETAILS OF MY PROPOSAL AS TO WHY I SHOULD BE GRANTED THE DEVELOPMENT PERMIT ARE MENTION AS UNDER:

LEGAL DESCRIPTION OF LAND: PLAN 0911779 BLOCK 1, LOT 1.

ARTS REFERENCE: 4: 28: 25: 28 : NW

PARCEL SIZE: 4 ACRES.

CURRENT ZONING: R-2

MUNICIPAL ADDRESS: 254244 SERENITY PLACE.

**PARCEL IS A NORTH CORNER PARCEL LOCATED IN SERENITY ESTATES CUL-DU-SAC**

SPECIAL CARE FACILITIES FOR THIS PARCEL IS CURRENTLY A DISCRETIONARY USE

**DESCRIPTION OF THE PROPERTY :** THIS IS FIRST CORNER PARCEL LOCATED ON THE NORTH SIDE OF THE SERENITY ESTATES CUL DE SAC. THE PARCEL IS MORE OR LESS RECTANGULAR IN SHAPE. IT HAS PAVED DRIVABLE ROADS ON ALL FOUR SIDES OF THE PARCEL. ON THE NORTH SIDE OF THE PARCEL IS THE SERENITY ESTATES SUBDIVISION ROAD CALLED SERENITY LANE. ON THE SOUTH SIDE IS ALSO AN INTERNAL SUBDIVISION ROAD CALLED SERENITY PLACE, ON THE EAST SIDE IS A SUBDIVISION INTERNAL ROAD, A CONTINUATION OF SERENITY LANE AND ON THE WEST SIDE OF THE PARCEL IS RANGE ROAD 284 ( COUNTY ROAD).

THE PARCEL HAS AN APPROXIMATELY 1100 SQ FT HOUSE BUILT ON IT IN THE YEAR 1977. THE HOUSE IS CURRENTLY HABITABLE. THIS HOUSE WAS PRESENT BEFORE SERENITY ESTATE DEVELOPMENT WAS SUBDIVIDED FROM TWO SIDE BY SIDE 20 ACRE PARCELS. CURRENTLY, THE FIRST TWO PARCELS ON THE NORTH AND SOUTH SIDE OF THE DEVELOPMENT ARE ZONED R-2 AND ARE BOTH 4 ACRES IN SIZE. THE R-2 PARCEL ON THE SOUTH SIDE OF THE SUBJECT PROPERTY ALSO HAD AN OLDER HOUSE ON IT, WHICH IN RECENT YEARS HAS BEEN EXTENDED AND REMODELLED.

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THE SUBJECT PARCEL HAS TWO DRIVABLE ACCESSSES. ONE FROM THE WEST SIDE OF THE ROCKYVIEW COUNTY RANGE ROAD 284 AND THE OTHER FROM THE SOUTH SIDE OF THE PARCEL, FROM SERENITY PLACE.

THE PARCEL HAS A STORMWATER MANAGEMENT POND LOCATED ON THE PROPERTY. THIS STORMWATER MANAGEMENT POND IS ONE OF THE FOUR PONDS IN THE SERENITY ESTATES SUBDIVISION THAT WERE CREATED AT THE SUBDIVISION STAGE.

THE CURRENT WATER SOURCE OF THE PARCEL IS THROUGH THE SERENITY ESTATES WATER CO-OP.

THERE IS A SEPTIC FIELD PRESENT ON THE PARCEL THAT SERVES THE CURRENT HOUSE.

AS PER CURRENT COUNTY BYLAWS A **SPECIAL CARE FACILITY** means a building or portion thereof which provides for the care or rehabilitation of one or more individuals in the case of a half -way house for five or more individuals in all other cases, with or without the provision of overnight accommodation, and includes nursing homes, geriatric centres, and group homes, but does not include hostels, child care facilities, and senior citizens housing;

**THE SUPPORTIVE LIVING ACCOMMODATION LICENCING ACT, ALBERTA** requires the individual providing the supportive living accommodation to four or more adults who are not related to the operator to have a licensed facility. The facility is to be established in accordance with accommodation standards. Four or more people requiring special care, living in a home wherein meals, housekeeping and other rehabilitation help is provided are in a group home setting.

I PROPOSE TO PROVIDE LIVING SUPPORT TO FOUR PERMANENT INDIVIDUALS.

I AM A CAREGIVER BY PROFESSION FOR THE LAST TEN YEARS. THE INDIVIDUALS THAT I SUPPORT CURRENTLY LIVE IN MY HOUSE. In CALGARY. I WOULD LIKE TO BUILD A HOME ON THE SUBJECT PROPERTY, WHERE I COULD LIVE WITH MY FAMILY ON THE MAIN FLOOR AND HAVE THESE INDIVIDUALS THAT NEED SUPPORT ON THE UPPER FLOOR. THIS WOULD ENABLE THEM TO HAVE THEIR INDIVIDUAL SPACE AS WELL AS GET THE LIVING SUPPORT THEY NEED FOR A BETTER QUALITY OF LIFE. SINCE THE INDIVIDUALS I SUPPORT PERMANENTLY ARE FOUR IN NUMBER, I WILL NEED A GROUP HOME LICENCE THAT FALLS UNDER THE SPECIAL CARE FACILITY CATEGORY.

**THIS IS NOT MUCH DIFFERENT THAN A BED AND BREAKFAST OR A SECONDARY SUITE:**

BY THE COUNTY RULES, A BED AND BREAKFAST HOME means dwelling, single detached, where temporary lodging or sleeping accommodation with no more than three guest rooms is provided with a

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breakfast meal to the travelling public, by the occupant and his or her immediate family for a remuneration. INSTEAD OF TEMPORARY ACCOMMODATION I PROVIDE PERMANENT ACCOMMODATION TO THE INDIVIDUALS FOR A REMUNERATION. INSTEAD OF ONE SECONDARY SUITE I AM SEEKING PERMISSION FOR FOUR SECONDARY SUITES. BECAUSE OF THE MARGINAL DIFFERENCE I FALL UNDER THE SPECIAL CARE FACILITIES GROUP HOME CATEGORY. I UNDERSTAND THAT THERE ARE HOMES IN THIS CUL DE SAC WHERE MY PROPERTY IS LOCATED THAT HAVE BEEN GRANTED PERMISSION FOR BOTH BED AND BREAKFAST AND A SECONDARY SUITE.

**TRAFFIC MANAGEMENT:**

THE INDIVIDUALS I SUPPORT, ARE LIMITED IN MOBILITY. THEY ARE ALSO DEPENDENT ON OTHER INDIVIDUALS THAT PROVIDE CARE TO SUPPORT THEM FOR THEIR DAILY CHORES. THE ONLY TRAFFIC THAT WILL GET IN AND OUT OF MY PROPERTY IN ANY GIVEN DAY WOULD BE THE VEHICLES USED BY MY FAMILY AND THE FOUR CAREGIVERS WHO MAY BE REQUIRED IN ANY 24 HOUR PERIOD TO HELP OUT WITH THE INDIVIDUALS I SUPPORT. I INTEND TO USE THE DRIVEWAY ACCESS FROM SERENITY PLACE INTO THE PROPERTY AND FOR DRIVING OUT OF THE PROPERTY FROM THE COUNTY ROAD ( RANGE ROAD 284). THIS ARRANGEMENT WILL NOT HAVE ANY INCREASED TRAFFIC IMPACT TO THE SERENITY ESTATES SUBDIVISION, BUT FURTHER REDUCE THE TRAFFIC MOVEMENT INTO THE PROPERTY BY 50 %.MORESO, BEING A CORNER LOT JUST AT THE START OF THE CUL-DU-SAC, THE TRAFFIC INTO MY PROPERTY WILL ACTUALLY NOT DRIVE FAR INTO THE SERENITY PLACE ROAD.

**ACCESS AND APPROACH TO THE PROPERTY:**

AS STATED EARLIER, THERE ARE TWO ACCESSES TO THE PROPERTY. ONE FROM RANGE ROAD 284 (COUNTY ROAD ) AND THE OTHER FROM SERENITY LANE

**WATER SUPPLY:**

THE PROPERTY IS SERVICED BY SERENITY ESTATES WATER CO-OP. BASED ON THE ALLOTMENT OF WATER THROUGH THE WATER CO-OP, THE ATTACHED LETTER FROM A CERTIFIED WATER SYSTEM INSTALLER CONFIRMS THAT THE WATER WOULD BE SUFFICIENT TO ACCOMMODATE THE INCREASE IN POPULATION IN THE SUBDIVISION.

**WASTE MANAGEMENT:**

THE PROPERTY HAS AN EXISTING CURRENTLY OPERATING SEPTIC FIELD. TO ACCMODATE THE INCREASED POPULATION ADDITIONAL SEPTIC TANKS WOULD BE INSTALLED. THE ATTACHED LETTER FROM A CERTIFIED SEPTIC TANK INSTALLER CONFIRMS THAT THE REQUIRED SEPTIC SYSTEM IS POSSIBLE.

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**NO UNDUE PARKING DEMAND:**

THE PROJECT DOES NOT HAVE ANY UNDUE PARKING DEMAND. THERE WILL BE A PAVED DRIVEWAY IN FRONT OF THE HOUSE THAT WILL ACCOMMODATE FOR THE PARKING REQUIREMENT. THERE WILL BE NO PARKING OF VEHICLES ON THE SERENITY SUBDIVISION ROADS.

**CURRENT HOMES IN THE CUL DU SAC ARE BIG HOMES WITH LARGE FAMILIES:**

THE OTHER HOMES IN THE CUL DU SAC OF SERENITY ESTATES ARE LARGE ACREAGE HOMES THAT EITHER HOUSE LARGE FAMILIES OR HAVE THE CAPACITY TO ACCOMMODATE MORE THAN TEN PEOPLE IN EACH HOME. MY PROPERTY WILL NOT BE ANY DIFFERENT AND WILL BLEND IN WITH THE OTHER HOMES IN THE SUBDIVISION

**CONSENT OF NEIGHBOURS :**

ATTACHED ARE FIVE LETTERS FROM NEIGHBOURS THAT HAVE NO OBJECTION TO MY PROPOSAL

- 1) MR. MASSNER IS A NEIGHBOUR THAT LIVES IN THE SERENITY ESTATES CUL-DU-SAC
- 2) MR. CHOWDHURY IS A NEIGHBOUR THAT LIVES IN THE SERENITY ESTATES CUL-DU-SAC
- 3) MR. SARTORE IS A NEIGHBOUR THAT LIVES DIRECTLY OPPOSITE THE SERENITY ESTATES CUL-DU-SAC
- 4) MR. SNAUWAERT IS A NEIGHBOUR THAT LIVES DIRECTLY OPPOSITE THE SERENITY ESTATES CUL-DU-SAC IN GEORGIAN ESTATES
- 5) \_\_\_\_\_ IS A NEIGHBOUR THAT LIVES SOUTH OF THE SERENITY ESTATES CU-DU-SAC ON RANGE ROAD 284
- 6) \_\_\_\_\_ IS A NEIGHBOUR THAT LIVES AT THE NORTH EAST CORNER OF THE SERENITY ESTATES CUL-DU-SAC

IN SHORT THERE WOULD NOT BE ANY HARDSHIP TO THE NEIGHBOURS OR THEIR LANDS AND THERE SHOULD NOT BE ANY OVERALL CONCERNS TO GRANTING ME THE DEVELOPMENT PERMIT TO BUILD MY HOME ALONG WITH A SPECIAL CARE FACILITY.

I LOOK FORWARD TO HEARING FROM YOU AS SOON AS POSSIBLE SO THAT I CAN PROCEED WITH THE APPLICATION FOR APPROVAL OF THE BUILDING PERMIT.

THANK YOU

SINCERELY,

BRIAN MORRISSEY

TO WHOM IT MAY CONCERN

Brian Morrissey is my neighbour located in Serenity Place. Brian is a caregiver and cares for people with special needs and disability. I am given to understand by Brian that he would like to provide permanent care for four such individuals in the home he is going to build in Serenity Estates on the 4 - acre parcel of land he owns there.

I support the fact that Brian is helping people by providing them a good quality of life and care. I have no objection to him building that home.

Sincerely

Signature: Simma Ali

Name: Simma Ali

Address: 283240 SERENITY PLACE

Dated: Nov. 17, 2019

**TO WHOM IT MAY CONCERN**

Brian Morrissey is my neighbour located in Serenity Place. Brian is a caregiver and cares for people with special needs and disability. I am given to understand by Brian that he would like to provide permanent care for four such individuals in the home he is going to build in Serenity Estates on the 4 - acre parcel of land he owns there.

I support the fact that Brian is helping people by providing them a good quality of life and care. I have no objection to him building that home.

Sincerely

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Dated: \_\_\_\_\_

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I support the fact that Brian is helping people by providing them a good quality of life and care. I have no objection to him building that home.

Sincerely

Signature: 

Name: NAND CHOUDHURY

Address: 2832 43 SERENITY PLACE

Dated: 14/11/2019

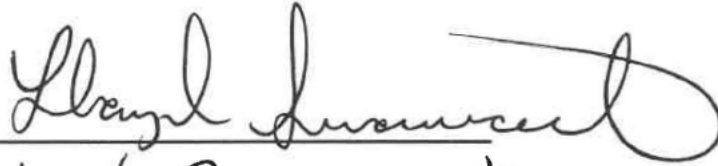
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Sincerely

Signature:



Name:

Lloyd Snaawaert

Address:

99 Georgian Estates

Dated:

Nov. 09/19



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I support the fact that Brian is helping people by providing them a good quality of life and care. I have no objection to him building that home.

Sincerely

Signature: 

Name: Perry Massner

Address: 

Dated: Nov 14 2019