



## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
 Development Authority **DIVISION:** 6  
**DATE:** March 10, 2021 **APPLICATION:** PRDP20204175  
**FILE:** 07104003  
**SUBJECT:** Cannabis Cultivation, Discretionary use, with no Variances

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**APPLICATION:** The proposal is for Cannabis Cultivation, and construction of an accessory building (greenhouse).

**GENERAL LOCATION:** Located at the northeast junction of Rg. Rd. 264 and Hwy 9.

**LAND USE DESIGNATION:** Agricultural, General District (A-GEN) under Land Use Bylaw C-8000-2020.

**EXECUTIVE SUMMARY:** The proposal is for Cannabis Cultivation, and construction of an accessory building (greenhouse). The site is developed with a dwelling, single detached and multiple accessory buildings. The proposed accessory building (greenhouse) is 6,154.68 sq. ft. (571.78 sq. m) in gross floor area. The facility will include 6-10 parking stalls and two full/part time employees (master grower and bud tender). Operating hours of the facility will be from 10:00 am to 5:00 pm (Monday to Sunday). No industrial lighting or signage is proposed. The proposed cultivation of cannabis appears to be compatible with adjacent agricultural uses.

**ADMINISTRATION RECOMMENDATION:** Administration recommends Approval in accordance with Option #2.

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20204175 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204175 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

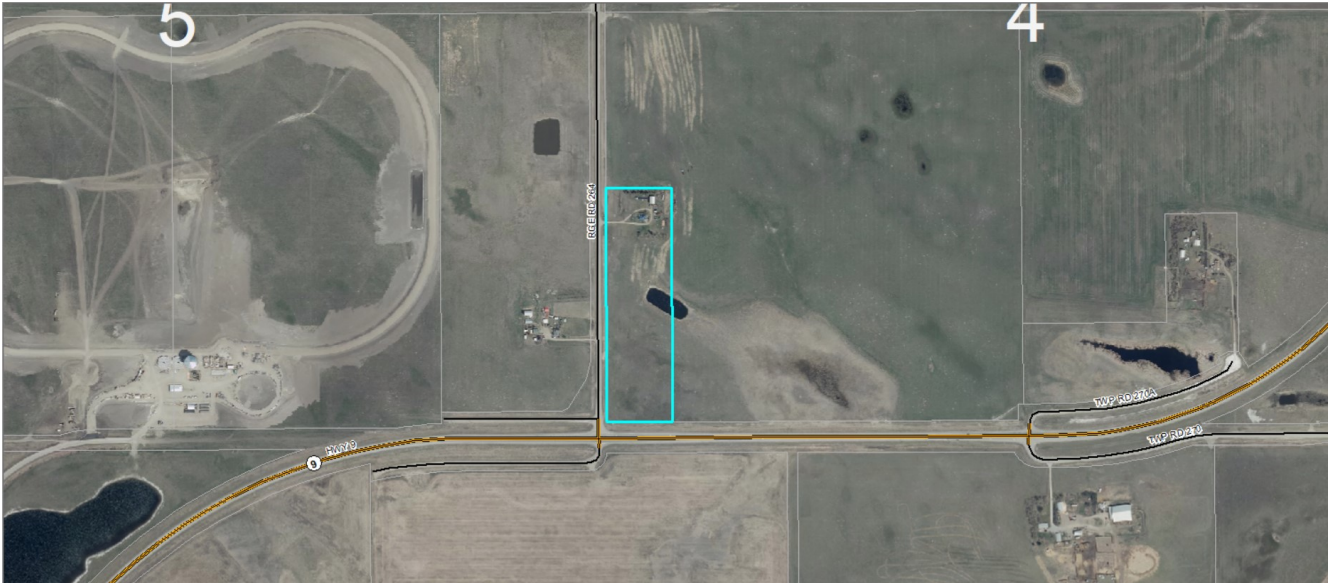
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**Administration Resources**

Bronwyn Culham, Planning & Development Services



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Municipal Development Plan;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Site Plan / prepared by Horizon Land Surveys Inc., / dated January 7, 2021</li> <li>• Main Floor Code Plan / prepared by 4 Trees Cannabis Building LTD.</li> </ul>
<p><b>DISCRETIONARY USE:</b></p> <ul style="list-style-type: none"> <li>• Cannabis Cultivation is a discretionary use in the A-GEN District</li> </ul>	<p><b>DEVELOPMENT VARIANCE AUTHORITY:</b></p> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

BC/lt

**ATTACHMENTS**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

### Option #1

APPROVAL, subject to the following conditions:

#### **Description:**

1. That *Cannabis Cultivation* may commence on the subject lands in general accordance with the submitted application, Site Plan and Floor Plan and includes:
  - i. Construction of a Greenhouse, approximately 6,154.68 sq. ft. (571.78 sq. m.) in area.

#### **Prior to Release:**

2. That prior to release of this permit, that the Applicant/Owner shall submit a revised site plan that identifies the location and size of the parking area.
3. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations:
  - i. To discuss any upgrades to the existing approach off Range Rd 264 to an industrial/commercial standard as per county servicing standards.
  - ii. To determine the need for a Road Use Agreement or permits for the site construction, for any hauling along the County road system and to confirm the presence of County road ban restrictions.
    - a. 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.
4. That prior to release of this permit, the Applicant/Owner shall pay the transportation offsite levy, as per the applicable TOL bylaw. The Applicant/Owner shall submit a site plan identifying the gross development area as per Bylaw C-8007-2020.

#### **Prior to Occupancy:**

5. That prior to building occupancy, an inspection and approval of the road approach by County Road Operations shall be completed and confirmed.
6. That prior to building occupancy, the Applicant/Owner shall ensure that a municipal address for the building is posted.
7. That prior to building occupancy, the Applicant/Owner shall submit confirmation of commercial water license from Alberta Environment & Parks.

#### **Permanent:**

8. That Cannabis shall not be consumed in the Cannabis facility at any time.
9. That this approval does not include a Cannabis Retail Store.
10. That the hours of operation for the Cannabis facility shall be 7 hours a day, seven days a week throughout the year, 10:00 am to 5:00 pm (Monday to Sunday).
11. That the subject property shall be shaped so that the entire property drains to the on-site storage facilities and that no water is discharged off site.
12. 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.
13. That sewage disposal shall be by a pump-out holding tank that is hauled off-site to an approved sewage disposal site or by connection to a piped collection system.



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14. 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 designs that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
15. 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.
16. That no outdoor storage shall be allowed at any time for business use.
17. That six (6) parking stalls shall be maintained on site at all times for staff.
18. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
19. That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
20. 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:**

21. 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.
22. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
23. 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*].
24. 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.
25. That a Building Permit/Farm Building Exemption and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place. *Note: That the subject development shall conform to the National Energy Code 2017, with documentation/design at Building Permit:*
26. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
  - a. That if a groundwater well is being used for commercial purposes, it is the applicant responsibility to obtain a commercial water license from Alberta Parks & Environment (AEP).
  - b. That should the Applicant/Owner propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.
  - c. That the Applicant/Owner shall obtain a Roadside Development Permit from Alberta Transportation for the proposed Development and installation of the new approach.
  - d. That the Applicant/Owner shall obtain any required Alberta Health Services approval(s) or licensing approvals through Alberta Gaming & Licensing Commission, if required.
27. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within



## ROCKY VIEW COUNTY

twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

28. That if this Development Permit has not been issued by **September 30, 2021** then this approval is null and void and the Development Permit shall not be issued.
29. That this Development Permit, once issued, shall be valid until **March 31, 2022**.

**Note: The Applicant/Owner shall be responsible for all Alberta Environment and Parks approvals/compensation if any wetland is impacted by the development on the said land.**



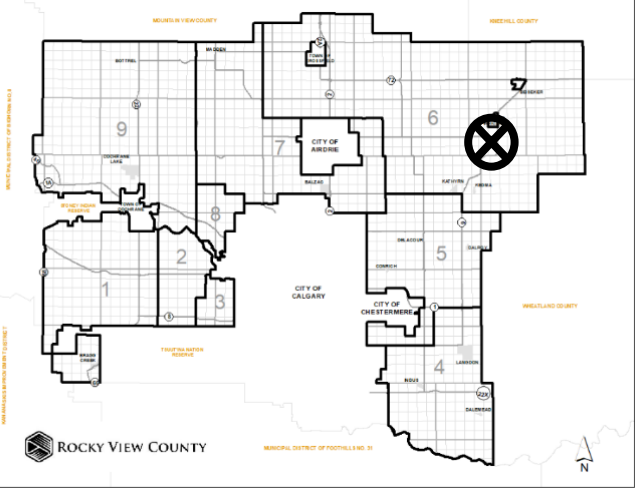
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

<b>APPLICANT:</b> Lei Wang (Horizon Land Surveys Inc.)	<b>OWNER:</b> Archibald Franklin Bushfield
<b>DATE APPLICATION RECEIVED:</b> December 18, 2020	<b>DATE DEEMED COMPLETE:</b> December 24, 2020
<b>GROSS AREA:</b> ± 5.67 hectares (± 14.07 acres)	<b>LEGAL DESCRIPTION:</b> SW-04-27-26-04; Block 1 Plan 9810869, (270064 RGE RD 264)
<b>APPEAL BOARD:</b> Subdivision & Development Appeal Board	
<b>HISTORY:</b> <i>Oct 20, 1993:</i> Building Permit (1993-BP-3719) Accessory Building (Machine Shed) – Occupancy Granted	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

# Location & Context

## Development Proposal

Cannabis Cultivation, and construction of an accessory building (greenhouse).



*Division: 6*  
*Roll: 07104003*  
*File: PRDP20204175*  
*Printed: Feb 2, 2021*  
*Legal: Block:1 Plan:9810869*  
*within SW-04-27-26-W04M*



# Site Plan

## Development Proposal

Cannabis Cultivation, and construction of an accessory building (greenhouse).

### SITE PLAN

MUNICIPAL ADDRESS:  
270054 Range Road 264  
Rocky View County, Alberta

LEGAL DESCRIPTION:  
Block 1  
Plan 881 0869

PREPARED FOR: Gecon Homes Construction

DATE OF SURVEY: September 16th, 2019.

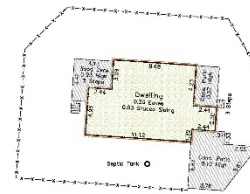
SCALE: 1:1000

#### LEGEND:

- Property Line
- - - Right of Way Line
- Low Line
- - - - - Catch Line
- Manhole
- Catch Basin
- Irrig
- Power Pole
- × Occupation points
- ▭ Main Building (sheds)
- ▭ Shed (sheds)
- ▭ Wood Finish
- ▭ Pavement (Asphaltic)
- BC' Back of Curb
- BC" Bottom of Curb
- BY' Back of Highway
- CL' Curbsiders
- CON' Concrete
- Exc' Excavated
- 1.00' Lip of Culvert
- 1.00' Siding
- Top of Wall

#### NOTE:

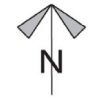
1. Distances are in Meters and are shown in Meters and both the nearest.
2. Distances Along Curves are Arc Distances.
3. Distances are Derived from AS2M 808717.
4. AS2M 808717 is filed for Vertical and Horizontal Positioning.
5. The Certificate of Title 111-225-362, was Searched on the 16th day of September, 2019, and includes the following instruments: Utility Right of Way No. 751 254 879, 111 285 071



DETAIL  
Scale: 1:250



© 2019 Horizon Land Surveys Inc. 2020  
 File No.: 2019-20 Date: 07/30/2021  
 Surveyed: AJ Unprov: 32/20  
 Horizon Land Surveys Inc.  
 P. 1 775 487 1111 ext. 100 Fax: 403-775-4871  
 Calgary, Alberta, T2C 2L4



Division: 6  
 Roll: 07104003  
 File: PRDP20204175  
 Printed: Feb 2, 2021  
 Legal: Block: 1 Plan: 9810869  
 within SW-04-27-26-W04M

**Inspection Photos**  
February 3, 2021







