

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 2
SUBJECT: Development Item: Care Facility (Clinic)
USE: Discretionary use, with no Variances

DATE: November 12, 2020
APPLICATION: PRDP20203024

APPLICATION: Care Facility (Clinic) (existing dwelling, single detached)

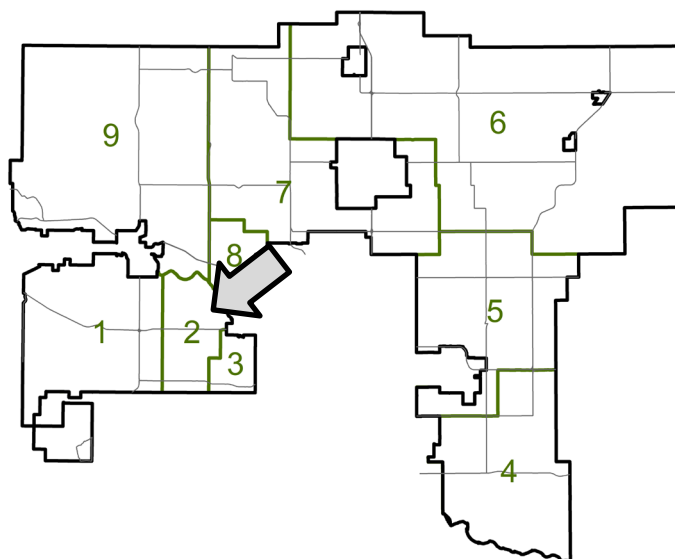
GENERAL LOCATION: Located approximately 2.30 km (1.50 mile) north of Twp. Rd. 250 and 2.00 km (1.24 miles) east of Rge. Rd. 32

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020.

ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203024 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20203024 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



 **Subject Property**

Administration Resources

Wayne Van Dijk, Planning and Development Services



DEVELOPMENT PERMIT REPORT

Application Date: October 1, 2020	File: 05712017
Application: PRDP20203024	Applicant: Bruce Hoffman
Legal Description: NW-12-25-03 W5M Municipal Address: 142 Emerald Bay Drive	General Location: Located approximately 2.30 km (1.50 mile) north of Twp. Rd. 250 and 2.00 km (1.25 miles) east of Rge. Rd. 32.
Land Use Designation: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020.	Gross Area: ± 0.95 hectares (± 2.35 acres)
File Manager: Wayne Van Dijk	Division: 2

PROPOSAL:

The application is for a Care Facility (Clinic) within an existing dwelling, single detached. *Note: the application was assessed in accordance with Land Use Bylaw C-8000-2020.*

The proposal is for the development of a care facility (clinic) in the basement of the Applicant's dwelling. The application states that the care facility will use approximately 185.80 sq. m (2,000.00 sq. ft.) of the 333.80 sq. m (3,593.00 sq. ft.) basement area. There are no structural changes planned for the development of the clinic and that only furniture and décor changes will be implemented to accommodate the operation of the clinic.

The application states:

- The Hours of Operation are planned to be 8:00 a.m. to 4:00 p.m. on Monday, Wednesday and Friday;
- The application states that there may be up to 2 non-resident employees;
- There will be no signage and/or outside storage requested;
- Applicant states that many appointments will be done over Zoom or phone and the anticipated maximum number of daily in-person patients would be 5; and
- There is ample parking in the current driveway and no additional parking and/or overflow parking is anticipated.

Land Use Bylaw C-8000-2020

Section 325 Discretionary Uses

Care Facility (Clinic)

Table 5 - Parking Minimums

- **Required: Care Facility (Child) 3 per 100.0 m² (1076.39 ft²) gross floor area**
 - As the Care Facility will be using the basement level of the dwelling, the minimum requirement of parking stalls does not apply. Basement levels are exempt from the defined floor area. However, as noted above, it is anticipated that the site includes ample parking.



Part 8 Definitions

Care Facility (Clinic) means a use where the principal use is to provide medical and health care services on an outpatient basis only. Typical uses include medical and dental offices, health care clinics, pre-natal clinics and counselling services

Floor Area means the total floor area of a building within the exterior walls. This does not include basement areas parking areas below grade, and areas devoted exclusively to mechanical or electrical equipment servicing the development

Section 330 Minimum Setbacks

Permitted	Proposed	Variance
Front yard: 45.0 m (147.64 ft.)	98.50 m (320.00 ft.)	0
Side Yard: 6.0 m (19.69 ft.)	Side 1: lots Side 2: 136.50 m (443.00 ft.)	0
Rear Yard: 15.0 m (49.21 ft.)	Lots	0

STATUTORY PLANS:

The site falls within the Central Springbank Area Structure Plan and no Conceptual Schemes. As the Area Structure Plan does not address these types of applications, this application was assessed utilizing the Land Use Bylaw (C-8000-2020).

INSPECTOR'S COMMENTS:

- Parking for 2 vehicles in area adjacent to house.
- Adjacent parking area well-screened.
- Overflow parking available in round-about in front of dwelling.
- Overflow parking mostly screened from adjacent properties; partly screened from road.
- No inspection of building interior performed.

CIRCULATIONS:

Development Compliance, Rocky View County

- No comments or concerns related with the attached application.

Fire Services and Emergency Management

- No comments at this time.

No other comments received at time of report writing

OPTIONS:

Option #1: (this would approve the proposed development)

APPROVAL subject to the following conditions:

**Description:**

1. That the Care Facility (Clinic) be permitted to operate on the subject parcel, in accordance with the submitted application and approved plans.

Permanent:

2. That there shall be no more than two (2) non-residential employees at any time.
 - i. That an employee for this Care Facility (Clinic) is a person who attends to the property more than once in a seven-day period for business purposes.
3. That the operation of this Care Facility (Clinic) may generate up to a maximum of five business related visits per day.
 - i. That for the purposes of this permit, one business (Clinic)-related visit would include one (1) pick-up/entry into the site and one (1) drop-off/exit from the site.
4. That the Care Facility (Clinic) shall not change the residential character and exterior appearance of the land and buildings.
5. That the operation of the Care Facility (Clinic) shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
6. That the Care Facility (Clinic) shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent residential dwellings shall be preserved. The Care Facility (Clinic) shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
7. That there shall be no signage, outside storage, exterior display, or advertising of goods or services discernable from the outside of the property.
8. That there shall be no off-site advertising associated with the Care Facility (Clinic).
9. That the Care Facility (Clinic) shall be limited to the dwelling and the parking area, as identified on the site plan submitted with the application.
10. That the Care Facility (Clinic) shall be secondary to the residential use of the subject parcel.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Advisory:

12. That a Building Permit shall be obtained through Building Services, for any interior renovations to the dwelling, single detached to establish the Clinic Facility (Clinic), using the Commercial Checklist.
13. That the County's Noise Bylaw, C-5772-2003, shall be adhered to at all times.
14. That any other Federal, Provincial, and/or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
15. That this Development Permit shall be valid until **DECEMBER 9, 2021**.



Option #2: (this would not allow the proposed development)

REFUSAL as per the following reasons:

1. That in the opinion of the Development Authority, 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.



ROCKY VIEW COUNTY
Cultivating Communities

20203024

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$530.00	File Number 05712017
Date of Receipt Sept 30/20	Receipt #

Name of Applicant Bruce Hoffman Email [REDACTED]
Mailing Address [REDACTED] Postal Code [REDACTED]
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]
For Agents please supply Business/Agency/ Organization Name _____
Registered Owner (if not applicant) _____
Mailing Address _____
Postal Code _____
Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

a) All / part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian
b) Being all / parts of Lot 6. Block 1 Registered Plan Number 9310786
c) Municipal Address 142 Emerald Bay Drive, Rocky View AB T3Z 1E2
d) Existing Land Use Designation R-CRD Parcel Size 235 Division 2

2. APPLICATION FOR

care clinic

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?
(Sour Gas facility means well, pipeline or plant) Yes _____ No ✓
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 ✓ No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I BRUCE HOFFMAN 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.

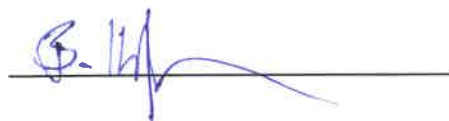
**Affix Corporate Seal
here if owner is listed
as a named or
numbered company**

Applicant's Signature B. Hoffman
Date 09/07/2020

Owner's Signature B. Hoffman
Date _____

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 directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Bruce Hoffman, 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

2020/06/10
Date



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.
- ☒ APPLICATION FEE: Refer to Planning and Development Fee Schedule within the [Master Rates Bylaw](#).
- ☒ CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:
 - ☐ Digital copy of non-financial instruments/caveats registered on title
- ☒ LETTER OF AUTHORIZATION: Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☒ COVER LETTER, shall include:
 - ☐ Proposed land use(s) and scope of work on the subject property
 - ☐ Detailed rationale for any variances requested
 - ☐ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☐ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ SITE PLAN, shall include:
 - ☐ Legal description and municipal address
 - ☐ North arrow
 - ☐ Property dimensions (all sides)
 - ☐ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☐ Dimensions of all buildings/structures
 - ☐ Location and labels for existing/proposed approach(s)/access to property
 - ☐ Identify names of adjacent internal/municipal roads and highways
 - ☐ Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings
 - ☐ Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
 - ☐ Identify site slopes greater than 15% and distances from structures
 - ☐ Location and labels for easements and/or rights-of-way on title
- ☒ FLOOR PLANS/ELEVATIONS, shall include:
 - ☐ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☐ Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
 - ☐ Indicate type of building/structure on floor plans and elevations
- ☒ COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy: Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
- ☒ SUPPORTING DOCUMENTS (as applicable): Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): Care Clinic Land Use District: R

Applicable ASP/CS/IDP/MSDP: Central Springfield

Included within file: ☐ Information Sheet ☐ Parcel Summary ☒ Site Aerial ☐ Land Use Map Aerial ☒ Site Plan

NOTES:

update coming

Staff Signature: [Signature]



ROCKY VIEW COUNTY

CHANGE OF USE

INFORMATION SHEET

FOR OFFICE USE ONLY

APPLICATION NO.

ROLL NO.

DISTRICT

TENANT

Tenant/Operator Name: Bruce HoffmanTelephone (Primary): [REDACTED]Business/Organization Name: Hoffman Centre for Integrative Medicine

USE(S) PER LAND USE BYLAW

Existing use(s)/Business: domestic spaceProposed use(s): Dr. office /

USE DETAILS

Total area for the proposed use(s) (including all floors, mezzanines, buildings etc.): (m² / ft.²)

Briefly describe the nature of the proposed use(s) (attach cover letter for complete details):

basement: 2000 sq ft.

BUSINESS/USE OPERATIONAL DETAILS

Days of operation: Monday, Wed, Friday Hours of operation: 9-4 pm

Number of daily customer visits (anticipated):

Total number of assigned parking spaces: 2 For staff: 0 For customer: 2

How will overflow parking be managed? Are there overflow parking stalls available and how many?

there will be no need for overflow parking

OTHER

Describe any changes proposed to the interior or exterior of the building/unit:

The practice will be on the lower floor. Photo's Submitted.Any outdoor storage required: ☐ YES, specify outdoor storage area: (m² / ft.²) ☒ NOAny signage proposed on site: ☒ YES, attach Signage - Information Sheet with required documents ☐ NO

ADDITIONAL REQUIREMENTS

In addition to DP Checklist - General requirements, the application shall include:

- ☐ Floor plans indicating overall floor area(s) and areas of specific uses (i.e. office, warehouse, storage etc.)
- ☐ Site Plan including:
 - o location of building/unit
 - o proposed parking area (with number of stalls)
 - o existing/proposed access to property
 - o location of proposed outside storage area and/or signage (as applicable)

Applicant Signature B. HoffmanDate 25/09/2010



September 10, 2020

Rocky View County
26075 Rocky View Point
Rocky View County, Alberta T4A 0X2

RE: Application to Operate a Home-Based Business

I, Bruce Hoffman, owner of 1702343 Alberta Ltd., am applying for approval and license to operate out of my home at [REDACTED]. I am a medical professional in the province of Alberta and act under the College of Alberta Physicians and Surgeons.

I would like to see up to 4 patients a day and would have up to 2 outside employees on site. I have ample room for parking on my driveway and would not require parking on the access road. Presently, I would like to see patients from home 2 days a week.

I would like to use part of my basement to see patients. The total square footage of the basement is 3,593 sq. ft. however I will only be using a portion for an office, treatment room and waiting area. I have attached photos of the space, dimensions, application, title and a RPR. Please advise if you require anything further. You can reach my assistant Stacey at [REDACTED]

Sincerely,


Bruce Hoffman

Hoffman Centre For Integrative Medicine





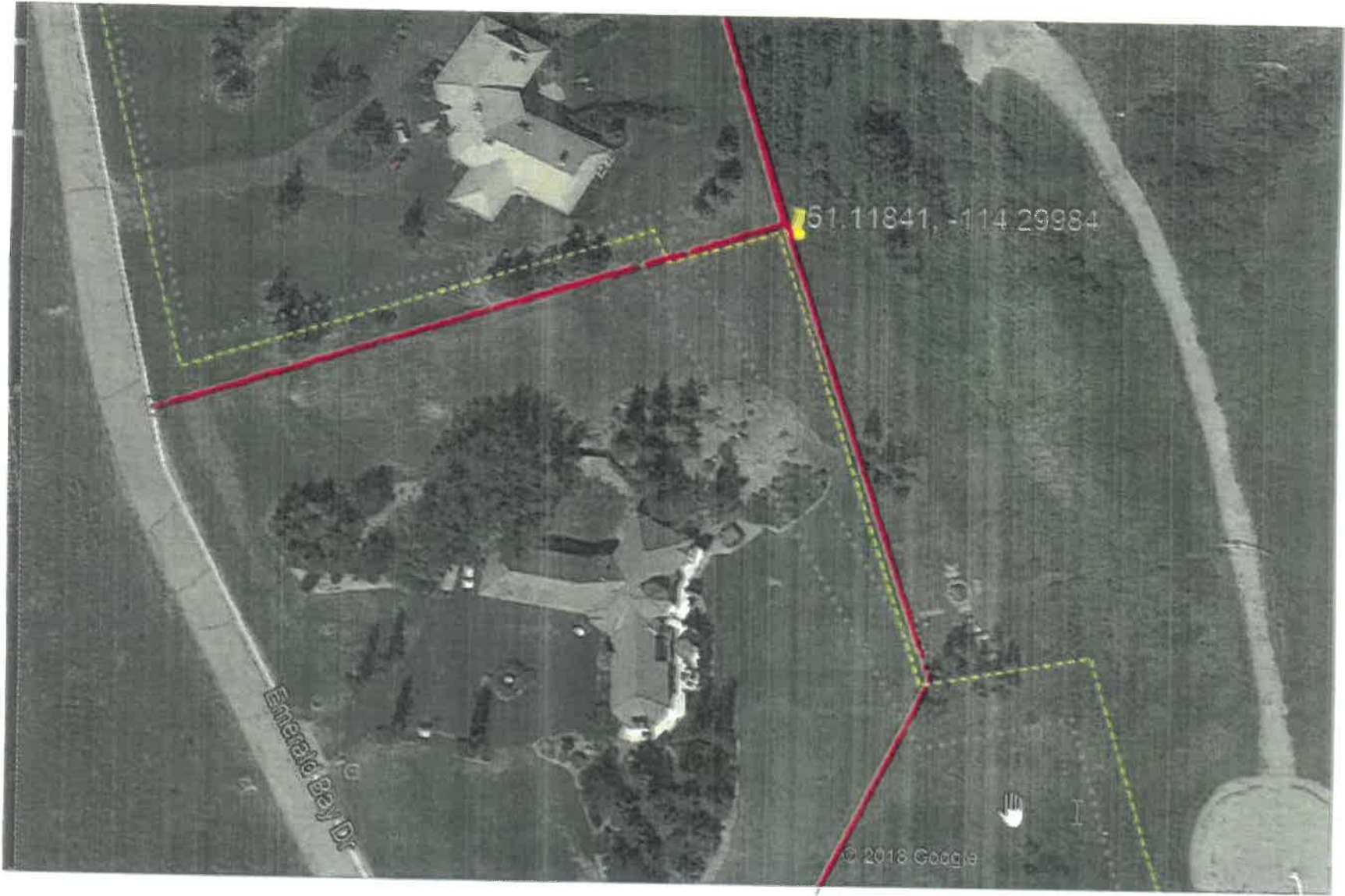


▼ Basement



Total Basement - 3593 sq. ft.
 office/waiting room - 2000 sq. ft.

Basement to be used
 only. Living room space to become
 office. Bedroom will be treatment
 room.















MEASUREMENT REPORT



DATE 03.08.2018
ADDRESS 142 Emerald Bay Rocky View No. 44
CLIENT NAME Papowich Real Estate
MEASURED AS Detached

MEASURING TECH Chris Hounghany

FLOOR TOTALS (As per RMS)

Main Level	3668.87 sq.ft/ 361.27 m2
Upper Level	
Third Level	
Lower Level	
*Basement	3,563.33 sq.ft/ 333.82 m2
RMS Area	3668.87 sq.ft/ 361.27 m2
*Total With Below Grade	7482.20 sq.ft/ 695.09 m2

CITY/PROVINCE Calgary, AB
ORDER PRODCURE Measure
EXTERIOR WALL SIZE 2 x 6
**Above Grade Inc.Ext

ROOM DIMENSIONS (feet/meters)

Kitchen	25'11" x 14'6" / 7.90 x 4.43	M	Laundry	11'6" x 5'8" / 3.51 x 1.63	M
Dining Room	18'10" x 12'7" / 4.83 x 3.85	M	Second Family Room	16'0" x 15'0" / 4.95 x 4.95	B
Den/Office	14'1" x 11'9" / 4.29 x 3.56	M	Utility Room	20'6" x 6'3" / 6.22 x 1.90	B
Living Room	16'10" x 16'2" / 5.11 x 4.95	M	Second Living Room		
Family Room	25'11" x 16'5" / 7.92 x 4.99	M	Deck	41' x 13'4" / 12.61 x 4.06	M
Atrium			Wine Cellar	20'6" x 7'3" / 6.31 x 2.22	B
Gym	16' x 13' / 4.88 x 3.97	B	Breakfast Nook		
Rec Room	20'4" x 15'0" / 6.20 x 4.58	B	Garage	49'6" x 27' / 15.09 x 8.25	M

BEDROOM DIMENSIONS (feet/meters)

Master	29'1" x 16'3" / 8.86 x 4.97	M	Bedroom Five		
Bedroom Two	19'4" x 12'4" / 5.90 x 3.76	M	Bedroom Six		
Bedroom Three	23'7" x 20'10" / 7.18 x 6.37	B	Bedroom Seven		
Bedroom Four	18'5" x 16'5" / 5.63 x 5.00	B	Bedroom Eight		

BATHROOM PIECES

2 Piece	
3 Piece	2 (1 ensuite)
4 Piece	2 ensuite
5 Piece	1 ensuite
Dry Sauna	1

OTHER ROOMS (feet/meters)

Mudroom	14'10" x 7'1" / 4.59 x 2.41	M
Wet Bar	11'1" x 9'3" / 3.36 x 2.84	B
Storage	19'6" x 5'11" / 4.11 x 1.80	B

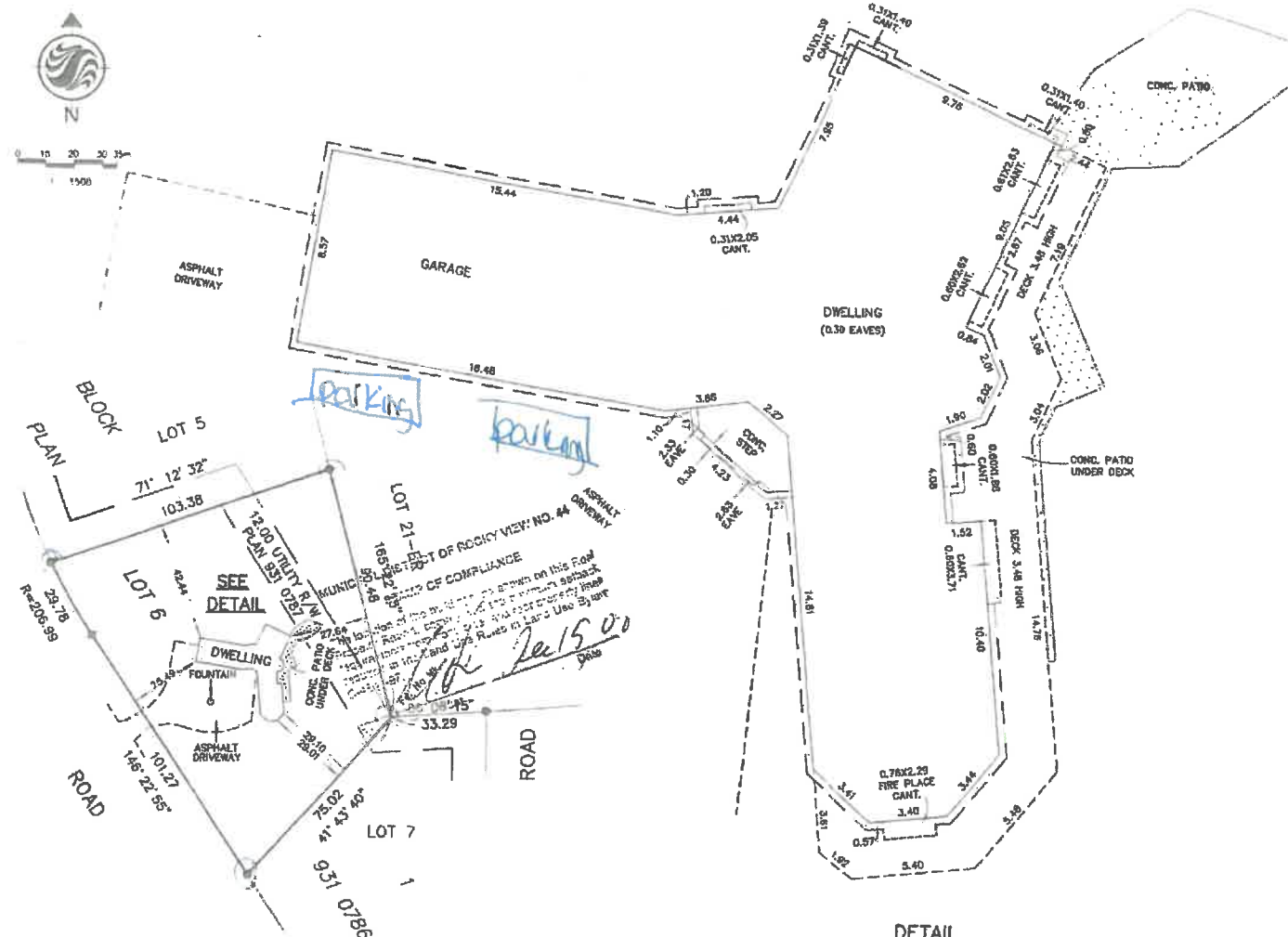
YOUR measurements have been verified by Sona Visual™. Insured measurements are based on RMS guidelines.

*Below grade measurements are to interior walls, and include the utility room and other unfinished areas meeting the minimum ceiling height requirements

(discussed in Principle 7 of the RMS guidelines). **Exterior wall dimensions are assumed for attached or semi-detached properties, and do not signify RMS area (discussed in Principle 4 of RMS guidelines)

Down - 2 Gasline Bathroom
- 1 shower - tiled





DETAIL
(NOT TO SCALE)

Purpose: This report has been prepared and performed solely for the benefit of the client, the client's purchaser (if this was prepared to facilitate a sale) and any of their legal advisors and lenders/mortgagees. Where applicable, registered instruments, rights-of-way, and other registered instruments affecting the extent of title have been indicated. Unless otherwise shown, property corner markers have not been placed during the survey for this report. This plan should not be used to establish property boundaries due to the high degree of risk of the user making an error in measurement.

Surveyed by: [Signature]
Date: 12/09/2000

Boundary Line → Business license →



Stanlec

Stanlec Geomatics Ltd.
1122 - 4th Street SW
Calgary, Alberta, Canada
T2R 1M1
Tel. 403-716-8000
Fax. 403-716-8099
www.stanlec.com

Alberta Land Surveyor's Real Property Report

Legal Description
LOT 6, BLOCK 1,
PLAN 931 0786

Municipal Address
142 EMERALD BAY DRIVE,
M.D. OF ROCKY VIEW NO. 44, ALBERTA

- Notes
1. DISTANCES ARE IN METRES.
 2. UNLESS OTHERWISE SPECIFIED, THE DIMENSIONS SHOWN RELATE TO PERPENDICULAR DISTANCES FROM PROPERTY BOUNDARIES TO FOUNDATION WALLS.
 3. ALL EAVES SHOWN ARE DIMENSIONED FROM FOUNDATION TO FASCIA.
 4. STATUTORY IRON POST FOUND SHOWN THUS: .
 5. FOUND NO MARK IS SHOWN THUS: .
 6. PROPERTY LINE IS SHOWN THUS: .
 7. TITLE INFORMATION IS BASED ON CERTIFICATE OF TITLE NO. 001 240 607, TITLE SEARCH DATED 12/09/2000.
 8. PROPERTY IS SUBJECT TO:
UTILITY R/W NOs: 031 081 091 (PLAN 931 0787),
031 081 100 (PLAN 931 0787) &
041 210 100
RESTRICTIVE COVENANT NO. 031 081 091

- Certification
1. I, STANLEY H. LOFFERTY, ALBERTA LAND SURVEYOR, DO HEREBY CERTIFY THAT:
 1. THE SURVEY REPRESENTED BY THIS PLAN IS TRUE AND CORRECT AND WAS MADE UNDER MY SUPERVISION.
 2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE OF THE ALBERTA LAND SURVEYORS ASSOCIATION.
 3. THE SURVEY WAS COMPLETED ON THE 13th DAY OF SEPTEMBER, 2000.
 4. THE IMPROVEMENTS AS SHOWN ON THIS PLAN ARE ENTIRELY WITHIN THE BOUNDARIES OF THE SUBJECT PROPERTY, (EXCEPT AS SHOWN).
 5. NO VISIBLE ENCROACHMENTS EXIST ONTO THE SUBJECT PROPERTY FROM ANY IMPROVEMENT SITUATED ON AN ADJACENT PROPERTY.
 6. NO VISIBLE ENCROACHMENTS EXIST ON REGISTERED EASEMENTS, RIGHTS-OF-WAY OR OTHER REGISTERED INSTRUMENTS AFFECTING THE EXTENT OF TITLE (EXCEPT AS SHOWN).

DATED THIS 13th DAY OF September, 2000

[Signature]
ALBERTA LAND SURVEYOR



MAILED 1000
500/7000

C.T./L.P.

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