



TOWN OF DIDSBURY AGENDA  
Additional Council Meeting – held by ZOOM Meetings  
Tuesday, July 21, 2020 at 6:00 p.m.

1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. PUBLIC HEARING #2020-02 (Separate Agenda)
4. BUSINESS
  - 4.1 Bylaw 2020-10 Amendment to LUB (2<sup>nd</sup> & 3<sup>rd</sup> Readings) Pg. 2
  - 4.2 Awarding Capital Project Tender Pg. 4
  - 4.3 Didsbury Arena Rate Reduction 2020/21 Season Pg. 6
  - 4.4 Development Application for DC-IND Cannabis Production Pg. 8
5. ADJOURNMENT



## ADDITIONAL COUNCIL MEETING Request for Decision (RFD)

**Vision:** The Place to Grow.

**Mission:** Creating the Place to Grow.

COUNCIL MEETING DATE	July 21, 2020
SUBJECT	Bylaw 2020-10 Amendment to Land Use Bylaw 2019-04
ORIGINATING DEPARTMENT	Legislative Services/Planning & Development
AGENDA ITEM	4.1

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### **BACKGROUND/PROPOSAL:**

Bylaw 2020-10 is a bylaw to amend the Land Use Bylaw 2019-04 by adding “cannabis production” to the discretionary use in, DC-IND: Direct Control District Industrial.

The Land Use Bylaw 2019-04 defines Cannabis Production as follows:

*CANNABIS PRODUCTION – means a Federal licensed facility, comprised of one or more buildings or structures used for the purpose of cultivation, processing, packaging, testing, destroying, or shipping of licensed cannabis products. A Cannabis Production Facility may consist of some, or all, of the following components: greenhouses, warehouses, laboratories, processing facilities, administrative offices and shipping facilities but does not include onsite retail sales of cannabis products or any derivatives thereof. All activities associated with growing, processing or shipping functions shall be located inside the fully enclosed buildings*

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

A Public Hearing regarding Bylaw 2020-10 was recently held and the bylaw is now being brought to Council for second and third reading.

### **ALIGNMENT WITH STRATEGIC PLAN**

An Informed & Engaged Community

### **RECOMMENDATION**

Administration is recommending the following resolutions:

1. That Council move to grant second reading to Bylaw 2020-10, being a bylaw to amend the Land Use Bylaw 2019-04 by adding Cannabis Production to Direct Control District Industrial (DC-IND).
2. That Council move to grant third and final reading to Bylaw 2020-10, being a bylaw to amend the Land Use Bylaw 2019-04 by adding Cannabis Production to Direct Control District Industrial (DC-IND).

**TOWN OF DIDSBURY**  
**BYLAW 2020-10**  
**Land Use Bylaw Amendment**

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A Bylaw of the Town of Didsbury in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, being Chapter M-26-1, of the revised Statutes of Alberta and amendments thereto, to amend Land Use Bylaw 2019-04.

**WHEREAS**, the Council of the Town of Didsbury deems it necessary to amend Bylaw 2019-04: Land Use Bylaw;

**NOW THEREFORE**, the Council of the Town of Didsbury, in the Province of Alberta, duly assembled enacts the following:

That “cannabis production facility” to the added discretionary use.

**DC-IND: Direct Control District Industrial**

**Discretionary Uses:**

- a) Automotive Services (Minor/Major)
- b) Building, Public
- c) **Cannabis Production**
- d) Care Facility (Animal)
- e) Establishment (Eating or Drinking Class 1)
- f) Gas Station
- g) Industrial (Manufacturing and Operations)
- h) Industrial (Services)
- i) Office
- j) Public Utility
- k) Recreation (Private)
- l) Retail (Small)
- l) Retail (General)
- m) School
- n) Warehouse
- o) Warehouse Sales

1. This Bylaw may be cited as the Land Use Amending Bylaw No. 2020-10.
2. Bylaw 2019-04, being the Town of Didsbury Land Use Bylaw, is hereby amended
3. This Bylaw shall take effect on the date of the third and final reading.

Read a first time on the 23<sup>rd</sup> day of June 2020

**Public Hearing held 21<sup>st</sup> day of July, 2020**

Read a second time on the      date of      , 2020

Read a third time on the      day of      , 2020

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Mayor – Rhonda Hunter

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Chief Administrative Officer – Ethan Gorner



## ADDITIONAL COUNCIL MEETING Request for Decision (RFD)

*Vision: The Place to Grow.*

*Mission: Creating the Place to Grow.*

<b>COUNCIL MEETING DATE</b>	<b>July 21, 2020</b>
<b>SUBJECT</b>	<b>15<sup>th</sup> Avenue Stormwater &amp; Sidewalk Capital Project Tender</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Operations</b>
<b>AGENDA ITEM</b>	<b>4.2</b>

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### **BACKGROUND/PROPOSAL:**

The 15<sup>th</sup> Ave. Stormwater & Sidewalk Capital project is included in the 2020 operating budget approved May 12, 2020. In accordance with the TOD Policy FIN 010, a construction project over \$75,000 must follow a formal tender or RFP process with the approval of the contract by Council.

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

ISL reviewed three (3) tenders for the “Didsbury 15 Avenue Storm Main and Sidewalk”, received on July 14, 2020.

Tender submissions were reviewed for errors in arithmetic, and corrections were made where required. Following such adjustments, the tender prices for each bid, including consulting fees, contingency and taxes are as summarized below.

Individual evaluations were combined and averaged and are included below.

Averaged Evaluated Scores				
Score Reference	Max Score	Netook	PE	IMC
Technical Score	60	50.01	59.52	44.82
Lowest Bid	40	36.3	26.6	40
TOTAL POINTS	100	86.31	86.12	84.82
RANKING SUMMARY		1	2	3

15th Ave Storm - Option 1	Budget	Netook	Professional	IMC
Schedule A		\$ 546,145	\$ 744,713	\$ 428,679
Schedule C Option 1		\$ 54,325	\$ 68,375	\$ 78,101
Contingency		\$ 60,047	\$ 81,309	\$ 50,678
Consulting		\$ 92,416	\$ 92,416	\$ 92,416
Total	\$ 1,070,000	\$ 752,933	\$ 986,812	\$ 649,874

funded by MSI

15th Ave Storm - Option 2	Budget	Netook	Professional	IMC
Schedule A		\$ 546,145	\$ 744,713	\$ 428,679
Schedule C Option 2		\$ 71,175	\$ 95,456	\$ 119,978
Contingency		\$ 61,732	\$ 84,017	\$ 54,866
Consulting		\$ 92,416	\$ 92,416	\$ 92,416
Total	\$ 1,070,000	\$ 771,468	\$ 1,016,602	\$ 695,939

funded by MSI



## ADDITIONAL COUNCIL MEETING Request for Decision (RFD)

**Vision:** The Place to Grow.

**Mission:** Creating the Place to Grow.

High school sidewalks	Budget	Netook	Professional	IMC
Schedule B		\$ 172,930	\$ 243,226	\$ 191,064
Contingency		\$ 17,293	\$ 24,323	\$ 19,106
Consulting		\$ 32,183	\$ 32,183	\$ 32,183
Total	\$ 206,000	\$ 222,406	\$ 299,731	\$ 242,353

funded by BMTG

Westhill	Budget	Netook	Professional	IMC
Schedule D		\$ 49,420	\$ 67,688	\$ 45,954
Contingency		\$ 4,942	\$ 6,769	\$ 4,595
Consulting		\$ 7,740	\$ 7,740	\$ 7,740
Total	\$ 94,000	\$ 62,102	\$ 82,197	\$ 58,290

funded by WW reserves

Total Option 1	Budget	Netook	Professional	IMC
Schedule A+B+D		\$ 768,495	\$ 1,055,627	\$ 665,696
Schedule C Option 1		\$ 54,325	\$ 68,375	\$ 78,101
Contingency		\$ 82,282	\$ 112,400	\$ 74,380
Sub total		\$ 905,102	\$ 1,236,402	\$ 818,178
Consulting		\$ 132,339	\$ 132,339	\$ 132,339
Total	\$ 1,370,000	\$ 1,037,441	\$ 1,368,741	\$ 950,517

Total Option 2	Budget	Netook	Professional	IMC
Schedule A+B+D		\$ 768,495	\$ 1,055,627	\$ 665,696
Schedule C Option 2		\$ 71,175	\$ 95,456	\$ 119,978
Contingency		\$ 83,967	\$ 115,108	\$ 78,567
Sub total		\$ 923,637	\$ 1,266,191	\$ 864,242
Consulting		\$ 132,339	\$ 132,339	\$ 132,339
Total	\$ 1,370,000	\$ 1,055,976	\$ 1,398,530	\$ 996,581

IMC Construction Ltd. submitted the lowest Bid for Option 1 & Option 2; however, IMC received the lowest technical evaluation score. Professional Excavators received the highest technical evaluation; however, submitted the highest cost for Option 1 & 2. Netook received the highest combined total bid evaluation

### **ALIGNMENT WITH STRATEGIC PLAN**

Strategic Priority 3. Infrastructure & Asset Management

### **RECOMMENDATION**

Council moves to award the 15<sup>th</sup> Avenue Stormwater & Sidewalk Capital Project Tender contract to Contractor Netook with a Tendered total of \$ 923,637 (includes 10% Contingency) & includes **Option 2** Outfall design. Total Project cost \$ 1,055,976 (includes Engineering)



## ADDITIONAL COUNCIL MEETING Request for Decision (RFD)

**Vision:** *The Place to Grow.*

**Mission:** *Creating the Place to Grow.*

COUNCIL MEETING DATE	July 21, 2020
SUBJECT	Didsbury Arena Rate Reduction 2020/21 Season
ORIGINATING DEPARTMENT	Community Services
AGENDA ITEM	4.3

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### **BACKGROUND/PROPOSAL:**

The ongoing Didsbury Arena capital project of the replacement of refrigerated floors and arena boards has run into unexpected repairs and additional work, which will delay the anticipated opening of the arena for users by 3-4 weeks. This will result in Didsbury's arena user groups having to find alternate ice rentals in other communities for approximately 10-12 weeks, or alternately, will have delayed their season by 10-12 weeks.

In consideration of these delays and the additional travel that groups have faced, Administration is proposing that Council consider a rate reduction on hourly ice rates for local users (youth and adult) for the remainder of the 2020/21 season (Reopening of arena to March 31, 2021). Regular rates would go back into effect on April 1, 2021 for spring season users.

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

It is proposed that all local ice rates for both youth and adult groups be reduced by 30% for the remainder of the 2020/21 season, which is essentially the amount of time that our arena was closed to rentals by these users. This reduced rate would not be eligible for non-local user groups.

The chart below projects the reduction in revenues that would be expected, if reduced rates were approved.

Month	Actual 2019/20 Revenues	Projected 2020/21 Revenues
November	\$27,261.68	\$4770.68 (if opened on Nov. 23)
December	\$23,350.11	\$16,345.08
January	\$30,238.85	\$21,167.20
February	\$24,794.87	\$17,356.41
March	\$16,554.07 (closed March 14 for COVID-19)	\$11,587.85
TOTAL	\$122,199.58	\$85,539.71



## **ADDITIONAL COUNCIL MEETING Request for Decision (RFD)**

**Vision:** *The Place to Grow.*

**Mission:** *Creating the Place to Grow.*

The benefits to this proposal include:

- Maintains positive relationships with our ice user groups, ensuring continued use of our facility
- Provides incentive for full ice booking schedule once we reopen the facility
- Offers financial break for clubs that faced unexpected travel costs to other arenas during our closure

The disadvantage to this proposal is reduced revenues of 30% for the remainder of the 2020 budget year, but also 25% of the 2021 budget year.

### **ALIGNMENT WITH STRATEGIC PLAN**

Economic Prosperity, Healthy Active Living

### **RECOMMENDATION**

That Council move to approve a rate reduction of 30% for all local arena ice in-season rates until March 31, 2021.



## ADDITIONAL COUNCIL MEETING Request for Decision (RFD)

**Vision:** *The Place to Grow.*

**Mission:** *Creating the Place to Grow.*

COUNCIL MEETING DATE	July 21, 2020
SUBJECT	Application for DC-IND
ORIGINATING DEPARTMENT	Planning & Development
AGENDA ITEM	4.4

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### **BACKGROUND/PROPOSAL:**

Council has adopted Direct Control regulations for the lots in this specific land use district. Therefore, the development for this lot is at the discretion of Council.

If Bylaw 2020-10 received second and third reading, Council is being presented with a Development Permit Application DP 2020-049 for Council's consideration.

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

Council has considered Bylaw 2020-10 to have Cannabis Production as a discretionary use.

This Application approval is for units 5A and 5B (2825 – 19<sup>th</sup> Street), any future or additional operations at this location will require to be brought back to Council for approval.

Mr. James Carpenter submitted an application for a development permit on July 14, 2020 for Cannabis Production.

See attached application.

Council has the following options regarding DP 20-049

1. Council can approve DP 20-049 with the following conditions:
  - a. that compliance with all Federal and licensing requirements for Cannabis Production are adhered to,
  - b. the operation complies with the principles set forth in the application.
2. Council can approve DP 20-049 with additional conditions set by Council
3. Council can refuse DP 20-049
4. Council can require more information on DP 20-049 prior to making a decision

### **ALIGNMENT WITH STRATEGIC PLAN**

An Informed & Engaged Community

### **RECOMMENDATION**

That Council move to one of the options listed above.

# Development Permit Review

File No <b>DP 20-049</b>		Civic: <b>2825-19th Street</b>		
Applicant (Owner)		Legal	Development	\$ Value
<b>Jodie Omstead</b>  (Applicant) <b>2208769</b> <b>Alberta Ltd.</b>  (Landowner)		Plan: <b>0714629</b> Block: <b>5</b> Lot: <b>1</b>  Zoning: <b>DC-IND</b>  Parcel size: _____	<u><b>Change of Use</b></u> <b>Contractors office</b> to <b>Cannabis Production</b>	<b>N/A</b>
		Sq. Ft. Size <b>5A: 65.7m<sup>2</sup> (707.18 ft<sup>2</sup>)</b>  <b>5B: 121.1m<sup>2</sup> (1303.5 ft<sup>2</sup>)</b>		
App Fee: <b>250.00</b>		Roll #: <b>2265000</b>	Title: <b>181 074 778</b>	Sketch: <b>Provided in package</b>
Date Advertized: (1)		(2)		
Proposed Setbacks		LUB Setbacks		Relax.
		<b>DC-IND</b>		
Front: ✓	<b>13.99 m</b>	<b>6.0m</b>		
Rear: ✓	<b>19.77 m</b>	<b>6.0m</b>		
Side: ✓	<b>Left 19.04 m</b>	<b>3.0m</b>		
Side: ✓	<b>Right 12.47 m</b>	<b>6.0m abutting a road</b>		
Floor: ✓	<b>186.8 m<sup>2</sup> / 2010.68 ft<sup>2</sup></b>	<b>N/A</b>		
Height:	<b>18 feet</b>	<b>Discretion of Council</b>		<b>} existing building</b>
Parcel Coverage	<b>Existing Building</b>	<b>Discretion of Council</b>		
Parking	<b>No plan provided, however, sufficient</b>	<b>1.25 stalls per 100m<sup>2</sup> (1076.39 ft<sup>2</sup>)</b>		
Related Apps.				
Encumbrances				
Policies ** MDP ** LUB ** DEV AGR ** TITLE				
Referral to: <b>19 adjacent notified for Public Hearing</b> sent reply				

Comments: • Existing building and setback comply with both Development Permit 02-08 and the current Land Use Bylaw 2019-04

• Change of Use - Cannabis Production - Discretionary Use - Council Decision in Direct Control Districts

• Attached map shows the setback distances from nearest Residential Districts and Park, Recreation(Public) sites.

Recommended Conditions

Received

Expires

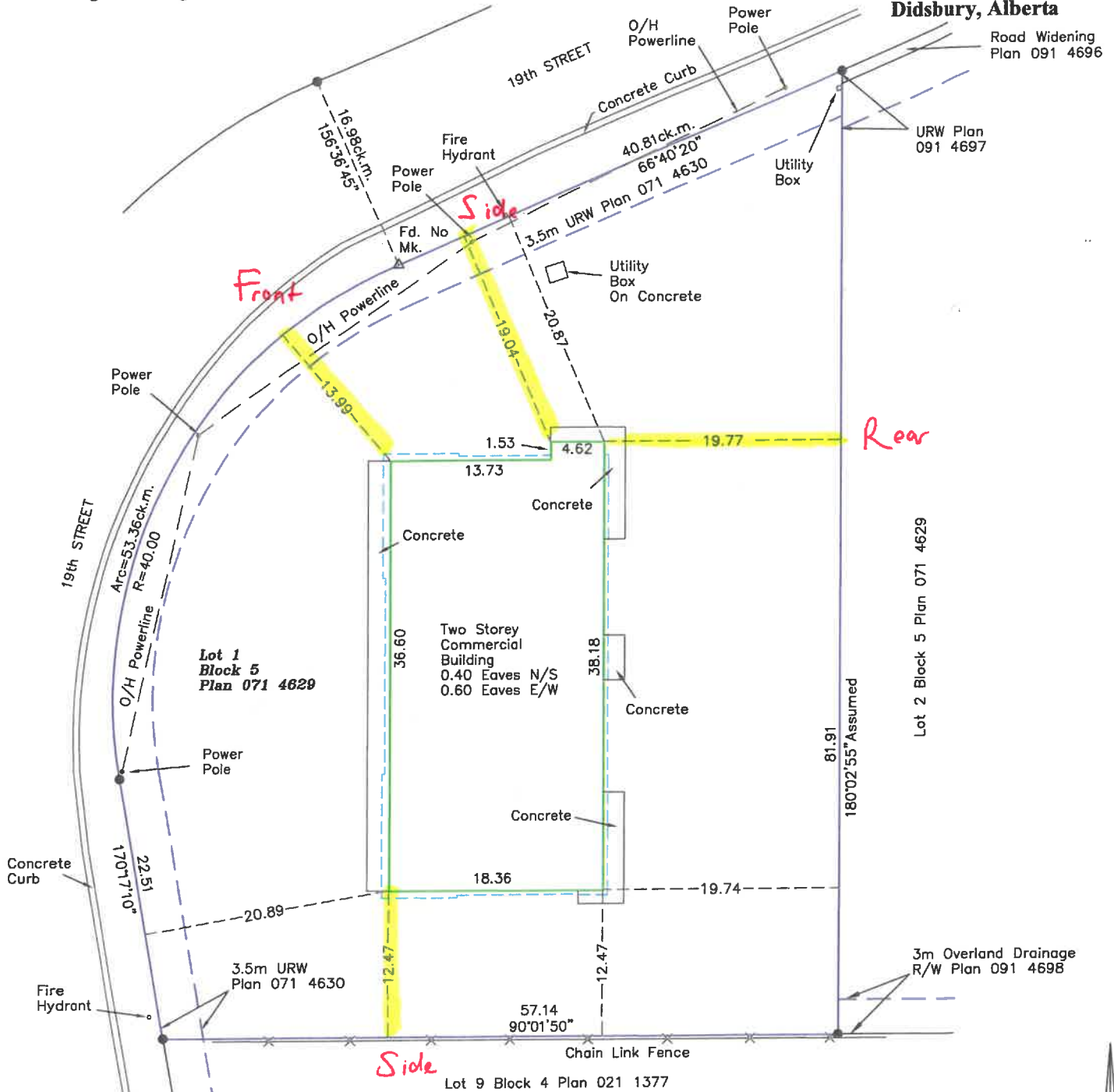
Site Inspect

# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 2 of a Real Property Report and is ineffective if it is detached from page 1. Page 2 of 2

**Legal Description:** Lot 1 Block 5 Plan 071 4629

**Civic Address:** 2825 - 19th Street  
Didsbury, Alberta



## ENCUMBRANCES:

Registration No.	Particulars
071 469 153	Utility Right of Way - Plan 071 4630
131 222 515	Mortgage - Alberta Treasury Branches
131 222 516	Caveat - Re: Assignment of Rents and Leases

## LEGEND:

- Unless otherwise noted, measurements are made to the extent of the exterior walls
- Distances are shown in metres and decimals thereof
- Statutory Iron Posts are shown thus... ●
- Calculated points are shown thus... △
- (e) denotes encroachment
- Eaves are dimensioned to the line of the fascia
- Unless otherwise noted, fences are shown within 0.20m of Property Lines



Scale : 1:500 Drawn: LKM/RLJ  
File No. : 18-090



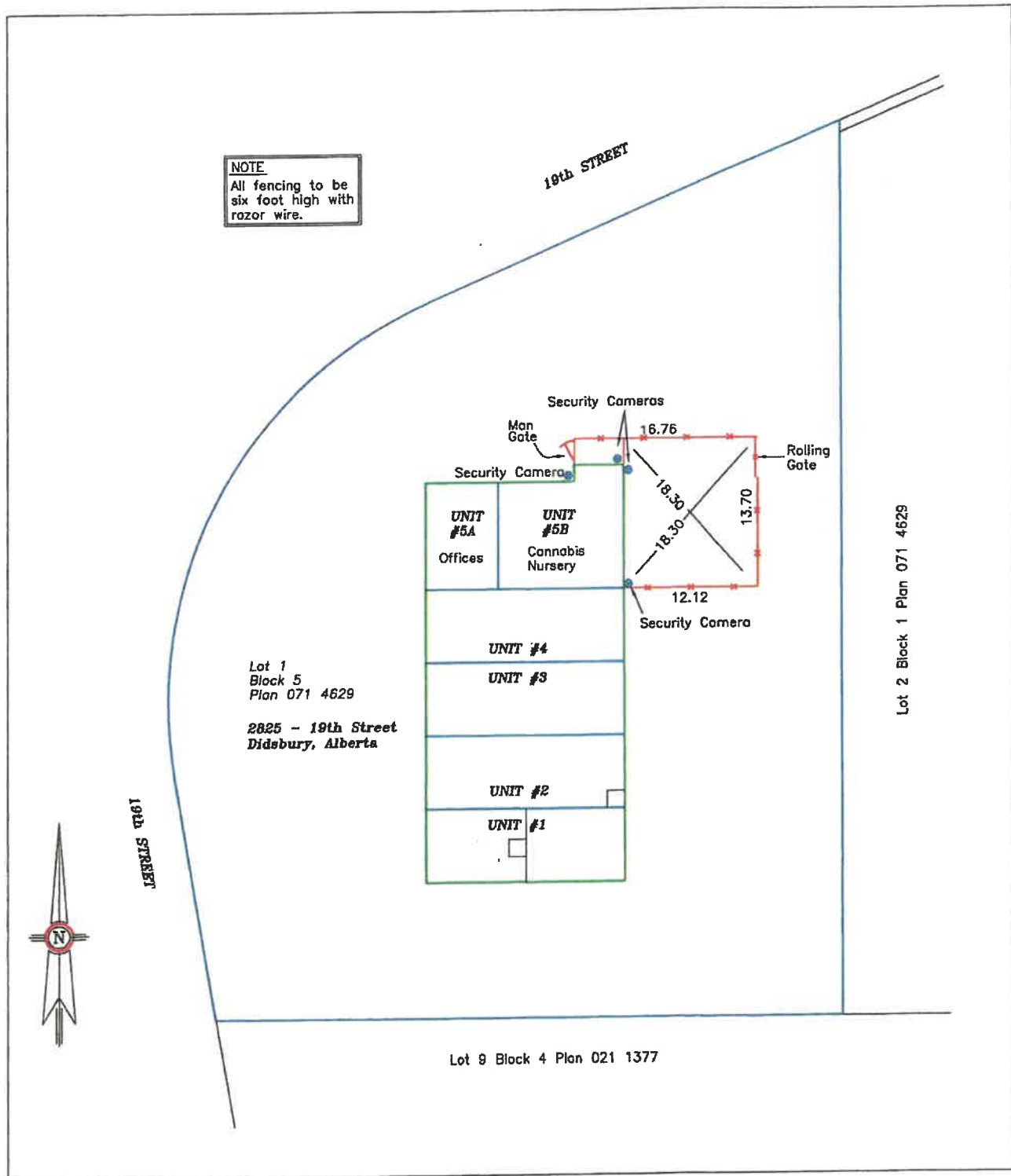
**SexSmith  
Surveys Ltd.**

Box 5122, High River, Alberta, T1V 1M3

©Copyright, 2018

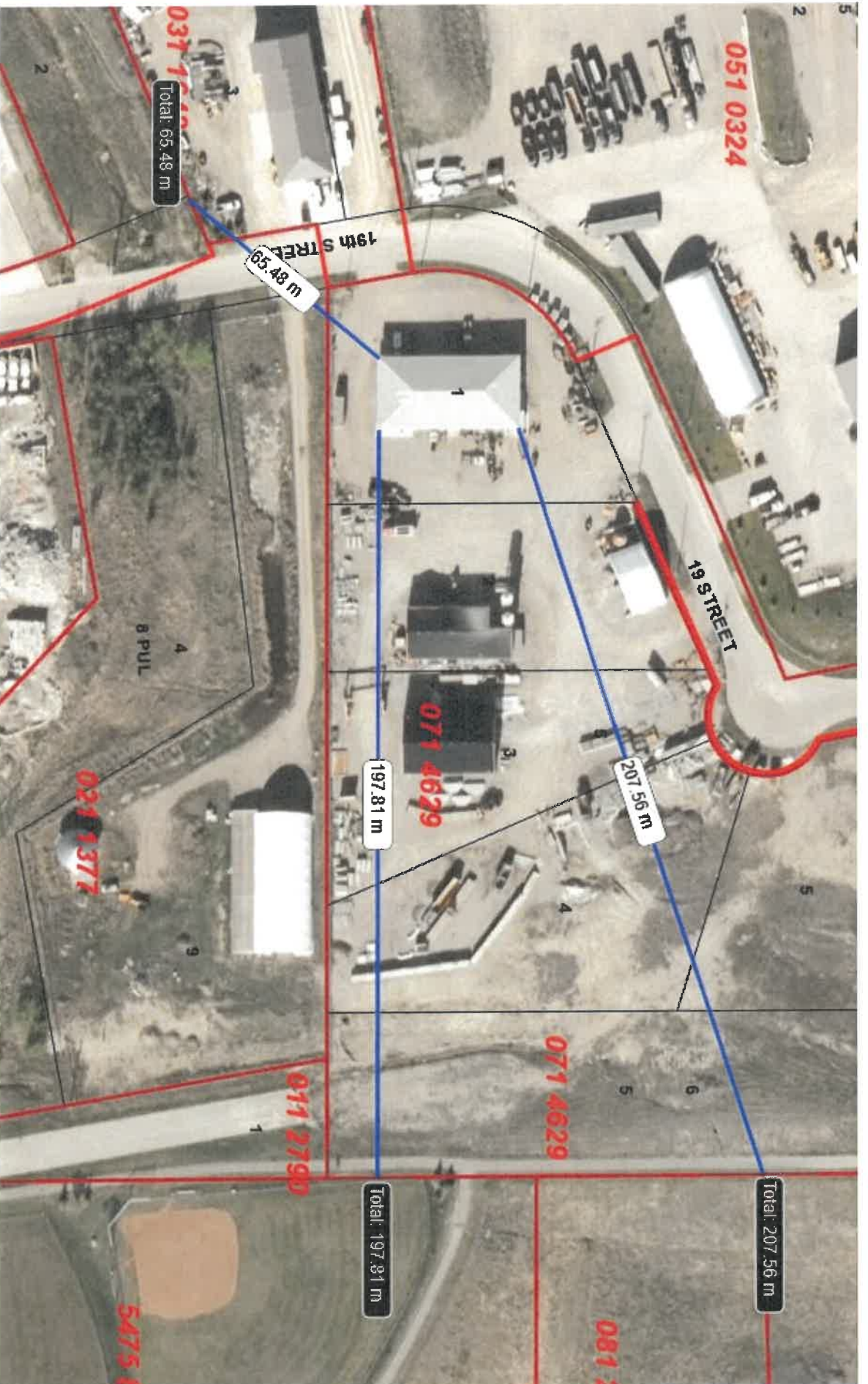
# BUILDING PLAN

**NOTE**  
All fencing to be  
six foot high with  
roazor wire.



$$\begin{aligned} \text{Unit 5A} &= 65.7 \text{ m}^2 = 707.18 \text{ ft}^2 \\ \text{Unit 5B} &= 121.1 \text{ m}^2 = 1303.5 \text{ ft}^2 \\ &186.8 \text{ m}^2 = 2010.68 \text{ ft}^2 \end{aligned}$$

# Map Title



Friday, July 17, 2020 11:13:48 -06:00

Map Scale: 1:2,257



While every effort is made to ensure data from this site is accurate and current, the Government of Alberta is not liable for any loss or damage arising from the possession, publication, or use of, that data. This information is provided "as is" without warranty.

**Alberta** Government  
GeoDiscover Alberta

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## Development Permit - Application

Planning and Development Services, PO Box 790, Didsbury, AB T0M 0W0

Phone 403.335.3391 Fax 403.335.9794

This form is to be completed in full by the registered owner(s) of the land or by an authorized person acting on behalf of the registered owner(s).

For Office Use Only	
File Number:	20-049
Date Received:	June 29, 2020
Deemed Complete Date:	
Fees:	Change of Use \$250.00

<b>1. Name of Registered Landowner(s):</b> <u>2208769 ALBERTA LTD</u>	<b>Address:</b> <u>DIDSBURY AB T0M0W0</u> PO Box: <u>777</u> Phone: <u>403.586.5478</u> Email: <u>energydevelopers@gmail.com</u>																				
<b>2. Name of Applicant/Authorized person acting on behalf of the registered landowner(s):</b> <u>JODIE OMSTEAD</u>	<b>Address:</b> <u>DIDSBURY AB T0M0W0</u> PO Box: <u>777</u> Phone: <u>403.507.5403</u> Email: <u>jodie@horses@gmail.com</u>																				
<b>3. Location</b> Address of Property: <u>2825 - 19th STREET DIDSBURY</u> Legal Description: Lot <u>1</u> Block <u>5</u> Plan <u>D71 4629</u> All/part of the _____ ¼ Sec. _____ Twp. _____ Range _____ West of _____ Meridian																					
<b>4. Type of Development</b> <table><tbody><tr><td><input type="checkbox"/> Residential</td><td><input type="checkbox"/> Dwelling, Manufactured</td></tr><tr><td><input type="checkbox"/> Dwelling, Single Detached</td><td><input type="checkbox"/> Garage/Shed</td></tr><tr><td><input type="checkbox"/> Dwelling, Semi-Detached (side by side)</td><td><input type="checkbox"/> Deck</td></tr><tr><td><input type="checkbox"/> Dwelling, Duplex (up or down)</td><td><input type="checkbox"/> Other: _____</td></tr><tr><td><input type="checkbox"/> Dwelling, Multi-Unit</td><td></td></tr><tr><td><input type="checkbox"/> Commercial</td><td></td></tr><tr><td><input type="checkbox"/> Residential/Commercial</td><td></td></tr><tr><td><input type="checkbox"/> Industrial</td><td></td></tr><tr><td><input type="checkbox"/> Institutional</td><td></td></tr><tr><td><input checked="" type="checkbox"/> Direct Control</td><td></td></tr></tbody></table>		<input type="checkbox"/> Residential	<input type="checkbox"/> Dwelling, Manufactured	<input type="checkbox"/> Dwelling, Single Detached	<input type="checkbox"/> Garage/Shed	<input type="checkbox"/> Dwelling, Semi-Detached (side by side)	<input type="checkbox"/> Deck	<input type="checkbox"/> Dwelling, Duplex (up or down)	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Dwelling, Multi-Unit		<input type="checkbox"/> Commercial		<input type="checkbox"/> Residential/Commercial		<input type="checkbox"/> Industrial		<input type="checkbox"/> Institutional		<input checked="" type="checkbox"/> Direct Control	
<input type="checkbox"/> Residential	<input type="checkbox"/> Dwelling, Manufactured																				
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<input type="checkbox"/> Residential/Commercial																					
<input type="checkbox"/> Industrial																					
<input type="checkbox"/> Institutional																					
<input checked="" type="checkbox"/> Direct Control																					

DEVELOPMENT PERMIT APPLICATION

Permit #: 20-049

LEGISLATIVE AND DEVELOPMENT SERVICES

Page 1 of 4

## Development Permit – Application

### 6. Type of Work

New (size in m<sup>2</sup> / ft<sup>2</sup> \_\_\_\_\_)  
Renovation (size in m<sup>2</sup> / ft<sup>2</sup> \_\_\_\_\_)  
Addition (size in m<sup>2</sup> / ft<sup>2</sup> \_\_\_\_\_)

### Setbacks

Front \_\_\_\_\_ m/ft  
Rear \_\_\_\_\_ m/ft  
Right \_\_\_\_\_ m/ft  
Left \_\_\_\_\_ m/ft

### 7. Construction Details

Land Use District (Zoning) Direct Control

Estimated Commencement \_\_\_\_\_

Height of Building (m/ft) \_\_\_\_\_

Proposed development has commenced?

Yes ☐ No ☐

Number of off street parking stalls: \_\_\_\_\_

Estimated Completion: \_\_\_\_\_

Cost of Construction: \_\_\_\_\_

Is the property a Municipal Historic Resource?

Yes ☐ No ☐

### 8. Description of Work

Please describe in detail what is being constructed

Cannabis Production facility, nursery

### AUTHORIZATION

(Please ensure that all names and signatures of those listed on the Certificate of Title are included below)

I/We, JAMES Carpenter

being the registered owner(s) of: 2208769 Alberta Ltd

do hereby authorize JODIE ONSTEND

to act as Applicant(s) on my/our behalf regarding the Development Permit application of the above mentioned lands.

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 for the development approval.

Signature of Owner(s): \_\_\_\_\_

Date: JUNE 29, 2020

Signature of Owner(s): \_\_\_\_\_

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

DEVELOPMENT PERMIT APPLICATION

Permit #: \_\_\_\_\_

LEGISLATIVE AND DEVELOPMENT SERVICES

Page 2 of 4

## Development Permit – Application

### RIGHT OF ENTRY

I/We being the registered owner(s) or person(s) in possession of herein land and building(s) thereon, hereby consent to an authorized person designated by the Town of Didsbury entering upon the said property for the purpose of inspection during the processing of this application.

Signature of Applicant: \_\_\_\_\_

Date: JUNE 29, 2020

### SIGNATURES

I have been informed of the Town's bylaws, policies and regulations regarding this application. I understand that this permit application may be refused if the proposed development does not conform to all of the requirement of the Land Use Bylaw. I hereby declare that the development identified in this application will be conducted in accordance with the plans submitted.

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

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

Date: JUNE 29, 2020

*This personal information is being collected under the authority of the Municipal Government Act and will be used in the processing of this application. It is protected by the privacy provisions of the Freedom of Information and Privacy Act. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about collecting or use of this personal information, please contact the Town of Didsbury FOIP Coordinator at 403-335-3391.*

**IMPOTANT NOTICE:** This application does not permit the commencement of construction on the site until a decision is made regarding the proposed development by the Development Authority. A Building Permit may also be required for any development on the site.

### FOR OFFICE USE ONLY

Application Fee: 250.00 Receipt No. \_\_\_\_\_ Method of Payment: \_\_\_\_\_

#### NOTICE OF DECISION

Approved: ☐ MPC ☐ DO ☐ SDAB  
Refused: ☐ MPC ☐ DO ☐ SDAB

> DC - Approved ☐ Council  
Refused ☐ Council

- ☐ Subject to Conditions (see below)  
☐ Reasons for Refusal (see below)

Decision Date: July 21, 2020

Date Advertised: N/A - Direct Control

DEVELOPMENT PERMIT APPLICATION  
Permit #: 20-049

LEGISLATIVE AND DEVELOPMENT SERVICES  
Page 3 of 4

## Development Permit – Application

### CHECK THE BOX FOR ITEMS THAT HAVE BEEN SUBMITTED FOR A COMPLETE APPLICATION

#### I. The following information is required to be submitted for a complete application.



##### Application Fee

The application fee shall be included in accordance with the fee schedule in effect at the time of application.



##### Application Form

The name(s), address(es), and telephone number(s) of the registered owner(s) and the authorized person acting on behalf of the registered owner(s). If a person is acting on behalf of the registered owner(s), the owner(s) shall sign the authorization in Section 11. If the said land is under an agreement for sale as indicated by caveat on the back on the Certificate of Title, please submit a copy of the signed agreement. The individual noted on the caveat must sign the application.



##### Assessment

A detailed assessment of the proposed development against the relevant Statutory Plan and any relevant Local Plans.



##### Authorization

Authorization from the owner of the parcel for making the application.



##### Bylaw Amendments

*Bylaw 2020-10 → July 21, 2020 Public Hearing*  
A copy (hardcopy and digital copy) of any proposed bylaw amendments in the form of a Town of Didsbury Bylaw where the redesignation proposes a Direct Control Bylaw or amendments to the existing Land Use Bylaw.



##### Current Certificate of Title

A copy of the certificate of title of the lands not more than 30 days prior to application submission can be obtained from any license and registry office.



##### Site Plan or Real Property Report showing the following:

- ☐ The legal description and the municipal address of the site
- ☐ The scale and a North arrow
- ☐ Dimensions of the parcel, including total parcel area
- ☐ All existing and proposed buildings with dimensions or foundations/walls and any projections and/or cantilevers
- ☐ The perpendicular distance measured from adjacent front, rear and side property lines to each corner of the foundation/walls and eaves of the proposed and any existing buildings
- ☐ Location of access and egress points to the sites
- ☐ Location of off-street vehicular parking and loading areas
- ☐ Location of any registered utility rights-of-way (including plan number)



##### Two (2) copies (11"x17") of building plans showing the following:

- ☐ Floor plan(s) of the building, including living space including all Alberta Building Code related information
- ☐ Building elevation plans which indicate front, rear and side elevators, wall height (finished grade to eaves), roofing material and roof pitch
- ☐ Building cross-section drawings

DEVELOPMENT PERMIT APPLICATION

Permit #: 20-049

LEGISLATIVE AND DEVELOPMENT SERVICES

Page 4 of 4

## DEVELOPMENT PERMIT FOR 2825 19 STREET DIDSBURY AB

Attached is a site plan for the development of the existing building at 2825 19 Street in Didsbury.

This is an existing building. We will be converting the existing bays to house several different businesses.

Bay 5A – currently contains offices – this will not change and no work is required

Bay 5B – this will be a cannabis nursery. It will meet the Health Canada Standards outlined in the Cannabis Licencing Application Guide updated July 2, 2020. Our application has been submitted to Health Canada and we are in the evidence stage with them. In the nursery we are only allowed to use 50m<sup>2</sup> and this allows us to have mother plants and clones that can be sold to licenced facilities to take them from the baby stage to the flower stage and be harvested.

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#5>

In each unit there will be a range of 1-4 employees. Hours of operation will be 7-5. Shipping and receiving could be from 1 to 5 deliveries per day/week. This should not impact the traffic flow on 19 street.

We will comply with Health Canada and the Town of Didsbury's requirement for signage, parking, fencing and waste management.

As per Health Canada, all facilities must be built before we can apply for the cannabis licence. To receive the licences, we must have met all of the requirement outlined in the Cannabis Licencing Application Guide updated July 2, 2020.

# Development Permit Review

File No <b>DP 20-049</b>		Civic: <b>2825-19th Street</b>		
Applicant (Owner)		Legal	Development	\$ Value
<b>Jodie Omstead</b>  (Applicant) <b>2208769</b> <b>Alberta Ltd.</b>  (Landowner)		Plan: <b>0714629</b> Block: <b>5</b> Lot: <b>1</b>  Zoning: <b>DC-IND</b>  Parcel size: _____	<u><b>Change of Use</b></u> <u>Contractors office</u> <u>to</u> <u>Cannabis Production</u>	<b>N/A</b>
		Sq. Ft. Size <b>5A: 65.7m<sup>2</sup> (707.18 ft<sup>2</sup>)</b> <b>5B: 121.1m<sup>2</sup> (1303.5 ft<sup>2</sup>)</b>		
App Fee: <b>250.00</b>		Roll #: <b>2265000</b>	Title: <b>181 074 778</b>	Sketch: <b>Provided in package</b>
Date Advertized: (1)		(2)		
Proposed Setbacks		LUB Setbacks		Relax.
		<b>DC-IND</b>		
Front: ✓	<b>13.99 m</b>	<b>6.0m</b>		
Rear: ✓	<b>19.77 m</b>	<b>6.0m</b>		
Side: ✓	<b>Left 19.04 m</b>	<b>3.0m</b>		
Side: ✓	<b>Right 12.47 m</b>	<b>6.0m abutting a road</b>		
Floor: ✓	<b>186.8 m<sup>2</sup> / 2010.68 ft<sup>2</sup></b>	<b>N/A</b>		
Height:	<b>18 feet</b>	<b>Discretion of Council</b>		<b>} existing building</b>
Parcel Coverage	<b>Existing Building</b>	<b>Discretion of Council</b>		
Parking	<b>No plan provided, however, sufficient</b>	<b>1.25 stalls per 100m<sup>2</sup> (1076.39 ft<sup>2</sup>)</b>		
Related Apps.				
Encumbrances				
Policies ** MDP ** LUB ** DEV AGR ** TITLE				
Referral to: <b>19 adjacent notified for Public Hearing</b> sent reply				

Comments: • Existing building and setback comply with both Development Permit 02-08 and the current Land Use Bylaw 2019-04

• Change of Use - Cannabis Production - Discretionary Use - Council Decision in Direct Control Districts

• Attached map shows the setback distances from nearest Residential Districts and Park, Recreation(Public) sites.

Recommended Conditions

Received

Expires

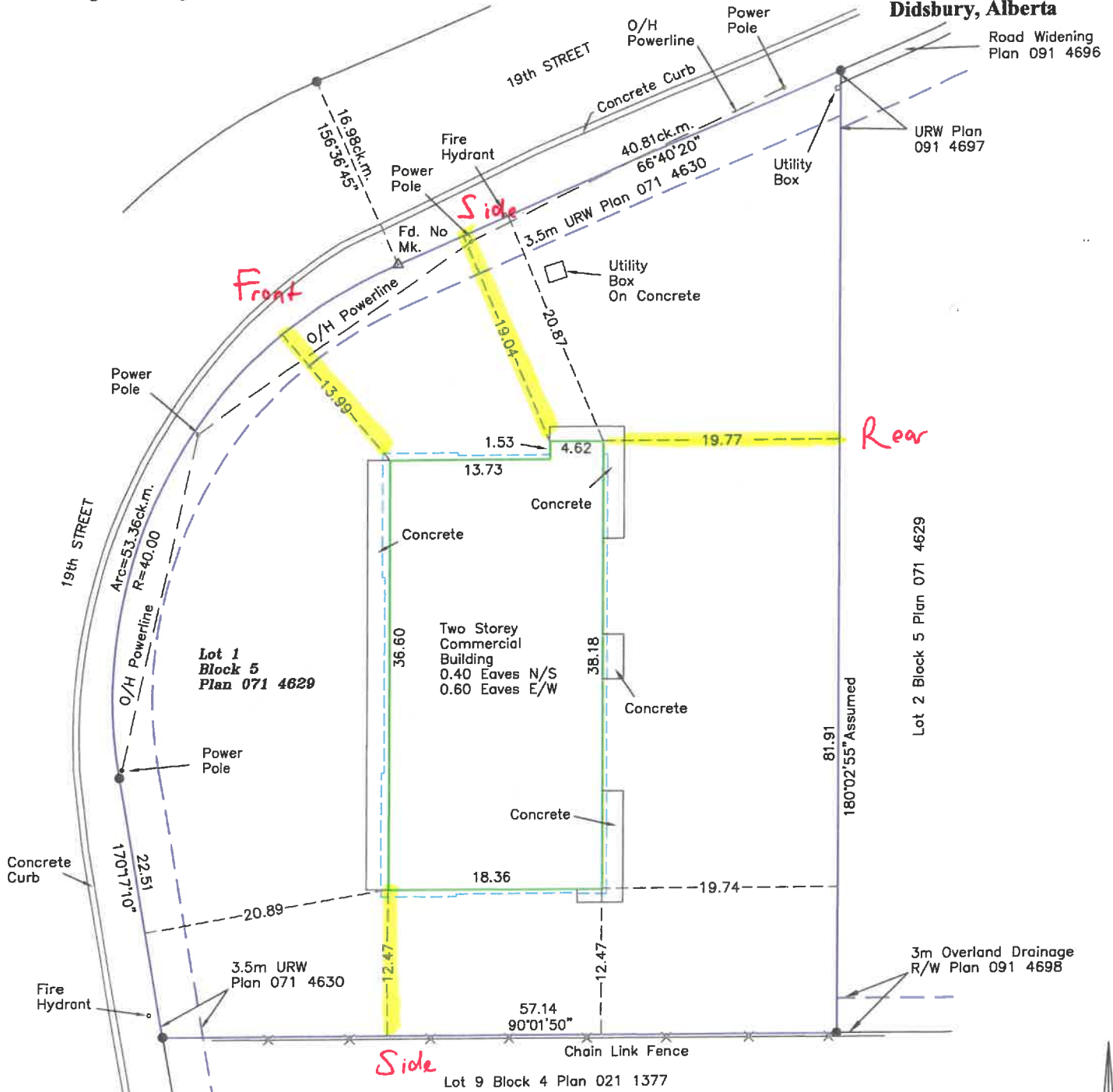
Site Inspect

# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 2 of a Real Property Report and is ineffective if it is detached from page 1. Page 2 of 2

**Legal Description:** Lot 1 Block 5 Plan 071 4629

**Civic Address:** 2825 - 19th Street  
Didsbury, Alberta



## ENCUMBRANCES:

Registration No.	Particulars
071 469 153	Utility Right of Way - Plan 071 4630
131 222 515	Mortgage - Alberta Treasury Branches
131 222 516	Caveat - Re: Assignment of Rents and Leases

## LEGEND:

- Unless otherwise noted, measurements are made to the extent of the exterior walls
- Distances are shown in metres and decimals thereof
- Statutory Iron Posts are shown thus... ●
- Calculated points are shown thus... △
- (e) denotes encroachment
- Eaves are dimensioned to the line of the fascia
- Unless otherwise noted, fences are shown within 0.20m of Property Lines



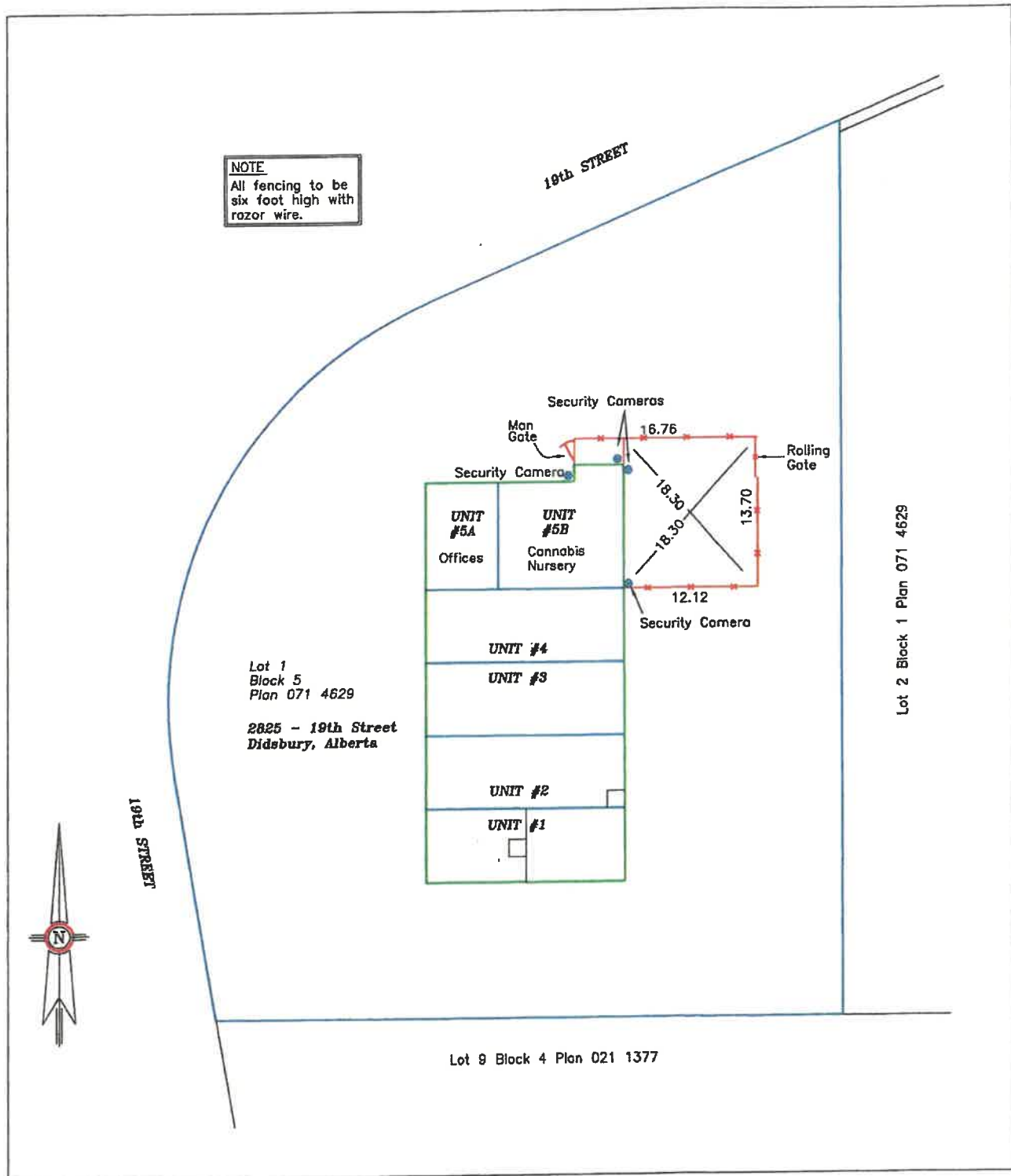
Scale : 1:500 Drawn: LKM/RLJ  
File No. : 18-090

**SexSmith Surveys Ltd.**  
Box 5122, High River, Alberta, T1V 1M3  
©Copyright, 2018



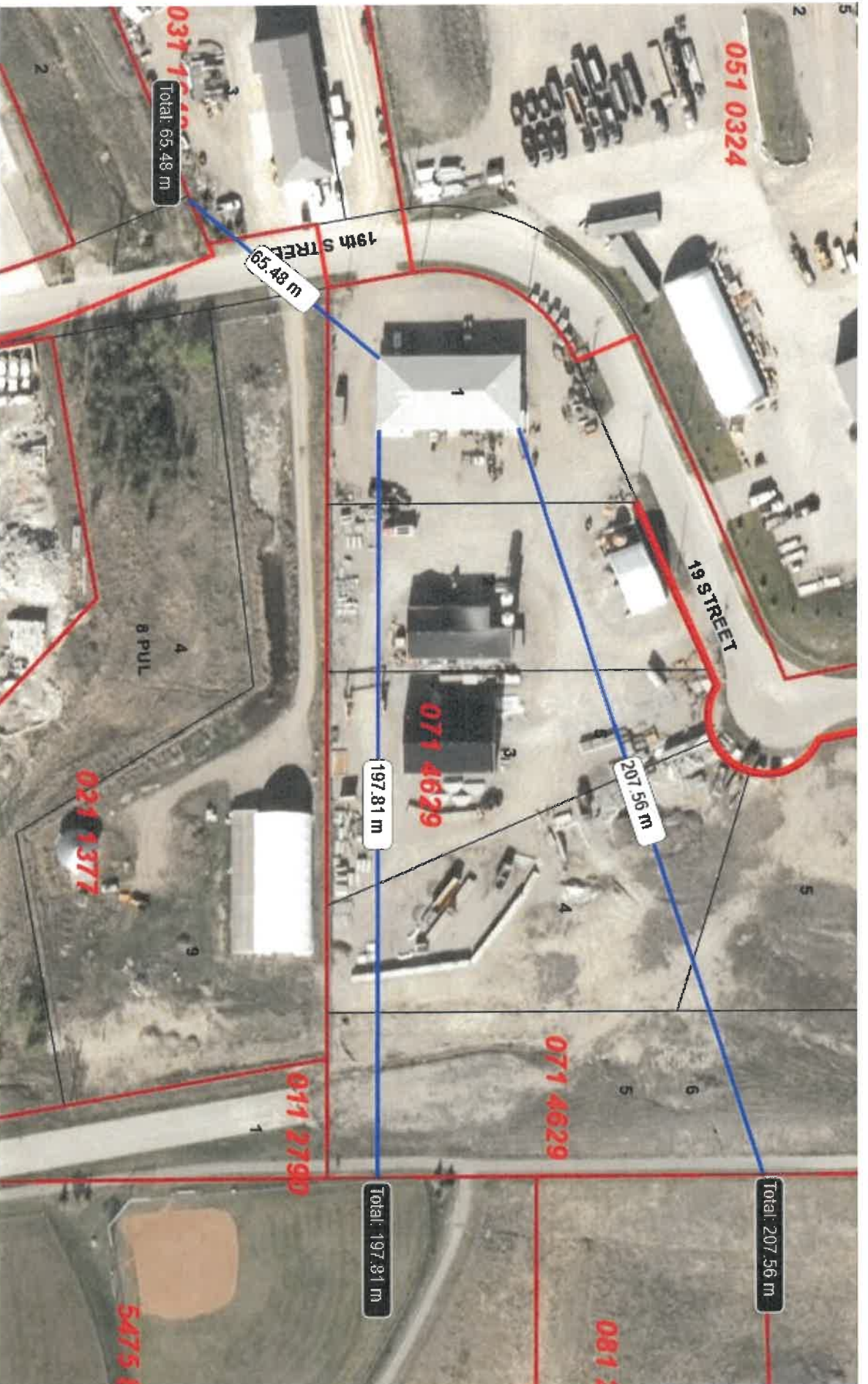
# BUILDING PLAN

**NOTE**  
All fencing to be  
six foot high with  
roazor wire.



$$\begin{aligned}
 \text{Unit 5A} &= 65.7 \text{ m}^2 = 707.18 \text{ ft}^2 \\
 \text{Unit 5B} &= 121.1 \text{ m}^2 = 1303.5 \text{ ft}^2 \\
 &186.8 \text{ m}^2 = 2010.68 \text{ ft}^2
 \end{aligned}$$

# Map Title



Friday, July 17, 2020 11:13:48 -06:00

Map Scale: 1:2,257



While every effort is made to ensure data from this site is accurate and current, the Government of Alberta is not liable for any loss or damage arising from the possession, publication, or use of, that data. This information is provided "as is" without warranty.

**Alberta** Government  
GeoDiscover Alberta

© Government of Alberta



## Development Permit - Application

Planning and Development Services, PO Box 790, Didsbury, AB T0M 0W0

Phone 403.335.3391 Fax 403.335.9794

This form is to be completed in full by the registered owner(s) of the land or by an authorized person acting on behalf of the registered owner(s).

For Office Use Only	
File Number:	20-049
Date Received:	June 29, 2020
Deemed Complete Date:	
Fees:	Change of Use \$250.00

<b>1. Name of Registered Landowner(s):</b> <u>2208769 ALBERTA LTD</u>	<b>Address:</b> <u>DIDSBURY AB T0M0W0</u> PO Box: <u>777</u> Phone: <u>403.586.5478</u> Email: <u>energydevelopers@gmail.com</u>																				
<b>2. Name of Applicant/Authorized person acting on behalf of the registered landowner(s):</b> <u>JODIE OMSTEAD</u>	<b>Address:</b> <u>DIDSBURY AB T0M0W0</u> PO Box: <u>777</u> Phone: <u>403.507.5403</u> Email: <u>jodie@horses@gmail.com</u>																				
<b>3. Location</b> Address of Property: <u>2825 - 19th STREET DIDSBURY</u> Legal Description: Lot <u>1</u> Block <u>5</u> Plan <u>D71 4679</u> All/part of the _____ ¼ Sec. _____ Twp. _____ Range _____ West of _____ Meridian																					
<b>4. Type of Development</b> <table><tbody><tr><td><input type="checkbox"/> Residential</td><td><input type="checkbox"/> Dwelling, Manufactured</td></tr><tr><td><input type="checkbox"/> Dwelling, Single Detached</td><td><input type="checkbox"/> Garage/Shed</td></tr><tr><td><input type="checkbox"/> Dwelling, Semi-Detached (side by side)</td><td><input type="checkbox"/> Deck</td></tr><tr><td><input type="checkbox"/> Dwelling, Duplex (up or down)</td><td><input type="checkbox"/> Other: _____</td></tr><tr><td><input type="checkbox"/> Dwelling, Multi-Unit</td><td></td></tr><tr><td><input type="checkbox"/> Commercial</td><td></td></tr><tr><td><input type="checkbox"/> Residential/Commercial</td><td></td></tr><tr><td><input type="checkbox"/> Industrial</td><td></td></tr><tr><td><input type="checkbox"/> Institutional</td><td></td></tr><tr><td><input checked="" type="checkbox"/> Direct Control</td><td></td></tr></tbody></table>		<input type="checkbox"/> Residential	<input type="checkbox"/> Dwelling, Manufactured	<input type="checkbox"/> Dwelling, Single Detached	<input type="checkbox"/> Garage/Shed	<input type="checkbox"/> Dwelling, Semi-Detached (side by side)	<input type="checkbox"/> Deck	<input type="checkbox"/> Dwelling, Duplex (up or down)	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Dwelling, Multi-Unit		<input type="checkbox"/> Commercial		<input type="checkbox"/> Residential/Commercial		<input type="checkbox"/> Industrial		<input type="checkbox"/> Institutional		<input checked="" type="checkbox"/> Direct Control	
<input type="checkbox"/> Residential	<input type="checkbox"/> Dwelling, Manufactured																				
<input type="checkbox"/> Dwelling, Single Detached	<input type="checkbox"/> Garage/Shed																				
<input type="checkbox"/> Dwelling, Semi-Detached (side by side)	<input type="checkbox"/> Deck																				
<input type="checkbox"/> Dwelling, Duplex (up or down)	<input type="checkbox"/> Other: _____																				
<input type="checkbox"/> Dwelling, Multi-Unit																					
<input type="checkbox"/> Commercial																					
<input type="checkbox"/> Residential/Commercial																					
<input type="checkbox"/> Industrial																					
<input type="checkbox"/> Institutional																					
<input checked="" type="checkbox"/> Direct Control																					

DEVELOPMENT PERMIT APPLICATION

Permit #: 20-049

LEGISLATIVE AND DEVELOPMENT SERVICES

Page 1 of 4

## Development Permit – Application

### 6. Type of Work

New (size in m<sup>2</sup> / ft<sup>2</sup> \_\_\_\_\_)  
 Renovation (size in m<sup>2</sup> / ft<sup>2</sup> \_\_\_\_\_)  
 Addition (size in m<sup>2</sup> / ft<sup>2</sup> \_\_\_\_\_)

### Setbacks

Front \_\_\_\_\_ m/ft  
 Rear \_\_\_\_\_ m/ft  
 Right \_\_\_\_\_ m/ft  
 Left \_\_\_\_\_ m/ft

### 7. Construction Details

Land Use District (Zoning) Direct Control

Estimated Commencement \_\_\_\_\_

Height of Building (m/ft) \_\_\_\_\_

Proposed development has commenced?

Yes ☐ No ☐

Number of off street parking stalls: \_\_\_\_\_

Estimated Completion: \_\_\_\_\_

Cost of Construction: \_\_\_\_\_

Is the property a Municipal Historic Resource?

Yes ☐ No ☐

### 8. Description of Work

Please describe in detail what is being constructed

Cannabis Production facility, nursery

### AUTHORIZATION

(Please ensure that all names and signatures of those listed on the Certificate of Title are included below)

I/We, JAMES Carpenter

being the registered owner(s) of: 2208769 Alberta Ltd

do hereby authorize JODIE ONSTEND

to act as Applicant(s) on my/our behalf regarding the Development Permit application of the above mentioned lands.

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 for the development approval.

Signature of Owner(s): \_\_\_\_\_

Date: JUNE 29, 2020

Signature of Owner(s): \_\_\_\_\_

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

**DEVELOPMENT PERMIT APPLICATION**

Permit #: \_\_\_\_\_

**LEGISLATIVE AND DEVELOPMENT SERVICES**

Page 2 of 4

## Development Permit – Application

### RIGHT OF ENTRY

I/We being the registered owner(s) or person(s) in possession of herein land and building(s) thereon, hereby consent to an authorized person designated by the Town of Didsbury entering upon the said property for the purpose of inspection during the processing of this application.

Signature of Applicant: \_\_\_\_\_

Date: JUNE 29, 2020

### SIGNATURES

I have been informed of the Town's bylaws, policies and regulations regarding this application. I understand that this permit application may be refused if the proposed development does not conform to all of the requirement of the Land Use Bylaw. I hereby declare that the development identified in this application will be conducted in accordance with the plans submitted.

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

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

Date: JUNE 29, 2020

*This personal information is being collected under the authority of the Municipal Government Act and will be used in the processing of this application. It is protected by the privacy provisions of the Freedom of Information and Privacy Act. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about collecting or use of this personal information, please contact the Town of Didsbury FOIP Coordinator at 403-335-3391.*

**IMPOTANT NOTICE:** This application does not permit the commencement of construction on the site until a decision is made regarding the proposed development by the Development Authority. A Building Permit may also be required for any development on the site.

### **FOR OFFICE USE ONLY**

Application Fee: 250.00 Receipt No. \_\_\_\_\_ Method of Payment: \_\_\_\_\_

#### **NOTICE OF DECISION**

Approved: ☐ MPC ☐ DO ☐ SDAB  
Refused: ☐ MPC ☐ DO ☐ SDAB

> DC - Approved ☐ Council  
Refused ☐ Council

- ☐ Subject to Conditions (see below)  
☐ Reasons for Refusal (see below)

Decision Date: July 21, 2020

Date Advertised: N/A - Direct Control

DEVELOPMENT PERMIT APPLICATION  
Permit #: 20-049

LEGISLATIVE AND DEVELOPMENT SERVICES  
Page 3 of 4

## Development Permit – Application

### CHECK THE BOX FOR ITEMS THAT HAVE BEEN SUBMITTED FOR A COMPLETE APPLICATION

#### I. The following information is required to be submitted for a complete application.



##### Application Fee

The application fee shall be included in accordance with the fee schedule in effect at the time of application.



##### Application Form

The name(s), address(es), and telephone number(s) of the registered owner(s) and the authorized person acting on behalf of the registered owner(s). If a person is acting on behalf of the registered owner(s), the owner(s) shall sign the authorization in Section 11. If the said land is under an agreement for sale as indicated by caveat on the back on the Certificate of Title, please submit a copy of the signed agreement. The individual noted on the caveat must sign the application.



##### Assessment

A detailed assessment of the proposed development against the relevant Statutory Plan and any relevant Local Plans.



##### Authorization

Authorization from the owner of the parcel for making the application.



##### Bylaw Amendments

*Bylaw 2020-10 → July 21, 2020 Public Hearing*  
A copy (hardcopy and digital copy) of any proposed bylaw amendments in the form of a Town of Didsbury Bylaw where the redesignation proposes a Direct Control Bylaw or amendments to the existing Land Use Bylaw.



##### Current Certificate of Title

A copy of the certificate of title of the lands not more than 30 days prior to application submission can be obtained from any license and registry office.



##### Site Plan or Real Property Report showing the following:

- ☐ The legal description and the municipal address of the site
- ☐ The scale and a North arrow
- ☐ Dimensions of the parcel, including total parcel area
- ☐ All existing and proposed buildings with dimensions or foundations/walls and any projections and/or cantilevers
- ☐ The perpendicular distance measured from adjacent front, rear and side property lines to each corner of the foundation/walls and eaves of the proposed and any existing buildings
- ☐ Location of access and egress points to the sites
- ☐ Location of off-street vehicular parking and loading areas
- ☐ Location of any registered utility rights-of-way (including plan number)



##### Two (2) copies (11"x17") of building plans showing the following:

- ☐ Floor plan(s) of the building, including living space including all Alberta Building Code related information
- ☐ Building elevation plans which indicate front, rear and side elevators, wall height (finished grade to eaves), roofing material and roof pitch
- ☐ Building cross-section drawings

DEVELOPMENT PERMIT APPLICATION

Permit #: 20-049

LEGISLATIVE AND DEVELOPMENT SERVICES

Page 4 of 4



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0032 711 509           0714629;5;1           181 074 778

LEGAL DESCRIPTION  
PLAN 0714629  
BLOCK 5  
LOT 1  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 0.405 HECTARES (1 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;1;31;19;SW

MUNICIPALITY: TOWN OF DIDSBURY

REFERENCE NUMBER: 131 222 514

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE(DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
181 074 778      13/04/2018      TRANSFER OF LAND      \$765,000      CASH & MORTGAGE

OWNERS

2208769 ALBERTA LTD.  
OF BOX 777  
DIDSBURY  
ALBERTA T0M 0W0  
(DATA UPDATED BY: CHANGE OF NAME 191217507)

-----  
ENCUMBRANCES, LIENS & INTERESTS  
REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----  
071 469 153      19/09/2007      UTILITY RIGHT OF WAY  
GRANTEE - THE TOWN OF DIDSBURY.  
BOX 790  
DIDSBURY  
ALBERTA T0M0W0  
GRANTEE - ATCO GAS AND PIPELINES LTD.  
5439 47TH STREET  
RED DEER

-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 181 074 778

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS  
-----

ALBERTA T4N1S1  
GRANTEE - TELUS COMMUNICATIONS INC.  
411-1 STREET S.E,  
CALGARY  
ALBERTA T2G4Y5  
GRANTEE - SHAW COMMUNICATIONS INC.  
630-3RD AVE SW  
CALGARY  
ALBERTA T2P4L4  
GRANTEE - FORTISALBERTA INC.  
700, 801 - 7 AVE SW  
CALGARY  
ALBERTA T2P3P7  
AS TO PORTION OR PLAN:0714630

181 074 779 13/04/2018 MORTGAGE  
MORTGAGEE - ATB FINANCIAL.  
8008-104 ST  
EDMONTON  
ALBERTA T6E4E2  
ORIGINAL PRINCIPAL AMOUNT: \$765,000

181 074 780 13/04/2018 CAVEAT  
RE : ASSIGNMENT OF RENTS AND LEASES  
CAVEATOR - ATB FINANCIAL.  
8008-104 ST  
EDMONTON  
ALBERTA T6E4E2  
AGENT - DANIEL C HARDER

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 21 DAY OF  
JANUARY, 2020 AT 10:24 A.M.

ORDER NUMBER: 38675044

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*



TOWN OF DIDSBURY PUBLIC HEARING AGENDA  
Public Hearing #2020-02 – held by ZOOM Meetings  
Tuesday, July 21, 2020 at 6:00 p.m.

1. CALL TO ORDER  
Mayor welcome and give introductions and go over the process of the Public Hearing Pg. 2
2. BUSINESS
  - 2.1 Presentation of Bylaw 2020-10 – Land Use Amendment by Administration Pg. 3
    - a. Luana Smith, Manager of Legislative Services
    - b. Kris Pickett, Development Officer Pg. 8
  - 2.2 Correspondence Pg. 12
    - Brian and Luanne Jones
  - 2.3 Comments from affected parties
  - 2.4 Questions from Council
  - 2.5 Other comments or questions from the gallery (public)
  - 2.6 Any further questions from Council
  - 2.7 Any further questions or comments from the gallery (public)
3. ADJOURNMENT OF PUBLIC HEARING #2020-02
4. RESUME SPECIAL COUNCIL MEETING



## **PUBLIC HEARING #2020-02 Request for Decision (RFD)**

*Vision: The Place to Grow.*

*Mission: Creating the Place to Grow.*

PUBLIC HEARING MEETING DATE	July 21, 2020
SUBJECT	Call to Order
ORIGINATING DEPARTMENT	Legislative Services
AGENDA ITEM	1

---

### **BACKGROUND/PROPOSAL:**

Town of Didsbury Procedural Bylaw states the following in regards to Public Hearings:

- The Chair of the Public Hearing has the right to limit the time taken by a person to five (5) minutes after which Council may wish to ask questions of the person. All questions must be channeled through the Chair of the hearing.
- The Chair of the Public Hearing may decline to hear further presentations, questions or objections where they are satisfied that the matter has been addressed at the public hearing.
- The Chair of the Public Hearing may decide which presenters will be heard, if they are satisfied that presentations are the same or similar.
- The Chair of the Public Hearing may require any person, other than a member of Council, who is in the opinion of the Chair, conducting themselves in a disorderly or improper conduct, to leave the Public Hearing and if that person fails to do so, may cause that person to be removed.
- If a Public Hearing is adjourned, Council shall provide a public notice of the date, time and location of the continuation of the hearing, unless information is announced at the adjournment of the hearing.

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

### **ALIGNMENT WITH STRATEGIC PLAN**

Strategic Priority 5. An Informed & Engaged Community

### **RECOMMENDATION**

N/A



## **PUBLIC HEARING #2020-02 Request for Decision (RFD)**

**Vision:** *The Place to Grow.*

**Mission:** *Creating the Place to Grow.*

PUBLIC HEARING MEETING DATE	July 21, 2020
SUBJECT	Bylaw 2020-10
ORIGINATING DEPARTMENT	Legislative Services
AGENDA ITEM	2.1 a

---

### **BACKGROUND/PROPOSAL:**

Land Use Bylaw 2019-04 was adopted on June 11, 2019 replacing former Land Use Bylaw 2013-03.

Council granted first reading to Bylaw 2020-10 on June 23, 2020 to amend Land Use Bylaw 2019-04 and is now being presented for the public to provide input.

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

Bylaw 2020-10 is a bylaw to amend Land Use Bylaw 2019-04 by adding “Cannabis Production” as a discretionary use in the (DC-IND) Direct Control District - Industrial zoning.

Planning and Development Services propose that Land Use Bylaw 2019-04 be amended as follows:

- a) To add “Cannabis Production” to DC-IND (Direct Control District- Industrial) as set out in Bylaw 2020-10.

In accordance with Section 606 of the *Municipal Government Act*, the Notice of Public Hearing was advertised on the Town of Didsbury website from June 25, 2020 until July 22<sup>nd</sup>, 2020. Advertisements were placed in the Mountain View Albertan the weeks of June 30, July 7, 14 and 21<sup>st</sup>.

Adjacent lands owners received a copy of the Public Hearing Notice through the mail.

### **ALIGNMENT WITH STRATEGIC PLAN**

An Informed and Engaged Community

### **ATTACHMENTS**

1. Bylaw 2020-10
2. Schedule A: Public Hearing Notice
3. Schedule B: Adjacent Landowners notified
4. Schedule C: Direct Control District
5. Schedule D: DC-IND District

**TOWN OF DIDSBURY**  
**BYLAW 2020-10**  
**Land Use Bylaw Amendment**

---

A Bylaw of the Town of Didsbury in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, being Chapter M-26-1, of the revised Statutes of Alberta and amendments thereto, to amend Land Use Bylaw 2019-04.

**WHEREAS**, the Council of the Town of Didsbury deems it necessary to amend Bylaw 2019-04: Land Use Bylaw;

**NOW THEREFORE**, the Council of the Town of Didsbury, in the Province of Alberta, duly assembled enacts the following:

That “cannabis production facility” to the added discretionary use.

**DC-IND: Direct Control District Industrial**

**Discretionary Uses:**

- a) Automotive Services (Minor/Major)
- b) Building, Public
- c) **Cannabis Production**
- d) Care Facility (Animal)
- e) Establishment (Eating or Drinking Class 1)
- f) Gas Station
- g) Industrial (Manufacturing and Operations)
- h) Industrial (Services)
- i) Office
- j) Public Utility
- k) Recreation (Private)
- l) Retail (Small)
- l) Retail (General)
- m) School
- n) Warehouse
- o) Warehouse Sales

1. This Bylaw may be cited as the Land Use Amending Bylaw No. 2020-10.
2. Bylaw 2019-04, being the Town of Didsbury Land Use Bylaw, is hereby amended
3. This Bylaw shall take effect on the date of the third and final reading.

Read a first time on the 23<sup>rd</sup> day of June 2020

**Public Hearing held 21<sup>st</sup> day of July, 2020**

Read a second time on the      date of      , 2020

Read a third time on the      day of      , 2020

---

Mayor – Rhonda Hunter

---

Chief Administrative Officer – Ethan Gorner

# PUBLIC HEARING NOTICE

## July 21, 2020 at 6:00 p.m.



The July 21, 2020 Public Hearing will be through ZOOM MEETINGS.

**A PUBLIC HEARING will be held on Tuesday July 21, 2020 commencing at 6:00 pm, by ZOOM Meetings.**

Second and third reading of the proposed bylaw will be considered following the Public Hearing during a Special Council Meeting.

The style of the hearing will be informal and persons wishing to speak will be requested to state their name and address for the record upon being recognized during the Public Hearing. **Written responses will be accepted until 12 pm on July 20, 2020.** Bylaws and proposed amendments may be viewed on the Town of Didsbury website [www.didsbury.ca](http://www.didsbury.ca) or by contacting [legislative@didsbury.ca](mailto:legislative@didsbury.ca) or [planning@didsbury.ca](mailto:planning@didsbury.ca)

### **Bylaw 2020-10 "Land Use Bylaw Amendments"**

A Bylaw of the Town of Didsbury, to amend Bylaw 2019-04 "Land Use Bylaw" for the addition of Cannabis Production as a discretion use under **DC-IND: Direct Control District Industrial**.

#### **Discretionary Uses:**

- a) Automotive Services (Minor/Major)
- b) Building, Public
- c) **Cannabis Production**
- d) Care Facility (Animal)
- e) Establishment (Eating or Drinking Class 1)
- f) Gas Station
- g) Industrial (Manufacturing and Operations)
- h) Industrial (Services)
- i) Office
- j) Public Utility
- k) Recreation (Private)
- l) Retail (Small)
- l) Retail (General)
- m) School
- n) Warehouse
- o) Warehouse Sales



#### **FOR MORE INFORMATION:**

Kris Pickett, Development Officer  
403.335.7732  
[planning@didsbury.ca](mailto:planning@didsbury.ca)

Luana Smith, Manager of Legislative Services  
403.335-7731  
[legislative@didsbury.ca](mailto:legislative@didsbury.ca)

Join Zoom Meeting:

<https://us02web.zoom.us/j/778519961?pwd=dUI0UUU94a1VaQnBPTENiY2Q2em13QT09>

Meeting ID: 778 519 961 • Password: 699853

## SCHEDULE B





## DC: DIRECT CONTROL DISTRICT

### General Purpose

To provide for developments that, due to unique characteristics, innovative ideas or unusual site constraints, and/or require specific regulation unavailable in other Districts.

### Additional Regulations

- a) Uses allowed shall be at the discretion of Council;
- b) All development regulations shall be at the discretion of Council;
- c) This District shall not be used in substitution for any other District that could be used to achieve the same objective either with or without relaxations of this Bylaw or to regulate matters typically addressed through Development Permit approval conditions.

# DC-IND: DIRECT CONTROL DISTRICT – INDUSTRIAL

## General Purpose

The purpose and intent of this District is to provide for quality industrial and commercial uses that carry out their operations such that no nuisance is created and such that the District is compatible with adjacent non-residential and non-commercial districts.

## Permitted Uses

- a) Accessory Building
- b) Accessory Structure

## Discretionary Uses

- a) Automotive Services (Minor/Major)
- b) Building, Public
- c) Cannabis Production
- d) Care Facility (Animal)
- e) Establishment (Eating or Drinking Class 1)
- f) Gas Station
- g) Industrial (Manufacturing and Operations)
- h) Industrial (Services)
- i) Office
- j) Public Utility
- k) Recreation (Private)
- l) Retail (Small)
- m) Retail (General)
- n) School
- o) Warehouse
- p) Warehouse Sales

## Site Requirements

Minimum Parcel Size	At the discretion of Council
Maximum Parcel Frontage	12.0 metres (39.37 feet) (30.0 metres (98.42 feet) where access is from a highway)
Min. Landscaping Parcel Coverage	At the discretion of Council
Maximum Building Height	At the discretion of Council

## Minimum Setback Requirements

Front Yard	6.0 metres (19.68 feet)
Side Yard	3.0 metres (9.84 feet)
Side Yard abutting a road	6.0 metres (9.84 feet)*
Rear Yard	6.0 metres (19.68 feet)

\*Where there is no provision for access to the rear of the lot, the setback on one side shall be 6.0 metres (19.68 feet)

### Design Standards

The design and placement of buildings shall be subject of architectural controls, designed by the developer in conjunction with the approving authority, that include, but are not limited to:

- a) Building design;
- b) Building interface treatments;
- c) Site lighting;
- d) Outside storage;
- e) Landscaping;
- f) Pedestrian circulation.

### Architectural and Development Guidelines

- a) Principal facades of buildings that are visible from the public street and adjacent residential sites shall be constructed of good quality materials. These materials are to extend along the front face and along the side for at least six (6) metres. Examples of good quality materials include: glass, metal composite panels, smooth stucco (must have relief), masonry and pre-cast concrete. The massing of the building is to be broken up and architectural interest created by combinations of these materials;
- b) All unused portions of site are to be landscaped to ensure weed control;
- c) The minimum required front yard setback must be landscaped.

### Other Requirements

- a) Recommended that ten percent (10%) of the site be landscaped at the discretion of Council;
- b) Parking, signage, lighting, waste, storage, landscaping and screening shall meet the regulated requirements under the current Land Use Bylaw of the day.

**The “DC-IND: Direct Control District- Industrial” pertains to the following parcels of land, described as:**

Legal:	Plan 0714629, Block 5, Lot 1	Civic:	2825- 19 <sup>th</sup> Street
	Plan 0714629, Block 5, Lot 2		2837- 19 <sup>th</sup> Street
	Plan 0714629, Block 5, Lot 3		2849- 19 <sup>th</sup> Street
	Plan 0714629, Block 5, Lot 4		2861- 19 <sup>th</sup> Street
	Plan 0714629, Block 5, Lot 5		2873- 19 <sup>th</sup> Street
	Plan 0714629, Block 5, Lot 6		1801- 29 <sup>th</sup> Avenue
	Plan 0714629, Block 5, Lot 7		2901- 19 <sup>th</sup> Street
	Plan 2484JK, Block J, Lot 5		1213- 20 <sup>th</sup> Street
	Plan 2484JK, Block J, Lot 6		1209- 20 <sup>th</sup> Street
	Plan 2484JK, Block J, Lot 7		1205- 20 <sup>th</sup> Street



## PUBLIC HEARING #2020-02 Planning & Development Services Report

**Vision:** The Place to Grow.

**Mission:** Creating the Place to Grow.

MEETING DATE	July 21, 2020
SUBJECT	Presentation from Development Officer
ORIGINATING DEPARTMENT	Planning and Development
AGENDA ITEM	2.1 b

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### **BACKGROUND/PROPOSAL:**

On June 9, 2020 at the Regular Council Meeting, Council made a Notice of Motion (Res. 227-20) *“MOVED by Councillor Windsor that Administration review the planning framework for “Cannabis Production” operations in the Town of Didsbury to the June 23, 2020 Regular Council Meeting.”*

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

Prior to the adoption of Land Use Bylaw 2019-04 on June 11, 2019, both members of Council and the Municipal Planning Commission had the opportunity to sit down with administration to discuss, re-tool and refine the content of the proposed Land Use Bylaw. In those discussions, thoughtful consideration was given regarding “Cannabis Retail Sales” and “Cannabis Production” with respect to the Federal and Provincial regulations. Administration held an open house on March 20, 2019 to introduce the newly proposed Land Use Bylaw and received no comments or feedback regarding the introduction of Cannabis Retail Sales and Cannabis Production. The public hearing for Land Use Bylaw 2019-04 was held on April 9, 2019 and again, no comments were received or heard regarding “Cannabis Retail Sales” and “Cannabis Production”

Land Use Bylaw 2019-04 defines “Cannabis Production” as follows:

**CANNABIS PRODUCTION** – means a Federal licensed facility, comprised of one or more buildings or structures used for the purpose of cultivation, processing, packaging, testing, destroying, or shipping of licensed cannabis products. A Cannabis Production Facility may consist of some, or all, of the following components: greenhouses, warehouses, laboratories, processing facilities, administrative offices and shipping facilities but does not include onsite retail sales of cannabis products or any derivatives thereof. All activities associated with growing, processing or shipping functions shall be located inside the fully enclosed buildings.

Section 3-78 “Cannabis Production” outlines the location and parcel requirements for the “Cannabis Production” use, as shown in Schedule A.

The amending Bylaw 2020-10, for the addition of “Cannabis Production” to the DC-IND District, is in alignment with the requirements set forth in Land Use Bylaw 2019-04 Section 3-78 “Cannabis Production”.

### **3-78 CANNABIS PRODUCTION**

**Location:**

- a) Cannabis Production shall be restricted to Direct Control Districts.

**Parcel:**

- b) A site where Cannabis Production and Distribution occurs must be located:
  - i. At least 100.0 m from a Care Facility (Treatment) site or School site,
  - ii. At least 100.0 m from a Park, Recreation (Public) site or a site that is designated as school reserve on title, and
  - iii. At least 200.0 m from a Residential District.
- c) The minimum separation distance between Cannabis Production and other uses shall be established by measuring the shortest distance between the building where Cannabis Production occurs and the parcel boundary of the adjacent use.
- d) Council may reduce the separation distance less than 200 metres where it is clearly demonstrated by the applicant that there would be no adverse land use impacts on a residential district.

**Requirements:**

- e) A Development Permit application will respond to the above noted Requirements and federal regulations.



## **PUBLIC HEARING #2020-02 Request for Decision (RFD)**

**Vision:** *The Place to Grow.*

**Mission:** *Creating the Place to Grow.*

PUBLIC HEARING MEETING DATE	July 21, 2020
SUBJECT	Correspondence
ORIGINATING DEPARTMENT	Legislative Services
AGENDA ITEM	2.2

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### **BACKGROUND/PROPOSAL:**

Attached is Correspondence received prior to July 17, 2020.

### **DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

Additional correspondence received prior to the Public Hearing will be read by the Manager of Legislative Services.

### **ALIGNMENT WITH STRATEGIC PLAN**

An Informed and Engaged Community

### **ATTACHMENTS**

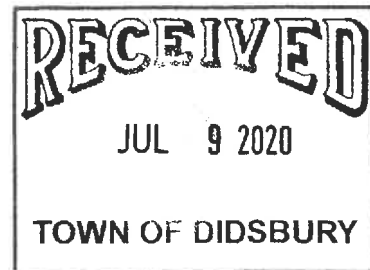
- Letter from Brian and Luanne Jones

July 6, 2020

Town of Didsbury

Box 790

Didsbury, Alberta



TO: MAYOR AND COUNCIL

RE: BYLAW 2020-10 Land Use Bylaw Amendments

We wish to inform you that we are in total disagreement with this Bylaw Amendment. This area is adjacent to an excellent area for walking and biking that is enjoyed by many people in Didsbury, ourselves included. The manufacturing of pot comes with a distinct and obnoxious odour. If you have ever been in Olds when the wind is blowing in the right direction the stink infiltrates the whole town. The same thing happens in Sundre. Even with the best of filters, it still smells.

We are also not in favour of council being able to use their discretion when it comes to allowing such an industry. This affects everyone in Didsbury and should be a decision made by its citizens.

Respectfully submitted

A handwritten signature in cursive script that reads "Ron Jones L. Jones".

Ron and Luanne Jones

2106 19<sup>th</sup> Avenue

Didsbury, Alberta