

**REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD**

DATE: October 1, 2021	APPEAL NO.: SDAB 2021-0065 FILE NO.: DP2021-3367
APPEAL BY: Denis Valiquette	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY where a Change of Use: Cannabis Store was approved at <u>108 – 580 Acadia Drive SE</u>	LAND USE DESIGNATION: C-N2 Discretionary
COMMUNITY OF: Acadia	DATE OF DECISION: July 12, 2021
APPLICANT: Mohammed Khalil	OWNERS: Dunamir IJN Enterprises Inc., L M O Enterprises Ltd.

Notes:

- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as a courtesy only. The Board’s record may include additional materials, including notifications to affected parties and correspondence of a procedural or administrative nature.



NOTICE OF APPEAL

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

CC 821 (R2014-01)

In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee. For filing instructions and fee payment options, see the reverse side of this form.

ISC: Unrestricted

Online Store Information			
Confirmation Number 10388206	Order Number 35998457	Online Form Processed 2021-08-31 1:43:28 PM	
Site Information			
Municipal Address of Site Under Appeal #108 580 ACADIA DR SE		Development Permit/Subdivision Application/File Number DP2021-3367	
Appellant Information			
Name of Appellant DENIS VALIQUETTE		Agent Name (if applicable)	
Street Address (for notification purposes) 9724 ACADEMY DR SE			
City CALGARY	Province ALBERTA	Postal Code T2J 1A8	Residential Phone # 403-253-4579
Business Phone # 403-479-6747	Email Address denisvaliquette59@gmail.com		

APPEAL AGAINST

Development Permit	Subdivision Application	Notice of Order
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Approval	<input type="checkbox"/> Notice of Order
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval	
<input type="checkbox"/> Refusal	<input type="checkbox"/> Refusal	

REASONS FOR APPEAL Sections 678 and 686 of the Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal.

<p>I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons:</p> <p>I am appealing the approval of DP2021-3367. I realize this is a late appeal, however, I was not notified of this until I received a letter in the mail a day prior to another appeal for this same location. This is why I am appealing late.</p> <p>I am an affected person as I live within the community. The approval of this location violates the city bylaw IP2007 section 160.3. Stating that no Cannabis store can be located within 150m from a school. This location should not be approved as it is a mere 117m away.</p> <p>This cannabis store is a 60 second walk away from St.Cecilia's school straight down the alley. The store is visible standing on the corner of the schools sidewalk. This is extremely concerning as this is an elementary school and there are a lot of young children out at recess and lunch hour</p> <p>There are many other people opposed to the approval to this location as well. I will be gathering a petition to show that a lot of this community is against the development of this cannabis store located at #108 580 Acadia Dr SE</p>

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated presentation time (minutes/hours) 30 MINUTES	Will you be using an agent/legal counsel? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
If yes, what are the issues?	
Do you anticipate bringing any witnesses/experts to your hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	If yes, how many will you be bringing? 4

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, Section 33(c) and the Municipal Government Act, Sections 678 and 686. NOTE: THIS INFORMATION WILL FORM PART OF A FILE AVAILABLE TO THE PUBLIC. If you have any questions regarding the collection of this information, contact the City Appeal Boards at 403-268-5312 or PO Box 2100 Stn. "M", #8110, Calgary, AB, T2P 2M5.

FOR OFFICE USE ONLY				
Final Date of Appeal YYYY MM DD 2021 08 05	SDAB Appeal Number SDAB2021-0065	Fee Paid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date YYYY MM DD 2021 10 01	Date Received August 31, 2021

SDAB2021-0065



NOTICE OF HEARING
APPEAL NUMBER: SDAB2021-0065

Denis Valiquette
 9724 Academy Drive SE
 Calgary, AB T2J 1A8

September 17, 2021

RE: Notice of Hearing and Late Filing of Appeal to the Subdivision and Development Appeal Board

Development Permit: DP2021-3367
Site Address: #108 – 580 Acadia Drive SE
Description: Change of Use: Cannabis Store

The Subdivision and Development Appeal Board (SDAB or the Board) acknowledges receipt of the appeal on **August 31, 2021** with respect to the above development permit.

In accordance with legislated requirements, the appeal appears to have been filed outside of the mandated filing period. Under section 686(1) (b) of the *Municipal Government Act*, a person affected by a development permit must file an appeal to the SDAB within 21 days after the date on which notice of the issuance of the permit was given in accordance with the land use bylaw.

According to our records, notice of the issuance of the permit was published on July 15, 2021. On that basis, it appears that the 21-day appeal period closed on August 5, 2021. The notice of appeal was received by SDAB on August 31, 2021. The SDAB administration has calculated that the appeal may have been submitted after the 21-day appeal period.

If you choose to withdraw your appeal in advance of the hearing, your file will be closed. If you choose to proceed with this appeal, the issue of validity must be determined by the Board at the hearing for this appeal.

Due to the COVID-19 pandemic, the SDAB is conducting all hearings by electronic means at this time. The hearing of this appeal will commence by way of video conference call. **As the appellant you are encouraged to participate in this call.**

The details of this conference call are as follows:

Date:	October 1, 2021
Time:	11:00 a.m. *The time assigned to your appeal is the earliest possible time this particular item might be heard. The start time of your appeal may be delayed depending on the complexities associated with other appeals.
MS Teams Meeting Details:	Please contact the SDAB office for the meeting link and phone access codes by emailing info@calgarysdab.ca or calling 403-268-5312

Please note that there may be other participants in the call, including other parties to the appeal,

parties to other appeals, and members of the public.

For the purpose of ensuring that this appeal is determined efficiently and effectively, the Board might consider whether your appeal is valid. As the appellant, you are encouraged to attend the hearing and make a presentation to explain why you believe your appeal is valid. If the Board determines that the appeal was filed in accordance with the requirements of the *Municipal Government Act*, the hearing of the appeal may continue immediately thereafter or may be scheduled for a later date.

Pre-Registration for the Conference Call

You are encouraged to pre-register for the conference call. This will allow the SDAB's clerk to collect information from you in advance and will help facilitate the efficient completion of the conference call. Pre-registration is not mandatory to participate in the conference call.

You can pre-register for the conference call by calling the SDAB's office at 403-268-5312 or emailing info@calgarysdab.ca. You can pre-register any time before 4 p.m. on Tuesday, September 28, 2021.

Submitting Materials

If you have any reports, written arguments, documents, photographs or other materials which you may wish to reference in respect of this appeal which you have not previously submitted to the SDAB, you must submit those in advance to the SDAB no later than **noon on Wednesday, September 22, 2021.**

You are encouraged to submit materials to the SDAB electronically by emailing them to info@calgarysdab.ca. If you are unable to submit materials electronically, you may deliver a hard copy of the materials to the SDAB's office prior to the submission deadline. The SDAB's office is closed to the public, but there is a secure drop box located on the first floor at 1212 31 Ave NE, Calgary. Please mark these materials with your name, contact information, and the date of drop-off.

All parties are advised to review the Calgary SDAB Procedural Guidelines for the filing of materials and evidence and hearing procedures. A copy is available at www.calgarysdab.ca.

A report is compiled for each appeal containing the reasons for appeal, the rationale for the Subdivision Authority's decision and other pertinent information. Visit www.calgary.ca/sdab to obtain your copy of the report starting the afternoon of **Friday, September 24, 2021.**

For more information contact the SDAB office at 403-268-5312 or info@calgarysdab.ca

Sincerely,

Jeremy Fraser, Deputy City Clerk
City Appeal Boards, Appeals & Tribunals
City Clerk's Office

cc: Denis Valiquette, Appellant via email
Mohammed Khalil, Applicant via email
Dunamir IJN Enterprises Inc, Property Owner via courier
L M O Enterprises Ltd., Property Owner via courier
Development Authority, via email

Attachment: SDAB Notice of Hearing

This information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c) and the Municipal Government Act, section 686(4) and will be included in the SDAB report. The report is a publicly available document. If you have any questions regarding the collection of this information, please contact the City Appeal Boards at 403-268-5312.

SDAB2021-0065

9:07

Appeal Board Received: September 22, 2021
Submitted by: D. Valiquette, AppellantLTE 

Cannabis zoning inquiry



Me

To cpc@calgary.ca

Aug 9 at 10:53 AM



Hi there

I'd just like confirmation on a couple questions about cannabis zoning in Calgary

1. The distance from a cannabis store from public school must be 150m?
2. There is a potential 15m relaxation used at discretion?
3. The distance measured from the school to the cannabis location is property line to property line? As it's an AGLC requirement that the cannabis store has designated parking stalls for its location

If you could give confirmation on these questions I would appreciate it

Thank you
James

Sent from Yahoo Mail for iPhone



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9:08

LTE 

AA

RE: Customer inquiry RE: [EXT] Cannabis zoning inquiry



Planning Help

To kloepperjames@yahoo.com & 1 more

Aug 9 at 1:44 PM



Good afternoon James,

Please see the answers to your questions below:

1. The distance from a cannabis store from public school must be 150m?
The minimum distance as per the provincial rules is 150m to a public school
2. There is a potential 15m relaxation used at discretion?
Maximum relaxation of 10 per cent or 15 metres to the 150 metre separation distance.
3. The distance measured from the school to the cannabis location is property line to property line?
As it's an AGLC requirement that the cannabis store has designated parking stalls for its location
We measure the 150m separation from the property line of the schools.

Let us know if you have any additional questions regarding the rules outlined above.

Thank you,

Stephanie MacDonald

Calgary Building Services
Planning Services Technician
The City of Calgary



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< RE: Customer inquiry RE: [EXT] Ca... AA

... immediately by telephone and then delete or delete the communication, or return it to us by mail if requested by us. The City of Calgary thanks you for your attention and co-operation.



Reply



Reply All



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Me

To Planning Help & 1 more

Aug 9 at 1:47 PM



Hi there

Thank you for your reply. Just to clarify for the last question. The measurement of the 150m is from the property line of the school. To the property line of the proposed cannabis store correct? Meaning the 150m has to be outside the property line of the proposed cannabis store?

Thanks
James

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9:08

LTE 

RE: Customer inquiry RE: [EXT] Ca...

AA



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Planning Help

To [james kloeppe](#) & 2 more

Aug 9 at 4:43 PM



Good afternoon James,

Thank you for your email. The measurement is taken from the closest point of the cannabis store, to the closest point of the school's property. This information can be found in Section 160.3 (i) of the Land Use Bylaw 1P2007.

If you have any further questions, please do not hesitate to respond to this email.

Thank you,

Alex Melnyk, AT

Planning Services Technician

Calgary Building Services

Planning & Development

The City of Calgary

E: planninghelp@calgary.ca



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< RE: Customer inquiry RE: [EXT] Ca... AA

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Me

To [Planning Help & 1 more](#)

Aug 9 at 4:48 PM



Hi there

Thank you. I did read the bylaw and it states closest point of the cannabis store. Would you just be able to clarify if the closest point includes the property line of the cannabis store? I just want to make certain

Thank you
James

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< RE: Customer inquiry RE: [EXT] Ca... AA



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Me

To [Planning Help & 1 more](#)

Aug 9 at 4:55 PM



Hi again

Just to possibly reword my last email properly. I just need clarification on the closest point to the cannabis store. If it's measured to the cannabis building or to cannabis stores property line? I'm assuming it's the property line as they legally need to having parking stalls. I'm just looking for a confirmation on that, as the bylaw is slightly vague

Thanks
James

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9:09

LTE 

RE: Customer inquiry RE: [EXT] Ca...



Planning Help

To 'james klopper' & 1 more

Aug 10 at 9:34 AM



Hello James,

It is calculated from Parcel to Parcel (property lines), not from the building itself. For a visual reference you can use <https://www.calgary.ca/pda/pd/calgary-land-use-bylaw-1p2007/land-use-bylaw-1p2007-maps/cannabis-store-info-map.html>

If you have any additional questions please let us know.

Thanks,

Blain Shackleton BA

Planning Services Technician II

Calgary Building Services

Planning & Development

Floor 3, Municipal Building - 800 Macleod Trail S.E

P.O. Box 2100, Station M (8108),

Calgary, AB, Canada T2P 2M5

[calgary.ca](https://www.calgary.ca)



213105-Site Plan-Rev0.pdf

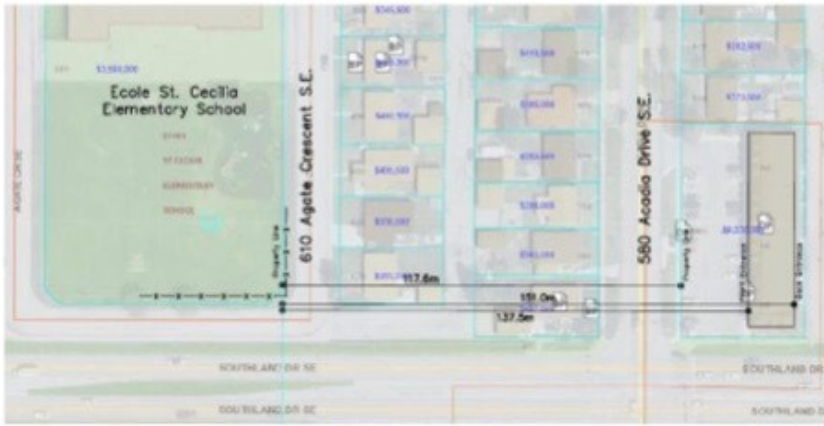


SITE PLAN SHOWING DISTANCES BETWEEN 610 AGATE CRESCENT S.E. AND 580 ACADIA DRIVE S.E.

MUNICIPAL ADDRESSES: 610 Agate Crescent S.E. &
580 Acadia Drive S.E., Calgary, Alberta

CLIENT: Roy Klopper

DATE OF SURVEY: July 28th, 2021.



Dated at Calgary, Alberta on this 28th day of July, 2021.

RBD
Rhea Bourgoin, A.L.S.

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Arc Surveys Ltd.
#202, 337 41 Avenue N.E.
Calgary, Alberta T2E 2N4
Ph: 403-277-1272
Fax: 403-277-1275
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Scale: 1:1000 Surveyed: CZ Drawn: QM Checked: RB File No.: 213105



213105-Site Plan-Rev0.pdf

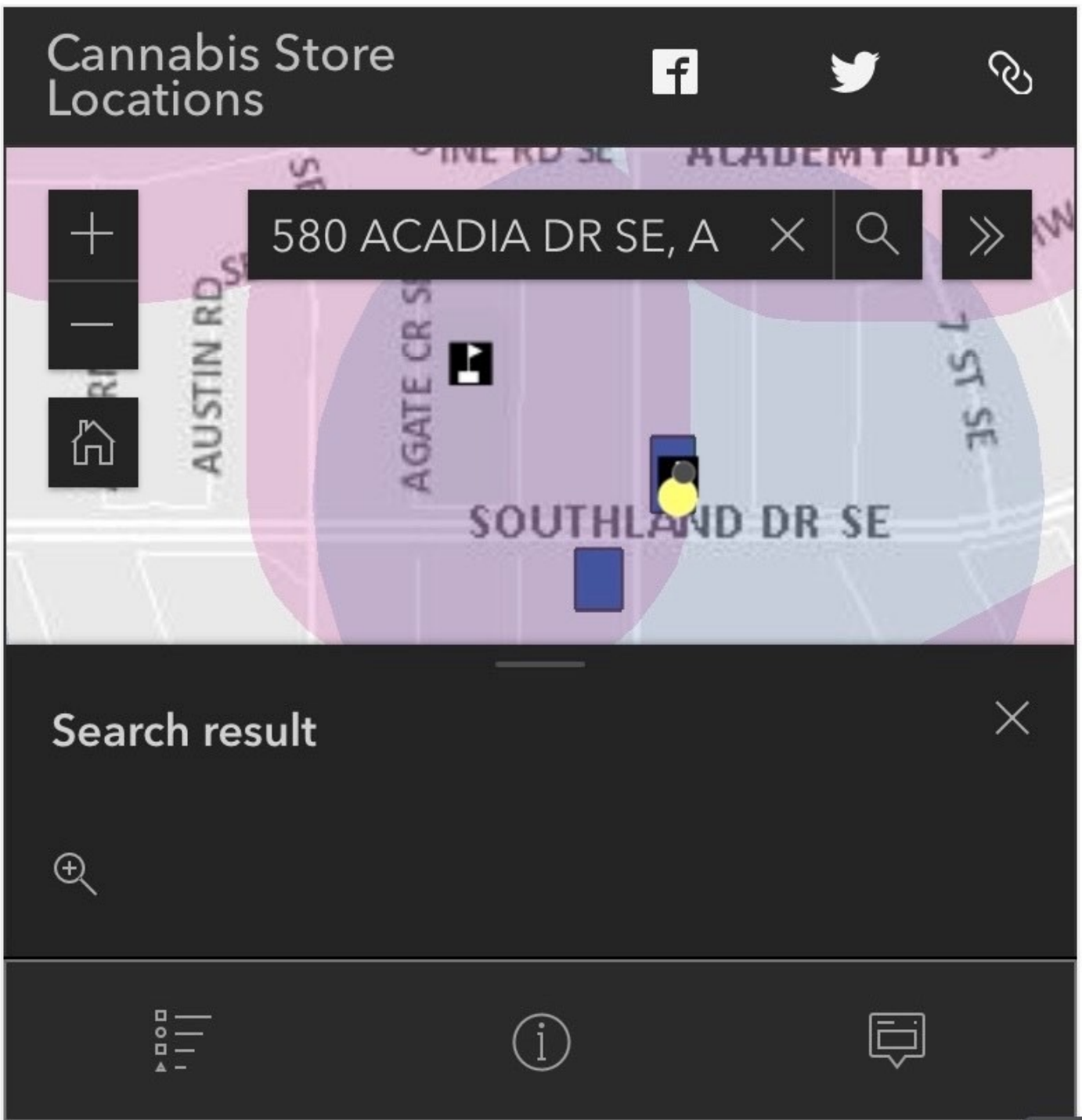


Dated at 28th day

Rheal Ba

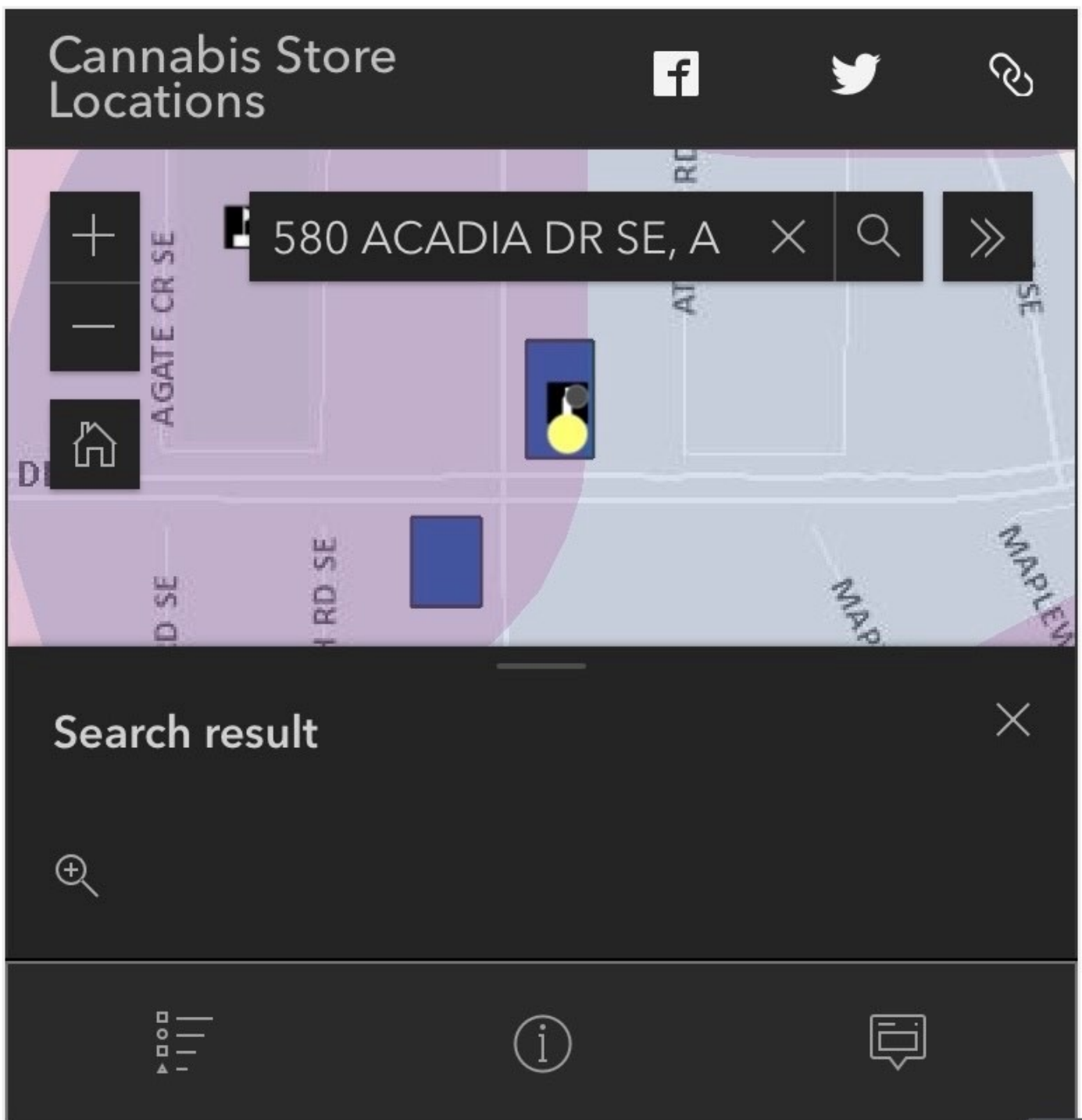
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City of Calgary cannabis store locations



Feedback

City of Calgary cannabis store locations



[View larger map](#)

feedback

12:25

<https://www.calgary.ca/business-ec...>

Parking

- Cannabis stores must have at least four vehicle parking stalls per 100 square metres of usable floor area.
- One bicycle parking stall is required per 250 square metres of usable floor area. The bicycle parking stall requirement is Class 2, which means the stall(s) can be in an unsecured or uncontrolled area. Please see Part 4, Division 2, Section 160.3 of the [Land Use Bylaw](#) for more information.

Consider your required approvals

Building permit

Here are some examples when a building permit may be required to open a cannabis store:

- The space has a new use
 - e.g. a retail store changes to a restaurant
- You're building an overnight storage room that complies with provincial cannabis licence rules
- Construction work includes structural or partition wall changes, mechanical, plumbing,



**PETITION to QUASH CITY OF CALGARY APPROVAL for
DEVELOPMENT of a RETAIL CANNABIS STORE at
108, 580 Acadia Dr SE. (corner of Southland and Acadia Dr SE)**

Petition Summary:

We, the undersigned, are concerned citizens of Acadia, and we strongly agree that this approved development decision by The City of Calgary be **quashed**, and the City adheres to its own Bylaw rules regarding the approval of Cannabis store locations. The City of Calgary Bylaw "IP2007 Section 160.3 (i)(ii)", states that no Cannabis store is allowed within 150 metres of any school. St. Cecilia Elementary School is **117 metres** from the above location, well below the mandated distance. This is in direct violation of the City Bylaw, as it clearly shows as a RED ZONE for Cannabis locations on the City mapping site, meaning, no Cannabis store can ever be developed in this location.

Action Petitioned For:

For the City of Calgary to Quash this approval for the development of a Retail Cannabis store, and prohibit any future development of Retail Cannabis.

NAME	SIGNATURE	ADDRESS	EMAIL/PHONE
Jane Moya		591 Acadia Dr	403-321-4122
Bob Goodell		591 Acadia Dr	403-477-2502
TROY RUTJE		587 Acadia Dr	403-862-0757
Wolfgang Chemie		567 Acadia Dr	403-619-0303
MITCHELL MOORE		563 Acadia Dr	403-467-5879
Brandon Gallagher		551 ACADIA DR	403 255-9134
Austin Gallagher		551 Acadia Dr	403 255-9134
KAREN MATHER		655-97 AVE SE	403 253 4692
DICK MATHER		655-97 AVE SE	403 253 4692
A Heilman		650 Acadia Dr SE	403 252 1588
ellen fischer		635-97 AVE SE	403-255-6281
Kayla Nesbitt		631 97 AVE SE	587 215 8123

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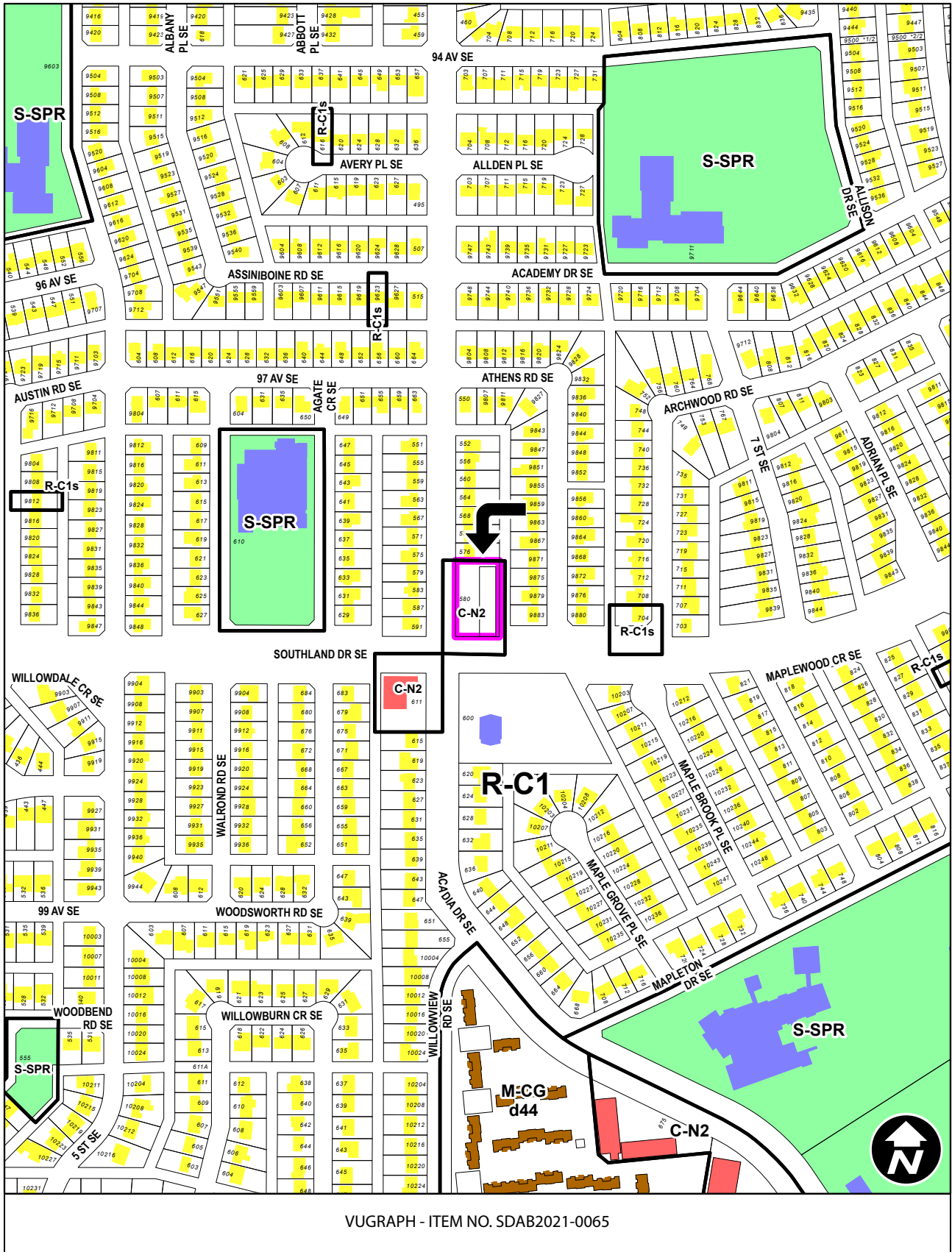
Action Petitioned For:

For the City of Calgary to Quash this approval for the development of a Retail Cannabis store, and prohibit any future development of Retail Cannabis.

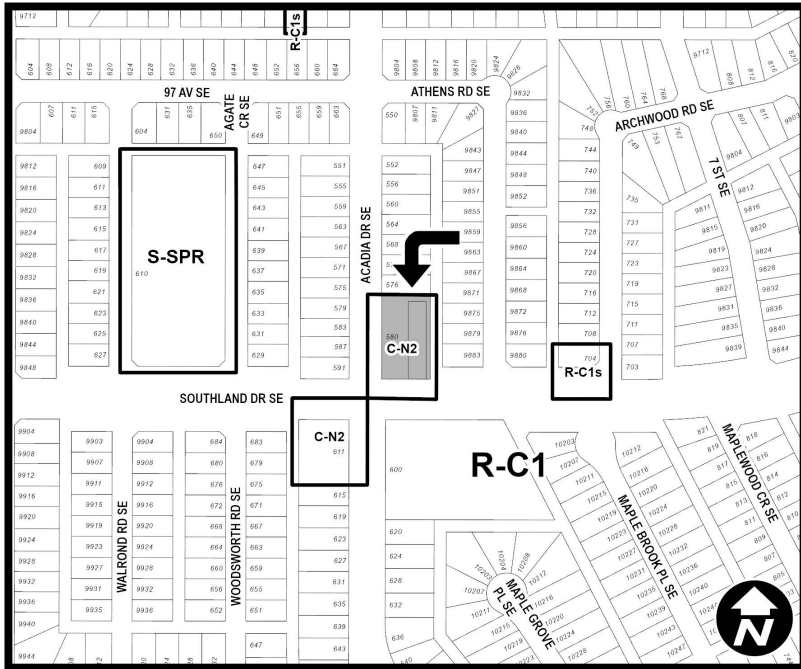
NAME	SIGNATURE	ADDRESS	EMAIL/PHONE
PAUL STARNALL	<i>[Signature]</i>	508 ACADIA DR SE	403 690 1982
KATHARINE LOVER	<i>[Signature]</i>	550 Acadia Dr. SE	403-212-0370
Michelle Ranning	<i>[Signature]</i>	6664 97th Ave SE	403 997 5367
* Joseph Ranning	<i>[Signature]</i>	6664 97th Ave SE	
CHRISTIAN AMIZOLA	<i>[Signature]</i>	9809 Athens Rd SE	403-831-1483
Jim Raul	<i>[Signature]</i>	9808 Athens Rd SE	403 252-4399
Jessica Craig	<i>[Signature]</i>	9812 Athens rd SE	403 836 9065
William	<i>[Signature]</i>	9824 Athens Rd S.E.	
TAYLOR WILLIAM	<i>[Signature]</i>	9747 Academy Dr	403 285-7734
Shrek TAYLOR	<i>[Signature]</i>	9747 Academy Dr	403-285-7734
Colin Martin	<i>[Signature]</i>	9735 Academy Dr	587 436 5414
Jackie Brown	<i>[Signature]</i>	9723 Academy Dr SE	403-606-50
Bary Rann	<i>[Signature]</i>	" " "	403-606-50

NAME	SIGNATURE	ADDRESS	EMAIL/PHONE
Joan Dady	<i>JD</i>	604 Agate Cr SE	253-4408
Kevin Kemmer	<i>Kevin Kemmer</i>	9811 Athens Rd SE	24252068
Kyle Budz	<i>Kyle</i>	9851 Athens Rd SE	403-805-0866
Shafiqah Jang	<i>Shafiqah Jang</i>	9851 Athens Rd SE	403-612-0062
Chelsea Roberts	<i>Chelsea Roberts</i>	9859 Athens Rd SE	403-614-8152
SCOTT RABBEF	<i>SCOTT RABBEF</i>	9859 ATHENS Rd. SE	403-990-5556
STAN HITCHCOCK	<i>STAN HITCHCOCK</i>	9883 ATHENS Rd SE	403399-3169
Mike Henry	<i>Mike Henry</i>	9876 Athens Rd SE	403973-6547
Luke Harding	<i>Luke Harding</i>	9740 Academy Dr SE	403826-6208
Christa Nielsen	<i>Christa Nielsen</i>	9740 Academy Dr SE	403589-0100
Dimple Singh	<i>Dimple Singh</i>	7111 Academy Dr SE	403-869-9788
Murray Hunter	<i>Murray Hunter</i>	672 Academy Dr SE	780-231-0126
DECK McMillan	<i>DECK McMillan</i>	144 Archwood Rd SE	403-394-2616
Carol Fletcher	<i>Carol Fletcher</i>	716 Archwood Rd SE	403-875-4771
TOM CHEN	<i>TOM CHEN</i>	70416 Archwood Rd	587-4391-3001
Mark Radtke	<i>Mark Radtke</i>	723 Archwood Rd SE	403-462-5113
Angen Halli McLean	<i>Angen Halli McLean</i>	727 Archwood Rd SE	403-850-0930
Nelson Chateaufort	<i>Nelson Chateaufort</i>	731 Archwood Rd SE	403801-4873
Hannah Prince	<i>Hannah Prince</i>	736 Archwood Rd SE	987-225-3934
NATHAN PRINCE	<i>NATHAN PRINCE</i>	736 Archwood Rd SE	587834-3032
Emma Rolfe	<i>Emma Rolfe</i>	753 Archwood Rd SE	403-402-8471
TIM CUELL	<i>TIM CUELL</i>	767 ARCHWOOD RD SE	403-819-4473
Sheri Cuell	<i>Sheri Cuell</i>	767 Archwood Rd SE	403819-0442
Francis Casara	<i>Francis Casara</i>	663 97 Ave SE	
Tanya Archambault	<i>Tanya Archambault</i>	9832 7th Street SE	403-259-5051
Dina Pott	<i>Dina Pott</i>	9858 7th St SE	403-858-0956
ANECITA MILLER	<i>ANECITA MILLER</i>	9820 7th St SE	
MARGIE CHEVREU	<i>MARGIE CHEVREU</i>	9820 7th St SE	
Jerry Brown	<i>Jerry Brown</i>	9816-75th SE	252-0951
Ruth Brown	<i>Ruth Brown</i>	9816-7th St SE	252-0951
Vivian Palardy	<i>Vivian Palardy</i>	9804 7th St SE	403-255-8998
George Palardy	<i>George Palardy</i>	9804 7th St SE	403-255-8998
Diana Wedemire	<i>Diana Wedemire</i>	611-97 Ave S.E	403-252-2184

NAME	SIGNATURE	ADDRESS	EMAIL/PHONE
MARSA LLOYD	<i>MARSA LLOYD</i>	656 AGATE DR.	403-212-0310
LUCY CERATO	<i>LUCY CERATO</i>	629 AGATE CR SE	403-703-3272
Nick Murphy	<i>Nick Murphy</i>	697 Agate Cr SE	403-901-5190
Carlson Peterson	<i>Carlson Peterson</i>	645 Agate Cr SE	587-576-9496
Neil Butler	<i>Neil Butler</i>	641 v v v	507-227-7919



VUGRAPH - ITEM NO. SDAB2021-0065





DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007

DP2021-3367

This permit relates to land in the City of Calgary municipally described as:

580 ACADIA DR SE

#108 580 ACADIA DR SE

Community: **Acadia**

L.U.D.:**C-N2**

and legally described as:

1326JK;54;23

and permits the land to be used for the following development:

Change of Use: Cannabis Store

The present owner and any subsequent owner of the above described land must comply with any attached conditions.

The development has been approved subject to any attached conditions and to full compliance with the approved plans bearing the stamp of approval and the above development permit number.

Decision By: **Development Authority**

Date of Decision: **July 12, 2021**

Development Authority **John Tsimaras**

File Manager: **David Weisgerber**

Release Date: _____

This permit will not be valid if development has not commenced by: July 12, 2022

This Development Permit was advertised on: **July 15, 2021**

This is NOT a Building Permit

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. further information, you should contact the City of Calgary, Planning, Development & Assessment - Building Regulations Division.

WARNING

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Applicant: **KHALIL, MOHAMMED**
Address: **27 TEMPLERIDGE PL NE**
City: **CALGARY, Alberta, T1Y4E4**
Phone: **4039710047**

Complete Address and Legal Description listing for Development Permit DP2021-3367

Address Type	Address	Legal Description
Building	580 ACADIA DR SE	
Parcel	580 ACADIA DR SE	1326JK;54;23
Suite	#108 580 ACADIA DR SE	



Development Permit Application

Online Submission

Application Information	
Applicant Details <input checked="" type="checkbox"/> Business Owner <input type="checkbox"/> Property Owner <input type="checkbox"/> Agent Representing Business or Property Owner	
Applicant Name Mohammed Khalil	Applicant Contact Information Phone: [REDACTED]
Representing Company (if applicable) 2337994 ALBERTA LTD.	[REDACTED] [REDACTED]
Business Trade Name	Mailing Address: 27 TEMPLERIDGE PL NE, CALGARY Alberta Canada T1Y4E4
Business ID unknown	
Owner / Leaseholder Name Mohammed Khalil	Owner / Leaseholder Contact Information Phone: [REDACTED]
	[REDACTED] [REDACTED]
Business Location Details	
<input checked="" type="checkbox"/> Commercial Based <input type="checkbox"/> Home Based <input type="checkbox"/> Based Out of Town <input type="checkbox"/> Mobile <input type="checkbox"/> Personal Services	
Application Address #108 580 ACADIA DR SE	
LUD C-N2, Commercial - Neighbourhood 2	Existing Use(s) C1400 - Convenience Food Store
<input type="checkbox"/> First tenant in the space (Building is brand new and I am the first tenant) <input checked="" type="checkbox"/> New tenant (There was a different business using this space, but the proposed business will be taking over) <input type="checkbox"/> Existing tenant (I have pre-existing approval for this space but I am making changes to operations)	
Is a school, child care facility, overnight medical facility, residence, or food, drink, and/or cannabis business proposed as either a primary or ancillary use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is a waste management, recycling, or wastewater treatment facility being proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

What was the last business to occupy the space (if known) it was a 7-Eleven	Total floor area 3055	Floor of business main floor
Is any part of the business use taking place outside? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, what business activity will be taking place outside? N/A	
Will you be adding or increasing the size of a sign? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

Business Activity Questionnaire
Activity type selected Cannabis Store
Q1: Will the business be selling approved commercial cannabis for consumption off the premises? (Note: Consumption of cannabis must not occur on site) (Adds Cannabis Store licence) A1: Yes <i>Licence Types:</i> CANNABIS STORE <i>Planning Terms:</i> Cannabis Store

Planning Terms Cannabis Store	Licence Types CANNABIS STORE
Have you previously applied for planning approval for how your business intends to use the space? (i.e. Development Permit or Tenancy Change) No Do you know, or have you been advised, to apply for a Development Permit to change the use of the space you are occupying? Yes	

Safety Questionnaire
Q1: Are you proposing construction or alterations to the space? (This includes any moving, replacing and construction of new walls, mezzanines, or floors)? A1: Yes

Approvals Generated
Q1: Would you like to apply Business Licence now? A1: No – I will apply at a later date or someone else will apply on my behalf Q2: Would you like to apply Development Permit now? A2: Yes - apply now

Q3: Would you like to apply Building Permit now?

A3: No – I will apply at a later date or someone else will apply on my behalf

Submitted Documents

Document Type: ARCHITECTURAL
Document SubType: PLANS
Document Name: Proposed Plan.png

Document Type: SUPPORTING DOCUMENT
Document SubType: OTHER
Document Name: Current Layout.png

Document Type: ARCHITECTURAL
Document SubType: INFORMATION FORM
Document Name: Real Property Report.pdf

The personal information obtained on this form is being collected under the authority of section 33(c) of the FOIP Act. This information is being collected for the purpose of our inspection processes (if required) and will be disclosed to relevant City Business Units, Federal and Provincial agencies, Utility companies, Community Associations/Groups/Organizations, Adjacent Municipalities, Municipal school boards and/or any agencies required for review as part of the application review process. It may also be used to conduct ongoing evaluations of services received from Planning & Development. The name of the applicant and the nature of the application will be available to the public, as authorized by the FOIP Act. You may direct questions about the collection, use or disclosure of your personal information by the City of Calgary at 800 Macleod Trail SE Calgary, Alberta in relation to this program by emailing the FOIP Program Administrator for Planning and Development at plngbldg@calgary.ca or by telephone at (403)268-5311.

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1. Interpretation

These Online Application Consent and Confirmation of Applicant supplement, and shall be interpreted consistently with, the general Terms of Use for the City of Calgary's website, found at the bottom of each web page.

2. Accuracy of Information Submitted

You acknowledge and agree that your electronic submission of information to The City of Calgary ("The City") using this Online Application is true and accurate and is intended to be your permit application to The City.

3. Consent to Electronic Decision

I agree that The City can issue its formal decision to in electronic form (e.g. electronic mail) to the email address provided through the Online Application. If my email address changes I will advise The City of the new email address or provide a mailing address for the formal approval.

4. Electronic Submission

Except as may otherwise be required by The City, you must only submit, provide and accept information or records related to your application in electronic form and you will not re-submit your application in paper form. The City does not guarantee that the entire electronic permit application process will be completed electronically, and The City reserves the right in its sole discretion to require you to submit information and records relating to your application in paper form.

5. Complete Application

I acknowledge that The City may inactivate or cancel incomplete permit applications that do not contain all of the requested information at The City's sole discretion.

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being posted to this Online Services Site. Your use of the Online Services Site will be subject to the Terms of Use posted on the Online Services Site at the time of use. In the event any of the provisions of the Terms of Use are determined to be invalid, void, or unenforceable for any reason, that provision will be deemed to be severable and will not affect the validity or enforceability of any remaining condition of the Terms of Use. You may be asked to agree to separate terms of use for other pages or applications used elsewhere on The City's website.

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Any information, including personal information, contained in a permit application submitted by using this site is being collected under the authority of The Calgary Building Permit Bylaw 64M94 (for Building Permits) or the Municipal Government Act, Section 640, and The City of Calgary Land Use Bylaw 1P2007 (Part 2) (for Development Permits) as well as the *Alberta Freedom of Information and Protection of Privacy Act* ("FOIP"), Section 33(a) and (c). This information will be used for The City's permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services for purposes related to these processes. Information may also be used by The City to conduct ongoing evaluations of services received from The City's Planning and Development Department. The name of the applicant and the nature of the permit will be made available to the public as authorized by FOIP. Please send inquiries by mail to the FOIP Program Administrator, Planning and Development, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

9. Alberta Law

You agree to be bound by Alberta law when using this Online Services Site and agree that any court proceedings or other legal action will take place in Alberta.

10. No Damage or Modification of Site

You agree that you will not take any action to damage, modify, or breach the security of this Online Services Site, or cause the Online Services Site to no longer be available for use. You agree not to impersonate or misrepresent your association with any other person. You agree that you will not submit any information that is harmful, unlawful, or otherwise objectionable.

11. Site Ownership

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12. Security of Account Information

You are responsible for protecting the confidentiality of any account information, user names, logins, passwords, security questions and answers, and other information you might need to access and use this Online Services Site. You are responsible for all activities occurring under your account, user name, or login. You agree to notify The City if you suspect that your account, user name, or login is not secure or is being used for an inappropriate purpose.

13. Violation of Terms of Use

Any rights you have to use this Online Services Site will terminate immediately upon any violation of these Online Services Terms of Use. The City may, in its sole discretion, temporarily or permanently terminate your access to and use of this Online Services Site, at any time, for any reason, without notice or liability to you. The City is not liable for any damages resulting from its termination of your access to, or use of, this Online Services Site.

14. Copyright

I acknowledge and understand that, as part of The City's process in reviewing, evaluating, and processing the permit application, The City will need to make available, in print and digital form, copies of the application materials to relevant City business units, members of City council, utility providers, other municipalities, municipal school Boards, relevant community associations/groups/organizations (including their boards of directors and planning committees), members of the general public, and any other external agencies or third parties whose input is required by The City in connection with the processing of your application. I hereby (i) consent to The City's copying, reproduction, distribution, and communication of the permit application materials, in any material form and via any medium, as required for the purpose of enabling The City to process your application; and (ii) certify that I am authorized and have the right to grant such consent.

15. Condominium Property

I have all authorizations required under the Condominium Property Act, RSA 2000, c C-22, as amended or replaced, the bylaws of the Condominium Corporation, and otherwise in law to apply for this application if it is respecting condominium property. I further agree to immediately notify The City, in writing, of any changes regarding this information.

Development Permit Application Requirements

I am authorized to apply for this permit in accordance with section 26 (1) of the Land Use Bylaw 1P2007 as amended.

Motor Vehicle Parking Bylaw Check

FILE: DP2021-3367

DATE RECEIVED: May 10, 2021

Not Applicable

Proposed Visitor Parking (Not Required)

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of Units	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

Address									
<i>Main Floor</i>									
<i>Not Applicable</i>									

Barrier Free Parking

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of persons	Section	Rate	Stalls Required
580 Acadia Drive South East									
<i>Main Floor</i>									
	108 N/A	Cannabis Store	100.11	93.50			121.1	4.00 100	3.74
Total Stalls Required									3.74
Total Stalls Required (Rounded)									4

Drop-Off / Pick-Up Parking (Not Required)

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of persons	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

Proposed Loading (Not Required)

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of Units	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

Proposed Residential Bicycle Parking - Class 1 (Not Required)

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of persons	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

Proposed Commercial Bicycle Parking - Class 1 (Not Required)

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of persons	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

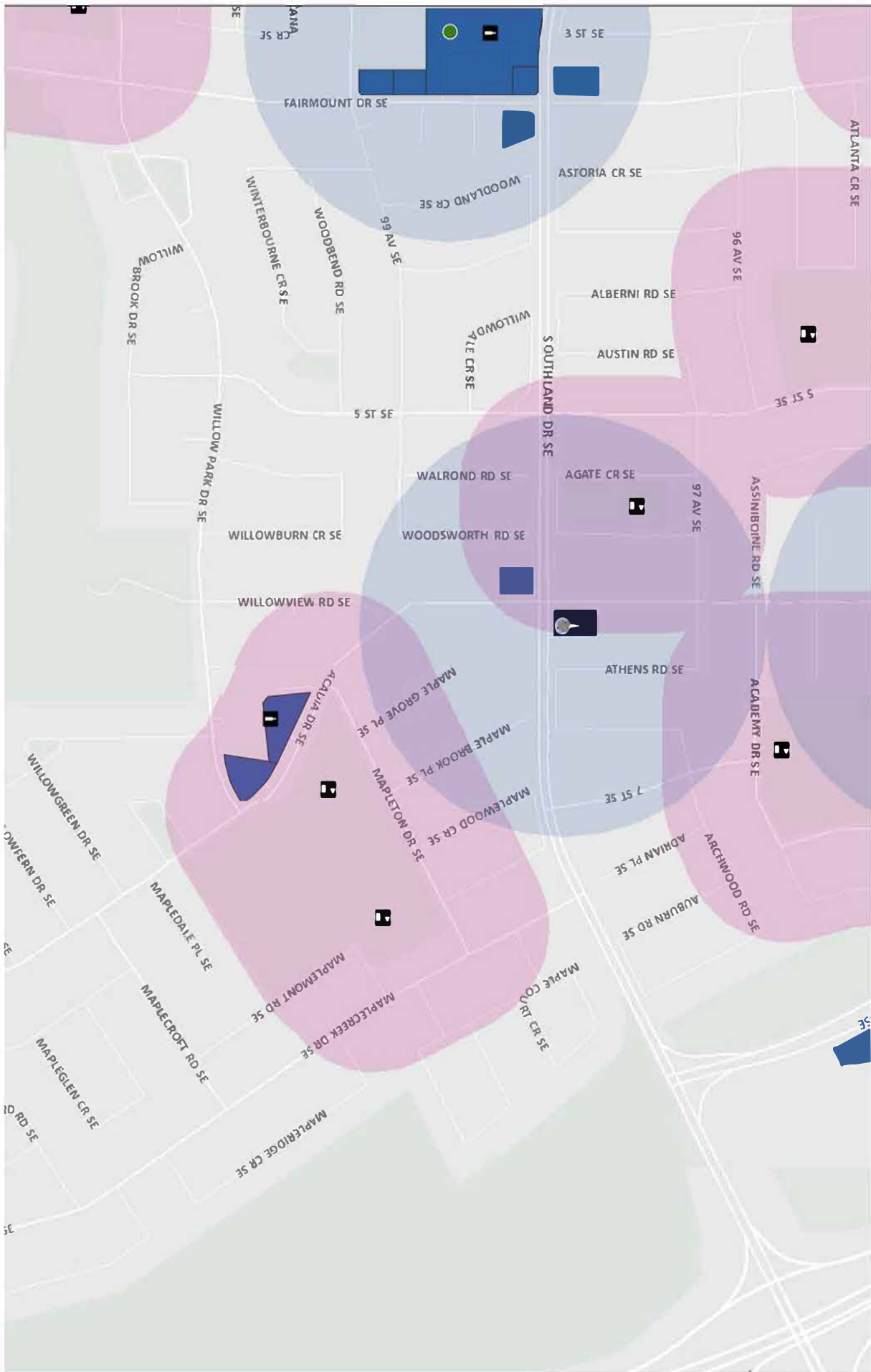
Proposed Bicycle Parking - Class 2 (Not Required) ▼

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of persons	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

Excess Motor Vehicle Parking Stalls (Not Required) ▼

Suite	Business Name	Use	GFA (m ²)	GUFA (m ²)	Public Area (m ²)	# of persons	Section	Rate	Stalls Required
Address									
<i>Not Applicable</i>									

Part 4 A to Z Use and Use Rules				D.P. # DP2021-3367					
<div style="display: flex; justify-content: space-around; font-weight: bold;"> ABCDEFGHIKLMNOPRSTUV </div>									
Section / Use	Type	Requirements				Evaluation			
160.3 Cannabis Store	Compulsory	(a) means a use:	(i) where cannabis is sold for consumption off the premises;	C	N/C	N/A	N/I		
			(ii) where consumption of cannabis must not occur;	File Manager Discretion		N/A	N/I		
			(iii) that may include the ancillary retail sale or rental of merchandise; and	Applies		Does Not Apply			
			(iv) where counselling on cannabis may be provided	Applies		Does Not Apply			
	Rule		(e) in the C-N1 and C-N2 Districts, must only be located on a parcel with a front property line on a major street or a primary collector street.		C	N/C	N/A	N/I	
			(f) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 districts, must not be located within 300.0m of any other Cannabis Store, when measured from the closest point of a Cannabis Store to the closest point of another Cannabis Store;		N/A				
			Address of Cannabis Store use within 300.0m, if applicable.						
			(g) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:	(i) abut a Liquor Store;	C	N/C	N/A	N/I	
				(ii) if not for one or more intervening actual side setback areas, abut a Liquor Store; and	C	N/C	N/A	N/I	
				(iii) when located on the same parcel, if not for a vacant space between buildings, not including an internal road, abut a Liquor Store	C	N/C	N/A	N/I	
			(h) in all Districts, must not be located within 100m of a parcel that does not have a School Authority - School located on it and is designated as a municipal and school reserve or school reserve on the certificate of title;		N/A				
			Address of applicable parcel within 100.0m.		N/A				
			(i) in all commercial, industrial and mixed use districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0m of a parcel that contains any of the following uses, when measured from the closest point of a Cannabis Store to the closest point of a parcel that contains any of them:	(i) Emergency Shelter;	N/A				
				(ii) School - Private	N/A				
(iii) School Authority - School	136.80	-13.21							
Address(es) of applicable parcel(s) within 150.0m.		610 Agate Cr SE							
40 Applications the Development Authority Must Refuse	(k) is for a Cannabis Store located within 90.0% of a minimum separation distance specified in subsection 160.3(f)	(i) Emergency Shelter;	#VALUE!	#VALUE!					
		(ii) School - Private	#VALUE!	#VALUE!					
		(iii) School Authority - School	91.20%	1.20%					



36

DP2021-3367

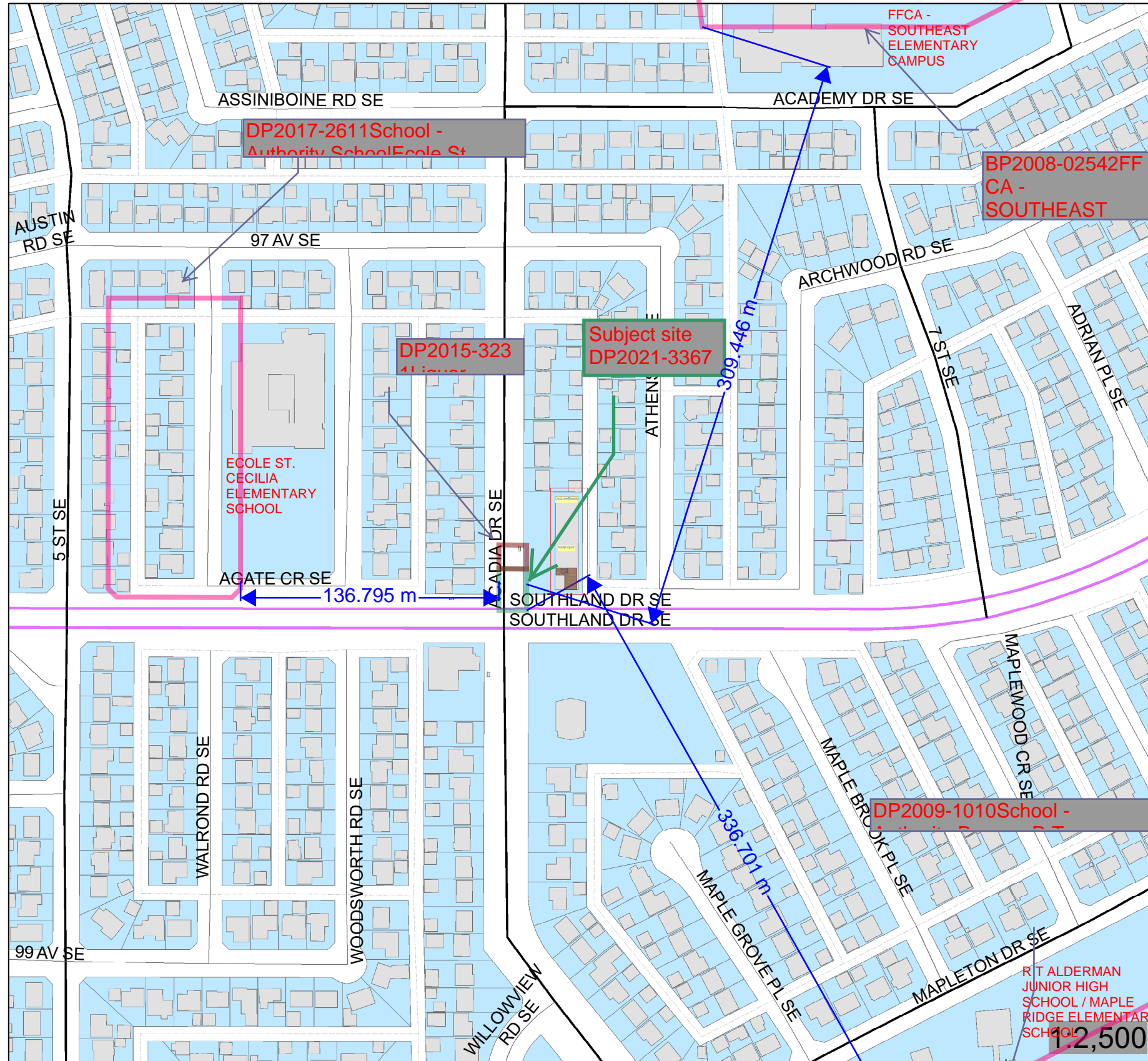
Cannabis Store Separation
 300m No Cannabis Store located within 300m

School Separation
 150m ECOLE ST. CECILIA ELEMENTARY SCHOOL (610 Agate Cr SE) located within 150m

Vacant School Site Separation
 100m No Vacant Schools sites located within 100m

Emergency Shelter Separation
 150m No Emergency Shelters within 150m

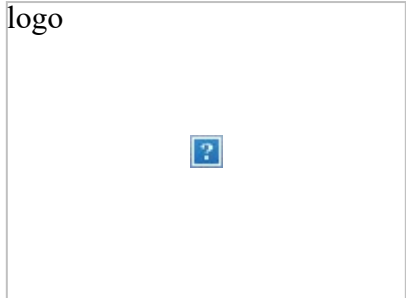
Liquor Store Separation
 InstaLiquor Store not abutting



Legend

Date: 5/28/2021

From: david.weisgerber@calgary.ca
To: [REDACTED]
Cc: [Weisgerber, David](#)
Subject: DP2021-3367 INITIAL REVIEW - #108 580 ACADIA DR SE
Date: Wednesday, May 26, 2021 12:57:56 PM



Re: DP2021-3367 INITIAL REVIEW - #108 580 ACADIA DR SE

Good day,

I am the file manager who will be reviewing your Development Permit application.

The initial review of your application is complete, and a detailed planning review is now underway. This includes consulting with stakeholders to gather planning information relevant to your application. You will be contacted if additional information is needed.

For more information about the Development Permit Process please visit www.calgary.ca/dpprocess.

Please track your application, using your Job Access Code [REDACTED] at www.calgary.ca/vista.

Regards,

DAVID WEISGERBER
Senior Planning Technician
david.weisgerber@calgary.ca
(403) 333-5398
www.calgary.ca/PDMap

From: [Briegel, Michael J.](#)
To: [DP Circ](#)
Cc: [Weisgerber, David](#)
Subject: RE: Electronic Circulation of DP2021-3367 @ 580 ACADIA DR SE
Date: Thursday, May 27, 2021 1:28:54 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

No issues from business licence.

MICHAEL BRIEGEL
 Chief Licence Inspector
 Compliance Services
 The City of Calgary
 P.O Box 2100, Station M, #128
 Calgary, Alberta T2E 7A6
 T 403.648-6341
michael.briegel@calgary.ca
 ISC: Protected

From: Halliburn, Pamela E. <Pamela.Halliburn@calgary.ca> **On Behalf Of** DP Circ
Sent: Thursday, May 27, 2021 9:28 AM
Cc: DP Circ <DP.Circ@calgary.ca>; Weisgerber, David <David.Weisgerber@calgary.ca>
Subject: Electronic Circulation of DP2021-3367 @ 580 ACADIA DR SE

Calgary banner (generic).png



For more information
[CALGARY.CA/PD](#)
[DISPATCH](#)
[ENEWSLETTER](#)



Good day,
 Please find attached the circulation package for the above noted Development Permit application.

Included are the following documents:

1. Circulation Package
 - Guidelines for Electronic Circulation
 - Request for Comment Sheet
 - Complete Set of Plans
2. Community Association Feedback Form
Please note, you can also [submit feedback online](#).

Please respond electronically to DP.Circ@calgary.ca.
 Thank you.

Pamela Halliburn
 Applications Processing Representative

Calgary Building Services
Development, Applications and Licensing Services
The City of Calgary | Mail code: #8201
(403) 268-5744 DP.Circ@calgary.ca
Floor 3, Municipal Building - 800 Macleod Trail S.E.
P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5



ISC: Unrestricted

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Sun 5/30/2021 4:41:30 PM
Date: Sunday, May 30, 2021 4:41:44 PM
Attachments: [B5D55159-D02E-40B8-97B7-000000000000.png](#)

Application: DP2021-3367

Submitted by: James Kloepper

Contact Information

Address: 4418 215 Legacy Blvd SE

Phone: [REDACTED]

[REDACTED]

Feedback:

This location is located too close to St. Cecilia school. According to the cannabis zoning map for Calgary. It is well within the red zone of the school

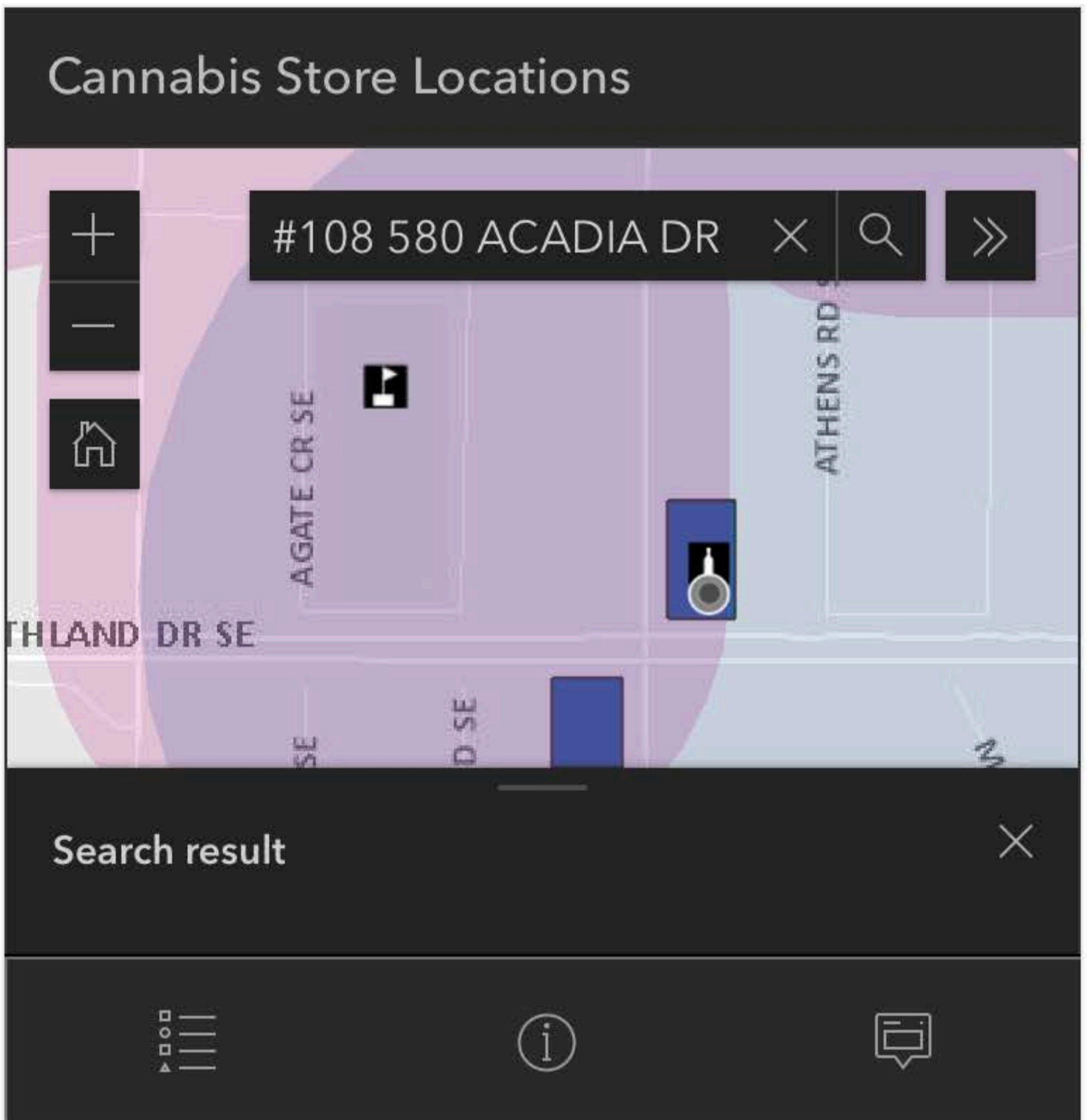
I've also attached a picture showing the zoning. I'm aware there is a potential 15m relaxation but the location would still be well within the red zone of the school even if that relaxation was taken into consideration

4:39



calgary.ca

City of Calgary cannabis store locations



[View larger map](#)

i This information has no legal status and cannot be used as an official interpretation of the various bylaws, codes and regulations currently in effect. The City of Calgary accepts no responsibility to persons relying solely on this information. Web pages are updated periodically.

From:



[David](#)

Subject:

[EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Sun 5/30/2021 5:06:58 PM

Date:

Sunday, May 30, 2021 5:07:06 PM

Application: DP2021-3367

Submitted by: Katelyn Walker

Contact Information

Address: 283 Walgrove Blvd SE

Phone:

Email:



Feedback:

Hi there

This is far too close to St. Cecilians school. Which is just down the street. Literally a block up and to the right of this location

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Mon 5/31/2021 4:53:36 PM
Date: Monday, May 31, 2021 4:53:42 PM

Application: DP2021-3367

Submitted by: Scott Hayes

Contact Information

Address: 9112 Allison Dr SE

Phone: [REDACTED]

[REDACTED]

Feedback:

I believe this proposed location is far too close to St. Cecilians school. The school is just a block up from this proposed location

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Mon 5/31/2021 9:36:39 AM
Date: Monday, May 31, 2021 10:36:49 AM
Attachments: [57C01115-678E-4037-8052-26AFF9F.heic](#)

Application: DP2021-3367

Submitted by: Kathy Kloepper

Contact Information

Address: 31 Riverside Close, SE. Calgary AB. T2C3L4

Phone: [REDACTED]

[REDACTED]

Feedback:

This location for a Cannabis store is WELL within the Red Zone, half a block away from St. Cecelia School, and a church right across the street. There is also another Cannabis store being built a couple blocks away on Acadia Dr. We were looking at this location to open a Cannabis store but steered away because it is in a RED ZONE. I vehemently appeal this application for a Cannabis store.

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Mon 5/31/2021 9:53:42 AM
Date: Monday, May 31, 2021 10:53:47 AM

Application: DP2021-3367

Submitted by: Patricia Holmes

Contact Information

Address: Patricia Holmes

[REDACTED]

[REDACTED]

Feedback:

I noticed that there is a proposed development for Cannabis at this location and I'd like to appeal it because it is strictly in a RED ZONE for Cannabis. There is the St. Cecelia elementary school half a block away, and a Church right across from the proposed location. This cannot happen in a RED ZONE.

From: [REDACTED]
Subject: [Weisgerber, David](#)
Date: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Mon 5/31/2021 9:59:21 AM
Monday, May 31, 2021 10:59:25 AM

Application: DP2021-3367

Submitted by: Christy Kloepper

Contact Information

Address: 2106, 10 Prestwick Bay, SE Calgary AB

Phone: [REDACTED]

[REDACTED]

Feedback:

I would like to appeal this application for a development permit for a Cannabis store because it is clearly in a red zone for Cannabis, which is not allowed. There is an elementary school half a block away (St. Cecelia), and a church right across the street.

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Mon 5/31/2021 10:07:17 AM
Date: Monday, May 31, 2021 11:07:22 AM

Application: DP2021-3367

Submitted by: Kelly Proctor

Contact Information

Address: 58 Cranarch Grove, SE Calgary AB

Phone: [REDACTED]

[REDACTED]

Feedback:

This location is in a red zone for Cannabis and should not be approved for development. There is an elementary school half a block away, St. Cecelia's, and a big church right across the street. I am appealing this development permit for such Cannabis store.

From: Kitty Whitehead [REDACTED] >
Sent: Wednesday, June 2, 2021 5:55 PM
To: Weisgerber, David
Subject: [EXT] DP2021-3367 Questions

I live in Willow Park. There is already a cannabis shop in Willow Park Shopping Centre. We don't need or want this close to RT Alderman School or the emblem try school in Maple ridge. Please rethink this proposal.

Kitty Whitehead

Sent from Kitty's iPad

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Tue 6/1/2021 7:19:23 AM
Date: Tuesday, June 1, 2021 8:19:27 AM

Application: DP2021-3367

Submitted by: Leah Felde

Contact Information

Address: 28 Henefer Rd SW Calgary AB T2V3B4

Phone:

Email: [REDACTED]

Feedback:

Red Zone! This location is in a red zone for Cannabis! This should NOT be permitted to open a new store! There is a school half a block away and a church right there! NO NO NO!!

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Tue 6/1/2021 7:26:26 AM
Date: Tuesday, June 1, 2021 8:26:31 AM

Application: DP2021-3367

Submitted by: Harley Selde

Contact Information

Address: 28 Henefer Rd SW Calgary AB. T2V3B4

Phone:

Email: [REDACTED]

Feedback:

I am opposed to this application for a Cannabis store because it is in a RED ZONE and is not allowed to be permitted for such, according to the City bylaw map for cannabis. Schools and churches very nearby. St. Cecelia elementary school is only half a block away and the big church is right across the street. Plus I noted that parking is a major issue there.

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Tue 6/1/2021 7:32:42 AM
Date: Tuesday, June 1, 2021 8:32:46 AM

Application: DP2021-3367

Submitted by: Roy Kloepper

Contact Information

Address: 31 Riverside Close SE Calgary AB T2C3L4

Phone: [REDACTED]

Email: [REDACTED]

Feedback:

RED ZONE RED ZONE! This should NOT be approved due to the simple fact it's in a RED ZONE for Cannabis! Not allowed! St. Cecelia school just up the street (there's actually schools everywhere), huge church across the street, parking is minimal, and it's in a RED ZONE.

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Tue 6/1/2021 11:28:47 AM
Date: Tuesday, June 1, 2021 12:28:51 PM

Application: DP2021-3367

Submitted by: Roy Kloeppe

Contact Information

Address: 31 Riverside Close SE Calgary AB T2C3L4

Phone: [REDACTED]

[REDACTED]

Feedback:

I wish to complain about this application for developing a Cannabis store. It is clearly RED ZONED, and I know this because I was going to apply for a permit as well for this location for my own cannabis store, but it is in a RED ZONE, so I did not proceed. There is an elementary school half a block away, and, there is a big church across the street, so, clearly in the Red.

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Wed 6/2/2021 8:47:51 AM
Date: Wednesday, June 2, 2021 8:47:37 AM

Application: DP2021-3367

Submitted by: Alberta Celynn Vant Erve

Contact Information

Address: 9911 5 St SE

Phone: [REDACTED]
[REDACTED]

Feedback:

I think there are enough cannabis locations within our vicinity. I'd be really upset to have another one pop up. There are enough transient people in our neighbourhood as it is, and I feel this will just draw in more. I'd rather (and my kids too) see another convenience store come back into this space.

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Wed 6/2/2021 9:26:8 AM
Date: Wednesday, June 2, 2021 9:26:12 AM

Application: DP2021-3367

Submitted by: Colleen Gnyp

Contact Information

Address: 631 Willoughby Cres SE

Phone:

Email: [REDACTED]

Feedback:

Hi - I am against the proposed cannabis store on the corner of Acadia and Southland drives for the following reasons:

- 1) Parking and traffic in the single entrance/exit in than strip mall is already poor and dangerous. It is too close to a fairly busy intersection and adding more "quick" visits would only add to the existing problem.
- 2) It is in relatively close proximity to 3 schools (St. Cecilia playground about 100 m away), Maple Ridge and RT Alderman
- 3) There is likely no demonstrated need for another cannabis store in the area - there a number in Willow Park and Acadia already

Thanks for your consideration of my input.

From: [REDACTED]
Subject: [Weisgerber, David](#)
Date: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Sat 6/5/2021 10:55:29 AM
Saturday, June 5, 2021 10:55:36 AM

Application: DP2021-3367

Submitted by: Peter Whitehead

Contact Information

Address: 436 Willowdale Cr SE

Phone: [REDACTED]

[REDACTED]

Feedback:

I strongly oppose the opening of another cannibals store in our neighbourhood. There is one in Willowpark Village
Please reject this application

From: [Kitty Whitehead](#)
To: [Weisgerber, David](#)
Subject: [EXT] Cannabis Store at Acadia 7 11 site
Date: Friday, June 11, 2021 2:37:03 PM

This is one reason I don't want a cannabis store there.

Shot fired in cannabis dispensary robbery in N.W. Calgary, 4 suspects sought

Kitty Whitehead

Sent from Kitty's iPad

From: [REDACTED]
To: [Weisgerber, David](#)
Subject: [EXT] #108 580 ACADIA DR SE - DP2021-3367 - Comment from Development Map - Mon 6/14/2021 2:42:0 PM
Date: Monday, June 14, 2021 2:42:04 PM

Application: DP2021-3367

Submitted by: Chris Smith

Contact Information

Address: Athens Road SE

Phone:

Email: [REDACTED]

Feedback:

Good afternoon,

We would like to appeal this application as it appears the location is within the 150m separation distance from the school near by even with the maximum 10% easement for schools. Our measurements have the proposed location around 132-133m. Regards, Chris

Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-0065

Development Permit number: DP2021-3367

Address: #108 - 580 Acadia DR S.E.

Description: Change of Use: Cannabis Store

Land Use: Commercial Neighbourhood 2 (C-N2) District

Community: Acadia

Jurisdiction Criteria:

Subject to National Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board, Alberta Utilities Commission or Minister of Environmental and Parks license, permit, approval, or other authorization: No

DA Attendance: No

Use: Discretionary

Notice Posted: Yes - 7 days

Objections: Yes

Support: No

Bylaw relaxations:

The development, requires the following relaxations of the rules of the Land Use Bylaw:

Bylaw Discrepancies		
Regulation	Standard	Provided
160.3 Cannabis Store	(i) in all commercial, industrial and mixed use districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0m of a parcel that contains any of the following uses, when measured from the closest point of a Cannabis Store to the closest point of a parcel that contains any of them: (iii) School Authority - School	Plans indicate the proposed Cannabis Store is located 136.80 metres (-13.21 metres) from an existing school at 610 Agate CR SE.

Applicable ARP, ASP or Design Brief (in addition to the MDP):

- Cannabis Store Guidelines

Additional factors, considerations and rationale for the decision:

1. The subject application was approved by the Development Authority on July 12, 2021; public notice of the refusal was given on the City of Calgary website, as per the Land Use Bylaw, on July 15, 2021.
2. The decision to approve the development was appealed to the Calgary Subdivision and Development Appeal Board (SDAB2021-0056)
3. The appeal was heard August 26, 2021, a written decision has not yet been issued.
4. The use of Cannabis Store is a discretionary use in the Commercial Neighbourhood 2 (C-N2) District.
5. In rendering their decision, the Development Authority applied Sections 35 and 36 of the Land Use Bylaw.
6. The application was notice posted and circulated to stakeholders.
 - a. The application was notice posted from May 31, 2021 to June 8, 2021; notes from when the sign was picked up indicate the “posting visible and in good condition”.
 - b. The application was circulated to:

- i. Acadia Community Association,
 - ii. Business Licence,
 - iii. Ward 11 Councillor,
 - iv. Willow Ridge Community Association, and
 - v. The Alberta Gaming & Liquor Commission.
- c. The application is visible at developmentmap.calgary.ca.
- 7. The parcel contains a two storey commercial building with multiple commercial retail units. The proposed Cannabis Store is located at the south end of the building with the front entrance facing west towards Acadia DR S.E.
- 8. The proposed development complies with the following Land Use Bylaw rules for Cannabis Stores:
 - a. There is no abutting Liquor Store
 - b. There are no Emergency Shelters or School – Private within 150.0 metres
 - c. There are no other approved Cannabis Stores within 300 metres
 - d. There is no required motor vehicle parking or required bicycle parking
 - e. The decision of the Development Authority was advertised on [Public notices \(calgary.ca\)](http://PublicNotices.Calgary.ca) as required by the Land Use Bylaw
- 9. The Development Authority is of the opinion that the proposed development complies with the Objectives of the Cannabis Store Guidelines.
 - a. There are a variety of commercial uses located on the parcel, including medical, personal service type uses.
 - b. There is no evidence of a concentration of Cannabis Stores along Southland DR S.E. or Acadia DR S.E.
- 10. The Development Authority is of the opinion that the proposed development complies with Cannabis Store Guidelines.
 - a. The Cannabis Store Guidelines suggest that a Cannabis Store should not be approved within 30 metres of a Payday Loan, Pawn Show or Place of Worship, or 10 metres from a Child Care Service.
 - i. The proposed store is not within 30 metres of a Payday Loan, Pawn Shop or Place of Worship.
 - ii. The proposed store is not within 10 metres of a Child Care Service.
 - b. The Cannabis Store Guidelines suggest the Development Authority may consider a minor reduction in the separation distance from a cannabis store to a school.
- 11. In response to the Reasons for Appeal
 - a. In rendering a decision, the Development Authority was aware the proposed Cannabis Store was located less than 150 metres but greater than 135 metres from an existing approved School - Public.
 - i. A relaxation was granted to the required 150 metre as the main entrance to the school faces west and away from the front entrance of the proposed Cannabis Store; and
 - ii. The Cannabis Store is not visible from the school; a city block of Low-Density Residential parcels separates the cannabis store from the school.
- 12. Upon careful consideration of the evidence, policy, plans and context, and after the application of Sections 35, 36 and 37 of the Land Use Bylaw, the development was approved.

13. Development Authority may provide additional submission prior to the merit hearing.

ALBERTA LAND SURVEYOR'S
REAL PROPERTY REPORT

LOT: 23 BLOCK: 54 PLAN: 1326JK

MUNICIPAL ADDRESS: 580 ACADIA DRIVE S.E., CALGARY ("the Property")

CLIENT: RENX DEVELOPMENTS LTD.

SCALE: 1:150

LEGEND

1. Area affected by this plan outlined thus: _____
2. Bearings are derived from the line between ASCM 171454 and 176073.
3. Found Iron Post shown thus: ●
4. Temporary point established, left no mark, shown thus: X
5. Distances are in metres and decimals thereof.
6. Fences shown are within 0.20 of property lines unless otherwise noted and shown thus: —○—

Date of Survey: November 17, 2015
Date of Title Search: November 19, 2015

ALS ALBERTA LAND SURVEYOR
N. NORTH
S. SOUTH
E. EAST
W. WEST
R/W RIGHT OF WAY
INSTR. INSTRUMENT
ASCM ALBERTA SURVEY CONTROL MARKER
A/C AIR CONDITIONING

Alberta Land Surveyor's Certification:

I hereby certify that this report, which includes this plan and related survey, was prepared and performed under my personal supervision and in accordance with the Alberta Land Surveyors' Association's Manual of Standard Practice and supplements thereto. Accordingly, within those standards and as of the date of this report, I am of the opinion that:

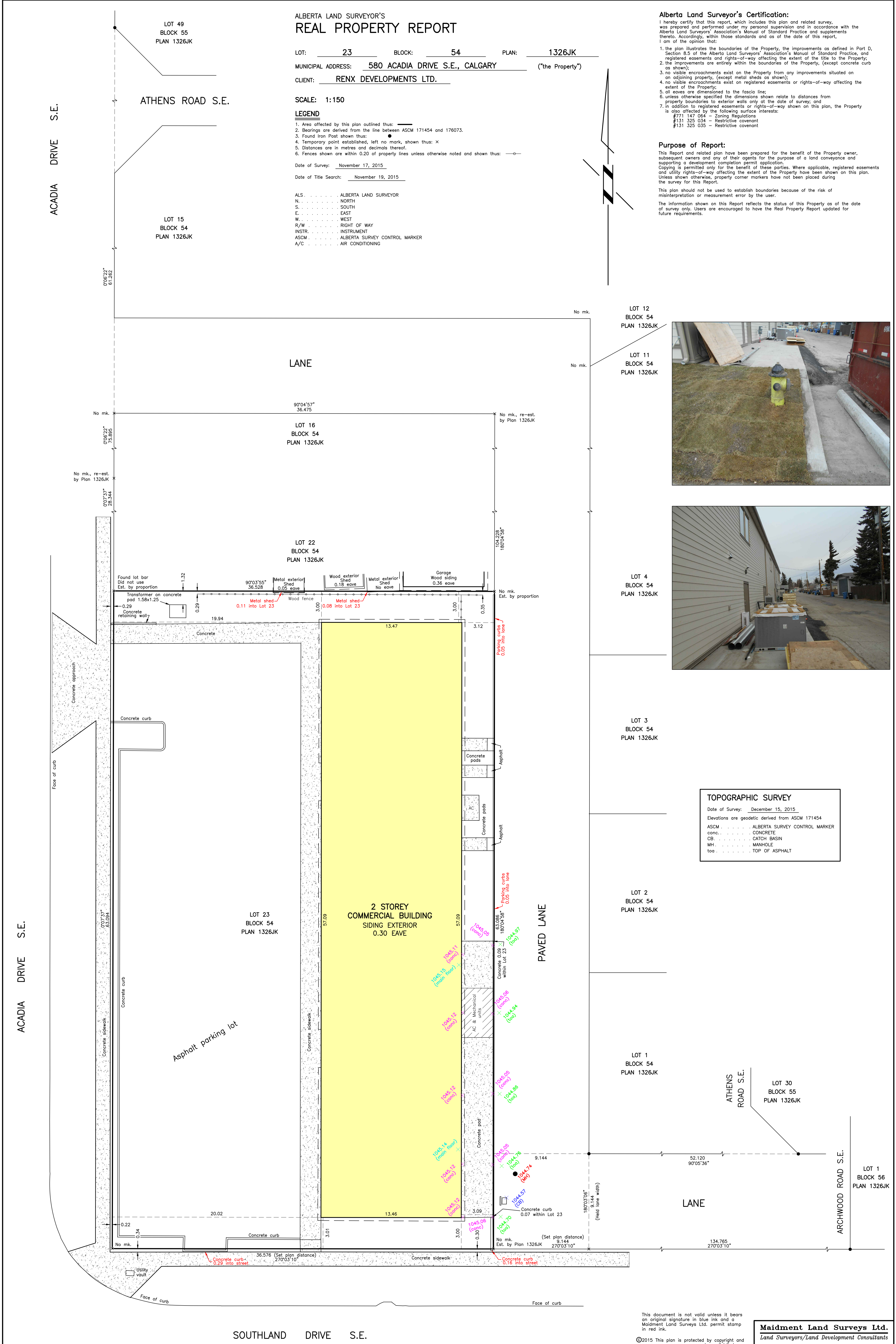
1. the plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, and registered easements and rights-of-way affecting the extent of the title to the Property;
2. the improvements are entirely within the boundaries of the Property, (except concrete curb as shown);
3. no visible encroachments exist on the Property from any improvements situated on an adjoining property, (except metal sheds as shown);
4. no visible encroachments exist on registered easements or rights-of-way affecting the extent of the Property;
5. all eaves are dimensioned to the fascia line;
6. unless otherwise specified the dimensions shown relate to distances from property boundaries to exterior walls only of the date of survey; and
7. in addition to registered easements or rights-of-way shown on this plan, the Property is also affected by the following surface interests:
#771 147 064 - Zoning Regulations
#131 325 034 - Restrictive covenant
#131 325 035 - Restrictive covenant

Purpose of Report:

This Report and related plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a land conveyance and supporting a development completion permit application. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights-of-way affecting the extent of the Property have been shown on this plan. Unless shown otherwise, property corner markers have not been placed during the survey for this Report.

This plan should not be used to establish boundaries because of the risk of misinterpretation or measurement error by the user.

The information shown on this Report reflects the status of this Property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.



TOPOGRAPHIC SURVEY

Date of Survey: December 15, 2015

Elevations are geodetic derived from ASCM 171454

ASCM	ALBERTA SURVEY CONTROL MARKER
conc.	CONCRETE
CB	CATCH BASIN
MH	MANHOLE
toa	TOP OF ASPHALT

This document is not valid unless it bears an original signature in blue ink and a Maidment Land Surveys Ltd. permit stamp in red ink.

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