

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

DATE: October 1, 2021	APPEAL NO.: SDAB2021-0068 FILE NO.: DP2021-4864
APPEAL BY: Ryan Dowdell	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY for a Change of Use: Cannabis Store. <u>was refused at 3939 17 Avenue SW (Entryway: 3905 17 Avenue SE)</u>	LAND USE DESIGNATION: C-COR1 f5.0h26 Discretionary
COMMUNITY OF: Glendale	DATE OF DECISION: September 8, 2021
APPLICANT: Ryan Dowdell – Calgary Cannabis Company	OWNER: 17th Ave Village Shopping Centre

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 10389066	Order Number 36094006	Online Form Processed 2021-09-09 7:00:46 PM	
Site Information			
Municipal Address of Site Under Appeal 3905 17 AVE SW		Development Permit/Subdivision Application/File Number DP2021-4864	
Appellant Information			
Name of Appellant RYAN DOWDELL		Agent Name (if applicable)	
Street Address (for notification purposes) 1336 LAKE SYLVAN DRIVE SE			
City CALGARY	Province ALBERTA	Postal Code T2J3C8	Residential Phone # 403-390-4059
Business Phone #	Email Address ryandowdell@hotmail.com		

APPEAL AGAINST

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

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 will send an email as my response is over 5000 words</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	If yes, how many will you be bringing?

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	SDAB Appeal Number	Fee Paid	Hearing Date	Date Received	
YYYY MM DD 2021 09 29	SDAB2021-0068	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	YYYY MM DD 2021 10 01	September 9, 2021	

SDAB2021-0068

REASONS FOR APPEAL – DP2021-4864
3905 17 AVE SW
RYAN DOWDELL
CALGARY CANNABIS COMPANY

In regards to the separation distance from my proposed location to the approved cannabis retail store, Canna Cabana. There are numerous instances throughout the city where two cannabis stores fall within the 300 m separation distance noted in the Cannabis Store Guidelines as our proposed location does. The SDAB has heard 2 appeals that share very similar circumstances to mine and have ruled in favour of both applicants allowing their appeals and overturning the decision of the Development Authority; SDAB2018-0096 and SDAB2021-0034. I believe both of these cases, and the subsequent decision by the SDAB provides precedence for my case and I ask the SDAB to approve my appeal and to overturn the decision by the Development Authority to deny my development permit application for a retail Cannabis Store at 3905 17 Ave SW based on the following.

The Development Authority stated that it is their opinion that a relaxation of the 300 m separation distance would result in a clustering of retail cannabis stores.

Clustering and proliferation is only a relevant planning consideration when there is evidence of a negative impact on the surrounding area of that use. There must be an underlying rationale for the separation distance or the SDAB should not consider it. The refusal reasons do not demonstrate any link between separation distance requirements and relevant planning concerns. The Development Authority is required to provide evidence of negative impacts and has not done so in this instance. The SDAB has found in previous rulings, SDAB2018-0096, that one cannabis store within the 300 m separation distance required by the bylaw does not constitute clustering or proliferation. If the SDAB sees fit, my development permit could be issued for 5 years in consideration of these concerns. This would allow for a review and assessment at the end of the 5 year term to determine if one cannabis store within the 300 m separation distance of another has any negative impact based on empirical data

My proposed location meets all other separation distance guidelines to schools, payday loan centres, pawn shops and also complies with all requirements for C-COR1 in the current Land Use Bylaw. My application also received zero objections when originally posted.

Notice posting: no comments
Community Association: no comments
Counsellor Ward 6: no comments
Licensing: no issues
Aglc: no comments

Please note the lack of opposition from affected parties, notably Canna Cabana - the approved cannabis store location noted by the Development Authority for the reason to deny my development permit application. Based on the lack of opposition one can conclude that there is limited concern from the community and from all materially interested parties to the approval of this development permit for retail cannabis.

My location meets two of the requirements for consideration to relax the 300 m distance and the other 3 are not applicable to my application.

SDAB2021-0068

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1 - may relax the 300 m separation distance when only one other cannabis store is located within said separation distance and

2 - is on different street or major road

The approved cannabis store, Canna Cabana, is only accessible from 37th St SW and faces east. My proposed location is only accessible from 17 Ave SW and faces north

The stores have no direct line-of-sight and it is not possible to see the two stores together from any location on any street. My proposed store presence is also diminished by the fact of its setback from 17th Ave SW, approximately 75 m

My proposed development is located in a shopping centre location that is not directly connected to the shopping centre of the closest approved cannabis store, Canna Cabana. The two shopping centres operate individually and with no direct access, as the crow flies, for pedestrians or vehicles. The practical walking distance between my proposed store and the approved location, Canna Cabana is 260 m and the practical driving distance between the two stores is 310 m.

The planning review and analysis also stated that my proposed cannabis store is not compatible with the surrounding uses yet they failed to provide any evidence to their findings. I believe there is a high concentration of people, businesses and business types in the area leaving a balanced opportunity for commercial uses to support economic diversification. My proposed use for Cannabis store will not negatively affect the surrounding retail environment. This is evident as both shopping centres share the following competing business types

Pharmacy -Shopper Drug Mart and Medicine Shoppe Pharmacy
Paint wholesaler/retailer – Sherwin Williams & Cloverdale Paint
Nail/beauty Solon -Harmony Nails & lovely Nails
Restaurant pub – Waterloo Kitchen & Bar and Murdoch's Bar

The two closest liquor stores to the proposed location, both within the Westbrook Village area, fall within the required 300 m separation distance to each-other. This suggests that duplication of services in this area is acceptable.

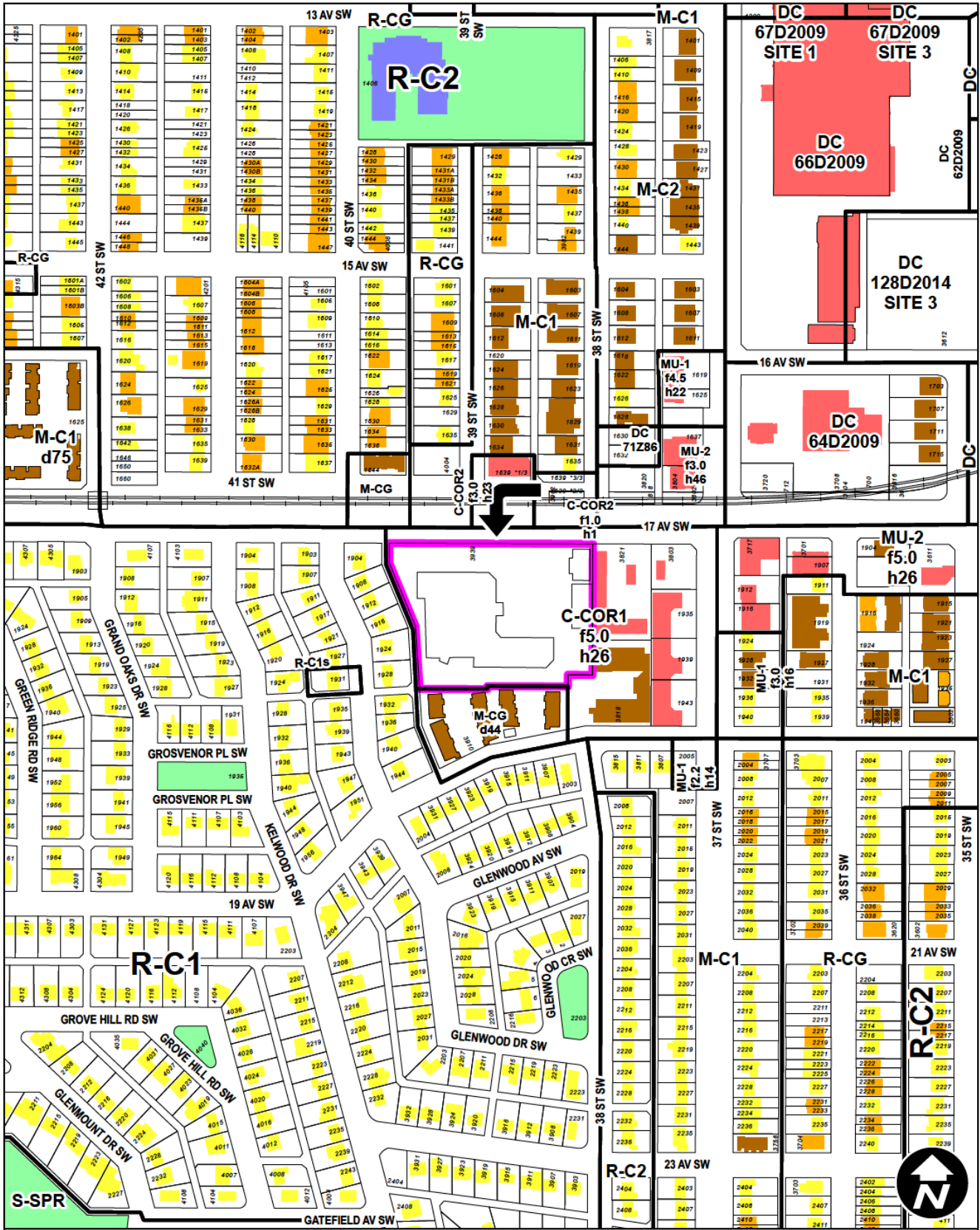
Due to the large amount of schools to the north of 17th Ave and south of Bow Trail adjoining to 37 street and the cluster of schools to the southeast and south of the proposed location there are limited locations for cannabis stores able to service the communities north, west and south of this proposed cannabis store. I am requesting a single relaxation to the bylaw. I believe this request for the relaxation meets the tests in sections 35 and 36 of the Land Use Bylaw as well as section 687 of the Municipal Government Act.

Westbrook Village is a major retail centre that draws people from distant communities and as such I feel it can support 2 Cannabis Stores.

I would like to thank you for considering my appeal.

Sincerely Ryan Dowdell.

SDAB2021-0068



VUGRAPH - ITEM NO. SDAB2021-0068



2021 September 08

CALGARY CANNABIS COMPANY
RYAN DOWDELL



RE: Notification of Decision for DP2021-4864
Subject: Change of Use: Cannabis Store
Address: 3939 17 AV SW

This is your notification of the decision by the Development Authority to refuse the above noted application on September 8, 2021. Enclosed are the Reasons for Refusal, along with an appeal form, in the event that you choose to appeal this decision.

An appeal along with reasons must be submitted, together with payment of \$200.00 fee, to the Subdivision and Development Appeal Board (4th floor, 1212 31 Avenue N.E., Calgary, AB T2E 7S8) within 21 days of receipt of this letter. An appeal may also be filed online at <http://www.calgarysdab.ca>. To obtain an appeal form, for information on appeal submission options or the appeal process, please call (403) 268-5312.

Should you have any questions or concerns, please contact me at (403) 333-5612 or by email at Michele.yakemchuk@calgary.ca.

Sincerely,

MICHELE YAKEMCHUK
Senior Planning Technician
Planning and Development



**DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007**

DP2021-4864

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

3939 17 AV SW

Community: **Glendale**

L.U.D.:**C-COR1 f5.0h26**

and legally described as:

9010708;7;1

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: **September 8, 2021**

Development Authority **Maurie Loewen**

File Manager: **Michele
Yakemchuk**

Release Date: _____

This permit will not be valid if development has not commenced by:

This is NOT a Building Permit

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. For 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: **CALGARY CANNABIS COMPANY**
Address: **1336 LAKE SYLVAN DRIVE SE**
City: **CALGARY, Alberta, T2J3C8**
Phone: **[REDACTED]**

Complete Address and Legal Description listing for Development Permit DP2021-4864

Address Type	Address	Legal Description
Building	3939 17 AV SW	
Entryway	3905 17 AV SW	
Parcel	3939 17 AV SW	9010708;7;1



Reasons for Refusal for DP2021-4864

The Reasons for Refusal document is intended to provide a short summary of the development permit review and analysis. Attached to this document is supporting information about the application process; concerns raised by neighbours, other affected parties and the Community Association; the requested relaxations of the Land Use Bylaw; and other information in support of the decision.

Proposed Use

This application proposes a change of use to Cannabis Store at 3939 17 AV S.W. in the community of Glendale. The parcel is designated Commercial – Corridor 1 (C-COR1) District under the City of Calgary Land Use Bylaw. Cannabis Store is a discretionary use in this district.

Planning Review and Analysis

During the review, the Development Authority considered the Council approved Cannabis Store Guidelines, the Land Use Bylaw, comments received during the circulation and review, and the compatibility of the proposed development with respect to the neighbourhood. The Development Authority is bound by the *Municipal Government Act* and the Gaming, Liquor and Cannabis Regulation (AR 143/96).

Separation between Cannabis Stores

The Cannabis Store Guidelines intend to balance retail opportunities by ensuring the clustering of Cannabis Stores is avoided. A Land Use Bylaw rule enforces this guideline by requiring a 300.0 metre separation between Cannabis Stores. The proposed Cannabis Store is located 89.44 metres from an approved Cannabis Store (DP2018-1699) and would require a relaxation of 210.56 metres. The Development Authority is of the opinion that a relaxation of the separation rules would result in a cluster of Cannabis Stores in the area.

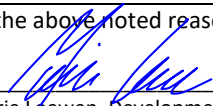
Circulation

The application was notice posted for seven days and circulated to the Glendale / Glendale Meadows Community Association, Ward Councillor, AGLC and LEMAG – Business Licensing, No objections or support was received.

In evaluating the application, the Development Authority determined that from a planning perspective the proposed location for the Cannabis Store is inappropriate. The proposed Cannabis Store does not comply with the Land Use Bylaw and the Cannabis Store Separation Distance Guidelines. The proposed Cannabis Store is not compatible with the surrounding uses and the relaxation required does not meet the test for relaxation. Consequently, the application is refused.

Decision

For the above noted reasons, this application is refused.


 Maurie Loewen, Development Authority

Sep 08, 2021

Date



Attachments for DP2021-4864

Cannabis Store Guidelines

Cannabis Store Guidelines

Objectives

To ensure opportunities for Cannabis Stores are balanced with the cumulative impacts of traffic, parking, noise and aesthetics they may have on communities. The separation distance helps manage over concentration of Cannabis Stores along corridors and in communities.

Guidelines

A request to reduce either the 300 metre minimum separation distance between a proposed Cannabis Store and an existing Cannabis Store, or the 150 metre minimum separation distance between a proposed Cannabis Store and a school, up to 10 per cent of the minimum distance, may be approved by the development authority when:

1. The proposed Cannabis Store is less than 300 metres from an existing Cannabis Store, but located in and serving a different community or neighbourhood;
2. Only one Cannabis Store or school is within the minimum separation distance;
3. A major road or expressway separates the proposed Cannabis Store from the other Cannabis Store or school within the separation distance;
4. The proposed Cannabis Store, or the existing Cannabis Store that is within the minimum separation distance, is located in an enclosed shopping centre; or
5. The existing Cannabis Store located within the minimum separation distance is in a land use district where the separation distances do not apply (e.g. a direct control district, regional commercial district or a downtown district).

Key Land Use Bylaw Provisions

Section 35 of the City of Calgary Land Use Bylaw states, in part:

Discretionary Use Development Permit Application

35 When making a decision on a *development permit* for a *discretionary use* the *Development Authority* must take into account:

- (c) the appropriateness of the location and *parcel* for the proposed *development*;
- (d) the compatibility and impact of the proposed *development* with respect to *adjacent development* and the neighbourhood
- (e) the merits of the proposed development;

Section 225 of the City of Calgary Land Use Bylaw 1P2007 states, in part:

160.3 "Cannabis Store"

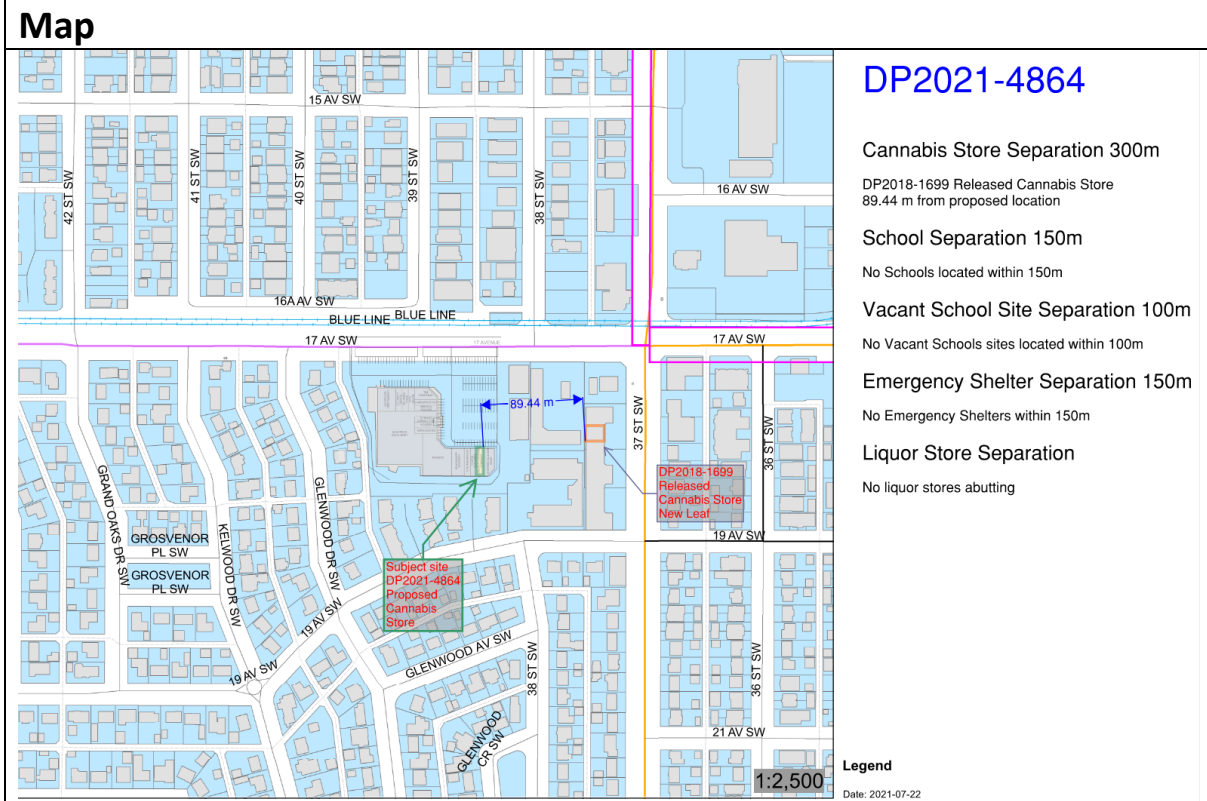
- (f) in all Districts, not including the C-R2, C-R3 and CR20-C20/ R20 Districts, must not be located within 300.0 metres of any other **Cannabis Store**, when measured from the closest point of a **Cannabis Store** to the closest point of another **Cannabis Store**;



Bylaw Variances		
Regulation	Standard	Provided
160.3 Cannabis Store	(f) in all Districts, not including the C-R2, C-R3 and CR20-C20/CR20 Districts, must not be located within 300.0 metres of any other Cannabis Store, when measured from the closest point of a Cannabis Store to the closest point of another Cannabis Store;	An approved Cannabis Store is located within 300 metres from the subject unit: <ul style="list-style-type: none"> • 89.44 metres (-210.56 metres) from the approved Cannabis Store at 1935 37 ST S.W., a 70.19% relaxation



The City of Calgary
 Planning and Development
 Technical Planning and Bylaw Review





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 RYAN DOWDELL	Applicant Contact Information Phone: [REDACTED]
Representing Company (if applicable) CALGARY CANNABIS COMPANY	Email: [REDACTED]
Business Trade Name	Mailing Address: 1336, LAKE SYLVAN DR SE, CALGARY Alberta Canada T2J3C8
Business ID unknown	
Owner / Leaseholder Name RYAN DOWDELL	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 3905 17 AV SW	
LUD C-COR1, Commercial - Corridor 1	Existing Use(s) Not Available
<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Is a waste management, recycling, or wastewater treatment facility being proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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What was the last business to occupy the space (if known) Just Sweet Enough Diabetic Bakery	Total floor area 915	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 type="checkbox"/> Yes <input checked="" 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

Licence Types:
CANNABIS STORE

Planning Terms:
Cannabis Store

Describe your business

Customer Notes: Locally owned and operated Cannabis Retail business. Modern and minimalistic retail space with a focus on local products. We will offer great products at great prices sold by great people.

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. Deveopment 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: Yes - apply now

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: A01-A03 CALGARY CANNABIS COMPANY WESTBROOK.pdf

Document Type: SUPPORTING DOCUMENT
Document SubType: OTHER
Document Name: PARKING RATIONALE CALGARY CANNABIS COMPANY 201 3939 17 AVE SW.pdf

Document Type: ARCHITECTURAL
Document SubType: INFORMATION FORM
Document Name: REQUEST FOR REDUCTION IN SEPERATION DISTANCE CALGARY CANNABIS COMPANY 201 3939 17 AVE SW.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.

6. Changes to Site and Terms of Use

The City reserves the right to make changes to this Online Services Site, the Terms of Use and provide additional terms at any time without notice. The changes or additional terms are effective immediately upon

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

The contents of this Online Services Site are owned or licensed by The City. You may not copy, transfer, store, upload, distribute, publish or otherwise use this content except as permitted by these Online Services Terms of Use. The words, phrases, names, designs or logos used on this Online Services Site may constitute trademarks, service marks or trade names of The City or other entities. The display of any such marks does not imply that The City or other entities have granted a license to you to use these marks.

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

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

Page 2		Commercial – Corridor 1		D.P. # 2021-4864				
Rule	Requirements			Evaluation				
				Provided/Variance				
Part 4	If applicable please refer to Part 4 Form			See Attached	N/A	N/I		
785 Use Area <i>(Identify locations)</i>	(1) Unless otherwise referenced in subsection (3), the max. use area for uses on the ground floor of buildings in the Commercial – Corridor 1 District is 465.0m ²			84.48	-380.52			
	(2) Unless otherwise referenced in subsection (3), there is no max. use area requirement for uses located on upper floors in the Commercial – Corridor 1 District.			Applies	Does Not			
	(3) The max. use area of a:	(a) Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300 0m ² ;		N/A				
		(b) Cinema, or a Cinema combined with any other use, is 550.0m ² ; and						
		(c) Supermarket, or a Supermarket combined with any other use, is 1400.0m ² .						
(4) The following uses do not have a use area restriction:	(a) Addiction Treatment;							
	(b) Custodial Care;							
	(c) Hotel; and							
	(d) Residential Care.							
786 Location of Uses within Buildings <i>(Identify locations)</i>	(1) The following uses must not be located on the ground floor of buildings where the use fronts a commercial street:	(a) Assisted Living;	C	N/C	N/A	N/I		
		(b) Catering Service – Minor;	C	N/C	N/A	N/I		
		(c) Child Care Service;	C	N/C	N/A	N/I		
		(d) Dwelling Unit;	C	N/C	N/A	N/I		
		(e) Health Care Service;	C	N/C	N/A	N/I		
		(f) Instructional Facility;	C	N/C	N/A	N/I		
		(g) Live Work Unit;	C	N/C	N/A	N/I		
		(h) Office;	C	N/C	N/A	N/I		
		(i) Place of Worship – Small;	C	N/C	N/A	N/I		
		(j) Post-secondary Learning Institution;	C	N/C	N/A	N/I		
		(k) Residential Care;	C	N/C	N/A	N/I		
		(l) Social Organization; and	C	N/C	N/A	N/I		
		(m) Veterinary Clinic.	C	N/C	N/A	N/I		
	(2) A min. of 20.0 % of the gross floor area of buildings in the Commercial – Corridor 1 District must contain “Commercial Uses”.			Percentage (%)				
	Total Gross Floor Area: 			Area (m ²)				
(3) “Commercial Uses” and Live Work Units:	(a) may be located on the same floor as Addiction Treatment, Custodial Care, Dwelling Units and Residential Care; and		C	N/C	N/A	N/I		
	(b) must not share an internal hallway with Addiction Treatment, Custodial Care, Dwelling Units and Residential Care.		C	N/C	N/A	N/I		
(4) Where this section refers to “Commercial Uses”, it refers to the listed uses at sections 777 and 778, other than Addiction Treatment, Custodial Care, Dwelling Units and Residential Care.								
Active:		Low Water Irrigation						

Part 4 A to Z Use and Use Rules						D.P. #				
<div style="display: flex; justify-content: space-around; border: 1px solid black; padding: 2px;"> A B C D E F G H I K L M N O P R S T U V </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;		89.44		-210.56			
			Address of Cannabis Store use within 300.0m, if applicable.		1936 37 St SW					
			(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.							
			(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;						
				(ii) School - Private						
(iii) School Authority - School										
Address(es) of applicable parcel(s) within 150.0m.										
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(i)								
		(i) Emergency Shelter;								
		(ii) School - Private								
		(iii) School Authority - School								

Motor Vehicle Parking Bylaw Check

FILE: DP2021-4864
DATE RECEIVED: July 4, 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>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	
Address										
<i>Not Applicable</i>										
Main Floor										
				84.48			121.1	4.00	100	3.38
Total Stalls Required									3.38	
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>									

Parking Standards						D.P. # DP2021-4864			
Rule	Requirements				Notes		Evaluation		
							Provided/Variance		
122 Standards for Motor Vehicle Parking Stalls	Table 2: Minimum Dimensions for Motor Vehicle Parking Stalls								
	Parking Angle (degrees)	Aisle width (metres)	Stall depth perpendicular to aisle (metres)	Stall width parallel to aisle (metres)		Applies	Not Applicable		
				Dwelling Unit	Other Uses				
	90.00	7.20	5.40	2.50	2.60	Applies	Not Applicable		
	75.00	6.12	5.64	2.59	2.69	Applies	Not Applicable		
	60.00	4.82	5.49	2.89	3.00	Applies	Not Applicable		
	45.00	4.00	5.00	3.54	3.68	Applies	Not Applicable		
						Applies	Not Applicable		
	(1.1) The minimum width of a motor vehicle parking stall when it abuts a physical barrier is:	(a) 3.1m when a physical barrier abuts both sides; and (b) 2.85m when a physical barrier abuts only one side.				C	N/C	N/A	N/I
						C	N/C	N/A	N/I
	(3) The minimum depth of a motor vehicle parking stall is 5.9m where it is required for:	(a) a Backyard Suite Contextual Semi-detached Dwelling Secondary Suite Semi-detached Dwelling or Single Detached Dwelling; and (b) a Dwelling Unit where the stall is provided in a private garage intended to be used for the occupants of only one Dwelling Unit.				C	N/C	N/A	N/I
						C	N/C	N/A	N/I
	(4) The minimum width of a motor vehicle parking stall required for a Dwelling Unit is:	(a) 3.0m where both sides of a stall abut a physical barrier; (b) 2.85m where one side of a stall abuts a physical barrier; (c) 2.5m in all other cases.				C	N/C	N/A	N/I
						C	N/C	N/A	N/I
	(7) The minimum width of a motor vehicle parking stall for Multi-Residential Development Multi-Residential Development - Minor or a Townhouse or a Rowhouse provided for the exclusive use of a Dwelling Unit is reduced to 2.6m where:	(a) the stall is one of two or more motor vehicle parking stalls that are provided in a private garage; (b) the motor vehicle parking stalls in the private garage are for the sole use of the occupants of the Dwelling Unit; and (c) the motor vehicle parking stalls are only counted towards fulfilling the minimum motor vehicle parking stall requirements for that Dwelling Unit.				Applies			Not Applicable
					Applies			Not Applicable	
					Applies			Not Applicable	
(9) The minimum vertical clearance of a motor vehicle parking stall is 2.1m.					C	N/C	N/A	N/I	
(10) Minimum required motor vehicle parking stall dimensions must be clear of all obstructions other than wheel stops and structural columns.					C	N/C	N/A	N/I	
(11) Where structural columns encroach into a motor vehicle parking stall such columns:	(a) must not encroach into the width of the motor vehicle parking stall by more than a total of 0.3m; (b) must be located within 1.2m of either end of the motor vehicle parking stall; and (c) must not encroach into a motor vehicle parking stall within 0.3m of a drive aisle.				C	N/C	N/A	N/I	
					C	N/C	N/A	N/I	
(14) Motor vehicle parking stalls must not be provided as tandem parking unless otherwise allowed in this Bylaw.					C	N/C	N/A	N/I	
(15) Motor vehicle parking stalls for a Contextual Semi-detached Dwelling Contextual Single Detached Dwelling Duplex Dwelling Semi-detached Dwelling and Single Detached Dwelling must be:	(a) hard surfaced; and (b) located wholly on the subject parcel.				C	N/C	N/A	N/I	
					C	N/C	N/A	N/I	
123 Loading Stalls	(1) A loading stall must be located so that all motor vehicles using the stall can be parked and manoeuvred entirely within the boundary of the site before moving onto a street or a lane.					F/M Discretion	N/A	N/I	
	(2) A loading stall must have:	(a) a minimum width of 3.1m; (b) a minimum depth of 9.2m; and (c) a minimum height of 4.3m.				C	N/C	N/A	N/I
						C	N/C	N/A	N/I
						C	N/C	N/A	N/I
(3) Minimum loading stall dimensions must be clear of all obstructions other than wheel stops.					C	N/C	N/A	N/I	

JULY 4, 2021

ATTN: PLANNING AND DEVELOPMENT – CITY OF CALGARY

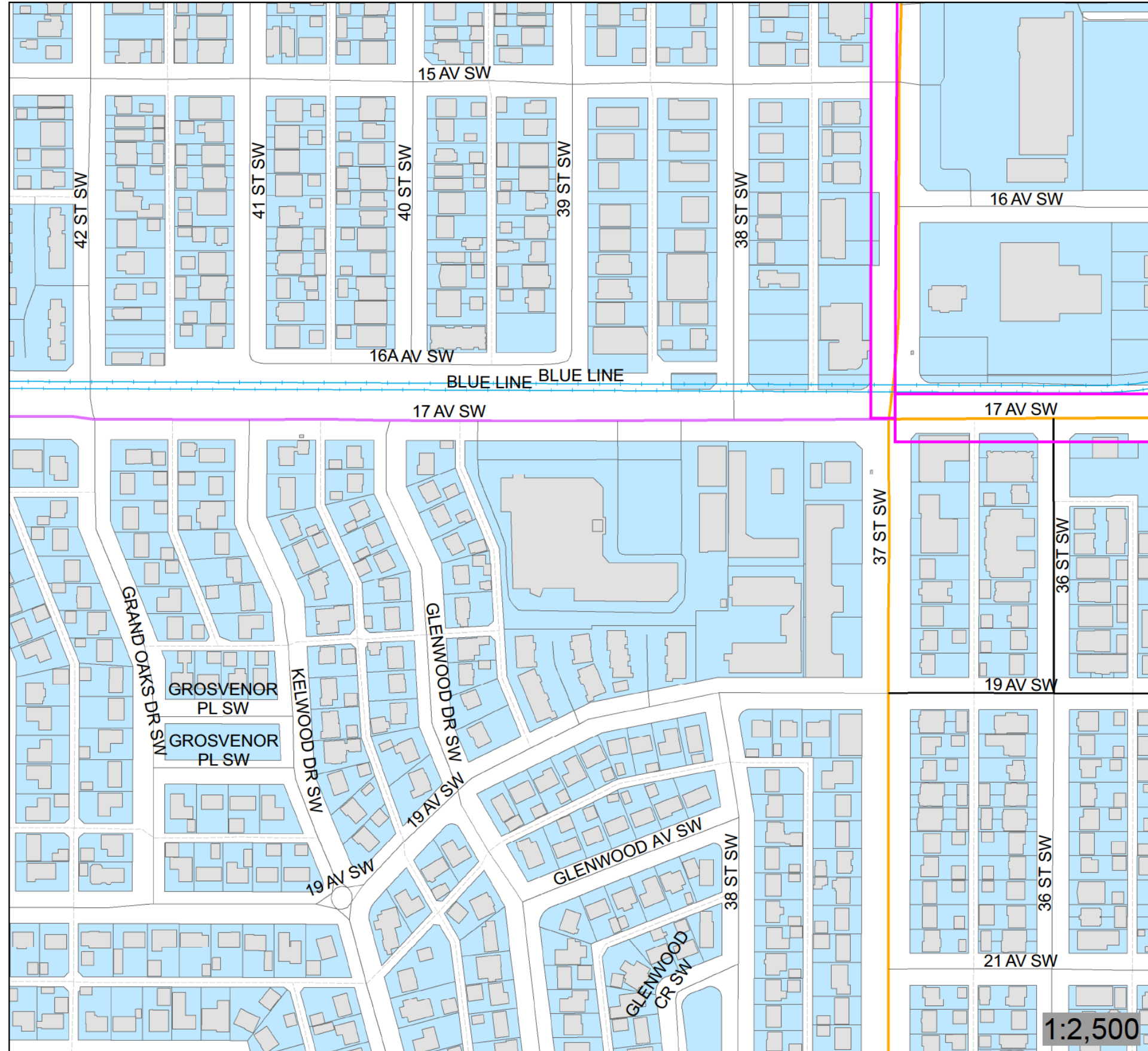
RE: SECTION 1; C

PARKING RATIONALE FOR CHANGE OF USE DEVELOPMENT PERMIT APPLICATION FOR
CALGARY CANNABIS COMPANY

UNIT 201 – 3939 17 AVE SW (3905 17 AVE SW)

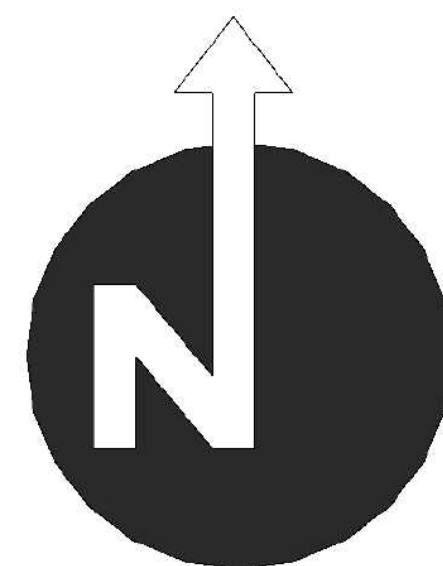
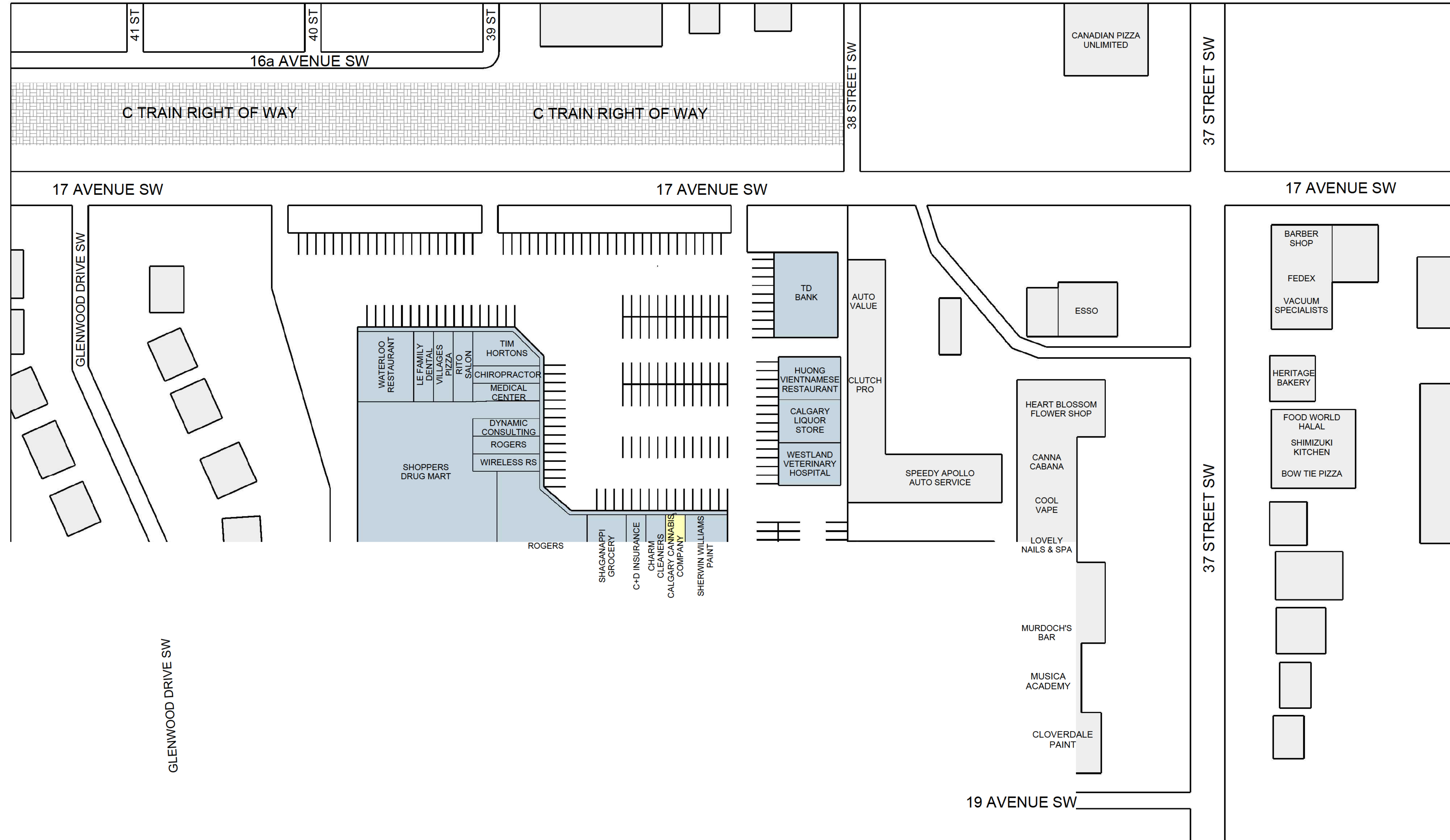
AS PER OUR OFFER TO LEASE, THE LANDLORD HAS PROVIDED THE TENNANT AND ITS PATRONS
UNRESERVED COMMON SHARED USAGE OF ALL PARKING STALLS AVAILABLE ON THE PROPERTY

CHEERS, RYAN



Legend

Date: 2021-07-22



01 SITE PLAN
A-01 SCALE: NTS

BUILDING CODE INFORMATION

OPERATING BUSINESS	2337433 ALBERTA INC O/A CALGARY CANNABIS COMPANY
MUNICIPAL ADDRESS	UNIT 201 - 3939 17 AVE SW CALGARY AB
LEGAL ADDRESS	PLAN 9010708, BLOCK 7, LOT 1
BUILDING CLASIFICATION	C-COR1
PROPOSED LAND USE	CANNABIS STORE, PERMITTED DISCRETIONARY USE
PARKING	EXISTING TO REMAIN AS IS
BIKE RACKS	EXISTING TO REMAIN AS IS

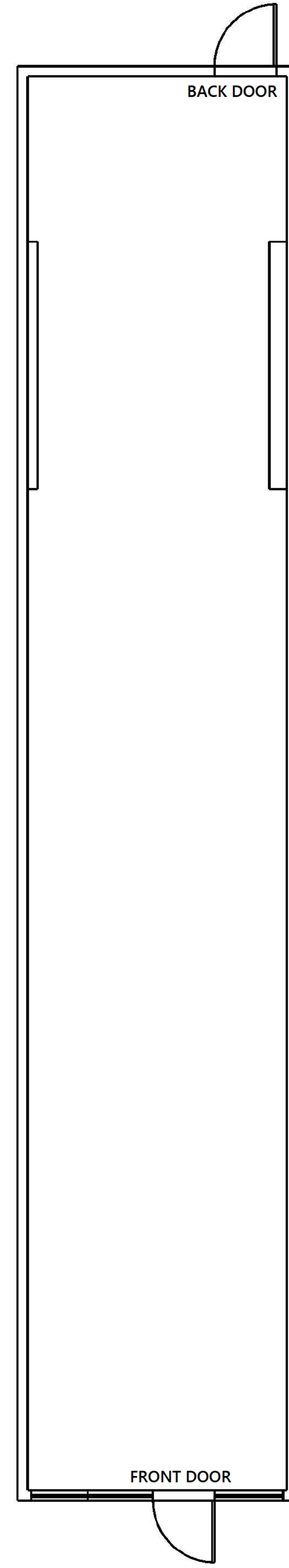
DRAWINGS - TABLE OF CONTENTS

- A-01 SITE PLAN, KEY PLAN, BUILDING CODE INFORMATION, TABLE OF CONTENTS
- A-02 EXISTING PARTITIONS
- A-03 PROPOSED PARTITIONS, FIXTURES

CLIENT
RYAN DOWDELL
2337433 ALBERTA INC O/A
CALGARY CANNABIS COMPANY
201-3939 17 AVE SW
CALGARY, AB

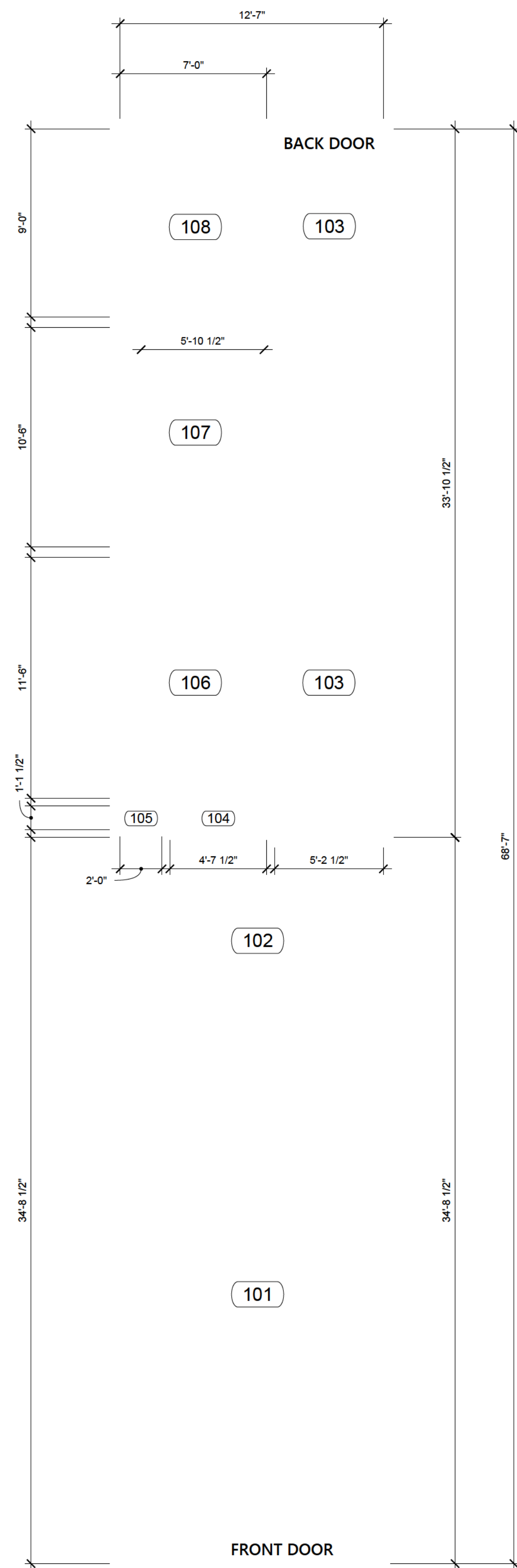
ISSUE
2021.07.04

PROJECT NO.
2021-44
PROJECT
CALGARY CANNABIS COMPANY
DEVELOPMENT PERMIT
LAND USE CHANGE
201-3939 17 STREET SW
CALGARY AB

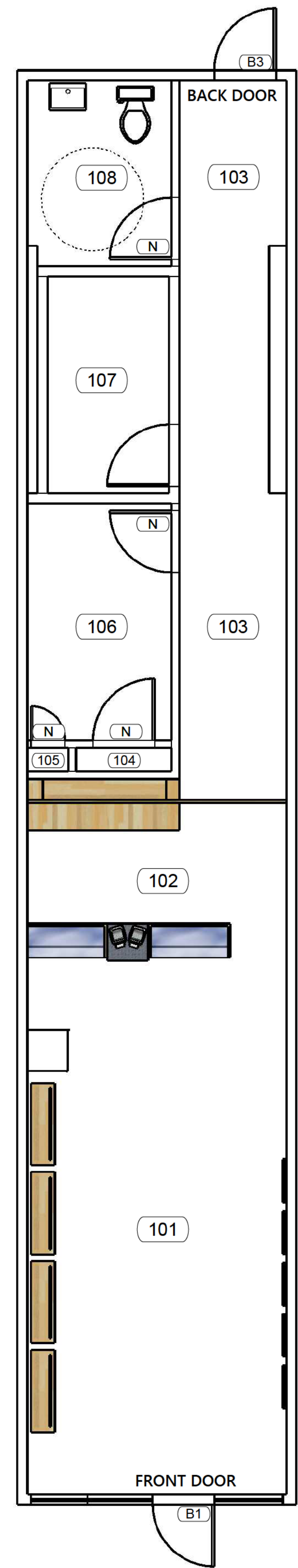


01 EXISTING PARTITIONS
 A-02 SCALE: 1/4" = 1'-0"

DRAWN BY RD DESCRIPTION EXISTING PARTITIONS	PROJECT NO. 2021-44 PROJECT CALGARY CANNABIS COMPANY DEVELOPMENT PERMIT LAND USE CHANGE 201-C-3939-17 AVE SW CALGARY AB	ISSUE 2021.07.04 RE-ISSUE	CLIENT RYAN DOWDELL 2337433 ALBERTA INC. O/A CALGARY CANNABIS COMPANY 201-C-3939-17 AVE SW CALGARY, AB	CURIOUS DESIGN 1336 LAKE SYLVAN DRIVE SE CALGARY AB T2J 3C8
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01 PROPOSED PARTITIONS
A-03 SCALE: 1/4" = 1'-0"



02 FIXTURES
A-03 SCALE: 1/4" = 1'-0"

NUMBER	USE	AREA IN SQFT	FLOOR TYPE	CEILING TYPE
101	CUSTOMER RETAIL AREA	320	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
102	STAFF RETAIL AREA	110	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
103	HALLWAY	176	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
104	SECURE STORAGE ROOM - CANNABIS ACCESSORIES	6	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
105	SECURE ROOM - SECURITY & CAMERA PVR	3	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
106	OFFICE	81	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
107	SECURE STORAGE ROOM - CANNABIS PRODUCTS	62	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
108	STAFF WASHROOM	63	PORCELAIN TILE	UNDERSIDE OF Q-DECK AT 12'-0"

CURIOUS DESIGN
1336 LAKE SYLVAN DRIVE SE
CALGARY AB T2J 3C8

CLIENT
RYAN HOWDELL
2337433 ALBERTA INC. O/A
CALGARY CANNABIS COMPANY
201-3539-17 AVE SW
CALGARY, AB

ISSUE
2021.07.04
RE-ISSUE

PROJECT NO.
2021-44
PROJECT
CALGARY CANNABIS COMPANY
DEVELOPMENT PERMIT
LAND USE CHANGE
201-3539-17 AVE SW
CALGARY AB

DRAWN BY
RD
DESCRIPTION
PROPOSED PARTITIONS,
FIXTURES



From: [Yakemchuk, Michele](#)
To: [REDACTED]
Subject: Action Required - Detailed Review for DP2021-4864 - 3939 17 AV SW
Date: Friday, August 13, 2021 10:19:00 AM
Attachments: [image002.png](#)
[DP2021-4864 Detailed Review.pdf](#)

Good morning Ryan,

The detailed review for your Development Permit has been completed and we require additional information before we are able to proceed to a decision.

cid:image002.png@01D58FE9.6E6914F0



This email contains the following information:

- Detailed Review

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

For status updates and more information on your specific Development Permit please visit www.calgary.ca/pdmap.

Please contact me if you have any questions or concerns about your Development Permit.

Thank You,
Michele

Michele Yakemchuk

Senior Planning Technician
Technical Planning | Community Planning
Planning & Development

T. 403.333.5612 | www.calgary.ca

ISC: Protected



August 13, 2021

CALGARY CANNABIS COMPANY
DOWDELL, RYAN

[REDACTED]
[REDACTED]

Dear Sir/Madam:

RE: Detailed Review (DR)

Development Permit Number: DP2021-4864

Based on the plans received, your application has been reviewed in order to determine compliance with the Land Use Bylaw and applicable City policies. Any variance from the Land Use Bylaw or City policies may require further discussion or revision prior to a decision being rendered.

A written response to the Prior to Decision issues in this DR is required from the Applicant by the end of the thirty (30) calendar day response due date. In the event that the response due date expires, the application may be inactivated subject to a fifteen (15) calendar day reactivation timeline. In the case of a non-responsive or incomplete application, the General Manager – Planning, Development and Assessment may cancel the application as per Section 41.1 of Land Use Bylaw 1P2007.

Should you have any questions or concerns, please contact me at (403) 333-5612 or by email at Michele.yakemchuk@calgary.ca.

Sincerely,

A handwritten signature in blue ink that reads "M. Yakemchuk".

MICHELE YAKEMCHUK
Senior Planning Technician



Detailed Review 1 – Development Permit

Application Number:	DP2021-4864
Application Description:	Change of Use: Cannabis Store
Land Use District:	Commercial - Corridor 1
Use Type:	Discretionary
Site Address:	3939 17 AV SW
Community:	GLENDALE
Applicant:	CALGARY CANNABIS COMPANY
Date DR Sent:	August 13, 2021
Response Due Date:	September 13, 2021
Senior Planning Technician:	MICHELE YAKEMCHUK - (403) 333-5612 - Michele.yakemchuk@calgary.ca

General Comments

The proposed Cannabis Store will be within 300.0 metres of an approved Cannabis Store. During the review the application was circulated to the following stakeholders to provide comments to be part of the decision.

- Notice Posting: No comments were received.
- Glendale / Glendale Meadows Community Association: No comments were received
- Ward 6 Councillor: No comments were received.
- LEMAG – Licencing: No issues from business licence.
- AGLC (Alberta Gaming & Liquor Commission): No comments were received.

Comments on Relevant City Policies

Cannabis Store Guidelines

Objectives

1. To ensure opportunities for Cannabis Stores on main streets and in communities are balanced with opportunities for other types of commercial uses. A variety of commercial uses provide communities with options, supports economic diversification and helps build a complete retail street.
2. To promote a full range and a mix of commercial uses and opportunities along main streets and in communities.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

3. To avoid the potential for negative perceptions that may be created about a community when there is an over concentration or clustering of Cannabis Stores along a main street or in a community.
4. To ensure Cannabis Stores are not located too close to public and private schools in order to limit convenient access and lower the profile and visibility of cannabis to young persons.
5. To manage the potential socio-economic impacts of the clustering and concentration of Cannabis Stores.

Separation Distance Between Cannabis Stores

The Development Authority must consider the overall number and density of Cannabis Stores on a main street, community or other area in comparison to other main streets, communities or areas in Calgary when considering a request for a reduction to the minimum separation distance between Cannabis Stores.

There should not be a significant long-term difference in the concentration of Cannabis Stores between different main streets, communities or other areas. Recognizing that every location has unique characteristics (e.g. schools and other factors that affect a Cannabis Store location), generally a significant long-term difference would be characterized by more than a 25 per cent difference in the concentration of Cannabis Stores per unit population.

Additionally, the development authority may consider a reduction in the separation distance between Cannabis Stores when:

1. There is only one other Cannabis Store within the minimum separation distance; and
2. A proposed Cannabis Store is located on a different street or on the opposite side of the same street as the existing Cannabis Store;
3. A major road, expressway or river separates the proposed Cannabis Store from the existing Cannabis Store;
4. The proposed Cannabis Store is located in an enclosed shopping centre;

Calgary Land Use Bylaw 1P2007

Section 35 of the City of Calgary Land Use Bylaw states, in part:

Discretionary Use Development Permit Application

35 When making a decision on a development permit for a discretionary use the Development Authority must take into account:

- (c) the appropriateness of the location and parcel for the proposed development
- (d) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood

Use Rules		
Regulation	Standard	Provided
160.3 Cannabis Store	(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;	Plans indicate another cannabis store 89.44m (-210.56m) within the proposed cannabis store. Relaxation is not supported.

Prior to Decision Requirements

The following issues must be addressed by the Applicant through a written submission and amended plans prior to a decision by the Approving Authority:

- The development, as proposed, is not supported for the following reasons:
 - Separation distance from the proposed store to the existing approved store is not supported.

Indicate, in writing, the manner in which the application will proceed:

(A) Request **cancellation** of the application. Any applicable fee refund will be determined at the time of cancellation.

OR

(B) **Pursue** the application, as proposed, with a decision of refusal by the Development Authority. The refusal will be based on the comments listed above. After you receive the decision letter you may appeal the decision to the Subdivision and Development Appeal Board.

The last day to respond to the Detailed Review is thirty days from the date the DR was issued (see cover page for exact date).

Permanent Conditions

If this Development Permit is approved, the following permanent conditions shall apply:

- The permanent conditions will be finalized at the time of Development Authority decision.

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

3. The advisory comments will be finalized at the time of Development Authority decision.
4. To file an appeal, it must be submitted to the Subdivision and Development Appeal Board (SDAB) within 21 days of receiving the decision letter. To obtain appeal information please visit [SDAB](#) or call 403.268.5312.

JULY 4, 2021

ATTN: PLANNING AND DEVELOPMENT – CITY OF CALGARY

RE: REQUEST FOR REDUCTION IN THE SEPERATION BETWEEN CANNABIS STORES

We would like to ask the development authority to consider a relaxation of the required 300m between Cannabis Stores for our proposed location in the 17th Avenue Village Shopping Center, unit 201, 3939 17 Avenue SW. There is an approved Cannabis Store at unit 110, 1935 37 Street SW. Our location meets 2 of the requirements for this consideration as there is only 1 other Cannabis Store within our 300m separation distance and our proposed Cannabis Store is in a different plaza with access from an adjoining major roadway.

Thank you for your time in advance.

Cheers Ryan

From: [Ryan Dowdell](#)
To: [Yakemchuk, Michele](#)
Subject: [EXT] RE: Action Required - Detailed Review for DP2021-4864 - 3939 17 AV SW
Date: Thursday, August 26, 2021 9:45:45 AM
Attachments: [image001.png](#)
[9AE2AE4FC5AF46C4992579097B6811B7.png](#)

Good morning Michele,

I have decided I would like to move forward and appeal your decision.

Please get back to me with the next steps

Cheers Ryan

Sent from [Mail](#) for Windows

From: [Yakemchuk, Michele](#)
Sent: August 20, 2021 2:11 PM

To: [REDACTED]

Subject: RE: Action Required - Detailed Review for DP2021-4864 - 3939 17 AV SW

Hi Ryan,

Below is the information on how to appeal the Development Authority decision on a development permit application.

[Subdivision and Development Appeal Board](#)

Refer to their website for information on [how to appeal](#).

Their website also has past decisions that you could [search](#) for a similar situation. This may help with preparing your appeal if you decide to appeal.

Please let me know if you would like to cancel your application or have a decision rendered. September 13, 2021 is the response due date.

Thank you,
Michele

Michele Yakemchuk
Senior Planning Technician

From: Yakemchuk, Michele
Sent: Friday, August 13, 2021 10:19 AM
To: [REDACTED]
Subject: Action Required - Detailed Review for DP2021-4864 - 3939 17 AV SW

Good morning Ryan,

The detailed review for your Development Permit has been completed and we require additional information before we are able to proceed to a decision.



This email contains the following information:

- Detailed Review

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

For status updates and more information on your specific Development Permit please visit www.calgary.ca/pdmap.

Please contact me if you have any questions or concerns about your Development Permit.

Thank You,
Michele

Michele Yakemchuk
Senior Planning Technician
Technical Planning | Community Planning
Planning & Development
T. 403.333.5612 | www.calgary.ca

ISC: Protected

From: [Briegel, Michael J.](#)
To: [DP Circ](#); [DP Circ](#)
Cc: [Yakemchuk, Michele](#)
Subject: RE: Electronic Submission for DP2021-4864 - 3939 17 AV SW
Date: Monday, July 19, 2021 6:24:54 AM

No issues from business licence.

Thanks,

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: DP.circ@calgary.ca <DP.circ@calgary.ca>

Sent: Thursday, July 15, 2021 4:16 PM

To: DP Circ <DP.Circ@calgary.ca>

Cc: Yakemchuk, Michele <Michele.Yakemchuk@calgary.ca>

Subject: Electronic Submission for DP2021-4864 - 3939 17 AV SW



Good day,

A Development Permit application has been submitted to The City.

Applications received by The City on or after June 1 may include plans that can be viewed and shared through the Development Map.

To see if plans are available online check out: [DP2021-4864](#)

While our Circulation Team is still accepting comments via DP.circ@Calgary.ca we are requesting community associations to comment online through the [Development Map](#).

NEW! We're going digital in order to better serve you!

The Development Map gives you the ability to share plans with stakeholders and send questions and comments directly to the file manager. It's a one-stop shop for development applications.

We're also proud to share the recent launch of our [Development Map Landing Page](#)! This website is a wonderful resource for people to learn how to use the Development Map to effectively comment on applications that matter to them. Please share Calgary.ca/development with anyone you feel would benefit from this information.

To support this exciting initiative, you will notice some improvements to the circulation packages. These changes include:

- The phasing out of plans attached to the circulation email. This process will take some time as we move plans and renderings online.
- The need to submit feedback to our circulation team.
- The removal of specific private information from plans.

The circulation team will be able to better assist you, by providing up-to-date plans on the Development Map. Plus, you can view the original plans, revised plans and approved plans to see how the proposal developed over time.

Thanks in advance for taking this step forward with us. We would like to hear your feedback on the new resources and ideas on how to continue to supporting your needs appropriately. We're here to create a more streamlined system and support you in your participation.

Sincerely,

The Circulation Team

DP.circ@calgary.ca



Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-0068

Development Permit number: DP2021-4864

Address: 3939 17 AV SW

Description: Change of Use: Cannabis Store

Land Use: Commercial -Corridor 1 (C-COR 1)

Community: Glendale

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

Objections: No

Support: No

Bylaw relaxations:

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

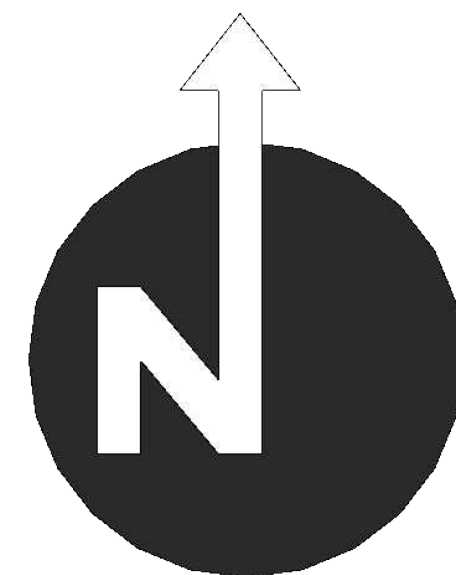
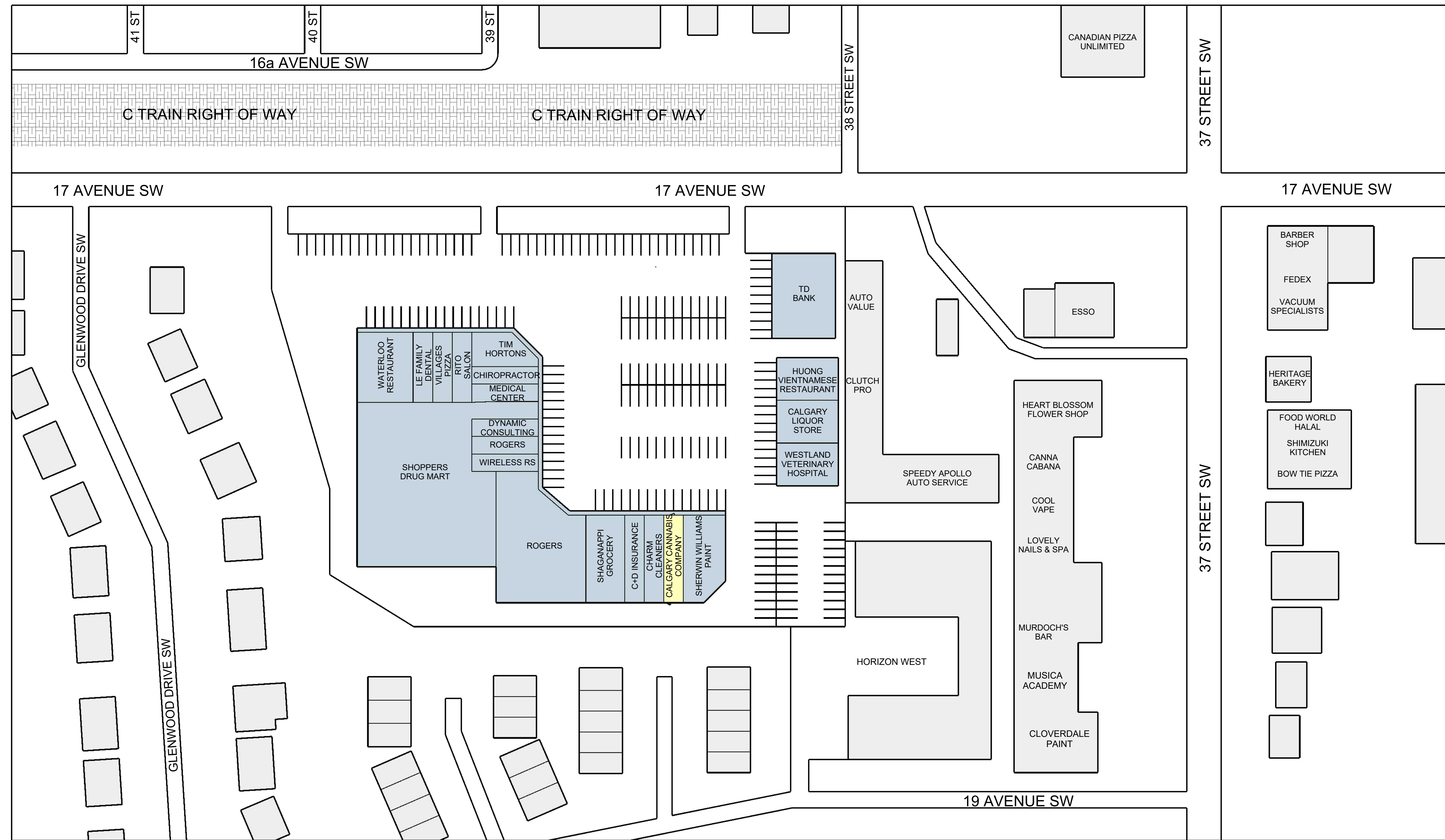
Bylaw Discrepancies		
Regulation	Standard	Provided
160.3 Cannabis Store	(f) in all District, not including C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other Cannabis Store, when measured form the closest point of a Cannabis Store to the closest point of another Cannabis Store;	An approved Cannabis Store is located within 300.0 metres of the subject unit: <ul style="list-style-type: none"> • 89.4 metres (-210.6 metres) from the approved Cannabis Store at 1935 37 ST SW, a 70.2 relaxation

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

- Cannabis Store Guideline

Additional factors, considerations and rationale for the decision:

1. Please see the Reasons for Refusal



01
A-01

SITE PLAN
SCALE: NTS

BUILDING CODE INFORMATION

OPERATING BUSINESS	2337433 ALBERTA INC O/A CALGARY CANNABIS COMPANY
MUNICIPAL ADDRESS	UNIT 201 - 3939 17 AVE SW CALGARY AB
LEGAL ADDRESS	PLAN 9010708, BLOCK 7, LOT 1
BUILDING CLASSIFICATION	C-COR1
PROPOSED LAND USE	CANNABIS STORE, PERMITTED DISCRETIONARY USE
PARKING	EXISTING TO REMAIN AS IS
BIKE RACKS	EXISTING TO REMAIN AS IS

DRAWINGS - TABLE OF CONTENTS

- A-01 SITE PLAN, KEY PLAN, BUILDING CODE INFORMATION, TABLE OF CONTENTS
- A-02 EXISTING PARTITIONS
- A-03 PROPOSED PARTITIONS, FIXTURES

CLIENT
CURIOUS DESIGN
1336 LAKE SYLVAN DRIVE SE
CALGARY AB T2J 3C8

CLIENT
RYAN DOWDELL
2337433 ALBERTA INC O/A
CALGARY CANNABIS COMPANY
201-3939 17 AVE SW
CALGARY, AB

ISSUE
2021.07.04

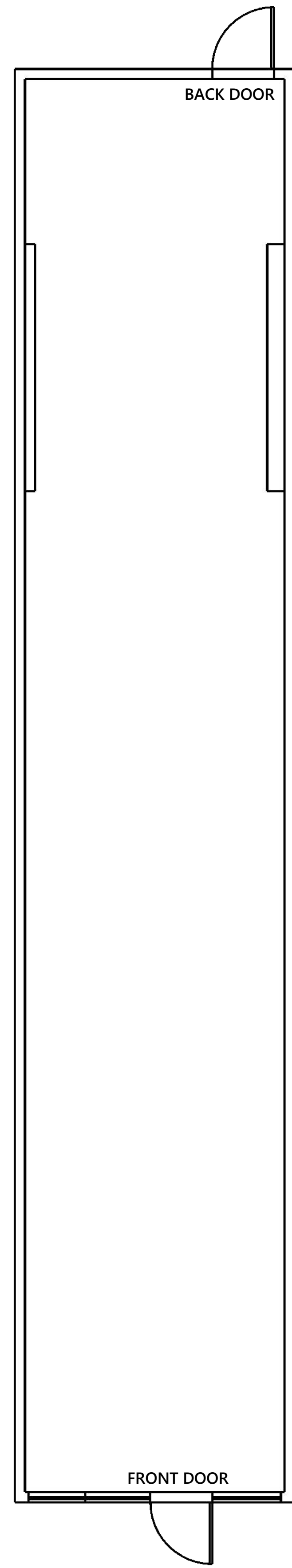
RE-ISSUE

PROJECT NO.
2021-44
PROJECT
CALGARY CANNABIS COMPANY
DEVELOPMENT PERMIT
LAND USE CHANGE
17 AVENUE SW STREET SW
CALGARY AB

DRAWN BY
RD
DESCRIPTION
SITE PLAN, KEY PLAN,
BUILDING CODE INFO,
TABLE OF CONTENTS

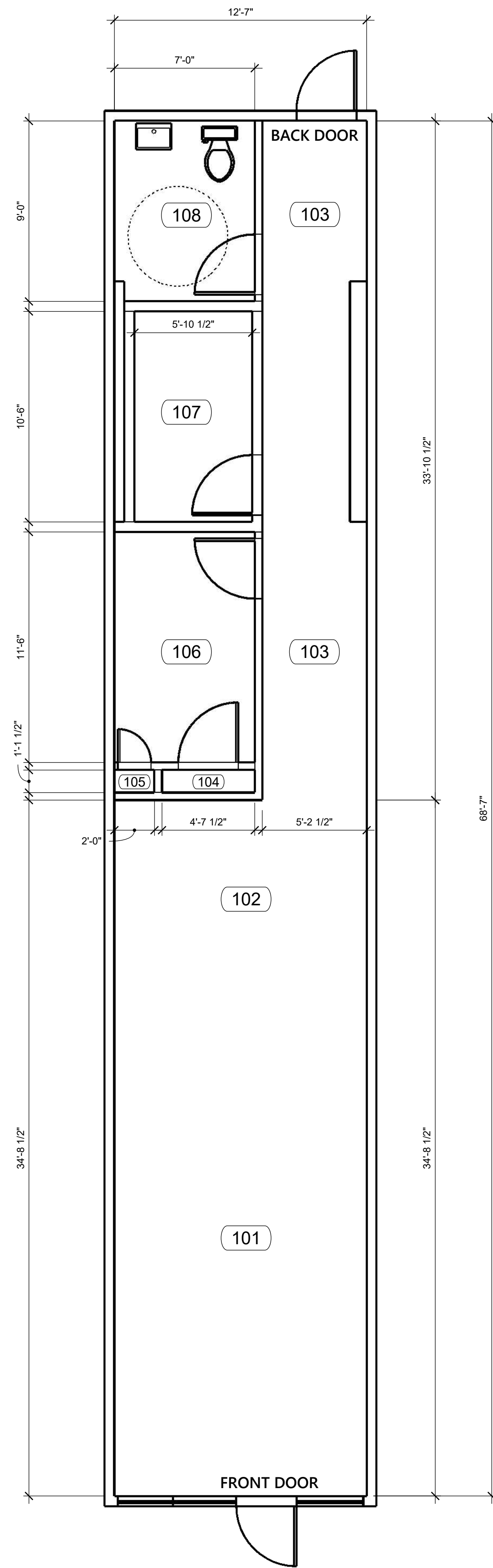


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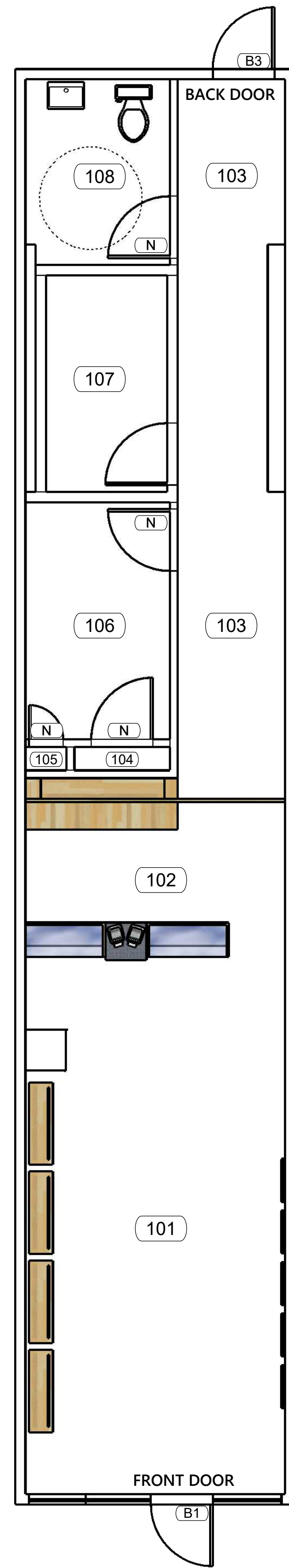


01 EXISTING PARTITIONS
 A-02 SCALE: 1/4" = 1'-0"

<p>02</p>	<p>DRAWN BY RD DESCRIPTION EXISTING PARTITIONS</p>	<p>PROJECT NO. 2021-44 PROJECT CALGARY CANNABIS COMPANY DEVELOPMENT PERMIT LAND USE CHANGE 201 - 3939 17 AVE SW CALGARY AB</p>	<p>ISSUE 2021.07.04 RE-ISSUE</p>	<p>CLIENT RYAN DOWDELL 2337433 ALBERTA INC. O/A CALGARY CANNABIS COMPANY 201 - 3939 17 AVE SW CALGARY, AB</p>	<p>CURIOUS DESIGN 1336 LAKE SYLVAN DRIVE SE CALGARY AB T2J 3C8</p>
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01 PROPOSED PARTITIONS
A-03 SCALE: 1/4" = 1'-0"



02 FIXTURES
A-03 SCALE: 1/4" = 1'-0"

AREA LIST, USE, COVERAGE, FLOOR & CEILING TYPE

NUMBER	USE	AREA IN SQFT	FLOOR TYPE	CEILING TYPE
101	CUSTOMER RETAIL AREA	320	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
102	STAFF RETAIL AREA	110	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
103	HALLWAY	176	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
104	SECURE STORAGE ROOM - CANNABIS ACCESSORIES	6	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
105	SECURE ROOM - SECURITY & CAMERA PVR	3	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
106	OFFICE	81	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
107	SECURE STORAGE ROOM - CANNABIS PRODUCTS	62	POLISHED CONCRETE	UNDERSIDE OF Q-DECK AT 12'-0"
108	STAFF WASHROOM	63	PORCELAIN TILE	UNDERSIDE OF Q-DECK AT 12'-0"

DOOR SCHEDULE

DOOR	DESCRIPTION
B1	BASE BUILDING DOOR AND FRAME TO REMAIN WITH NEW DIGITAL KEY PAD AND ELECTRONIC STRIKE PLATE HARDWARE.
B2	BASE BUILDING DOOR, FRAME AND HARDWARE TO REMAIN.
B3	BASE BUILDING DOOR, FRAME AND HARWARE TO REMAIN. DOUBLE SECURITY BAR WHILE BUSINESS IS CLOSED
E	EXISTING TENANT DOOR, FRAME AND HARDWARE TO REMAIN
N	NEW TENANT SOLID CORE DOOR, FRAME AND KEYED OR PRIVACY HARDWARE
S	NEW TENANT METAL DOOR, FRAME & DIGITAL KEY PAD WITH ELECTRONIC STRIKE PLATE HARDWARE ARTEK 14GA WELDED FRAME 3-0 X 7-0 X 6 1/8" JD (5 1/8" B0) X ELECTRIC STRIKE JAMB RP REINF X PA CLOSER REINF X LH LOCKWOOD 5 3/4" - 9" JAMB DEPTH W/ ADJUSTABLE DRYWALL ANCHOR ARTEK 16GA 3-0 X 7-0 STEEL DOOR W/ HONEYCOMB X 161 PREP X LH

CURIOUS DESIGN
1336 LAKE SYLVAN DRIVE SE
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CLIENT
RYAN DOWDELL
2337433 ALBERTA INC O/A
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DESCRIPTION
PROPOSED PARTITIONS,
FIXTURES

a

03