SUBDIVISION

AND

DEVELOPMENT APPEAL BOARD

AGENDA

Wednesday, 9:00 A.M. November 7, 2018

Hearing Room No. 3 Churchill Building, 10019 - 103 Avenue NW, Edmonton, AB

SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING ROOM NO. 3

I 9:00 A.M. SDAB-D-18-187

To change the Use from Health Services to Cannabis Retail Sales.

10135 - 100A Street NW

Project No.: 287613738-001

II 1:00 P.M. SDAB-D-18-188

To develop a Cannabis Retail Sales.

10125 - 104 Street NW Project No.: 287278928-001

NOTE: Unless otherwise stated, all references to "Section numbers" refer to the authority under the Edmonton Zoning Bylaw 12800.

ITEM I: 9:00 A.M. FILE: SDAB-D-18-187

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 287613738-001

APPLICATION TO: Change the Use from Health Services to

Cannabis Retail Sales.

DECISION OF THE

DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 1, 2018

DATE OF APPEAL: October 12, 2018

MUNICIPAL DESCRIPTION

OF SUBJECT PROPERTY: 10135 - 100A Street NW

LEGAL DESCRIPTION: Plan F Lots 27-29

ZONE: CCA-Core Commercial Arts Zone

OVERLAY: Special Area Downtown

STATUTORY PLAN: Capital City Downton Plan

Grounds for Appeal

The Appellant provided the following reasons for appealing the decision of the Development Authority:

- 1. The permit application was refused due to proximity of the parcel on which the Stanley A. Milner Library is located (200 m required, 84 m provided).
- 2. The Appellant respectfully requests that the SDAB use its variance power to grant a variance in the required separation distance for the following reasons:
 - a) The proposed site, 10135 100A Street, Edmonton, AB is located on Rice Howard Way which is characterized by various types of commercial/retail outlets;
 - b) The Appellant's location on Rice Howard Way is not visible from the Library;

- c) A pedestrian would need to turn at least twice to reach the Library parcel from the subject site and three times to reach the Library entrance;
- d) The main door of the Stanley Milner Library is another full block away from the closest point of the Library parcel and is separated by yet another corner and another major street from the proposed site on Rice Howard Way;
- e) The Library is a principally indoor environment and is part of an urban environment consisting of multiple uses including retail/commercial, office, residential, hotel, cultural and government uses. The proposed cannabis retail sales use on the subject site is not only not visible from the Library but would also not stand out from the myriad of uses among which it would be located and the proposed use would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the usage or value of neighbouring parcels of land and the proposed development conforms with the permitted use prescribed for the land and building in the Zoning Bylaw s. 687(3)(d) MGA.
- 3. Such further rand other grounds as may be determined from reviewing the file.

General Matters

Appeal Information:

The Municipal Government Act, RSA 2000, c M-26 states the following:

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board,

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,

(A) within 21 days after the date on which the written decision is given under section 642, [...]

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

. . .

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

• • •

- (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the Edmonton Zoning Bylaw:

Under section 910.5(2)(f), Cannabis Retail Stores is a Permitted Use in the (CCA) Core Commercial Arts Zone.

Under section 7.4(9), Cannabis Retail Stores means:

development used for the retail sale of Cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution

Under section 6.1, Cannabis means:

a cannabis plant and anything referred to in subsection (a) of this definition but does not include anything referred to in subsection (b) of this definition:

a. Cannabis includes:

- i. any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in subsection (b) of this definition.
- ii. any substance or mixture of substances that contains or has on it any part of such a plant;
- iii. any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- b. Notwithstanding subsection (a) of this definition, Cannabis does not include:
 - i. a non-viable seed of a cannabis plant;
 - ii. a mature stalk, without any leaf, flower, seed or branch, of such plant;
 - iii. fibre derived from a stalk referred in subsection (b)(ii) of this definition; and
 - iv. the root or any part of the root of such a plant.

Under section 7.8(12), **Public Libraries and Cultural Exhibits** means:

means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public Use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical Uses include libraries, museums and public, not-for-profit art galleries.

Under section 6.1, **Site** means "an area of land consisting of one or more abutting Lots."

Section 910.5 states that the **General Purpose** of the (CCA) Core Commercial Arts **Zone** is:

to provide a Zone for a variety of high density and quality development that accommodates office, retail, service, institutional, residential, arts and entertainment Uses and meet the Use objectives for the Commercial Cultural Core. The intent is to further strengthen the Downtown's central area by providing continuous retail at ground level, enhancing arts and entertainment activities, accommodating Residential Uses and making the Core more pedestrian friendly.

Section 70 - Cannabis Retail Sales regulations

- 1. Any Cannabis Retail Sales shall not be located less than 200 m from any other Cannabis Retail Sales. For the purposes of this subsection only:
 - a. the 200 m separation distance shall be measured from the closest point of the Cannabis Retail Sales Use to the closest point of any other approved Cannabis Retail Sales Use;
 - b. A Development Officer shall not grant a variance to reduce the separation distance by more than 20 m in compliance with Section 11; and
 - c. The issuance of a Development Permit which contains a variance to separation distance as described in 70(1)b shall be issued as a Class B Discretionary Development.
- 2. Any Site containing a Cannabis Retail Sales shall not be located less than 200 m from any Site being used for a public library, or for public or private education at the time of the application for the Development Permit for the Cannabis Retail Sales. For the purposes of this subsection only:
 - a. the 200 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point

of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;

- b. the term "public library" is limited to the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use, and does not include private libraries, museums or art galleries; and
- c. the term "public or private education" is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other Commercial Schools.
- 3. Any Site containing a Cannabis Retail Sales shall not be located less than 100 m from any Site being used for Community Recreation Services Use, a community recreation facility, a provincial health care facility, as public lands, or any Site that is designated as school reserve or municipal and school reserve at the time of the application for the Development Permit for the Cannabis Retail Sales. For the purposes of this subsection only:
 - a. the 100 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - b. the term "community recreation facilities" means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities, as per the Municipal Government Act; and
 - c. the term "public lands" is limited to Sites zoned AP, and Sites zoned A.
- 4. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 70(2) or 70(3).
- 5. Cannabis Retail Sales shall include design elements that readily allow for natural surveillance to promote a safe urban environment, where applicable and to the satisfaction of the development officer, including the following requirements:
 - a. customer access to the store is limited to a store front that is visible from the street other than a Lane, or a shopping centre parking lot, or a mall access that allows visibility from the interior of the mall into the store;

Hearing Date: Wednesday, November 7, 2018

9

- b. the exterior of all stores shall have ample transparency from the street;
- Any outdoor lighting shall be designed to ensure a well-lit environment for pedestrians and illumination of the property;
 and
- d. Landscaping shall be low-growing shrubs or deciduous trees with a high canopy at maturity to maintain natural surveillance.
- 6. The Development Officer shall impose a condition on any Development Permit issued for Cannabis Retail Sales requiring that the development:
 - a. shall not commence until authorized by and compliant with superior legislation; and
 - b. must commence within nine (9) months of the date of approval of the Development Permit.
- 7. For the purposes of Section 70(6), development commences when the Cannabis Retail Sales Use is established or begins operation.

Development Officer's Determination

The proposed Cannabis Retail Store does not comply with the minimum setback requirement from a public library (Stanley A. Milner EPL) (Section 70.2):

Required Setback: 200 m

Proposed Setback: 84 m

Deficient by 116 m

Under Section 70.4 of the Zoning Bylaw, the Development Officer is prohibited from granting a variance to the minimum setback to allow for the proposed Cannabis Retail Store.

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.



Application for Major Development Permit

Project Number: **287613738-001**Application Date: JUL 16, 2018

Printed: October 12, 2018 at 12:34 PM

This document is a Development Permit Decision for the development application described below.

Applicant Property Address(es) and Legal Description(s)

10135 - 100A STREET NW Plan F Lots 27-29

Specific Address(es)

Building: 10135 - 100A STREET NW

Scope of Application

To change the use from Health Services to Cannabis Retail Sales.

Permit Details

Class of Permit:
Gross Floor Area (sq.m.):
New Sewer Service Required: N
Site Area (sq. m.):

Contact Person:

Lot Grading Needed?: N

NumberOfMainFloorDwellings:

Stat. Plan Overlay/Annex Area: (none)

I/We certify that the above noted details are correct.

Applicant signature:

Development Application Decision

Refused

Issue Date: Oct 01, 2018 Development Authority: WELCH, IMAI

Reason for Refusal

The proposed Cannabis Retail Store does not comply with the minimum setback requirement from a public library (Stanley A. Milner EPL) (Section 70.2):

Required Setback: 200 m Proposed Setback: 84 m Deficient by 116 m

Under Section 70.4 of the Zoning Bylaw, the Development Officer is prohibited from granting a variance to the minimum setback to allow for the proposed Cannabis Retail Store.

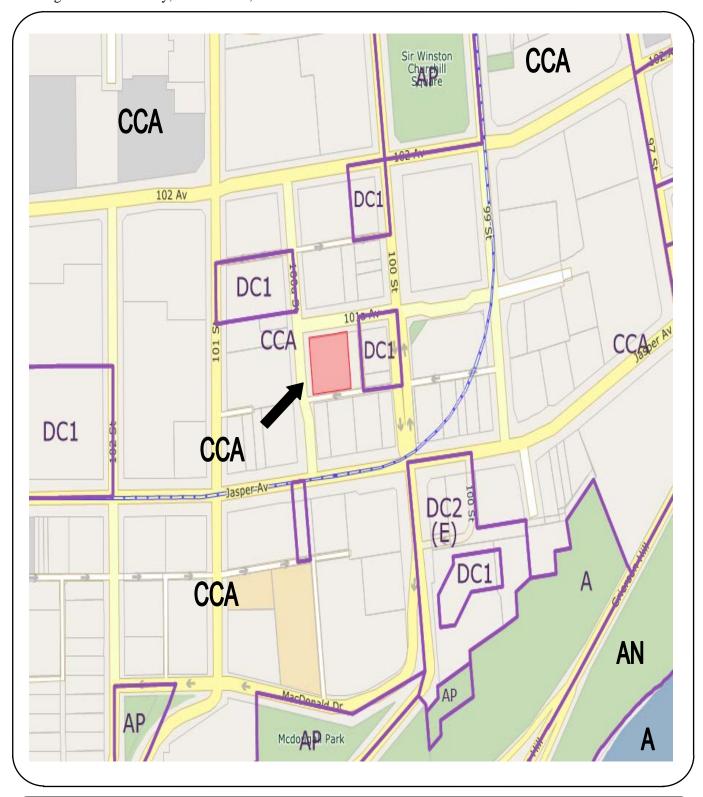
Rights of Appeal

The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.

_			
	c		

	Fee Amount	Amount Paid	Receipt #	Date Paid	
Major Dev. Application Fee	\$5,600.00	\$5,600.00	05186846	Jul 16, 2018	
Total GST Amount:	\$0.00				
Totals for Permit:	\$5,600.00	\$5,600.00			

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location •

■ File: SDAB-D-18-187

Ν

12

Hearing Date: Wednesday, November 7, 2018

<u>ITEM II: 1:00 P.M.</u> <u>FILE: SDAB-D-18-188</u>

AN APPEAL FROM THE DECISION OF THE DEVELOPMENT OFFICER

APPELLANT:

APPLICATION NO.: 287278928-001

APPLICATION TO: Develop a Cannabis Retail Sales.

DECISION OF THE

DEVELOPMENT AUTHORITY: Refused

DECISION DATE: October 1, 2018

DATE OF APPEAL: October 15, 2018

MUNICIPAL DESCRIPTION

OF SUBJECT PROPERTY: 10125 - 104 Street NW

LEGAL DESCRIPTION: Plan NB1 Blk 3 Lot 159

ZONE: HA-Heritage Area Zone

OVERLAY: Special Area Downtown

STATUTORY PLAN: Capital City Downton Plan

Grounds for Appeal

The Appellant provided the following reasons for appealing the decision of the Development Authority:

ARMSTRONG BLOCK CANNABIS INC. is requesting an appeal regarding the Development Authority's refusal of Development permit #287278928-001, to develop a cannabis retail shop at 10129 104 St NW.

Through this appeal, we are requesting three variances from the Subdivision and Development Appeal Board.

1) A variance of 76m in section 70.3 of the City of Edmonton Zoning Bylaw – minimum setback requirement from public lands (Michael Phair and Beaver Hill House Parks)

Reason for Appeal:

Our understanding is that the current application of the zoning bylaw does not consider the high density urban setting in which these parks are located. As well, the parks do not contain any playground structures, and are acceptable locations for cannabis consumption under Edmonton's Public Places Bylaw #14614.

2) A variance of 38m in section 70.2 of the City of Edmonton Zoning Bylaw – minimum setback requirement from a school (Centre High)

Reason for Appeal:

Our understanding is that the Development Authority's measurements are based on 'as the crow flies' distances between property lines and do not account for the physical barriers and required paths of the urban setting. The travel distance when measured door-to-door (via Google Maps) is 210m.

3) A variance of 124m in section 70.2 of the City of Edmonton Zoning Bylaw – minimum setback requirement from a public library (Enterprise Square EPL)

Reason for Appeal:

Our understanding is that, as per the note in #2, the Development Authority's measurements are based on 'as the crow flies' and not door-to-door. The estimated door-to-door distance (via Google Maps) is 290m. As well, the Enterprise Square Edmonton Public Library is a temporary library location and will be closing during the completion of the Stanley A. Milner Library renovations in early 2020.

We would also like to note additional considerations specific to the proposed location, which may inform and support our request for variances. These considerations are:

- The store's entrance is set back through two doors
- The storefront windows are elevated above street level
- The store is accessible via public transit (50m from a Bay Enterprise Square Station entrance with nearby 5 bus stops) and there is no designated parking for customers
- Store is located along the well-lit, busy and safe 104 street promenade

General Matters

Appeal Information:

The Municipal Government Act, RSA 2000, c M-26 states the following:

Grounds for Appeal

685(1) If a development authority

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board.

- (a) in the case of an appeal made by a person referred to in section 685(1)
 - (i) with respect to an application for a development permit,
 - (A) within 21 days after the date on which the written decision is given under section 642, [...]

Hearing and Decision

687(3) In determining an appeal, the subdivision and development appeal board

. . .

- (a.1) must comply with the land use policies;
- (a.2) subject to section 638, must comply with any applicable statutory plans;
- (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;
- (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;

. . .

(c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;

- (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

General Provisions from the *Edmonton Zoning Bylaw:*

Under section 910.7(2)(e), Cannabis Retail Stores is a Permitted Use in the (HA) Heritage Area Zone.

Under section 7.4(9), Cannabis Retail Stores means:

development used for the retail sale of Cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of Cannabis accessories. This Use does not include Cannabis Production and Distribution.

Under section 6.1, Cannabis means:

a cannabis plant and anything referred to in subsection (a) of this definition but does not include anything referred to in subsection (b) of this definition:

a. Cannabis includes:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in subsection (b) of this definition.
- ii. any substance or mixture of substances that contains or has on it any part of such a plant;

- iii. any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how he substance was obtained.
- b. Notwithstanding subsection (a) of this definition, Cannabis does not include:
 - i. a non-viable seed of a cannabis plant;
 - ii. a mature stalk, without any leaf, flower, seed or branch, of such plant;
 - iii. fibre derived from a stalk referred in subsection (b)(ii) of this definition; and
 - iv. the root or any part of the root of such a plant.

Under section 7.8(9), **Private Education Services** means:

development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a Home Based Business. This Use includes dormitory and Accessory buildings. This Use does not include Commercial Schools.

Under section 7.8(11), **Public Education Services** means:

development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same Site. This Use includes public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This Use does not include Private Education Services and Commercial Schools.

Under section 7.8(12), **Public Libraries and Cultural Exhibits** means:

means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public Use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical Uses include libraries, museums and public, not-for-profit art galleries.

Under section 6.1, Site means "an area of land consisting of one or more abutting Lots."

Section 910.7 states that the **General Purpose** of the **(HA) Heritage Area Zone** is:

to establish a special heritage character Zone, in which the existing concentration of historical resources shall be preserved, rehabilitated and reused, and to ensure new developments are pedestrian friendly and compatible in scale, function, built form and design continuity with the historical, architectural and urban village character of the area.

Section 70 - Cannabis Retail Sales regulations

- 1. Any Cannabis Retail Sales shall not be located less than 200 m from any other Cannabis Retail Sales. For the purposes of this subsection only:
 - a. the 200 m separation distance shall be measured from the closest point of the Cannabis Retail Sales Use to the closest point of any other approved Cannabis Retail Sales Use;
 - b. A Development Officer shall not grant a variance to reduce the separation distance by more than 20 m in compliance with Section 11; and
 - c. The issuance of a Development Permit which contains a variance to separation distance as described in 70(1)b shall be issued as a Class B Discretionary Development.
- 2. Any Site containing a Cannabis Retail Sales shall not be located less than 200 m from any Site being used for a public library, or for public or private education at the time of the application for the Development Permit for the Cannabis Retail Sales. For the purposes of this subsection only:
 - a. the 200 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - b. the term "public library" is limited to the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use, and does not include private libraries, museums or art galleries; and
 - c. the term "public or private education" is limited to elementary through to high schools inclusive only, and does

not include dance schools, driving schools or other Commercial Schools.

- 3. Any Site containing a Cannabis Retail Sales shall not be located less than 100 m from any Site being used for Community Recreation Services Use, a community recreation facility, a provincial health care facility, as public lands, or any Site that is designated as school reserve or municipal and school reserve at the time of the application for the Development Permit for the Cannabis Retail Sales. For the purposes of this subsection only:
 - a. the 100 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - b. the term "community recreation facilities" means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities, as per the Municipal Government Act; and
 - c. the term "public lands" is limited to Sites zoned AP, and Sites zoned A.
- 4. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 70(2) or 70(3).
- 5. Cannabis Retail Sales shall include design elements that readily allow for natural surveillance to promote a safe urban environment, where applicable and to the satisfaction of the development officer, including the following requirements:
 - a. customer access to the store is limited to a store front that is visible from the street other than a Lane, or a shopping centre parking lot, or a mall access that allows visibility from the interior of the mall into the store;
 - b. the exterior of all stores shall have ample transparency from the street;
 - Any outdoor lighting shall be designed to ensure a well-lit environment for pedestrians and illumination of the property; and
 - d. Landscaping shall be low-growing shrubs or deciduous trees with a high canopy at maturity to maintain natural surveillance.

Hearing Date: Wednesday, November 7, 2018

19

6. The Development Officer shall impose a condition on any Development Permit issued for Cannabis Retail Sales requiring that the development:

> a. shall not commence until authorized by and compliant with superior legislation; and

> b. must commence within nine (9) months of the date of approval of the Development Permit.

7. For the purposes of Section 70(6), development commences when the Cannabis Retail Sales Use is established or begins operation.

Development Officer's Determination

1) The proposed Cannabis Retail Sales does not comply with the minimum setback requirement from public lands (Michael Phair and Beaver Hill House Parks) (Section 70.3):

Required Setback: 100 m

Proposed Setback: 24 m

Deficient by 76 m

2) The proposed Cannabis Retail Sales does not comply with the minimum setback requirement from a school (Centre High) (Section 70.2):

Required Setback: 200 m

Proposed Setback: 162 m

Deficient by 38 m

3) The proposed Cannabis Retail Sales does not comply with the minimum setback requirement from a public library (Enterprise Square EPL) (Section 70.2):

Required Setback: 200 m

Proposed Setback: 76m

Deficient by 124 m

Under Section 70.4 of the Zoning Bylaw, the Development Officer is prohibited from granting variances to the minimum setbacks to allow for the proposed Cannabis Retail Store.

Notice to Applicant/Appellant

Provincial legislation requires that the Subdivision and Development Appeal Board issue its official decision in writing within fifteen days of the conclusion of the hearing.

Project Number: 287278928-001

JUL 11, 2018

October 1, 2018 at 11:17 AM

Application Date:

Printed:

Edmonton

Application for

Major Development Permit

This d	ocument is a	Development	Permit I	Decision	for the	developmen	t application	described	below

Applicant

Property Address(es) and Legal Description(s) 10125 - 104 STREET NW

Plan NB1 Blk 3 Lot 159

Specific Address(es)

10129 - 104 STREET NW Suite: Entryway: 10129 - 104 STREET NW Building: 10125 - 104 STREET NW

Scope of Application

To develop a Cannabis Retail Sales.

Permit Details

Class of Permit:

Gross Floor Area (sq.m.):

New Sewer Service Required: N

Site Area (sq. m.):

Contact Person:

Lot Grading Needed?: N

NumberOfMainFloorDwellings:

Stat. Plan Overlay/Annex Area: Downtown

I/We certify that the above noted details are correct.

Applicant signature:

Development Application Decision

Refused

Issue Date: Oct 01, 2018 Development Authority: WELCH, IMAI

Reason for Refusal

1) The proposed Cannabis Retail Sales does not comply with the minimum setback requirement from public lands (Michael Phair and Beaver Hill House Parks) (Section 70.3):

Required Setback: 100 m Proposed Setback: 24 m Deficient by 76 m

2) The proposed Cannabis Retail Sales does not comply with the minimum setback requirement from a school (Centre High) (Section 70.2):

Required Setback: 200 m Proposed Setback; 162 m Deficient by 38 m

3) The proposed Cannabis Retail Sales does not comply with the minimum setback requirement from a public library (Enterprise Square EPL) (Section 70.2):

Required Setback: 200 m Proposed Setback: 76m Deficient by 124 m

Under Section 70.4 of the Zoning Bylaw, the Development Officer is prohibited from granting variances to the minimum setbacks to allow for the proposed Cannabis Retail Store.

THIS IS NOT A PERMIT



Application for Major Development Permit

Project Number: 287278928-001 JUL 11, 2018 Application Date: October 1, 2018 at 11:17 AM

Rights of Appeal

The Applicant has the right of appeal within 21 days after the date on which the decision is made, as outlined in Section 683 through 689 of the Municipal Government Act.

Fees

Major Dev. Application Fee

Development Permit Inspection Fee Total GST Amount:

Totals for Permit: (\$510.00 outstanding) Fee Amount \$5,600.00

\$510.00

\$6,110.00

\$5,600.00

\$5,600.00

Receipt #

05176699

Date Paid Jul 11, 2018

Amount Paid

THIS IS NOT A PERMIT



SURROUNDING LAND USE DISTRICTS

Site Location

File: SDAB-D-18-188

Ν