

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR ROCKY VIEW COUNTY AGENDA**

Date: Thursday, April 15, 2021
Time: 9:00 AM
Location: <https://www.rockyview.ca/>

Pages

A. CALL MEETING TO ORDER

B. DEVELOPMENT APPEALS

9:00 AM APPOINTMENTS

1. Division 4 File: 03223665; PRDP20210264

2

Three affected party appeals against the Development Authority's decision to approve a development permit application for a cannabis retail store (existing building), tenancy change and signage at 4 708 Centre Street NE (Lot UNIT 3, Plan 0011878; NW-23-23-27-W4M) and located in the hamlet of Langdon.

Appellant: Condo Corp. 0711729 & Highway 560 Cannabis Inc. c/o Jennifer Sykes; Greg Thompson & Aleesha Gosling; and Kevin Dellaire

Applicant: Puneet Kaushik (Nirvana Canada Inc. & Vita Medical Marihuana Inc.)

Owners: 2228779 Alberta Ltd.

1:30 PM APPOINTMENTS

2. Division 3 File: 04714176; PRDP20203988

50

An affected party appeal against the Development Authority's decision to approve a development permit application for single-lot regrading, placement of clean fill and topsoil, for site landscaping at 31103 Windhorse Drive (NE-14-24-03-W05M, Lot:21 Block:3 Plan:0914791) and located approximately 0.81 km (1/2 mile) east of Range Road 32 and 0.12 km (1/8 mile) south of Lower Springbank Road.

Appellant: Agnieszka and Robert Turowski

Applicant/Owner: Wenyan Cheng

C. ADJOURN THE MEETING

D. NEXT MEETING

May 6, 2021

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: April 15, 2021 **DIVISION:** 4
FILE: 03223665 **APPLICATION:** PRDP20210264
SUBJECT: Cannabis Retail Store / Discretionary Use, with Variances

APPLICATION: Cannabis Retail Store (existing building), tenancy change and signage

GENERAL LOCATION: Located in the Hamlet of Langdon, approximately 50 meters east of Center Street and immediately south of Township Road 234.

LAND USE DESIGNATION: Direct Control District (DC-2)

EXECUTIVE SUMMARY: The application is to change the existing business tenancy to a Cannabis Retail Store. It will operate seven (7) days a week with the support of three (3) full-time and two (2) part-time employees. There are sufficient parking stalls to support the proposal. The fascia sign will be 3.60 m (12 ft.) x 0.61 m (2 ft.) in size and read "Nirvana Canna". The proposed new cannabis store is less than 300 m away from another existing cannabis retail store, and less than 150 m away from a care facility (dental clinic), the proposal does not meet the separation distance requirement of Cannabis Retail Store within the Land Use Bylaw. Administration recommended refusal, while it was approved by Municipal Planning Commission (MPC) on February 24, 2021. The Notice of Decision for the Approval was sent out to adjacent landowners and three (3) appeal applications were received to appeal against the decision of approval.

DECISION: Approved

DEVELOPMENT / SUBDIVISION AUTHORITY: Municipal Planning Commission

DECISION DATE:	APPEAL DATE:	ADVERTISED DATE:
February 24, 2021	March 19-22, 2021	March 2, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning & Development Services

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • Langdon Area Structure Plan • Direct Control Bylaw (DC-2) • Land Use Bylaw (C-4841-97); and • County Servicing Standards. 	DISCRETIONARY USE: <ul style="list-style-type: none"> • Cannabis Retail Store DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • The Applicant requests relaxation on separation distance to a care facility and another existing cannabis retail store.
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Even though the proposal does not meet the separation distance requirement for Cannabis Retail Store within the Land Use Bylaw, it was approved by MPC on February 24, 2021. Between March 19-23, 2021, three (3) Notice of Appeals were received from adjacent landowners to appeal against the decision of approval. The appellants raised following concerns:

- The 2nd cannabis store is contrary to the requirement of the Land Use Bylaw, which results in a proliferation of same type of use in the same business area;
- The proposed development would affect adjacent residents' enjoyment and value of the properties, increase the chance of crime in the area, and increase municipal's public services and health services' burden; and
- The proposed development would interfere with the amenities of the neighborhood, create nuisance and divert family traffic away from their business, and increase liability issue for adjacent business.

The Applicant provided a petition for support with 82 signatures. Some people provided their address, while others not. Administration tried to depict their location as much as possible on the maps.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

"Heather McInnes"

Supervisor
Development & Compliance

XD/llt

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 4
DATE:	February 24, 2021	APPLICATION: PRDP20210264
FILE:	03223665	
SUBJECT:	Cannabis Retail Store / Discretionary Use, with Variances	

APPLICATION: Cannabis Retail Store (existing building), tenancy change and signage

GENERAL LOCATION: Located in the hamlet of Langdon

LAND USE DESIGNATION: Direct Control District (DC-2)

EXECUTIVE SUMMARY: The application is to change the existing business tenancy to a Cannabis Retail Store. It will operate seven (7) days a week from 11:00 AM – 9:00 PM with the support of three (3) full-time and two (2) part-time employees. There are sufficient parking stalls to support the proposal. The fascia sign is proposed to be 3.6 m (12 ft.) x 0.61 m (2 ft.) in size and read Nirvana Canna.

However, as the proposed new cannabis store is less than 300 m away from another existing cannabis retail store, and less than 150 m away from a care facility (dental clinic), the proposal does not meet the requirements of the Land Use Bylaw as it relates to cannabis-type businesses.

ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #2.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210264 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210264 be refused for the following reasons:
1. The proposal does not meet the separation distance requirement of cannabis retail store defined in the Land Use Bylaw.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning & Development Services

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • Langdon Area Structure Plan • Direct Control Bylaw (DC-2) • Land Use Bylaw (C-4841-97); and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
DISCRETIONARY USE: <ul style="list-style-type: none"> • Cannabis Retail Store 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • The Applicant requests relaxation on separation distance to a care facility and another existing cannabis retail store

Direct Control Bylaw C-4873-98 (DC-2)

Cannabis Retail Store is a discretionary use. Section 4.4.1 states that Parts One, Two, and Three of Land Use Bylaw C-4841-97 are applicable unless otherwise stated in this Bylaw. Therefore, the proposal should also be evaluated in accordance with the Land Use Bylaw C-4841-97.

Land Use Bylaw C-4841-97

Section 20.10 requires that Cannabis Retail Store must have a minimum separation distance of at least 300 m from another Cannabis Retail Store, and at least 150 m from a Health Care Site. In this case, the proposed new cannabis retail store does not meet the above separation distance requirements:

- It is about 140 m away from the recently approved Cannabis Retail Store. That DP application (PRDP20202318) was approved by MPC on September 24, 2020, and the Permit was issued on October 21, 2020. The store is expected to open in March 2021.
- It is about 100 m away from an existing health care site (dental clinic).

Furthermore, this commercial area currently contains one liquor store, one vape store, one smoke store, and one cannabis retail store. The proposed new cannabis restore would further intensify add to these existing uses. It is suggested that the proposed cannabis store be relocated to other areas within the Hamlet of Langdon. Should the Commission choose to approve the application, the proposed separation distance below will need to be relaxed.

Variance Summary:

Variance	Requirement	Proposed	Percentage (%)
Separation Distance to another cannabis retail store	300 m (984.25 ft.)	± 140 m (± 459.32 ft.)	53.33%
Separation Distance to a Care Facility (dental clinic)	150 m (492.13 ft.)	± 100 m (± 328.08 ft.)	33.33%



Statutory Plans:

The land falls within the Langdon Area Structure Plan. There are no specific guidelines regarding the proposed business. Therefore, the proposal was evaluated in accordance with the Land Use Bylaw and Direct Control Bylaw (DC-2).

CONCLUSION:

The proposed new cannabis retail store does not meet the separation distance requirement outlined in the Land Use Bylaw, and might cause intensive uses and un-necessary competition in the area, therefore, Administration recommends refusal. Should the Commission choose to approve the application, conditions of approval are included in Attachment A.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

ATTACHMENT 'C': Application Referrals



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

APPROVAL, subject to the following conditions:

Description:

1. That a *Cannabis Retail Store* (existing building), tenancy and signage for "Nirvana Canna" may operate on Unit 4 – 708 Centre Street, in general accordance with the submitted Site Plan, application and includes:
 - i. Installation of one (1) storefront, mounted or hanging, facade sign; 3.6 m (12 ft.) x 0.61 m (2 ft.) in size.
2. That the minimum separation distance for the Cannabis Retail Store from another Cannabis Retail Store is relaxed from 300 m (984.25 ft.) to 140 m (459.32 ft.).
3. That the minimum separation distance for the Cannabis Retail Store from a Care Facility is relaxed from 150.00 m (492.12 ft.) to 100 m (328.08 ft.).

Permanent:

4. That no Cannabis shall be consumed in the *Cannabis Retail Store*.
5. That the hours of operation for the *Cannabis Retail Store* shall be between 11:00 a.m. and 9:00 p.m. seven days a week, except on December 25th when the *Cannabis Retail Store* shall be closed.
6. That the sign shall be kept in a safe, clean and tidy condition at all times. The signs shall not be flashing or animated at any time.
7. That no outdoor storage at any time shall be allowed in the front of the property.
8. That all business parking shall be limited to the existing shopping plaza parking stalls.
9. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
10. That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

12. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services approvals prior to the store opening.
 - ii. That the Applicant/Owner shall obtain any required licensing approvals through Alberta Gaming, Liquor and Cannabis (AGLC), if required, and shall operate in accordance with the provisions of that license.



ROCKY VIEW COUNTY

14. That a Building Permit shall be obtained through Building Services, prior to tenant occupancy and/or interior bay renovations, using the Tenant Bay Development or Renovation Checklist.
15. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
16. That this Development Permit shall be valid until **March 31, 2024**.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Puneet Kaushik (Nirvana Canada Inc. & Vita Medical Marihuana Inc.)	OWNER: 2228776 Alberta Ltd.
DATE APPLICATION RECEIVED: January 7, 2021 (Assigned on Jan 27, 2021)	DATE DEEMED COMPLETE: February 1, 2021
GROSS AREA: ± 0.36 hectares (± 0.88 acres)	LEGAL DESCRIPTION: Lot Unit 3, Plan 0011878, NW-23-23-27-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>PRDP20191054 The DP application was withdrawn, as the proposed grocery store was covered in the original DP (2000-DP-9143). Ownership change does not require a new DP application.</p> <p>2000-DP-9143 Development Permit for "retail store, convenience and grocery" was issued on February 21, 2001.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
School Authority		
Rocky View Schools		
Calgary Catholic School District		
Public Francophone Education		
Catholic Francophone Education		
Province of Alberta		
Alberta Environment and Parks		
Alberta Transportation	✓	✓
Alberta Sustainable Development (Public Lands)		
Alberta Culture and Community Spirit (Historical Resources)		
Energy Resources Conservation Board		
Alberta Health Services		
Public Utility		
ATCO Gas		
ATCO Pipelines		
AltaLink Management		
FortisAlberta		
Telus Communications		
TransAlta Utilities Ltd.		
Adjacent Municipality		
The City of Calgary		
Tsuut'ina Nation		
Other External Agencies		
EnCana Corporation		
Rocky View County Boards and Committees		
ASB Farm Members		

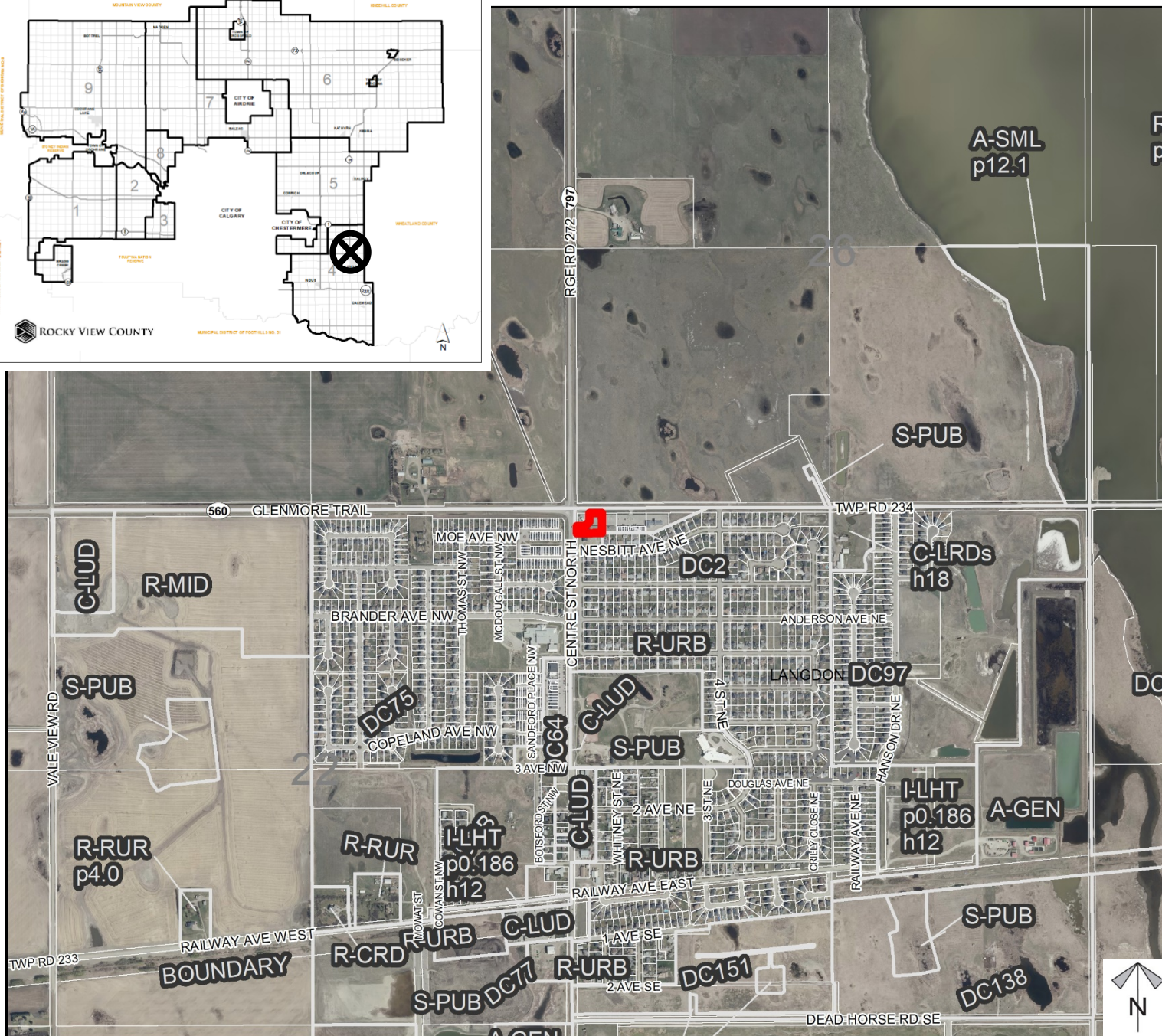
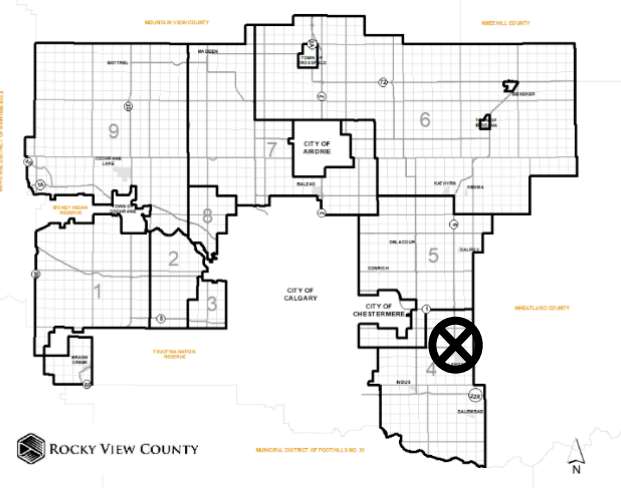
AGENCY	CIRCULATED	RESPONSE RECEIVED
Internal Departments		
Recreation, Parks and Community Support		
Development Authority		
GIS Services		
Building Services	✓	✓
Fire Services & Emergency Management	✓	✓
Development Compliance	✓	✓
Planning and Development Services (Engineering)	✓	✓
Transportation Services		
Capital Project Management		
Utility Services		
Agricultural and Environmental Services		

Circulation Period: January 29 to February 19, 2021

Agencies that were not required for distribution are not listed.

Development Permit Proposal

Cannabis Retail Store
(existing building), tenancy
change and signage



Division: 04
Roll: 03223665
File: PRDP20210264
Legal: Lot: UNIT 3
Plan: 0011878
NW-Page 21 of 90
Printed: Feb 1, 2021

Development Proposal

Development Permit Proposal

Cannabis Retail Store
(existing building), tenancy
change and signage



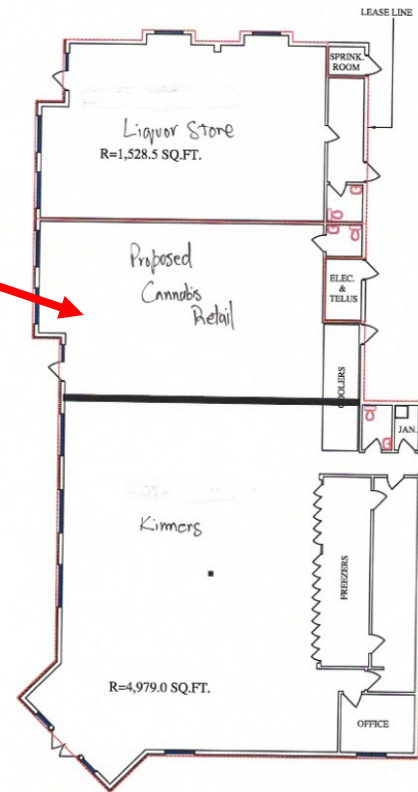
Proposed New
Cannabis Retail Store

Division: 04
Roll: 03223665
File: PRDP20210264
Legal: Lot: UNIT 3
Plan: 0011878
NW-Page 21 of 41
Printed: Feb 1, 2021

Site Photos

Development Permit Proposal

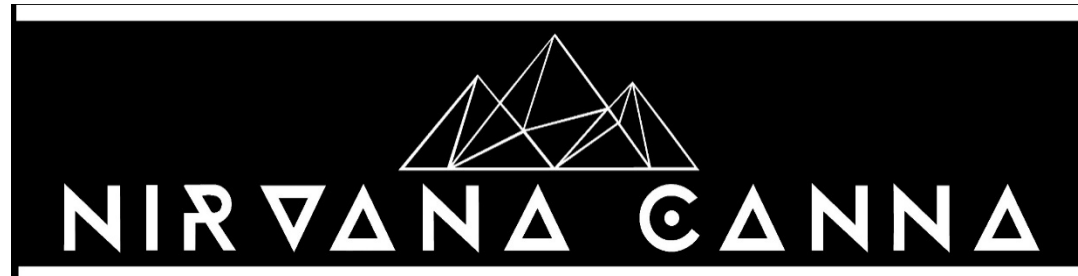
Cannabis Retail Store
 (existing building), tenancy
 change and signage



Proposed Sign & Floor Plan

Development Permit Proposal

Cannabis Retail Store
(existing building), tenancy
change and signage



Proposed Sign for the store (Nirvana Canna)

Proposed Floor Plan



Separation Distance

Development Permit Proposal

Cannabis Retail Store (existing building), tenancy change and signage



Division: 04
 Roll: 03223665
 File: PRDP20210264
 Legal: Lot: UNIT 3
 Plan: 0011878
 NW-Page 21 of 190
 Printed: Feb 1, 2021

Landowner Circulation Area

Development Permit Proposal

Cannabis Retail Store
 (existing building), tenancy
 change and signage

Legend

Support (74)



Opposition (3)



Note: First two digits of the Plan Number indicate
 the year of subdivision registration.

Plan numbers that include letters were registered
 before 1973 and do not reference a year.

Division: 04
 Roll: 03223665
 File: PRDP20210264
 Legal: Lot: UNIT 3
 Plan: 0011878
 NW-Page 21 of 48
 Printed: Feb 1, 2021



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY

B-1
Page 16 of 48

APPLICATION NO.

PRDP20210264

ROLL NO.

03223665

RENEWAL OF

-

FEES PAID

\$530.00

DATE OF RECEIPT

Jan 7, 2021

APPLICANT/OWNER

Applicant Name: PUNEET KAUSHIK

Email: [REDACTED]

Business/Organization Name (if applicable): Vita Medical Marihuana Inc.

Mailing Address: [REDACTED]

Postal Code: T3J-3Y8

Telephone (Primary): [REDACTED]

Alternative: [REDACTED]

Landowner Name(s) per title (if not the Applicant): DANIEL KIM

Business/Organization Name (if applicable): 2228822 Alberta Ltd.

Mailing Address: [REDACTED]

Postal Code: T2Y-1V8

Telephone (Primary): [REDACTED]

Email: [REDACTED]

LEGAL LAND DESCRIPTION - Subject site

All/part of: ¼ Section: Township: Range: West of: Meridian Division:

All parts of Lot(s)/Unit(s): Block: Plan: 001878 Parcel Size (ac/ha):

Municipal Address: Unit 2 - 708 Center St. LANGDON AB T0J-1X1

Land Use District:

APPLICATION FOR - List use and scope of work

CANNABIS RETAIL STORE

Variance Rationale included: ☐ YES ☐ NO ☐ N/A

DP Checklist Included: ☒ YES ☐ NO

SITE INFORMATION

- a. Oil or gas wells present on or within 100 metres of the subject property(s) ☐ YES ☒ NO
- b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) ☐ YES ☒ NO
- c. Abandoned oil or gas well or pipeline present on the property ☐ YES ☒ NO
(Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>)
- d. Subject site has direct access to a developed Municipal Road (accessible public roadway) ☒ YES ☐ NO

AUTHORIZATION

I, PUNEET KAUSHIK (Full name in Block Capitals), hereby certify (initial below):

PK That I am the registered owner OR PK That I am authorized to act on the owner's behalf.

PK That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

PK That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the Freedom of Information and Protection of Privacy Act.

PK Right of Entry: I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.

Applicant Signature [Signature]

Date Dec-16-2020

Landowner Signature [Signature]

Date Jan 3, 2021



ROCKY VIEW COUNTY

CANNABIS INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210264
ROLL NO.	03223665
DISTRICT	DC-2

DETAILS		USE TYPE
Building/Unit total floor area	1476 Sq (m ² ft. ²)	<input type="checkbox"/> Cannabis Cultivation
Height of building	Approx 16 (m ft.)	<input type="checkbox"/> Cannabis Processing
New or existing building?	Existing	<input type="checkbox"/> Cannabis Retail
BUSINESS DESCRIPTION		
<i>Note: Include a cover letter to describe the business operations in detail.</i>		
Business name: Nirvana Canna		
Days of operation: 7 days / Week	Hours of operation: 11-9 Every day	
Total number of parking spaces:		
Business signage proposed on site? <input checked="" type="checkbox"/> YES - attach Signage - Information Sheet and required documents <input type="checkbox"/> NO		
MINIMUM (REQUIRED) SEPARATION DISTANCES		PROVIDED
* Cannabis Cultivation and/or Cannabis Processing must be at least:		
150.0 m (492.13 ft.) from a parcel with a Care Facility (Clinic)	<input type="checkbox"/> YES <input type="checkbox"/> NO	
150.0 m (492.13 ft.) from a parcel with a School	<input type="checkbox"/> YES <input type="checkbox"/> NO	
150.0 m (492.13 ft.) from a parcel that is designated as Municipal School Reserve on title	<input type="checkbox"/> YES <input type="checkbox"/> NO	
150.0 m (492.13 ft.) from a Residential District parcel	<input type="checkbox"/> YES <input type="checkbox"/> NO	
150.0 m (492.13 ft.) from a Dwelling Unit	<input type="checkbox"/> YES <input type="checkbox"/> NO	
For B-AGR, C-LRD and I-HVY districts:		
75.0 m (246.06 ft.) from a Residential District parcel	<input type="checkbox"/> YES <input type="checkbox"/> NO	
75.0 m (246.06 ft.) from a Dwelling Unit	<input type="checkbox"/> YES <input type="checkbox"/> NO	
** Cannabis Retail (applicable districts) must be at least:		
300.0 m (984.25 ft.) from another Cannabis Retail Store	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NA	
150.0 m (492.13 ft.) from a parcel with a Care Facility (Clinic)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NA	
150.0 m (492.13 ft.) from a parcel with a School	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NA	
100.0 m (328.08 ft.) from a parcel that is designated as a Municipal School Reserve on title	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NA	
Cannabis Cultivation and Cannabis Processing, Land Use Bylaw, C-8000-2020:		
* Cannabis Cultivation and Cannabis Processing General Requirements:		
(a) Cannabis Cultivation and/or Cannabis Processing shall not occur in a building where a residential use is located, and		
(b) A residential development constructed or created on a parcel after the approval of a Cannabis Cultivation or Cannabis Processing use shall not be considered a residential use for the purposes of the Bylaw.		
* The minimum separation distance shall be measured from the closest point of the Cannabis Cultivation and/or Cannabis Processing building.		
** The minimum separation distance shall be measured from the closest portion of the Cannabis Retail Store building.		

Applicant Signature

Date

Jan-6-2023



ROCKY VIEW COUNTY

CHANGE OF USE

INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210264
ROLL NO.	03223665
DISTRICT	DC-2

TENANT	
Tenant/Operator Name: <i>Nirvana Canna</i>	Telephone (Primary): <i>403-708-8144</i>
Business/Organization Name: <i>Vita Medical Marijuana Inc.</i>	
USE(S) PER LAND USE BYLAW	
Existing use(s)/Business: <i>Direct Control.</i>	
Proposed use(s): <i>Cannabis Retail Store</i>	
USE DETAILS	
Total area for the proposed use(s) (including all floors, mezzanines, buildings etc.): <i>1476</i> (m ² /ft. ²)	
Briefly describe the nature of the proposed use(s) (attach cover letter for complete details): <i>Retail Cannabis Store.</i>	
BUSINESS/USE OPERATIONAL DETAILS	
Days of operation: <i>7 days/week</i>	Hours of operation: <i>11am 9pm Every day</i>
Number of daily customer visits (anticipated): <i>50</i>	
Total number of assigned parking spaces: <i>6</i>	For staff: <i>1</i> For customer: <i>5</i>
How will overflow parking be managed? Are there overflow parking stalls available and how many? <i>There are more than 20 parking stalls available.</i>	
OTHER	
Describe any changes proposed to the interior or exterior of the building/unit: <i>Only interior renovations will be completed.</i>	
Any outdoor storage required: <input type="checkbox"/> YES, specify outdoor storage area: (m ² /ft. ²) <input checked="" type="checkbox"/> NO	
Any signage proposed on site: <input type="checkbox"/> YES, attach Signage - Information Sheet with required documents <input type="checkbox"/> NO	
ADDITIONAL REQUIREMENTS	
In addition to DP Checklist - General requirements, the application shall include:	
<input type="checkbox"/> Floor plans indicating overall floor area(s) and areas of specific uses (i.e. office, warehouse, storage etc.) <input type="checkbox"/> Site Plan including: <ul style="list-style-type: none"> location of building/unit proposed parking area (with number of stalls) existing/proposed access to property location of proposed outside storage area and/or signage (as applicable) 	

Applicant Signature

Date

Jan-24-2021



ROCKY VIEW COUNTY

SIGNAGE - GENERAL

INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210264
ROLL NO.	03223665
DISTRICT	DC-2

SIGN DETAILS	SIGN 1	SIGN 2	SIGN 3	SIGNAGE LIST
Located on or off-site?	On Site			Sign Type: <ul style="list-style-type: none"> Awning/Canopy Billboard Digital Display Fascia Freestanding Inflatable Portable Projecting Roof Purpose of Sign: <ul style="list-style-type: none"> Advertisement Directional Information
Indicate Sign Type:	Fascia			
Area of sign (m ² / ft. ²)	24 Sq Ft			
Length of sign (m / ft.)	12 foot			
Width of sign (m / ft.)	2 foot			
Height from grade to bottom of sign (m / ft.)				
Indicate Sign Purpose:	Store Name			
Attached to: structure, building, or vehicle?	Building			
Method of support	mounting hardware.			
Sign material	metal/plastic			
Sign illuminated?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	

NOTE: For digital display signs, attach *Signage - Digital Displays Information Sheet* along with this form.

SPECIFIC SITE PLAN REQUIREMENTS

Required on the Site Plan in addition to DP Checklist - General requirements (select if provided):

- ☒ Show sign location/setbacks in relation to property boundaries and buildings
- ☒ Distance from sign to another similar/distinct sign if present on site (indicate all sign types)
- ☒ Distance from sign to overhead power and service lines, and/or road right of ways (as applicable)
- ☒ Distance from sign to highway, public roadway, and/or back of curb (as applicable)

SIGN ELEVATIONS AND DESIGN

Required in addition to DP Checklist - General requirements (select if provided):

- ☒ Minimum clearance above grade to bottom of sign (for awing/canopy, billboard, and projecting signs)
- ☐ Dimensions of sign projection from structure, building, or vehicles (as applicable)
- ☐ Design samples/digital sketches including sign content, structure, dimensions etc.
- ☐ Type of sign construction and finishing to be utilized
- ☐ Photographs of the proposed site showing adjacent properties and signs within approximately 30.0 m (98.43 ft.) of the proposed sign location
- ☐ Photographs of site and structure(s)/building(s) identifying proposed sign location
- ☐ Details of illuminated or digital signs (For digital signage, *Signage - Digital Displays Information Sheet* to be completed in accordance with Section 212 of the Land Use Bylaw)

Refer to Section 92(r) of the Land Use Bylaw C-8000-2020 for signs not requiring a development permit.

Refer to Signage regulations under Sections 151-153 and 212-224 for sign specific requirements.

Applicant Signature _____

Date Jan-24-2021



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

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

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

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

FOR OFFICE USE ONLY

Proposed Use(s): Cannabis Retail Store

Land Use District: DC-2

Applicable ASP/CS/IDP/MSDP: Langdon ASP

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

NOTES:

Staff Signature: Jeevan Wareh



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0028 867 844 0011878;3 201 236 548

LEGAL DESCRIPTION

CONDOMINIUM PLAN 0011878
UNIT 3
AND 1683 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;27;23;23;NW
ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 011 158 849 +4

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
201 236 548	23/12/2020	TRANSFER OF LAND	\$1,270,000	\$1,270,000

OWNERS

2228776 ALBERTA LTD.
OF 633, 860 MIDRIDGE DRIVE SE
CALGARY
ALBERTA T2X 1K1

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
3898GD		RESTRICTIVE COVENANT
761 005 944	16/01/1976	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
951 254 205	06/11/1995	RESTRICTIVE COVENANT
961 113 790	27/05/1996	RESTRICTIVE COVENANT

REGISTRATION

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

961 192 477	22/08/1996	UTILITY RIGHT OF WAY GRANTEE - AGT LIMITED. AS TO PORTION OR PLAN:9611760
961 192 478	22/08/1996	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320 - 17 AVENUE S.W. CALGARY ALBERTA T2S2Y1 AS TO PORTION OR PLAN:9611760 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001301908) (DATA UPDATED BY: CHANGE OF NAME 051029479)
961 192 479	22/08/1996	UTILITY RIGHT OF WAY GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. GRANTEE - LANGDON WATERWORKS LIMITED. AS TO PORTION OR PLAN:9611760
961 192 480	22/08/1996	UTILITY RIGHT OF WAY GRANTEE - LANGDON CABLE TV LTD. AS TO PORTION OR PLAN:9611760
961 192 481	22/08/1996	RESTRICTIVE COVENANT
961 192 482	22/08/1996	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911 - 32ND AVENUE N E CALGARY ALBERTA T2M4L6
961 192 484	22/08/1996	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
971 005 117	06/01/1997	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
001 246 731	31/08/2000	UTILITY RIGHT OF WAY GRANTEE - LANGDON WATERWORKS LIMITED.
181 184 961	30/08/2018	MORTGAGE MORTGAGEE - BANK OF MONTREAL. UNIT 300, 6130-67 ST RED DEER ALBERTA T4P3M1

REGISTRATION

PAGE 3

201 236 548

NUMBER DATE (D/M/Y) PARTICULARS

ORIGINAL PRINCIPAL AMOUNT: \$1,720,000

201 236 549 23/12/2020 MORTGAGE
MORTGAGEE - BUSINESS DEVELOPMENT BANK OF CANADA.
PO BOX 6
SUITE 200-505 BURRARD STREET
VANCOUVER
BRITISH COLUMBIA V7X1M3
ORIGINAL PRINCIPAL AMOUNT: \$1,200,000

201 236 550 23/12/2020 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - BUSINESS DEVELOPMENT BANK OF CANADA.
1310, 150-9 AVE SW
CALGARY
ALBERTA T2P3H9
AGENT - PATRICK MAH

* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL
PLAN SHEET

TOTAL INSTRUMENTS: 016

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 5 DAY OF
JANUARY, 2021 AT 09:39 A.M.

ORDER NUMBER: 40764670

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

TM

Puneet Kaushik

January 10, 2021



RE: Letter of Intent

To whom it may concern:

I am writing to express our interest in ***PLAN: 001878 – Unit 2**** address **708 Centre St.** for change of use to allow a **Cannabis Retail Store.**

The scope of work will include a simple build of a saferoom, employee room and sale area. The cannabis store will operate 7 days a week from 11:00AM- 9:00PM and will be operated by three full time employees and two part time. The store will operate with compliance with Alberta Gaming and Liquor Commission.

Nirvana Canna is private owned and operated chain of retail stores. Currently operating three stores in Calgary with two additional locations starting operations in November. We are also currently expanding into Ontario with recent changes to privatize the Cannabis sector.

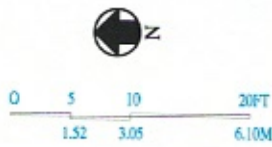
If you have any more question or concerns please contact me at [REDACTED]

Regards,

A handwritten signature in blue ink, appearing to read "Puneet Kaushik", is written over a horizontal line.

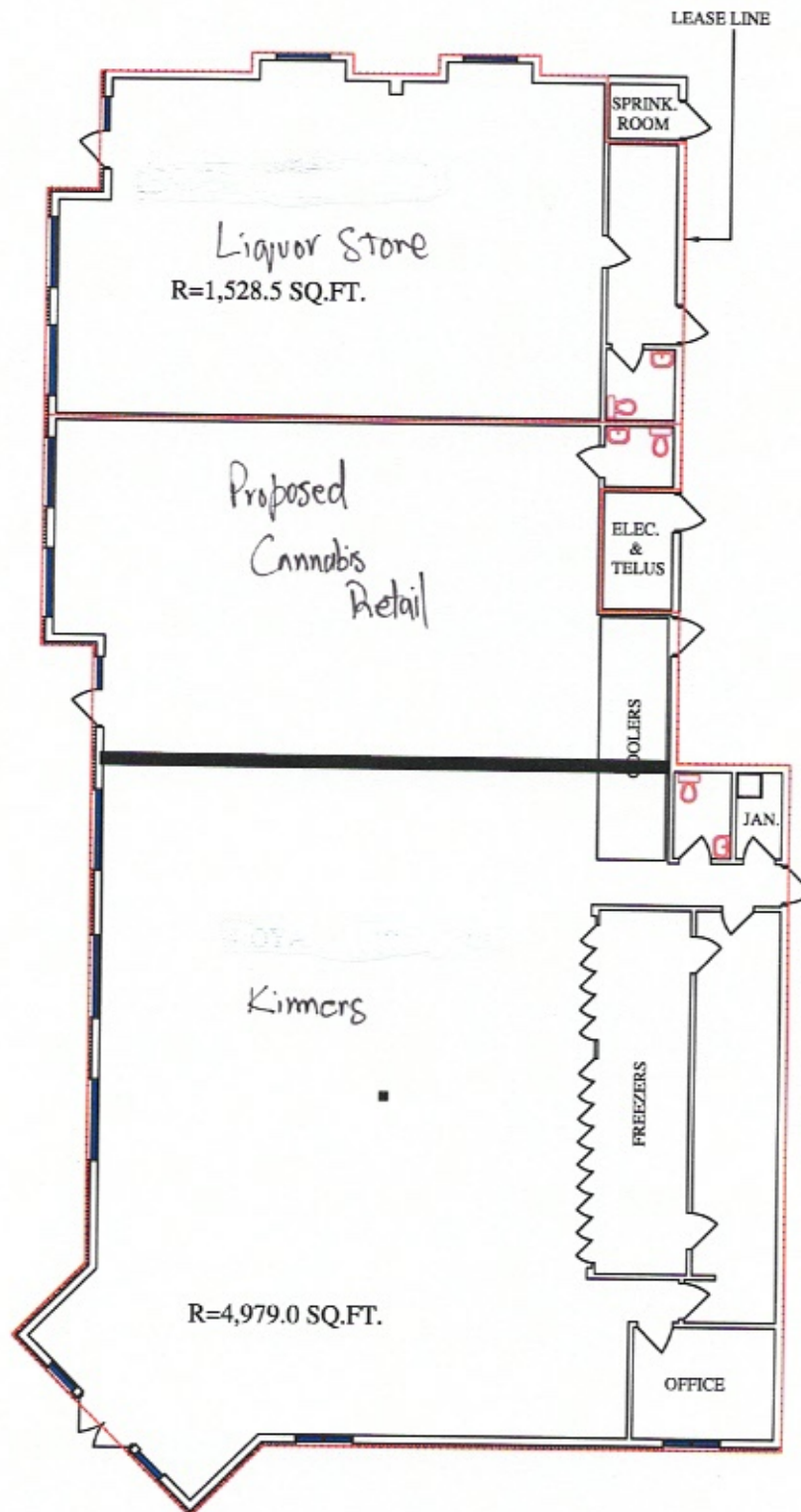
Puneet Kaushik

CEO / President
Nirvana Canna Inc.
Vita Medical Marihuana Inc.



708 CENTRE STREET
LANGDON, ALBERTA

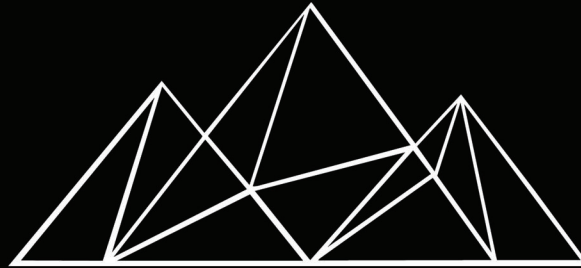
MEASURED - JULY 13, 2005



MEASURE MASTERS™
CALGARY
(403)238-3555

KIMMER INVESTMENTS
CALGARY, AB
(403) 612-7979





NIRVANA C ANNA

lettering is 9.1/4" high

the white around represent the frame but it is black







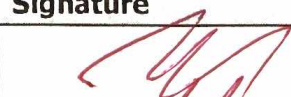



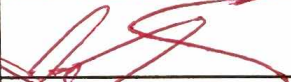



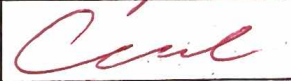


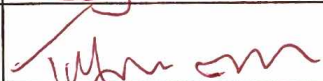


















Petition to [Allow Cannabis Retail Store]

Petition summary and background	[Allow Cannabis Retail store At Unit 2 708 Center Street (Next to Kimmers)]
Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
M GACCAU		139 CENTER		10/2/21
Allan Nicholas		280 Bonif. Cr. Dr.		12/02/21
DAVE LESBEL		#6 Martine Pl		15 15
Carla Brown		Bransford		12/2/21
Seal and		1550 Ave		04/12/21
Debra		314 WEST.		21/02/20
Lori Murch		448 Boulder Cr. Bay		02/12/21
Cody				
Cole		6 Crilly Close	Do it	02/12/21
Angela		here.	Yes please	21/12/21
Jayden Graff		11 Crilly Close	Yes	02/12/21
Lyle Abel		565 Boulder Cr. Cir	Yes	02/13/21

Petition to [Allow Cannabis Retail Store]

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Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
C. Haydu		405 Boulder Creek Way		10/21
E. Lindsay		237 Boulder Creek		
C. McComness		325 Sanford Pl.		10/2
M. Kinnel		Box 475		11/21
B. Grant		31 Prairie Schooner Est. Rd.		2-11-21
D. Clayton		113 Boulder Creek		2/1/21
A. Boh		433 Boulder Creek		
S. BEST		51 Copperpond hls		" "
D. Chiulli		404 Boulder Creek		" "
Cliff Blair		Box 12 - Little Smoore		21/12/2
Mat Carter		214 371 Main Drive		Feb 12/21
Jason Dyck		320 Rainbow Ave.		Feb 12/21



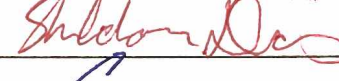

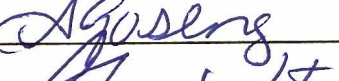







Petition to [Allow Cannabis Retail Store]

Petition summary and background	[Allow Cannabis Retail store At Unit 2 708 Center Street (Next to Kimmers)]
Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
Tim Jager	[Signature]	115 VanderVelde Bay		Feb 10, 21
Don Masson	[Signature]	3 Crilly Close		" "
Phyllis	[Signature]	34 Anderson		Feb 10/21
Nick MENCZYK	[Signature]	234 BOULDER CREEK CRT		FEB 10/21
Karol Rybak	[Signature]	23 Henderson RD		Feb 10/21
Stacey Wilson	[Signature]	284 Boulder Creek Dr		Feb 10/21
Iman Shwan	[Signature]	61 CAVAL COURT		" "
Wendy David	[Signature]	Range Road 275		" "
Jason [unclear]	[Signature]	RR 275		" "
John [unclear]	[Signature]	Langdon		" "
Phyllis [unclear]	[Signature]	122 BCD		" "
Ar [unclear]	[Signature]	39 HANSON DR		" "






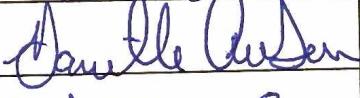
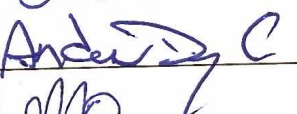


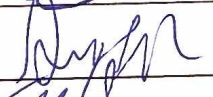
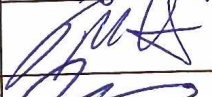

Petition to [Allow Cannabis Retail Store]

Petition summary and background	[Allow Cannabis Retail store At Unit 2 708 Center Street (Next to Kimmers)]
Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
Jones Legault		54 Copeland Ave	✓	02/08/21
Wayne Redford		12 Nesbitt	✓	02/08/21
Sheldon Davis		119 Copeland Close	People Need This	02/08/21
Corey McCormick		8 HENDERSON RD	✓	02/08/21
Aleesha Goshing		136 Railway Ave	Yes!	02/08/21
Alan Winter			✓	02/08/21
JASON VARZE		24 Arbours Cir	YES	02/09/21
Terrence H		61 Hanson Lane NE	great opportunity	02/04/21
Don Masson		3 Crilly close		02/11/21
H. Welter			Go for it	2/12/21
C. Langland			Hell Ya Brother	2/12/21
Andrew McCann			✓	2/12/21

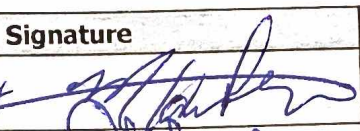

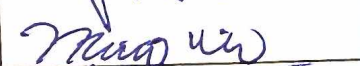








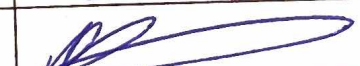
Petition to [Allow Cannabis Retail Store]

Petition summary and background	[Allow Cannabis Retail store At Unit 2 708 Center Street (Next to Kimmers)]
Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
Mike Bartlett		4 Neshitt Ave	✓	Feb 11/21
Josh Chapman		131 Bishop Cres	Freedom to entrepreneur	Feb 11/21
Ron Korsch		181 Windrow Cres	✓	Feb 11
Upil LaFrampe		6007 7 Strathmore		Feb 11/21
S. Richards		235217 RR 275	Yes	Feb. 11/21
Danielle Anderson		9 Anderson Ave	Absolutely	Feb 11/20
Andrew Doyle		15 Anderson Ave	Yes	Feb 11/21
Matthew Quebec		44 blander Ave	Yes	Feb 12/21
TRAMPSE TOTTEN		75 SADDLE MOUNT GV	GREAT!	FEB 12/21
Jesse Kerridge		230000 RAB Road 281 ^{Rockview}	Awesome	Feb 12
TYLER HIGG		58 BARBER ST	✓	"
JASON MOORHOUSE		CARSELANDS.	GREAT!!	FEB 12

Petition to [Allow Cannabis Retail Store]







Petition summary and background	[Allow Cannabis Retail store At Unit 2 708 Center Street (Next to Kimmers)]
Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
Marlene Hest		19 Hanson way	yes	Feb 12
DMC New		34 ANDERSON	yes	Feb 12
Michael		23 McIntyre Place	yes	Feb 12
yes		68 w alshemer cres	yes	Feb 12
Will Wood		101 Hanson Lane	yes	Feb 12
Brady Jensen		3 Willow View	yes	Feb 12
Liam Cannon		503 Boulder creek Dr.	Yes	Feb 12
Ethan Strydom		612 Boulder Creek Dr	yes	Feb 12
Brock Mitchell		35 Anderson ave	yes	Feb 12
JAY TUCK				FEB 12
Maddison		48 wendstrom Cres	yes	Feb 12
Clint		59 carterail	yes	Feb 12

Petition to [Allow Cannabis Retail Store]

B-1
Page 40 of 48

Petition summary and background	[Allow Cannabis Retail store At Unit 2 708 Center Street (Next to Kimmers)]
Action petitioned for	We, the undersigned, are citizens of Langdon, AB and urge Council to allow a Cannabis Retail Store in the town of Langdon.

Printed Name	Signature	Address	Comment	Date
VERONICA		26 Wilshurmer	Please Do	Feb 17 / 2021
Denise		429 3rd Ave Etnon AB	Please DO!	Feb 18 2021
DERRICK M'GLAD		5222 - 130 ADE SE.	PLEASE YES	FEB 18 / 21
Rob Hall		445-412C	YES	Feb 19 / 21
Jaydon T		11	YES	11
Curry		27 Nesh. H	YES	Feb 20 / 21



Decision of the Municipal Planning Commission

This is not a development permit

Puneet Kaushik (Vita Medical Marihuana Inc.)
[REDACTED]

Development file #: PRDP20210264
Issue Date: February 25, 2021
Roll #: 03223665
Legal description: Lot Unit 3, Plan 0011878, NW-23-23-27-W04M

The Municipal Planning Commission conditionally approves the following:

Description:

1. That a *Cannabis Retail Store* (existing building), tenancy and signage for “Nirvana Canna” may operate on Unit 4 – 708 Centre Street, in general accordance with the submitted Site Plan, application and includes:
 - i. Installation of one (1) storefront, mounted or hanging, facade sign; 3.6 m (12 ft.) x 0.61 m (2 ft.) in size.
2. That the minimum separation distance for the Cannabis Retail Store from another Cannabis Retail Store is relaxed from 300 m (984.25 ft.) to 140 m (459.32 ft.).
3. That the minimum separation distance for the Cannabis Retail Store from a Care Facility is relaxed from 150.00 m (492.12 ft.) to 100 m (328.08 ft.).

Permanent:

4. That no Cannabis shall be consumed in the *Cannabis Retail Store*.
5. That the hours of operation for the *Cannabis Retail Store* shall be between 11:00 a.m. and 9:00 p.m. seven days a week, except on December 25th when the *Cannabis Retail Store* shall be closed.
6. That the sign shall be kept in a safe, clean and tidy condition at all times. The signs shall not be flashing or animated at any time.
7. That no outdoor storage at any time shall be allowed in the front of the property.
8. That all business parking shall be limited to the existing shopping plaza parking stalls.
9. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.

This is not a development permit

10. That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

12. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services approvals prior to the store opening.
 - ii. That the Applicant/Owner shall obtain any required licensing approvals through Alberta Gaming, Liquor and Cannabis (AGLC), if required, and shall operate in accordance with the provisions of that license.
14. That a Building Permit shall be obtained through Building Services, prior to tenant occupancy and/or interior bay renovations, using the Tenant Bay Development or Renovation Checklist.
15. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
16. That this Development Permit shall be valid until **March 31, 2024**.

It is the responsibility of the applicant to meet and always follow the conditions outlined in this decision. Fines or enforcement action may occur if operating outside of the conditions of approval. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact Legislative Services at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

Municipal Planning Commission



Jerry Gautreau, Chair

This is not a development permit



Notice of Appeal

Subdivision and Development Appeal Board Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Condo Corp. 0711729 and Highway 560 Cannabis Inc. c/o Jennifer Sykes, Caron & Partners LLP (solitor)			
Mailing Address 2120, 237 4th Ave SW, Calgary, AB T2P 4K3		Municipality Calgary	Province AB
		Postal Code T2P 4K3	
Main Phone # 403 770 4005	Alternate Phone # 403 262 3000	Email Address jsykes@caronpartners.com	
Site Information			
Municipal Address 2, 708 Centre ST NE, Langdon, AB		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Unit 3 Plan 0011878, NW-23-23-27-04	
Property Roll # 03223665		Development Permit, Subdivision Application, or Enforcement Order # PRDP20210264	
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
<p>The development permit approves a cannabis store in the same complex as an existing cannabis store. This is contrary to the terms of the Land Use Bylaw and to the express directions of Council. This also results in a proliferation of one type of use at this location, whereas having a variety of commercial activities in this complex would better serve the community.</p> <p>Allowing a second cannabis store this close to an existing cannabis store is inconsistent with the community's reasonable expectations that this type of use will be spaced out. It also fails to acknowledge that there are legitimate reasons for requiring distance between cannabis stores.</p> <p>The appellants reserve the right to raise further and and additional grounds prior to or at the hearing.</p>			

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

Appellant's Signature

March 19, 2021
Date

Received by RVC Legislative
Services on March 19, 201



Notice of Appeal Subdivision and Development Appeal Board Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Kevin Dellaire			
Mailing Address # 3 Wilson Road NE, Langdon	Municipality Rocky View County	Province AB	Postal Code T0J 1X1



Site Information	
Municipal Address # 2, 708 Centre Street NE, Langdon	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Unit 3, Plan 0011878, NW-23-23-27-04
Property Roll # 03223665	Development Permit, Subdivision Application, or Enforcement Order # PRDP20210264

I am appealing: (check one box only)		
Development Authority Decision <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

Reasons for Appeal (attach separate page if required)

Dear:

SDAB appeal board my house / my property is very close to this another Cannabis Retail Store in Langdon. My self and my family is affected with this decision, So we decide to appeal against this conditionally approved DP # PRDP20210264, Please see attached letter



Please write us once date is set for the hearing.

Thanks

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

Appellant's Signature

03/22/21
Date

Received by RVC Legislative
Services on March 23, 201

Kevin Dellaire

#3 Wilson Road NE, Langdon, Alberta, T0J 1X1

17 March 2021

Subdivision and Development Appeal Board

262075 Rocky View Point

Rocky View County, AB, T4A 0X2

Dear Subdivision and Development Appeal Board:

I am completely and utterly opposed to the approval of PRDP20210264 for the proposed Cannabis Retail Outlet. It will be located 75m from my home. The approval of this development permit will affect the use, enjoyment, and value of my property.

The clustering and density of tobacco, alcohol, and cannabis shops in Langdon will increase the consumption of each of these substances. I worry that people will get things each from store and consume more of these substances right by my home. The unruly behavior caused by the consumption of these substances on my front step will interfere with and affect the use, enjoyment, and value of my property and that of my neighbors. Higher densities of such businesses are associated with high-risk consumption behaviors among youth, facilitate access and possession by adolescents, and increase the rates crime.

The smell of cannabis is incredibly strong and disturbing. People are not allowed to smoke in public but do so anyway. Having a second store added to a small area right by my home will increase the number of people smoking cannabis outside in my area. This will result in my neighbors and I calling the police and interfere with the use and enjoyment of our property. The proposed development and increased use of cannabis will also impact my property value as I am located directly behind the proposed store. Increased crime is also associated with drugs. I am concerned for the safety and security of my home being in such close proximity to the proposed Cannabis Retail Outlet and density of such businesses.

While considering the application of PRDP20210264, I think that the municipality should consider the burden on police, public health, social services, and legal services. My property taxes will increase to support the services required to regulate the use of Cannabis in the town alongside the nuances and criminal activities associated with it. I do not see any benefit to having two Cannabis Retail stores in Langdon when retail development could be better served by businesses that promote the health and well being of a community instead of impact the use, enjoyment, and value of neighboring lands.

Sincerely,



Kevin Dellaire



ROCKY VIEW COUNTY
Cultivating Communities

Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information

Name of Appellant(s)

Greg Thompson & Aleesha Gosling

Mailing Address

716 Centre Street NE

Municipality

Langdon, Rocky View County

Province

AB

Postal Code

T0J 1X1

Main Phone #

Alternate Phone #

Email Address

Site Information

Municipal Address

2, 708 Centre Street NE, Langdon

Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian)

UNIT 3, Plan 0011878, NW-23-23-27-04

Property Roll #

03223665

Development Permit, Subdivision Application, or Enforcement Order #

PRDP20210264

I am appealing: (check one box only)

Development Authority Decision

- ☐ Approval
☒ Conditions of Approval
☐ Refusal

Subdivision Authority Decision

- ☐ Approval
☐ Conditions of Approval
☐ Refusal

Decision of Enforcement Services

- ☐ Stop Order
☐ Compliance Order

Reasons for Appeal (attach separate page if required)

Dear Ms. Kristen Tuff

Our business is LANGDON FIREHOUSE BAR & GRILL is affected with this decision, So we decide to appeal against this another Cannabis Retail Store next to us, in same parking lot. Please see attached letter.

So please inform us once date is set for the appeal.

Thanks for your Cooperation

Greg Thompson & Aleesha Gosling

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

Appellant's Signature

03/19/21

Date

Received by RVC Legislative
Services on March 22, 2021

716 Center Street NE
Langdon, AB, T0J 1X1
403-561-2993

Subdivision and Development Appeal Board
262075 Rocky View Point
Roky View County, AB, T4A 0X2

March 19, 2021

Ref: PRDP20210264

Subdivision and Development Appeal Board;

I am writing as the owner and operator of FIREHOUSE Bar & Grill, a family restaurant, pub and amenity located within Langdon. Not only are we a restaurant, but we host paint nights, local musicians, and small community events. I am writing to oppose the decision made to approve the Development Permit PRDP20210264 for a Cannabis Retail Location two doors down from our Restaurant. The proposed development will unduly interfere with the amenities of the neighborhood and materially interfere with and affect the use, enjoyment and value of our business and property for reasons as set out below;

- We have a designated smoking area for tobacco located outside of our restaurant. Legislation allows the use of cannabis to be consumed in designated areas for tobacco use. Because cannabis cannot be consumed in vehicles or at the Cannabis Retail Location, users will take advantage of our designated smoking area for our customers, thus resulting in resulting in foul odours of lingering by the entrance of our restaurant. This will create a nuisance and divert family traffic away from our business. The diversion of business will hurt the value of our business and land. This will also cause enforcement issues for us; we will have to constantly ensure that no cannabis is consumed close to our restaurant.
- There is already an existing Cannabis Retail Outlet about 100m away in our plaza that is part of another condo corporation. This proposed Cannabis Retail Location will be an additional store and part of our condo corporation, located right next to our restaurant. Having two Cannabis Retail Outlets within such a small proximity of one another will significantly increase our liabilities. We are licensed to serve alcohol and have obligations to our customers. Unlike alcohol, the consumption and impacts of cannabis are not as visibly apparent and can be very easily concealed by the user through edibles, which have a long onset period. We are liable when serving alcohol to a customer who is under the influence of cannabis. Should that person, impaired by the overuse of cannabis consumption, be served one or more alcoholic beverages, and subsequently cause property damage, personal injury or even death, our establishment could be liable and there could be serious consequences for us as business owners and landowners.

As a restaurant and bar owner, we have a duty of care owed to our customers while they are on our premise, and once they have left our premises. The approval of this development permit exposes our business to added burdens and liabilities of which can have significant adverse impacts to us and community of Langdon. As a family restaurant, we are not in favor of encouraging the clustering of Cannabis Retail Outlets in our plaza to protect our patrons and customers, as we are legally obliged to do as licensed alcohol servers.

Thank you,

Greg Thompson & Aleesha Gosling
Legal Plan 0011878
NW-23-23-27-4



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: April 15, 2021 **DIVISION:** 3
FILE: 04714176 **APPLICATION:** PRDP20203988
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

APPLICATION: Single-lot regrading, placement of clean fill and topsoil, for site landscaping.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) east of Range Road 32 and 0.12 km (1/8 mile) south of Lower Springbank Road.

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

EXECUTIVE SUMMARY: The subject land is designated Residential, Country Residential District (R-CRD) and is located in the Windhorse community, surrounded by residential parcels. Currently, a single family dwelling is located on the property. The proposal is for the single-lot regrading, placement of clean fill and topsoil, not exceeding ± 1.00 m (3.28 ft.) in grade change, for site landscaping purposes. This application is the result of an enforcement investigation, DC202009-0218. There are no variances requested and the application appears to be consistent with the relevant policies of the Land Use Bylaw. It is the interpretation of the Development Authority that the proposed development on the subject land, in conjunction with the conditions of approval, will not pose any impact to adjacent lands nor impact the enjoyment of value of neighbouring properties. On February 24, 2021, the Municipal Planning Commission approved Development Permit PRDP20203988 with the conditions noted in **Attachment 'B'**. The Notice of Decision was circulated on March 2, 2021 to 110 adjacent landowners. The decision was appealed on March 18, 2021 by an affected party and the reasons of appeal are included in **Attachment 'F'**.

DECISION: Approved

DEVELOPMENT / SUBDIVISION AUTHORITY: Municipal Planning Commission

DECISION DATE:
February 24, 2021

APPEAL DATE:
March 18, 2021

ADVERTISED DATE:
March 2, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Bronwyn Culham, Planning & Development Services

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • Land Use Bylaw • Montebello Conceptual Scheme • Central Springbank Area Structure Plan 	DISCRETIONARY USE: <ul style="list-style-type: none"> • Stripping and Grading is a discretionary use within the Land Use Bylaw
	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor Development & Compliance

BC/ltt



ATTACHMENT 'A': APPLICATION INFORMATION

APPLICANT: Wenyan Cheng	OWNER: Wenyan Cheng
DATE APPLICATION RECEIVED: December 4, 2020	DATE DEEMED COMPLETE: December 23, 2020
MUNICIPAL PLANNING COMMISSION DECISION DATE: February 24, 2021	
APPELLANT: Turowiski, Agnieszka & Robert	
GROSS AREA: ± 0.81 hectares (± 2.02 acres)	LEGAL DESCRIPTION: NE-14-24-03-W05M, Lot:21 Block:3 Plan:0914791 (31103 WINDHORSE DRIVE)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>May 15, 2019:</i> Building Permit (PRBD20191091) Single Family Dwelling – PSR in Compliance <i>November 28, 2018:</i> Development Permit (PRDP20183934) Construction of a dwelling, single detached, relaxation of the maximum height requirement – Closed-Approved	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 110 adjacent landowners. At the time this report was prepared, not including Appeal Exhibits, no letters were received in support or objection to the application.	

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: February 24, 2021 **DIVISION:** 3
FILE: 04714176 **APPLICATION:** PRDP20203988
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

APPLICATION: Single-lot regrading, placement of clean fill and topsoil, for site landscaping.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) east of Rg. Rd. 32 and 0.12 km (1/8 mile) south of Lower Springbank Rd.

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

EXECUTIVE SUMMARY: The Applicant is proposing the placement of clean fill and topsoil not exceeding ± 1.00 m (3.28 ft.) in grade change, for site landscaping purposes. This application is the result of an enforcement investigation, DC202009-0218. The application is consistent with the relevant policies of the Land Use Bylaw. It is the interpretation of the Development Authority that the proposed development on the subject land, in conjunction with the conditions of approval, will not pose any impact to adjacent lands nor impact the enjoyment of value of neighbouring properties.

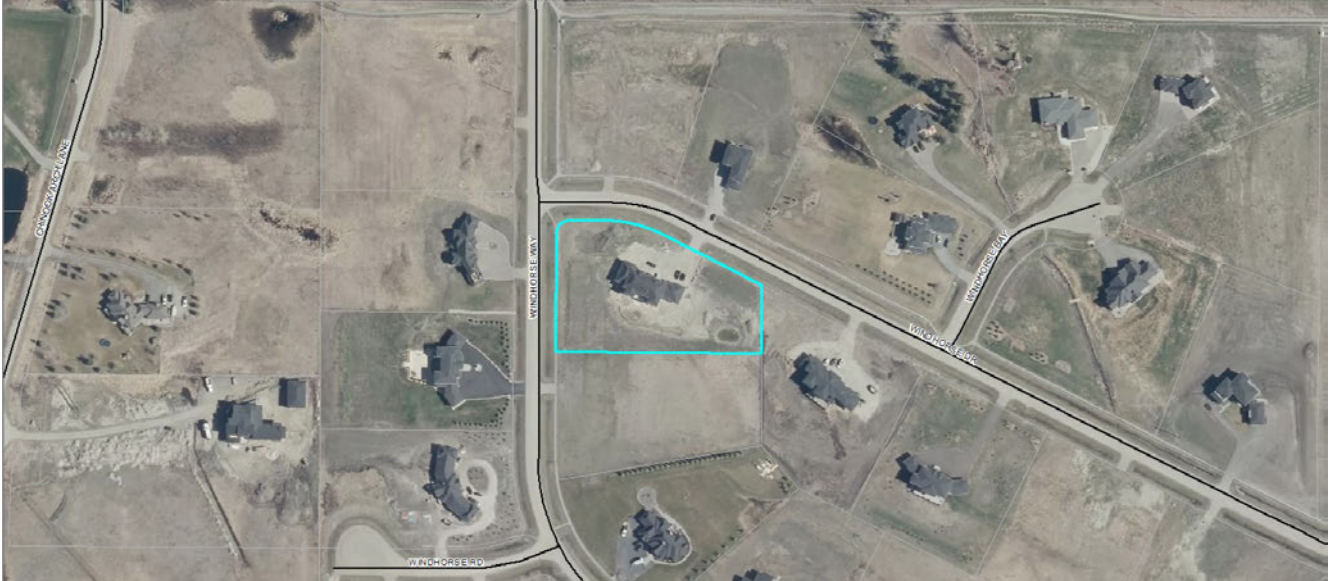
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203988 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203988 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Bronwyn Culham, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • Land Use Bylaw • Montebello Conceptual Scheme • Central Springbank Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Building Grade Slip / prepared by MPE Engineering Ltd. / dated March 5, 2019 • Site satellite image map before Building Construction and Land Grading; • Site Survey map before Building Construction and Land Grading; • House Building and Elevation Plan before Landscaping; • Landscaping Plan / Drawing prepared by Treasure House Building & Renovation Ltd.; • Windhorse Storm Water Management Drainage Plan
DISCRETIONARY USE: <ul style="list-style-type: none"> • Stripping and Grading is a discretionary use within the Land Use Bylaw 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

The proposal is for the single-lot regrading, placement of clean fill and topsoil for site landscaping. The technical reports are being reviewed and acceptance is pending.

The Applicant has proposed to regrade the subject land, approximately $\pm 7,718$ sq. m (1.90 acres) in size to meet Windhorse Community's Landscaping requirements and the Land Use Bylaw.

- The applicant has indicated they will also use the native topsoil on-site and they will not be removing any material.



- The highest grade change the applicant is proposing is approximately 1.00 m (3.28 ft.) for the Southwest portion of the subject land. The grade change for the rest of the site is approximately 0.5 m (1.64 ft.).
- It is anticipated that approximately 926 cubic meters of material will be brought on site. The applicant has noted this is approximately 150 truckloads.
- The subject land is located in the community of Windhorse, surrounded by residential parcels. Currently, a single family dwelling is located on the subject land.

CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

BC/sl

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions
ATTACHMENT 'B': Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Option #1:**

Approval, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of clean fill and topsoil shall be permitted in general accordance with the drawings submitted and the application details and includes:
 - i. Total area of approximately $\pm 7,718$ sq. m (1.90 acres) and placement of approximately 926 cubic meters of clean fill and topsoil not exceeding 1.00 m (3.28 ft.) in grade change.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit an \$10,000.00 Irrevocable Letter of Credit or Refundable Security deposit to the Rocky View County, to ensure that the conditions of the permit are met. If the conditions are not met, Rocky View County may use the funds, enter onto the described land, and carry out the work necessary to meet the condition.
3. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to release of this permit, the Applicant/Owner shall submit a grade slip from MPE Engineering verifying that the as-built grading plan is in accordance with the overall development stormwater management plan, to the satisfaction of the County.

Permanent:

5. That the applicant/owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.
6. That upon completion of the proposed development, the Applicant/Owner shall provide a Deep Fills Report, prepared by a qualified geotechnical professional, indicating the as-built cut and fill areas of the site, and providing compaction testing results of the graded areas.
7. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Release condition shall be implemented and adhered to in perpetuity.
8. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
9. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
10. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.



- i. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
- 11. That no topsoil shall be removed from the site.
- 12. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
- 13. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
- 14. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 15. That the subject land shall be maintained in a clean and tidy fashion at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways. That all garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.
- 16. That if this permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 17. That once this Development Permit is issued, the proposed development of single-lot regrading and placement of clean fill/topsoil shall be completed within twelve (12) months of the date of issue.

Advisory:

- 18. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 19. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
- 20. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

That the Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation, under the Water Act, if any wetland is impacted/disturbed by the proposed development



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Wenyan Cheng	OWNER: Wenyan Cheng
DATE APPLICATION RECEIVED: December 4, 2020	DATE DEEMED COMPLETE: December 23, 2020
GROSS AREA: ± 0.81 hectares (± 2.02 acres)	LEGAL DESCRIPTION: NE-14-24-03-W05M, Lot:21 Block:3 Plan:0914791 (31103 WINDHORSE DRIVE)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>May 15, 2019: Building Permit (PRBD20191091) New Single Family Dwelling – PSR in Compliance</p> <p>November 28, 2018: Development Permit (PRDP20183934) Construction of a dwelling, single detached, relaxation of the maximum height requirement – Closed- Approved</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20203988
ROLL NO.	04714176
RENEWAL OF	---
FEES PAID	\$615.00
DATE OF RECEIPT	Dec 4, 2020



STRIPPING, GRADING, EXCAVATION AND/OR FILL INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	
ROLL NO.	
DISTRICT	

DETAILS		APPLICATION FOR:
Total area of work	7718 (m ²)	<input type="checkbox"/> Site Stripping <input type="checkbox"/> Fill <input checked="" type="checkbox"/> Grading <input checked="" type="checkbox"/> Re-contouring <input type="checkbox"/> Excavation (cut-to-fill) <input type="checkbox"/> Excavation (borrow areas) <input type="checkbox"/> Construction of artificial waterbody (not including dugouts) <input type="checkbox"/> Stockpiling <input type="checkbox"/> Other:
Length	(m / ft.)	
Width	(m / ft.)	
Height	(m / ft.)	
Volume	926 (m ³)	
Number of truckloads (approx.)	approx. 150	
Slope factor (if applicable)	W-E 2-3° ; N-S 7-8°	
DESCRIPTION OF WORK		
Describe the purpose and intent of the work proposed (include cover letter for detailed description): Final Grading & Landscaping to meet Windhorse Community's Landscaping requirements and Rocky View County's Land Use Bylaw		
Indicate the timing/duration of work (which shall not coincide with bird nesting seasons, as determined): The work is scheduled to be completed by June 2021.		
Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, other waterbodies etc.) if applicable: This work has no environmental impact and does not change the existing public drainage pattern (see attached Windhorse Community Drainage Plan)		
Confirm if proposed fill contains any rubble or hazardous substances: The contractor will do its diligence to make sure that purchased topsoil doesn't contain any rubble or hazardous substances;		
ADDITIONAL REQUIREMENTS, in addition to DP Checklist - General requirements		
The following must be included with the application (select if provided): <input type="checkbox"/> Pre-development and Post-development grading plans <input type="checkbox"/> Other documents: Stormwater Management Plan, Fill Management Plan, Soil Quality Report may be required <input type="checkbox"/> Cover letter shall address ALL of the following: <ul style="list-style-type: none"> • Soil-handling plan depicting movement of fill on the site and confirmation that soil will be transported when it is in a favourable condition (include this information on the Site/Grading Plan as necessary) • Traffic control plan • Weed Management Plan • Costs (anticipated) to reclaim the site • Methods to dust and erosion resulting from ongoing work 		
On the Site/Grading Plans: <input type="checkbox"/> Dimensions and area(s) of excavation, fill, and/or grading <input type="checkbox"/> Location of wetlands and watercourses and any ecologically sensitive features <input type="checkbox"/> Location where the excavation, stripping, or grading is to be taking place <input type="checkbox"/> Proposed access, haul routes, and haul activities		

Applicant Signature _____

Date Dec.4, 2020



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

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

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

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

FOR OFFICE USE ONLY

Proposed Use(s): Stripping, filling grading and excavating

Land Use District: C-LRD

Applicable ASP/CS/IDP/MSDP: Central Springbank ASK/ Montebello

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

NOTES:

Staff Signature: _____



LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0034 088 146

0914791;3;21

161 133 467

LEGAL DESCRIPTION

PLAN 0914791

BLOCK 3

LOT 21

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 0.819 HECTARES (2.02 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;24;14;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 121 147 500 +2

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
161 133 467	09/06/2016	ORDER	\$345,000	ORDER

OWNERS

WENYAN CHENG

AND

SHENGBAO GAN

BOTH OF:

[REDACTED]

[REDACTED]

[REDACTED]

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
091 325 193	29/10/2009	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC.
091 327 337	30/10/2009	UTILITY RIGHT OF WAY

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

161 133 467

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		GRANTEE - FORTISALBERTA INC. GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - ATCO GAS AND PIPELINES LTD. GRANTEE - SHAW COMMUNICATIONS INC. GRANTEE - ROCKY VIEW COUNTY. AS TO PORTION OR PLAN:0914792
091 327 339	30/10/2009	EASEMENT AS TO PORTION OR PLAN:0914793 OVER AND FOR BENEFIT SEE INSTRUMENT
091 327 344	30/10/2009	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
091 327 345	30/10/2009	CAVEAT RE : DEFERRED SERVICES AGREEMENT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
091 327 346	30/10/2009	CAVEAT RE : EASEMENT
091 327 347	30/10/2009	ENCUMBRANCE ENCUMBRANCEE - WINDHORSE ESTATES (SPRINGBANK) HOMEOWNERS ASSOCIATION. 1, 5925 12 STREET SW CALGARY ALBERTA T2H2X9 (DATA UPDATED BY: CHANGE OF ADDRESS 181037417)
091 327 348	30/10/2009	AGREEMENT SEE INSTRUMENT
111 303 272	22/11/2011	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - SHAW COMMUNICATIONS INC. AS TO PORTION OR PLAN:1113386
121 336 742	31/12/2012	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - FOX AND OX LANDS CORPORATION. C/O KRE8TIVE LAW GROUP

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
161 133 467

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

SUITE 800, FIRST CANADIAN CENTRE
350 - 7 AVENUE SW
CALGARY
ALBERTA T2P3N9
AGENT - ANDREA RICCIO

TOTAL INSTRUMENTS: 010

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 9 DAY OF
DECEMBER, 2020 AT 03:35 P.M.

ORDER NUMBER: 40660711

CUSTOMER FILE NUMBER: PRDP20203988



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

From:
Wendy Cheng

To:
Evan Neilsen
Development Assistant | Planning Services
262075 Rocky View Point
Rocky View County | AB | T4A 0X2
403-520-7285

SUBJECT: 31103 WINDHORSE DRIVE DP APPLICATION FOR LANDSCAPING

Dear Mr. Neilsen,

I am writing to apply for a **Development Permit** for my new residence's landscaping and final grading at 31103 Windhorse Drive, according to Section 90 of Rocky View County Land Use Bylaw C-8000-2020.

Our new house built at 31103 Windhorse Drive with Building Permit # PRBD20191091 (valid until 05 June 2021) has been completed in July 2020 and a compliance report was issued by Rocky View County, then the rough grading near the house commenced. With this upcoming DP application we plan to perform the final grading and landscaping all around our house and rest of our whole land area. For your reference, I have attached all the forms, drawings, and other supporting documents as follows:

- Application Form(s) And Checklist;
- Application Fee (being remitted to rocky view county as instructed);
- Stripping, Grading, Excavation And/Or Fill Information Sheet;
- Site satellite image map before Building Construction and Land Grading;
- Site Survey map before Building Construction and Land Grading;
- House Building and Elevation Plan before Landscaping;
- Landscaping Plan / Drawing by Treasure House Building & Renovation Ltd.;
- Windhorse Storm Water Management Drainage Plan;

In this landscaping project, the main work is to move the dirt in the west of the constructed house to the East lower area in order to effectively direct the surface water around the house to the west public drainage ditch (see Windhorse Storm Water Management Drainage Plan), and we will make sure that

all work complies with or exceeds the rocky view county current municipal standards and specifications as per the land use bylaws. Our contractor will be responsible for hauling of all excess materials off the site and contractor along with us will ensure that the landscape features meet or exceed the standards outlined in the "windhorse manor country estates - architectural guidelines"

Please let me know if more information is needed.

Sincerely,

Wendy Cheng

From: [REDACTED]
To: [Bronwyn Culham](#)
Cc: [REDACTED]
Subject: RE: [EXTERNAL] - RE: PRDP20203988 Development Permit Application - Stripping & Grading
Date: January 19, 2021 1:24:17 PM

Hi Bronwyn,

Thanks for your proceeding regarding our Development Permit application. The followings are the missing information you are inquiring:

- The material we are hauling in on site is clean fill material and top soil, Plus we also use the native top soil on site.
- We are not removing any material on site.
- The highest grade change we are proposing is around 1 meter in Southwest part of our land where the original berm is being flattened for the surface water runoff. The grade change in the rest of the land is around 0.5 meter.

For the security, I don't really understand as I never heard of this kind of security. Is that a refundable deposit? What is it for? And how much it would be? Can we get the fund back after the work is done and passes the inspection?

Regards,

Wendy and Simon

Sent from [Mail](#) for Windows 10

From: BCulham@rockyview.ca
Sent: January 19, 2021 11:59 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [EXTERNAL] - RE: PRDP20203988 Development Permit Application - Stripping & Grading

Hi Wendy and Simon,

Could you please provide the following missing information regarding your Development Permit application?

- What material are you hauling in on site? Is it clean fill material only or top soil? Or are you using the native top soil on site?
- Are you removing any material on site?
- What is the highest grade change (m or ft.) you are proposing?



Summary

Roll Number	04714176		
Legal Desc	NE-14-24-03-W05M		
Divison	03		
Lot Block Plan	Lot:21 Block:3 Plan:0914791		
Linc Number	34088146		
Title Number	161133467		
Parcel Area	2.02000		
Municipal Address	31103 WINDHORSE DRIVE		
Contact Information	Cheng, Wenyan	00000000000000	
		00000000000000	
	Calgary AB T3H 0R5		00000000000000
Land Use Information	R-CRD		

Plan

Planning Applications Information

{There is no related Application}

Area Structure Plan

Plan Name	RV Number
Central Springbank	2008-RV-187

Conceptual Scheme

Plan Name	RV Number	Planner
MONTEBELLO	2004-RV-212	

Permit

Building Permit

Permit Number	Permit Type	Date Issued
PREL20201399	Electrical	Fri Jun 05, 2020
PRPS20191132	Private Sewage	Fri Jun 28, 2019
PRBD20191091	Building	Wed May 15, 2019
PREL20191128	Electrical	Wed May 15, 2019
PRPL20191129	Plumbing	Wed May 15, 2019
PRGS20191130	Gas	Wed May 15, 2019
PRGS20191131	Gas	Wed May 15, 2019

Development Permit Information

Permit Number
PRDP20183934

Date Issued
Wednesday, November 28, 2018

Alert

Department	Issued By	Date Issued	Date Closed	Status	Reference No.	Description	Severity
	AryshaL	Tuesday, November 4, 2014		O		Submit letter confirmation from ATCO Gas stating payments for gas servicing has been received.	1
CE	EmilyGo	Thursday, June 16, 2016	Thursday, July 14, 2016	C	CEWC20160174	Case Number: CEWC20160174 Case Description: oxeye, henbane, canada	1
CE	PennyC	Tuesday, August 21, 2018	Thursday, September 6, 2018	C	CEWC20180626	Case Number: CEWC20180626 Case Description: Canada Thistle, Scentless Chamomile and Perennial Sow Thistle	1
CE	JaymeL	Tuesday, June 13, 2017	Monday, August 21, 2017	C	CEWC20170075	Case Number: CEWC20170075 Case Description: Oxeye daisy, Canada thistle, burdock and common tansy foiund at front of property around soil piles.	1

Geospatial Boundary

Boundary	Category
Division	3
Area Structure Plan	Central Springbank
Conceptual Scheme	MONTEBELLO
IDP	No IDP
Airport Vicinity	No APVA
Engineer	
Water Coop	
Gas Coop Service	
No.of Lots Within 600 M	93
No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Rocky View West
Fire District	SPRINGBANK
Primary Fire Station	102
Secondary Fire Station	101
Tertiary Fire Station	120

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Kennel Pit	7676.65 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:12604.98 M
Closest Road Name	WINDHORSE WY(Surface Type:Paved)	9.39 M
Closest Railway	CPR	6266.59 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	317.15 M

Boundary	Category	Distance
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	3671.53 M
Closest Confined Feeding Operation		3437.33 M



MORGANS RD

LOWER SPRINGBANK RD

WINDHORSE WAY

WINDHORSE DR

WINDHORSE RD

23

B-2

R-CRD

A-GEN

MORNING VISTA WAY

MORNING VISTA MANOR

MORGANS VIEW

MORGANS RIDGE

MORGANS WAY

MORGANS RD

MORGANS CLOSE

MORGANS COURT

LOWER SPRINGBANK RD

R-CRD

CHINOOK ARCH LANE

R-RUR

WINDHORSE WAY

WINDHORSE BAY

WINDHORSE DR

RG RD 31

WINDHORSE RD

R-CRD

WINDHORSE GREEN

A-SML

p12.1

100 WINDHORSE COURT

200 WINDHORSE COURT

GRAND ARCHES DR

14

SPRINGSHIRE PLACE

SWIFT CREEK LANE

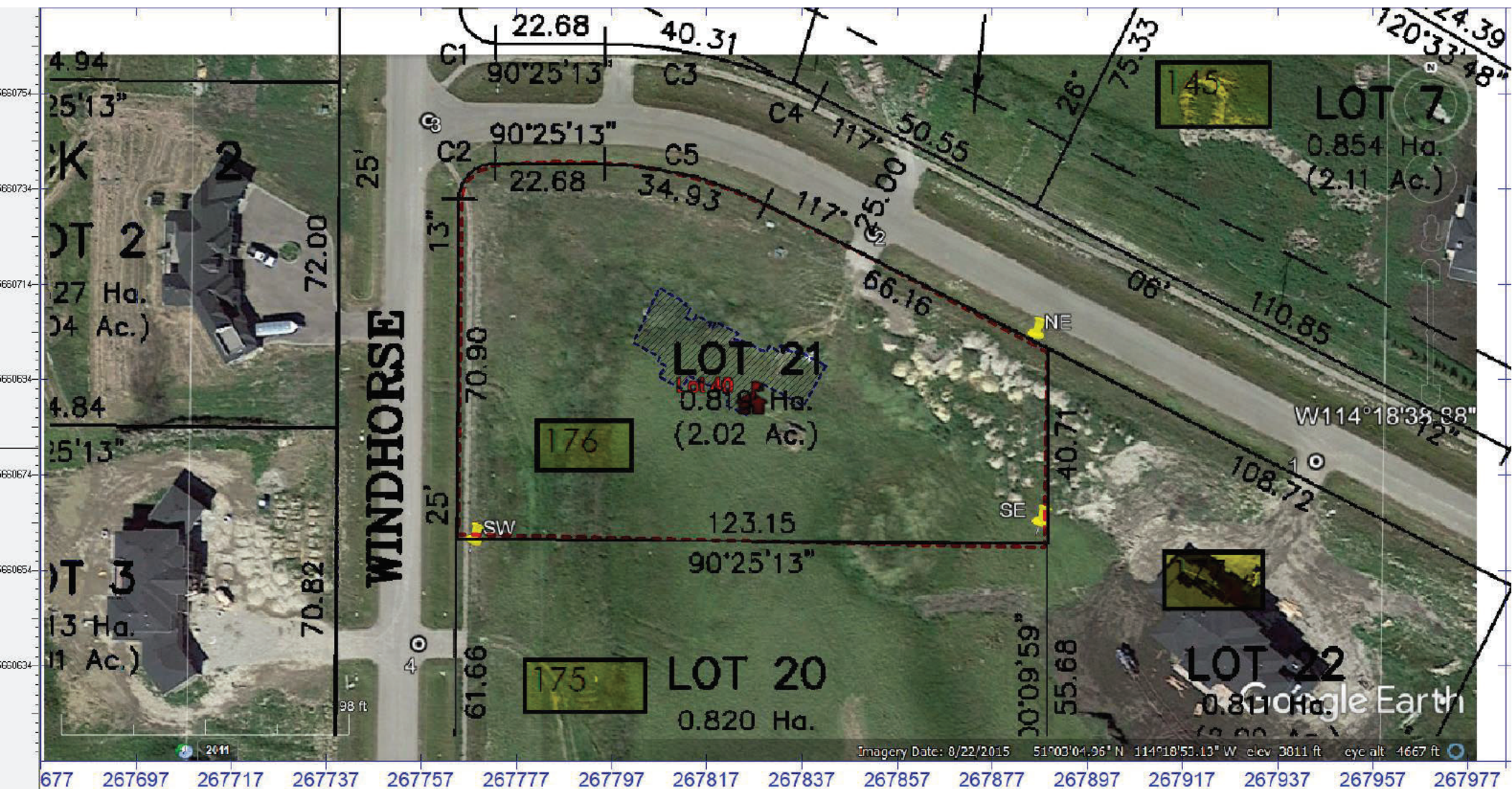
SWIFT CREEK COVE

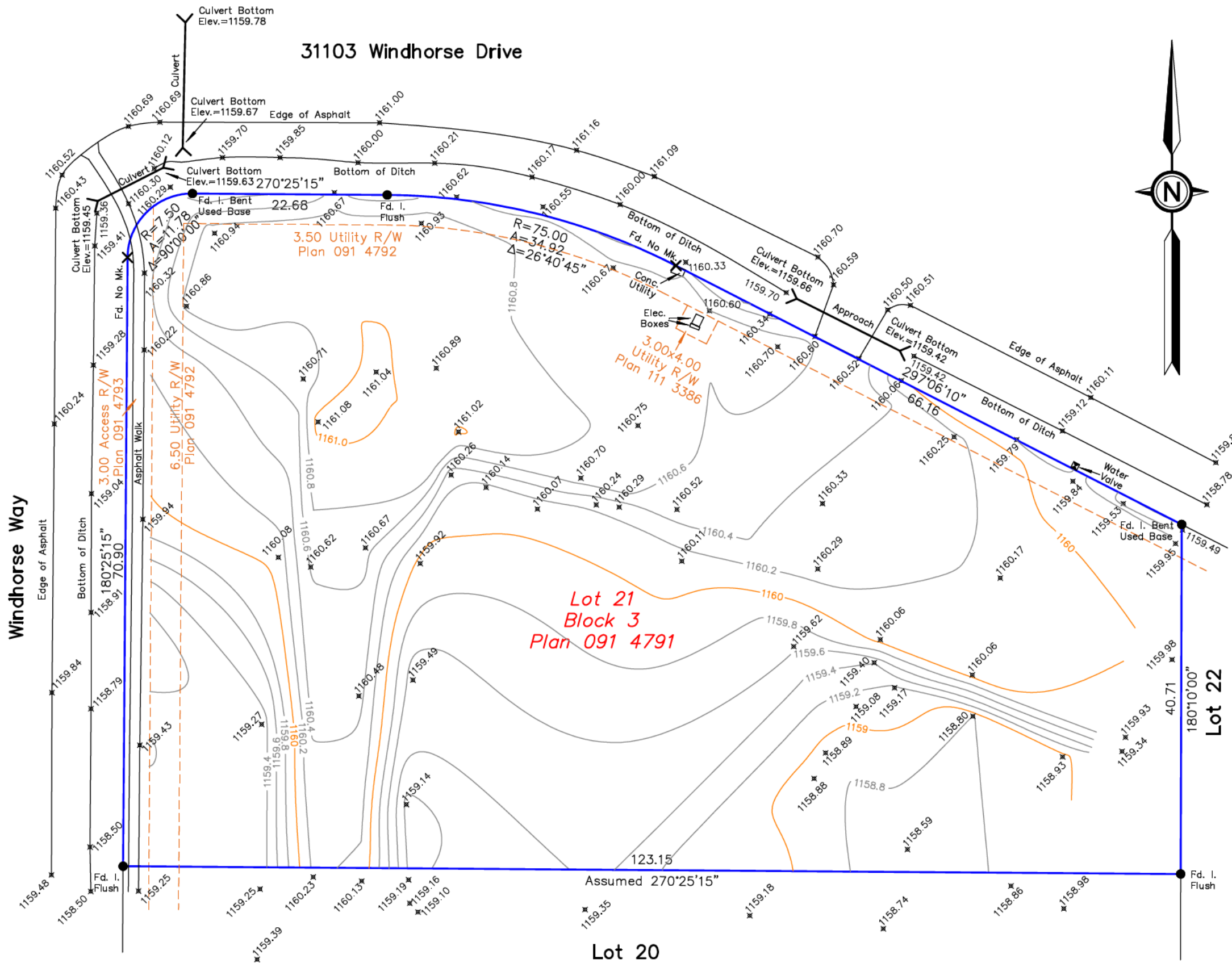
SWIFT CREEK TERRACE

SWIFT CREEK GREEN

SPRING GATE ESTATES

Site satellite image map before Building Construction and Land Grading





SITE PLAN

LEGEND

ELEVATIONS ARE SHOWN THUS: * = 1000.00 METRES. (GEODETIC)
DISTANCES ARE IN METRES AND DECIMALS THEREOF.
ELEVATIONS ARE REFERRED TO GEODETIC DATUM
USING ALBERTA SURVEY CONTROL MAKER 119602
AND ARE DERIVED BY GLOBAL POSITIONING SYSTEM (GPS)
CONTOUR INTERVAL=0.20M
THE FOLLOWING ABBREVIATIONS MAY APPEAR ON THIS PLAN:

- X ----- denotes Calculation points
- ----- denotes Water Valve
- denotes Utility Right of Way Line
- denotes Property Line

SCALE 1:500

LEGAL DESCRIPTION:

Lot 21
Block 3
Plan 091 4791

MUNICIPAL ADDRESS:

31103 Windhorse Drive
Rocky View County, Alberta

PREPARED FOR: Wenyan Cheng

DATE OF SURVEY: July 24th, 2018.

NOTE:

Title information is based on the C. of T. 161 133 467
which was searched on the 23rd day of July, 2018,
and is subject to the following instruments:

Utility Right of Way No. 091 325 193, 091 327 337, 111 303 272
Easement No. 091 327 339
Caveat No. 091 327 344, 091 327 345, 091 327 346, 121 336 742
Encumbrance No. 091 327 347
Agreement No. 091 327 348

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Horizon Land Surveys Inc.

#1, 3175 68 Street N.W. P. 403-542-0679
Calgary, Alberta, T3B 2J4 F. 403-775-4171

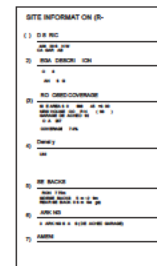
Surveyed: XW

Drawn: SZ

File No.: 180247

Date: 27 July 2018





SITE NOTES

1) NOA 81

2) NO 88

3) NO 88

4) NO 88

5) NO 88

6) NO 88

7) NO 88

8) NO 88

9) NO 88

10) NO 88

11) NO 88

12) NO 88

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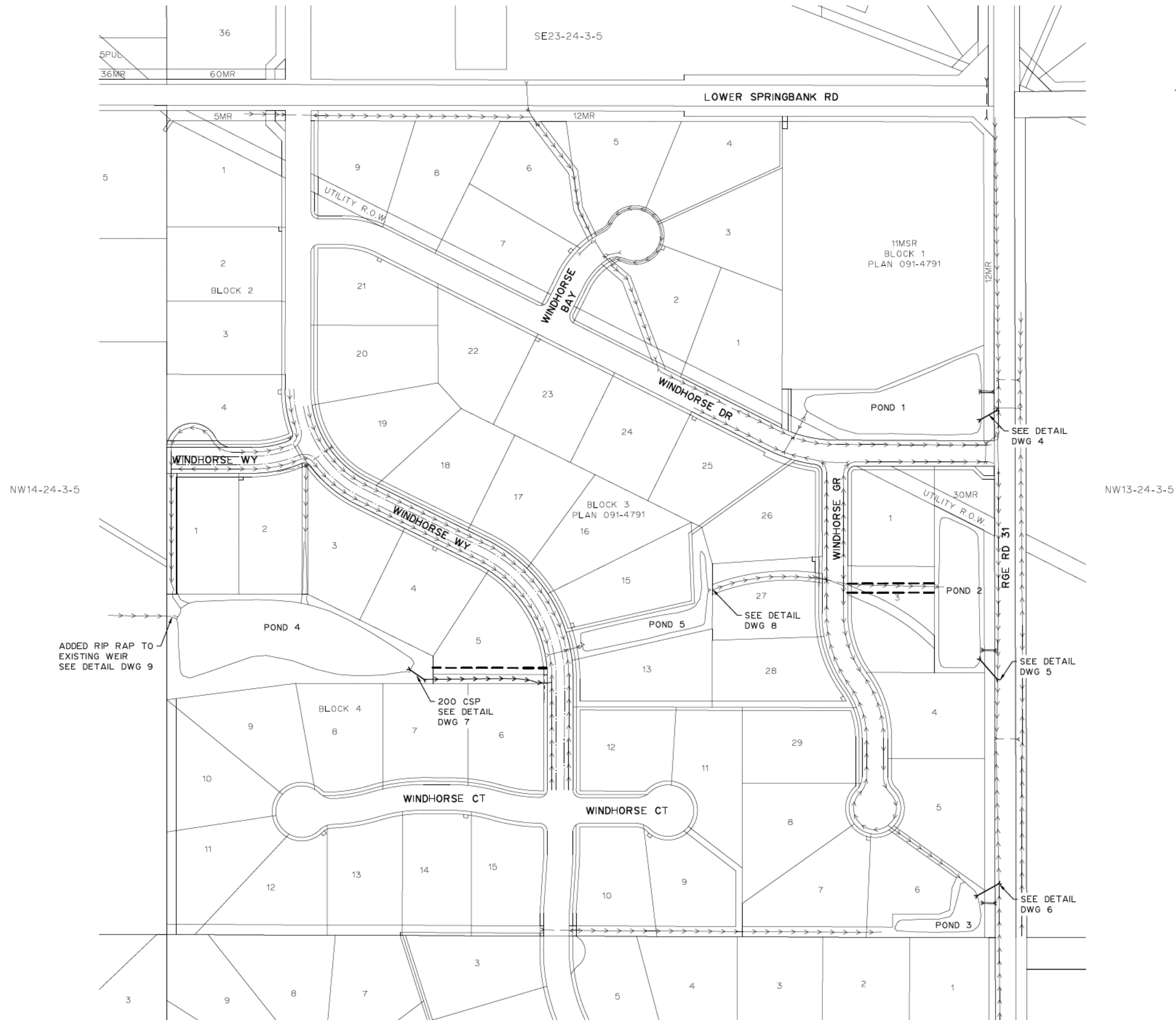
97) NO 88

98) NO 88

99) NO 88

100) NO 88





- NOTES:
1. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH CURRENT ROCKY VIEW COUNTY SERVICING STANDARDS UNLESS NOTED OTHERWISE.
 2. ALL ELEVATIONS AND STATIONS ARE IN METRES, UNLESS NOTED OTHERWISE.
 3. THE EXISTENCE, LOCATION, AND ELEVATION OF ALL UTILITIES AS SHOWN ON ANY PLANS MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE ENGINEER. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE ENGINEER AS TO THE LOCATION AND ELEVATION OF ALL SUCH UTILITIES. THE CONTRACTOR MUST CONTACT UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.
 4. ALL STORM PIPE SHALL BE PVC DR35, CSA-B182.2. ALL ENDS TO BE MITERED TO MATCH GROUND SLOPE.
 5. ALL ASPHALT SHALL BE NEATLY SAW CUT BEFORE REMOVAL AND PATCHED TO MAINTAIN EXISTING CROWN. ASPHALT JOINTS SHALL BE CUT SQUARE, AND PREPARED WITH TACK COAT.
 6. PATHWAY STRUCTURE SHALL BE 100mm OF 25mm GRANULAR BASE (SEE SECTION 2265 OF SPECIFICATIONS) AND 75mm OF MIX B ASPHALTIC CONCRETE.
 7. ALL STRUCTURAL FILL MUST BE COMPACTED TO 98% SPD AND $\pm 3\%$ OF OMC. FILL IS TO BE FREE OF FROST AND/OR ORGANIC MATERIAL.



ALBERTA 1 CALL
CALL BEFORE YOU DIG
1-800-945-3447



NOTE: ALL PIPE SIZES ARE IN MILLIMETERS AND ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE NOTED.

THIS DRAWING MAY HAVE BEEN MODIFIED FROM ITS ORIGINAL SIZE. ALL SCALE NOTATIONS INDICATED (i.e. 1:1000 etc) ARE BASED ON 11"x17" FORMAT DRAWINGS

6	19-08-19	RE-ISSUED FOR RECORD
5	18-11-06	FOR RECORD
4	18-09-28	FOR CONSTRUCTION
3	18-08-22	FOR TENDER REVISION No.1
2	18-08-02	FOR TENDER
1	18-01-05	FOR APPROVAL
ISSUE	YY-MM-DD	REVISION

PERMIT TO PRACTICE
MPE ENGINEERING LTD.
PERMIT NUMBER: P 3680
The Association of Professional
Engineers and Geoscientists of Alberta



ROCKY VIEW COUNTY

WINDHORSE STORMWATER
MANAGEMENT
DRAINAGE PLAN

DESIGNED	D.W.S.	JOB	2285-048-04
DRAWN	M.M.B.	SCALE	1:4000
DATE	JANUARY 2018	DRAWN	Page 77 of 90

THIS RECORD DRAWING CERTIFIES THAT THE DESIGN INFORMATION CONTAINED IN THESE DRAWINGS ACCURATELY REFLECTS THE ORIGINAL DESIGN AND THE MATERIAL DESIGN CHANGES MADE DURING CONSTRUCTION THAT WERE BROUGHT TO THE PROFESSIONAL'S ATTENTION. THESE DRAWINGS ARE INTENDED TO INCORPORATE ADDENDA, CHANGE ORDERS, AND OTHER MATERIAL DESIGN CHANGES, BUT NOT NECESSARILY ALL SITE INSTRUCTIONS. MPE DOES NOT WARRANT OR GUARANTEE, NOR ACCEPT ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE RECORD INFORMATION SUPPLIED BY OTHERS CONTAINED IN THESE DRAWINGS, BUT DOES, BY SEALING AND SIGNING, CERTIFY THAT THE AS-CONSTRUCTED INFORMATION, IF ACCURATE AND COMPLETE, PROVIDES AN AS-CONSTRUCTED SYSTEM WHICH SUBSTANTIALLY COMPLIES IN ALL MATERIAL RESPECTS WITH THE ORIGINAL DESIGN INTENT.



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

SW - Jan 15, 2020

Bronwyn

Inspection Request

Roll #: 04714176 DP #: PRDP20203988

Applicant/Owner: Cheng, Wenyan
Legal Description: Lot 21 Block 3 Plan 0914791, NE-14-24-03-05
Municipal Address: 31103 WINDHORSE DRIVE, Rocky View County AB
Land Use: R-CRD
Reason for Inspection: Single-lot regrading, stripping and re-contouring for landscaping purposes

Inspection Report

Date of Inspection: January 8, 2021 1250 hrs

Permission granted for entrance? Yes

Observations:

1. Fill is stockpiled on site
2. No machinery on site.
3. No employees or workers present

Signature: Andy Wiebe







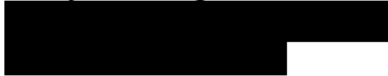




Decision of the Municipal Planning Commission

This is not a development permit

Wenyan Cheng



Development file #: PRDP20203988
Issue Date: February 25, 2021
Roll #: 04714176
Legal description: NE-14-24-03-W05M, Lot:21 Block:3 Plan:0914791

The Municipal Planning Commission conditionally approves the following:

Description:

1. That single-lot regrading and the placement of clean fill and topsoil shall be permitted in general accordance with the drawings submitted and the application details and includes:
 - i. Total area of approximately $\pm 7,718$ sq. m (1.90 acres) and placement of approximately 926 cubic meters of clean fill and topsoil not exceeding 1.00 m (3.28 ft.) in grade change.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit an \$10,000.00 Irrevocable Letter of Credit or Refundable Security deposit to the Rocky View County, to ensure that the conditions of the permit are met. If the conditions are not met, Rocky View County may use the funds, enter onto the described land, and carry out the work necessary to meet the condition.
3. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to release of this permit, the Applicant/Owner shall submit a grade slip from MPE Engineering verifying that the as-built grading plan is in accordance with the overall development stormwater management plan, to the satisfaction of the County.

This is not a development permit

Permanent:

5. That the applicant/owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.
6. That upon completion of the proposed development, the Applicant/Owner shall provide a Deep Fills Report, prepared by a qualified geotechnical professional, indicating the as-built cut and fill areas of the site, and providing compaction testing results of the graded areas.
7. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Release condition shall be implemented and adhered to in perpetuity.
8. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
9. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
10. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
11. That no topsoil shall be removed from the site.
12. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
13. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
14. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
15. That the subject land shall be maintained in a clean and tidy fashion at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways. That all garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.
16. That if this permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That once this Development Permit is issued, the proposed development of single-lot regrading and placement of clean fill/topsoil shall be completed within twelve (12) months of the date of issue.

This is not a development permit

Advisory:

18. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
19. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
20. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

That the Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation, under the Water Act, if any wetland is impacted/disturbed by the proposed development.

It is the responsibility of the applicant to meet and always follow the conditions outlined in this decision. Fines or enforcement action may occur if operating outside of the conditions of approval. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact Legislative Services at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

Municipal Planning Commission



Jerry Gautreau, Chair

This is not a development permit





Notice of Appeal

Subdivision and Development Appeal Board Enforcement Appeal Committee

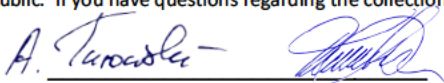
Appellant Information			
Name of Appellant(s) TUROWSKI, AGNIESZKA & ROBERT			
Mailing Address 54 VALLEY RIDGE POINT N.W.	Municipality CALGARY	Province AB	Postal Code T3B 5R7

Site Information	
Municipal Address 31103 WINDHORSE DRIVE	Legal Land Description (lot, block, plan OR quarter section township range meridian) LOT 21, BLOCK 3, PLAN 0914791, NE-14-24-03-05
Property Roll # 04714176	Development Permit, Subdivision Application, or Enforcement Order # PRDP20203988

I am appealing: (check one box only)		
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

Reasons for Appeal (attach separate page if required)
<p>We are the owners of lot 20, Block 3, Plan 0914791, next to lot 21, address: #242230 Windhorse Way, and we would like to appeal for already placed soil <u>OR</u> for additional placement of soil. Owner(s) of lot 21 has already placed loads of soil starting back in year of 2019. Since Spring of 2019 we have had ongoing problems with natural drainage of rain water, caused by raising of the ground surface of lot 21 and by the building a berm along of our property line.</p> <div style="display: flex; justify-content: space-around;">   </div> <p>Before these actions took place, and the natural topography was changed, there were no drainage issues on our lot. Now, after rain, we have a huge puddle and our soil is soaked with a lot of water (<i>please see photos next page</i>). We're unable to cut our grass for many days. Even once the water is visibly gone, the top-soil is too soft for us to drive a tractor without leaving deep grooves from tires. This situation has already occurred before (in 2019), when heavy equipment from the owners of lot 21 were driving on our property without our permission, and damaged our land - (we can provide photos of damage on request).</p> <p style="text-align: right;">- Continued Next Page -</p>

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403 230 1401.

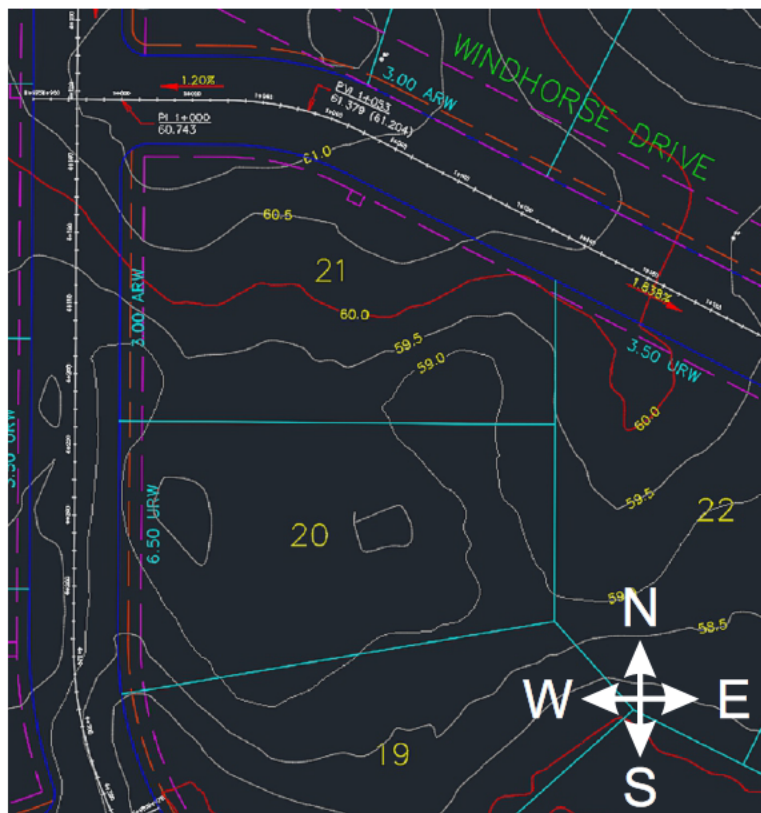
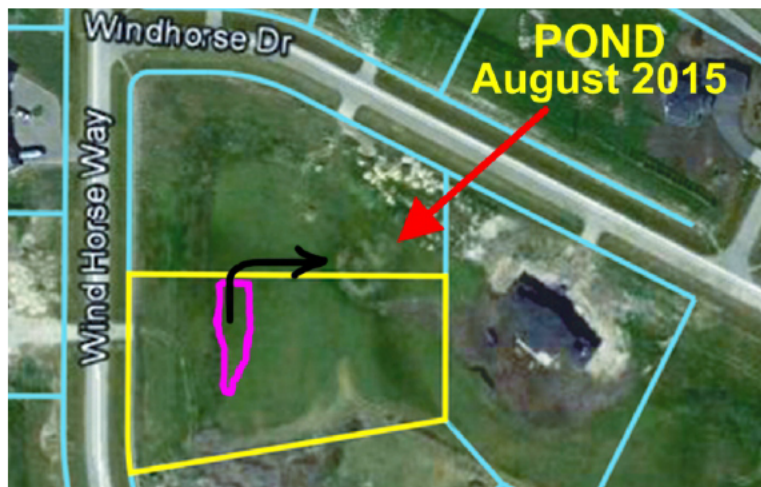

Appellant's Signature

18th March 2021
Date



Originally, the water drained very close to the property line (slightly on the side of lot 21 - see left, below photo) The black arrow represents how water used to drain into that small pond, which was shared between our two properties. The pink line represents the perimeter of our current issue, where water accumulates and creates a huge puddle shown in above photos. **This is the main reason of our appeal.**

At the time of this writing, the pond no longer exists, as the owner(s) of lot 21 has filled the pond in completely with soil. This includes trespassing over the property line, and filling in our side of the pond as well. (*Please see the photos below*).



We fail to understand the reasoning behind changing the topography of lot 21. Raising the South end of the property, to avoid water draining towards the structure (basement), is misguided. As shown on the left, you can see that there was an existing natural grade sloping away from lot 21, towards lot 20.

In summary, before construction on lot 21 started in 2019, our lot never had any issues with water accumulation or drainage for over 5 years.

We understand that everyone wants to have beautiful landscaping, but not when it impacts your surrounding neighbors negatively.

We're hopeful that this appeal will show the owner(s) of lot 21 the negative impact of their actions, and how they can be resolved amicably.

Regards,
Agnieszka and Robert Turowski



Notice of Appeal

Subdivision and Development Appeal Board Enforcement Appeal Committee

Submitting an Appeal

Appeals must be submitted on time and with the required fee

Sections 547, 645, 678, and 686 of the *Municipal Government Act*, RSA 2000, c M-26, and Rocky View County's *Master Rates Bylaw* require that your Notice of Appeal be submitted to the Subdivision and Development Appeal Board (SDAB) or Enforcement Appeal Committee (EAC) within the legislated timeframe and with the required fee. Fees are as follows:

Subdivision and Development Appeal Board		Fee
Development Authority decision	appeal by the owner of the subject property	\$350.00
Development Authority decision	appeal by an affected party	\$250.00
Development Authority decision	appeal of a Stop Order issued under section 645 of the <i>Municipal Government Act</i>	\$500.00
Subdivision Authority decision (paid at time of application and used as a credit on endorsement fees except where the owner appeals the subdivision)		\$1,000.00
Enforcement Appeal Committee		
Compliance Order - appeal as per section 545 or 546 of the <i>Municipal Government Act</i>		\$500.00

How to submit your appeal and pay your fee

You can submit your Notice of Appeal by mail or deliver it in person. Arrangements can also be made to e-mail your Notice of Appeal and pay over the phone. If you e-mail your appeal to the SDAB clerk, you must call the SDAB clerk for verbal confirmation of receipt. Regardless of how you submit your Notice of Appeal, it must be received on or before the final appeal deadline.

Mail or deliver to:

Clerk, Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB, T4A 0X2

Please make cheques payable to "Rocky View County".

What happens after my appeal is submitted?

Once your Notice of Appeal is submitted on time and with the required fee, the appeal will be heard by the SDAB or EAC within 30 days. The Clerk of the SDAB will be in touch with you about the appeal hearing. You and the landowners who are adjacent to the property in question will receive a written Notice of Hearing.

More information

For more information about filing an appeal or SDAB/EAC procedures, please contact the SDAB Clerk at:

Phone: 403-230-1401

Email: sdab@rockyview.ca

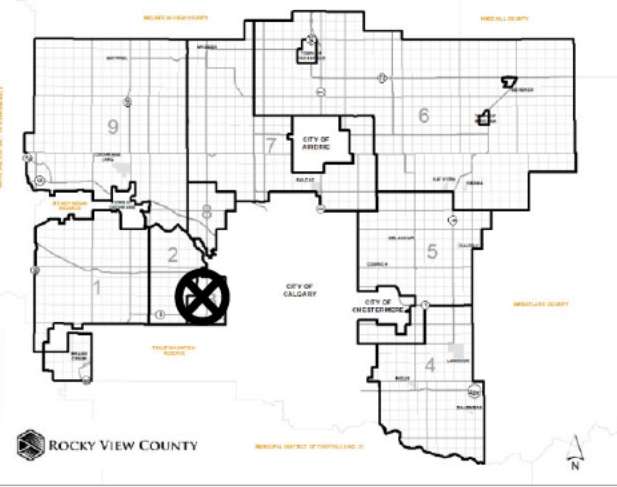
Website: www.rockyview.ca



Location & Context

Development Proposal

Single-lot regrading,
placement of clean fill and
top soil for site
landscaping



Division: 03
Roll: 04714176
File: PRDP20203988
Printed: Jan 15, 2021
Legal: Lot:21 Block:3
Plan: 24-03-W05M
Page 89 of 90

Site Plan

Development Proposal

Single-lot regrading,
 placement of clean fill and
 top soil for site
 landscaping

