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JAN 30 2025

Notice of Appeal Form

City of Airdrie

Subdivision and Development Appeal Board Airdrie Subdivision and Development Appeal Board

A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision.
 A notice of appeal for a subdivision matter must be filed within 14 days after the receipt of the subdivision authority's written decision.

Appellant (Landowner, applicant, or affected party filing the appeal)

Name of Appellant(s)	2103211 ALBERTA LTD O/A BUD MART		Telephone #	[REDACTED]
Mailing Address	45 Cornerstone Gdns N.E.	Municipality	Calgary	Province AB Postal Code T3N 1R6
E-mail Address (By providing an e-mail address I consent to receive documents by e-mail)				

Property under appeal

Municipal Address	600 - 705 Main Street SW, Airdrie AB	Legal Land Description (Lot, Block, Plan)	Lot 6, Block 1, Plan 811 0225
Development Permit #, Subdivision Application #, or Enforcement Order #	PL2402262	Date of decision	January 20, 2025

Matter being appealed (check one box only)

Development authority decision	Subdivision authority decision	Enforcement decision
<input type="checkbox"/> Approval or the conditions of approval <input checked="" type="checkbox"/> Refusal	<input type="checkbox"/> Approval or the conditions of approval <input type="checkbox"/> Refusal	<input type="checkbox"/> Stop Order

Reasons for appeal (attach separate page if required) - All appeals must contain reasons

The City Bylaw utilizes a measurement method of 60 meters from boundary to boundary. Given that Towerlane is 22 acres in size and represents 25% of Airdrie's Downtown area, the bylaw (unintentionally) makes it much more likely for businesses within Towerlane to be refused based on this method of measurement. A more pragmatic measurement would be a 'door to door' walking distance. A 'door to door' walking measurement has been estimated at 278 meters to the new 'Inspire' library multi-use facility, and over 300 meters to the closet residential building.

The Bylaw does not consider line of sight. The cannabis retail store would not be visible from the two sites mentioned in the Refusal Decision. In fact, the proposed site of the cannabis retailer would be located on the opposite side of the southwestern Towerlane building, in one of the least visible spaces throughout the entire 22 acre shopping centre. The specific proposed location is in the near the inside 'elbow' of that southern building, immediately next to the liquor store. The proposed cannabis store is 986sf. For reference, the adjacent liquor store is 5,522sf.

It appears this bylaw has been applied inconsistently when looking at existing cannabis retailers throughout Airdrie, it has come to our attention that others have not been refused a permit when boundaries are within 60 meters or each other. When considering fair and equitable application of the Bylaw, one must question why our proposal is the only one to be refused.

Although no specific concerns have been identified by City staff around the use and proximity of the proposed cannabis store, we are prepared to mitigate any potential concerns with the following:

- Installation of quality frosted window films making the door and windows translucent.
- Clear communication of age restriction, restricting entrance on the front door: No Minors, 18+, Photo ID required, etc.
- No use of the sign pylons located along Main Street.
- No 'sandwich boards' or marketing flags etc.
- Construction of high quality Tenant Improvements, in keeping with the professional image of a modern cannabis store.
- No odors to be emitted from the premises.

Signature of Appellant	Date
	Jan 30 / 2025

The personal information on this form is collected for the purpose of administering the Subdivision and Development Appeal Board appeal process and becomes a public document which may be provided to those who may be affected by your appeal. This personal information is collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. Questions concerning the collection of this information can be directed to the FOIP Coordinator at (403) 948-8816 or by e-mail to foip@airdrie.ca.

Notice of Appeal Information

How do I file my appeal?

- Your Notice of Appeal and the required fee must be received by the Subdivision and Development Appeal Board (SDAB) no later than the final date for appeal as specified in the *Municipal Government Act*. Notice of Appeal sent by mail must be received by the SDAB (not post-marked) on or before the final date for appeal.
- A non-refundable \$250 (Development Appeal or Stop Order) or \$350 (Subdivision Appeal) filing fee is required on or before the final date for appeal.
- You can submit your Notice of Appeal and the fee in the following ways:

By mail to:	Subdivision and Development Appeal Board 400 Main Street SE, Airdrie, AB T4B 3C3 Attention: Clerk of the Subdivision and Development Appeal Board Pay by cheque payable to “City of Airdrie”.
Deliver in person to:	Subdivision and Development Appeal Board 400 Main Street SE, Airdrie, AB T4B 3C3 Attention: Clerk of the Subdivision and Development Appeal Board Pay by cheque payable to “City of Airdrie”, cash, debit card, Visa, or Mastercard.
By e-mail to:	Appeals@airdrie.ca Pay with Visa or Mastercard by phoning 403-948-8816 between 8:30 am 4:30 pm, Monday to Friday.

What happens after my appeal is submitted?

The SDAB clerk schedules an appeal hearing within 30 days of receiving the appeal form and fee. You and any other party required to be notified under the *Municipal Government Act* or the City of Airdrie's *Land Use Bylaw* will receive a written Notice of Hearing.

Please note, the SDAB hearing is considered a hearing *de novo* (to hear anew). The Board can confirm, revoke, or vary the order, decision, or development permit, or any attached condition. The Board may also replace an order, decision, or permit with its own. For example, if conditions of a development permit are appealed, the Board may deny the development permit in its entirety. In these circumstances, there may be legislated re-application waiting periods.

Where can I get more information?

- For information about filing an appeal or SDAB procedures, contact the SDAB Clerk at 403-948-8816 or appeals@airdrie.ca.
- For information about land development applications or the City of Airdrie's Municipal Development Plan or *Land Use Bylaw*, contact the City of Airdrie's Planning Department at 403-948-8848 or planning@airdrie.ca.
- For information about the enforcement of municipal bylaws, contact the City of Airdrie's Municipal Enforcement at 403-948-8892.