



# MPC AGENDA

Meeting: November 26, 2018 6:00 p.m.  
Council Chambers  
502 – 2 Avenue Bassano

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**1. CALL TO ORDER**

**2. EXCUSED FROM MEETING**

**3. ADOPTION OF AGENDA**

**4. ADOPTION OF MINUTES**

4.1 September 10, 2018 MPC Meeting

**5. DEVELOPMENT REPORT**

5.1 November 21, 2018

**6. DEVELOPMENT PERMITS/REQUESTS**

6.1 Variance Request – Legal-Non-Conforming – Plan 1418LK, Block 1, Lot 18

6.2 Discretionary Use – Retail Cannabis – Plan 3872T, Block 4, Lots 1-4

**7. SUBDIVISIONS**

n/a

**8. INFORMATION ITEMS**

n/a

**9. QUESTION PERIOD**

**10. IN CAMERA**

n/a

**11. ADJOURNMENT**



**MINUTES OF THE MUNICIPAL PLANNING COMMISSION  
MEETING OF THE TOWN OF BASSANO HELD IN COUNCIL  
CHAMBERS ON SEPTEMBER 10, 2018**

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**PRESENT**

**CHAIR:** Tom Rose  
**BOARD MEMBERS:** Kevin Jones  
Ron Wickson  
John Slomp  
Wanda Wallace  
Doug Barlow  
Lynn MacWilliam

**STAFF:** Amanda Davis – Development Officer

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**1. CALL TO ORDER**

Chair Rose called the meeting to order at 6:32 p.m.

**2. EXCUSED FROM MEETING**

None

**3. ADOPTION OF AGENDA**

**028/18** Moved by **MEMBER JONES** that the agenda be approved as presented.

**CARRIED**

**4. ADOPTION OF MINUTES**

**4.1 Adoption of minutes from the Municipal Planning Commission meeting on August 20, 2018.**

**029/18** Moved by **MEMBER WALLACE** that Municipal Planning Commission minutes of August 20, 2018 are approved with the correction of Member MacWilliam's name.

**CARRIED**

**5. DEVELOPMENT REPORT**

**5.1 Adoption of the development report for the period ending September 10, 2018.**

**030/18** Moved by **MEMBER BARLOW** that the development report for the period ending September 10, 2018 is approved as presented.

CARRIED

**6. DEVELOPMENT PERMITS/REQUESTS**

**6.1 Variance Request – Legal Non-Conforming – Plan 051 0383 Block 29, Lot 4**

**031/18**

Moved by **MEMBER JONES** that the Municipal Planning Commission approves Development Permit TOB-D-15-18 allowing for a waiver for the minimum setback from the west property line from 7.6 meters to 6.49 meters with the following conditions:

1. That any future development (demolition or new) must be in compliance with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.

CARRIED

**7. SUBDIVISIONS**

None

**8. INFORMATION ITEMS**

None

**9. QUESTION PERIOD**

None

**10. IN CAMERA**

None

**11. ADJOURNMENT**

Chair Rose adjourned the regular Municipal Planning Commission meeting of September 10, 2018 at 6:44 p.m.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Chief Administrative Officer



## DEVELOPMENT REPORT

Meeting: November 26, 2018 MPC  
Agenda Item: 5.1

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Amanda Davis, Interim Chief Administrative Officer

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The following development permits were issued between September 10, 2018 and November 21, 2018:

PERMIT NUMBER	LOCATION	DEVELOPMENT
TOB-D-16-18	Plan 2016BA; Block 33; Lot 29	Ramp for residential dwelling
TOB-D-17-18	Plan 181 0941, Block 8, Lot 21	Commercial development – new dental clinic.
TOB-D-18-18 (VOID) applicant will reapply in 2019 to include all planned construction.		

### **Land Use Bylaw (LUB) Update**

Two LUB revisions were approved by council on October 22, 2018. Bylaw 880/18 included administrative changes and Bylaw 881/18 included cannabis changes. Oldman River Regional Planning Services Commission (ORRSC) is compiling the LUB.

### **Municipal Development Plan (MDP) Update**

In accordance with Section 632 (1) of the Alberta Municipal Government Act (MGA) all municipalities, regardless of size must create and adopt a Municipal Development Plan (MDP) by April 1, 2021. To support this process, grant funding was offered through the Alberta Collaboration Program (ACP) Local Land Use Planning (LLUP) component. Towns were eligible to receive a maximum of \$30,000 to support the process. Bassano received the full \$30,000 in mid-2018.

At the October 22, 2018 council meeting, a motion was made to contract ORRSC to work with the town to develop the MDP. This project will kick off in the early new year. An MDP supports local planning and once approved is a statutory planning document. It must align with the LUB and other statutory plans.

### **Attachments:**

1. n/a



# REQUEST FOR DECISION

Meeting: September 10, 2018 MPC  
Agenda Item: 6.1

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## Variance Request – Legal Non-Conforming – Plan 1418LK, Block 1, Lot 18 Development Permit Application TOB-D-19-18

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### **BACKGROUND:**

The town completed a compliance certificate on Plan 1418LK, Block 1, Lot 18 (229 – 2<sup>nd</sup> Avenue, Bassano) as requested by Shantz Law.

As stated within the compliance certificate, there is one deficiency. The accessory building does meet the minimum side yard setback. The minimum side yard setback is 1.5 meters and the accessory building is 0.66 meters from the property line.

To complete the sale of this property, a variance has been requested. The variance would allow the accessory building to remain in place.

Adjacent landowners received notification of the variance request on November 19, 2018.

**Development timeline:** n/a

### **OPTIONS:**

#1 – Approve Development Permit TOB-D-19-18, allowing for a waiver for the side yard setback from 1.5 meters to 0.66 meters for the accessory building with the following conditions:

1. That any future development (demolition or new) must be in compliance with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.

#2 – Reject Development Permit TOB-D-19-18, until the applicant achieves compliance with Land Use Bylaw #845/13.

### **PROPOSED RESOLUTION:**

That the Municipal Planning Commission approves Development Permit TOB-D-19-18 allowing for a waiver of the side yard setback from 1.5 meters to 0.66 meters for the accessory building with the following condition:

1. That any future development (demolition or new) must be in compliance with the Town of Bassano's Land Use Bylaw which is subject to change from time to time.

**Prepared By:** Amanda Davis, Development Officer

### **Attachments:**

1. Compliance Certificate dated October 31, 2018
2. Development Permit Application TOB-D-19-18
3. Notice to Adjacent Landowners -November 19, 2018



**"The Best in the West by a Damsite"**



Chief Administrative Office  
502 - 2nd Avenue  
P.O. BOX 299  
BASSANO, ALBERTA T0J 0B0

PHONE: 403-641-3788  
FAX: 403-641-2585  
[www.bassano.ca](http://www.bassano.ca)

October 31, 2018

Shantz Professional Corporation  
P.O. Box 2086  
Brooks, AB T1R 1C7

Attention: Brian M. Shantz

**Re: Compliance Certificate – Plan 1418 LK; Block 1; Lot 18 (229 – 2<sup>nd</sup>, Avenue)**

Please be advised that the above-mentioned property is designated Residential – R1 within the Town of Bassano's Land Use Bylaw No. 845/13. A review of the Real Property Report dated October 30, 2018 and signed by Cameron Christianson, Alberta Land Surveyor, which is attached hereto, and forms part of this letter shows that the location of the accessory building does not comply with the setback requirements of the Land Use Bylaw 845/13.

- a. Deficiency – the accessory building does not meet the minimum side yard setback of 1.5 meters. The accessory building is 0.66 meters from the property line.

To bring the current building into compliance you must:

1. Move the accessory building (shed) .84 meters southeast of the property line. The accessory building must be at a minimum of 1.5 meters from the SW property line. OR
2. Submit a variance permit application to reduce the side yard setback for the accessory building from 1.5 meters to 0.66 meters. If you elect the to proceed with the variance permit, an application is attached. A \$50 application fee must accompany the application.

All remaining structures are compliant with the Land Use Bylaw 845/13.

The position of the Town is based solely on the information contained in the survey document referred to in paragraph(s) above. Only compliance or non-compliance of principle and accessory buildings (larger than 100 sq. ft.) within the subject property shown on the survey document has been addressed in this letter. The Town of Bassano makes no representation as to buildings, improvements or measurement incorrectly shown or not shown on the survey document.

The Town has not in any way verified, checked or reviewed any document, plan, affidavit, statutory declaration or letter provided and exclusively and strictly relies upon the author or signatory for accuracy and veracity of all statements and details provided.

If you have any questions in regard to this Compliance Certificate, please do not hesitate to contact the undersigned at 403-641-3788.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Davis".

Amanda Davis  
Interim CAO

Encl.

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT  
BY: CAMERON CHRISTIANSON, A.L.S. 2018

TO: SHANTZ LAW OFFICE  
BOX 2086  
BROOKS, ALBERTA  
T1R 1C7

LAWYER: BRIAN M. SHANTZ (FILE: 18623)  
RE: LOT 17  
BLOCK 1, PLAN 1418 LK  
TOWN OF BASSANO  
229 SECOND AVENUE  
(the "Property")

Date of Survey: October 24, 2018  
Date of this Report: October 16, 2018  
(A copy of which is attached hereto)

LEGEND

- Boundaries are in metres and decimal parts of a metre.
- Measurements are in metres and decimal parts of a metre.
- Measurements which pertain to buildings refer to foundation unless shown otherwise.
- Measurements which pertain to fences refer to the top of the fence unless otherwise stated.
- Calculations are shown to the nearest millimetre.
- Fences shown are shown true.
- Adjacent land is shown in grey.
- CLP stands for Chain Link Fence, UB stands for Utility Box.

CERTIFICATION

I, the undersigned, being a duly qualified and licensed surveyor in the Province of Alberta, do hereby certify that this report, which includes the attached plan and related survey information, was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the Province of Alberta in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association. I am not a party to this report and I have not been involved in any way in the preparation of the report. I am of the opinion that the information contained in this report is true and correct and that the plan submitted to me is a true and correct copy of the original plan. I am of the opinion that the information contained in this report is true and correct and that the plan submitted to me is a true and correct copy of the original plan. I am of the opinion that the information contained in this report is true and correct and that the plan submitted to me is a true and correct copy of the original plan.

NOTES

- One inch extend on this property at line of survey which has been shown. The area may be available. Some or all survey monuments shown found in this report may have been located with a previous survey and are not to be relied upon for the purposes of this report.
- Adjacent owner's survey may be used for the purpose of a later occupation, a mortgage or other financial instrument, but only if the adjacent owner's survey is a true and correct copy of the original plan.
- Copying is permitted only for the benefit of these parties, and only if the adjacent owner's survey is a true and correct copy of the original plan. Unlawful copying of any part of this report is prohibited.
- Based on the information shown on this report, the adjacent owner's survey may not be a true and correct copy of the original plan. The information shown on this report is not to be used for the purpose of a later occupation, a mortgage or other financial instrument, and is not to be relied upon for the purposes of this report.

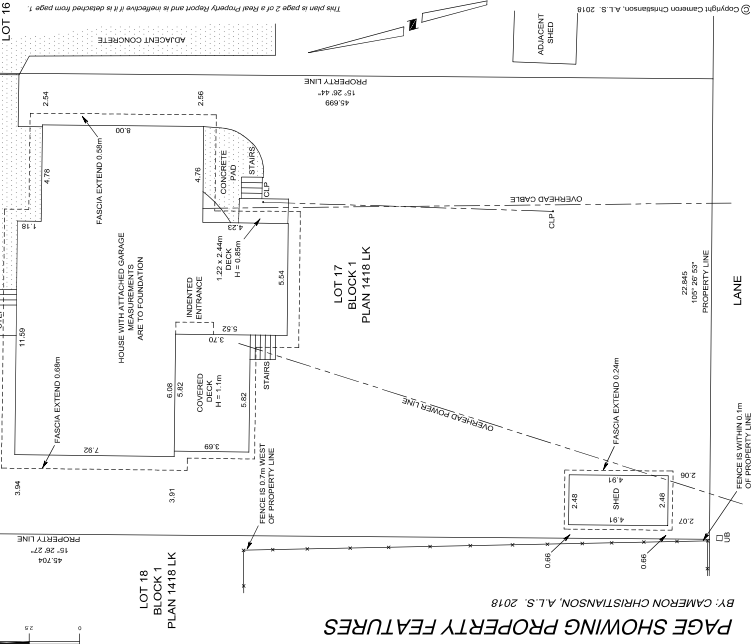
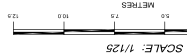
Done at Brooks, Alberta,  
this 30th day of October, 2018

CAMERON CHRISTIANSON, A.L.S.  
(copyright reserved)

This document is not valid unless it bears an original signature in blue ink.

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT  
PAGE SHOWING SURVEY EVIDENCE  
BY: CAMERON CHRISTIANSON, A.L.S. 2018

SCALE: (NOT TO SCALE)

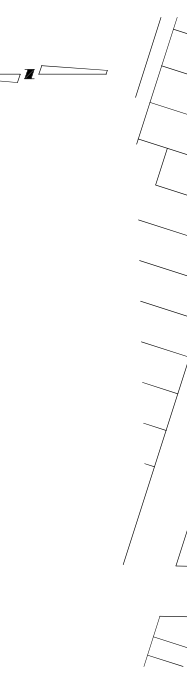


ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT  
PAGE SHOWING PROPERTY FEATURES

BY: CAMERON CHRISTIANSON, A.L.S. 2018

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT  
PAGE SHOWING SURVEY EVIDENCE  
BY: CAMERON CHRISTIANSON, A.L.S. 2018

SCALE: (NOT TO SCALE)



ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT  
PAGE SHOWING SURVEY EVIDENCE

BY: CAMERON CHRISTIANSON, A.L.S. 2018



Date of Application: October 31, 2018

Development Permit  
Application No. TOB-D 19-18

**IMPORTANT NOTICE:** This application does not permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If approval has not been received within 40 days of the date the application is deemed complete, you have the right to file an appeal to the Subdivision and Development Appeal Board.

**THIS DOES NOT CONSTITUTE A BUILDING PERMIT.  
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.**

**APPLICANT INFORMATION**

Name of Applicant: Brian M. Shantz  
Mailing Address: Shantz Law Office Phone: 403-793-2227  
Box 2086 Phone (alternate): \_\_\_\_\_  
City: Brooks AB Fax: 403-793-2422  
Postal Code: T1R 1C7 Email: fiona.shantzlau@telus.net

Is the applicant the owner of the property?  Yes  No  
↓  
IF "NO"

Name of Owner: GLORIA GLADYS STOLLER  
Mailing Address: Box 273 Phone: 403-641-3882  
Phone (alternate): \_\_\_\_\_  
City: Bassano AB Fax: \_\_\_\_\_  
Postal Code: T0J 0B0

Applicant's interest in the property:  Agent  
 Contractor  
 Tenant  
 Other \_\_\_\_\_

**PROPERTY INFORMATION**

Municipal Address: 229 2 Avenue Roll Number: 19000  
Legal Description: Lot(s) 18 Block 1 Plan 1418LK  
Land Use District: Town of Bassano  
What is the existing use? Residential

**DEVELOPMENT INFORMATION**

This application is to: (Check all that apply)

- Construct an accessory building or structure (if greater than 500 ft<sup>2</sup> see abandoned well information section)

The accessory building is a:

- Garage (detached) (if greater than 500 ft<sup>2</sup> see abandoned well information section)
- Shed/workshop (if greater than 500 ft<sup>2</sup> see abandoned well information section)
- Other \_\_\_\_\_

Other

Describe the proposed use, any changes from existing use, and any work to be done.

As per Town of Bassano letter dated October 31, 2018, to apply for a variance to reduce side yard setback for an accessory building. *from 1.5 meters to 0.66 meters.*

**BUILDING REQUIREMENTS**

	Principal Building		Office Use	
Parcel Size	<input type="checkbox"/> m <sup>2</sup>	<input type="checkbox"/> sq. ft.	<input type="checkbox"/> m <sup>2</sup>	<input type="checkbox"/> sq. ft.
Building Size	<input type="checkbox"/> m <sup>2</sup>	<input type="checkbox"/> sq. ft.	<input type="checkbox"/> m <sup>2</sup>	<input type="checkbox"/> sq. ft.
Height of Building	<input type="checkbox"/> m	<input type="checkbox"/> ft.	<input type="checkbox"/> m	<input type="checkbox"/> ft.
Proposed Setbacks from Property Lines				
Front	<input type="checkbox"/> m	<input type="checkbox"/> ft.	<input type="checkbox"/> m	<input type="checkbox"/> ft.
Rear	<input type="checkbox"/> m	<input type="checkbox"/> ft.	<input type="checkbox"/> m	<input type="checkbox"/> ft.
Side	0.66 <input type="checkbox"/> m	<input type="checkbox"/> ft.	<input type="checkbox"/> m	<input type="checkbox"/> ft.
Side	<input type="checkbox"/> m	<input type="checkbox"/> ft.	<input type="checkbox"/> m	<input type="checkbox"/> ft.
Parcel Type:	<input checked="" type="checkbox"/> Interior Lot		<input type="checkbox"/> Corner Lot	

**WAIVERS**

Is a waiver of one or more standards of the Land Use Bylaw being requested?

- Yes
- No

If yes, please specify: *Accessory building sideyard setback decrease/adjustment as shown on the Real Property Report dated Oct 30/18*

## ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 sq. m.), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are required to do the following:

### 1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.ca). The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4**.

### 2. Submit the following as part of your development permit application

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

## DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
Registered Owner (if not the same as applicant)

## DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- Copy of Site Plan.** Site plan shall provide the following information:  
(May be provided on a survey plan or a sketch on the following page)
  - Legal Description and Municipal Address of Subject Property
  - Scale, North Arrow & Land Use District
  - Adjacent roadways & lanes
  - Lot Dimensions, Lot Area, and Percentage of Lot Coverage for all structures
  - Existing residence and/or any other buildings with dimensions of foundation and projections including decks (indicate using a solid line ——— )
  - Proposed residence and/or any other buildings with dimensions of foundation and projections including decks (indicate using a dashed line - - - - - )
  - The proposed distances from the front, side, and rear property lines
  - Location of Lot Access, Existing Sidewalk(s) and Curbs
  - Location of Fire Hydrant, Street Light, Power/Telephone/Cable Pedestal(s) (if located within property frontage)
  - Location of any Registered Utility Right of Ways or easements
  - Number of off-street parking spaces
  
- Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - Scale and Dimensions of Exterior Walls and Interior Rooms
  - Floor Plan of all living space proposed to be developed
  - Building Elevations including Front, Sides, and Rear elevations, Building Height (From Finished Grade), Roofing Material, and Roof Pitch
  
- Map or additional information from the ERCB regarding location of abandoned wells.**
  
- If applicant is not the registered owner,** a written statement (or this application) signed by the registered owner consenting to this application.
  
- Permitted Use - Application Fee of \$50.00 payable to the Town of Bassano is included.**
- Discretionary Use or requesting a Waiver (s) - Application Fee of \$150.00 payable to the Town of Bassano is included.**



## TOWN OF BASSANO

### PUBLIC NOTICE OF DEVELOPMENT APPLICATION ADJACENT LANDOWNERS AND PERSONS LIKELY TO BE AFFECTED

**\*Hand Delivered at 9:00 a.m. on November 19, 2018**

Notice is hereby given that an application will be considered by the Municipal Planning Commission (MPC) for a Development Permit with regard to the following:

<b>DEVELOPMENT APPLICATION:</b>	<b>Development Permit No. TOB-D-19-18</b> <b>Application for: Maintain the existing location of a 128 square foot shed.</b>
<b>DISTRICTING:</b>	<b>Residential – R1</b> <b>Permitted Use – Variances Requested</b>
<b>CIVIC ADDRESS:</b>	<b>229 – 2 Avenue</b>
<b>LEGAL DESCRIPTION:</b>	<b>Plan 1418LK, Block 1, Lot 18</b>

**Dear Sir or Madame:**

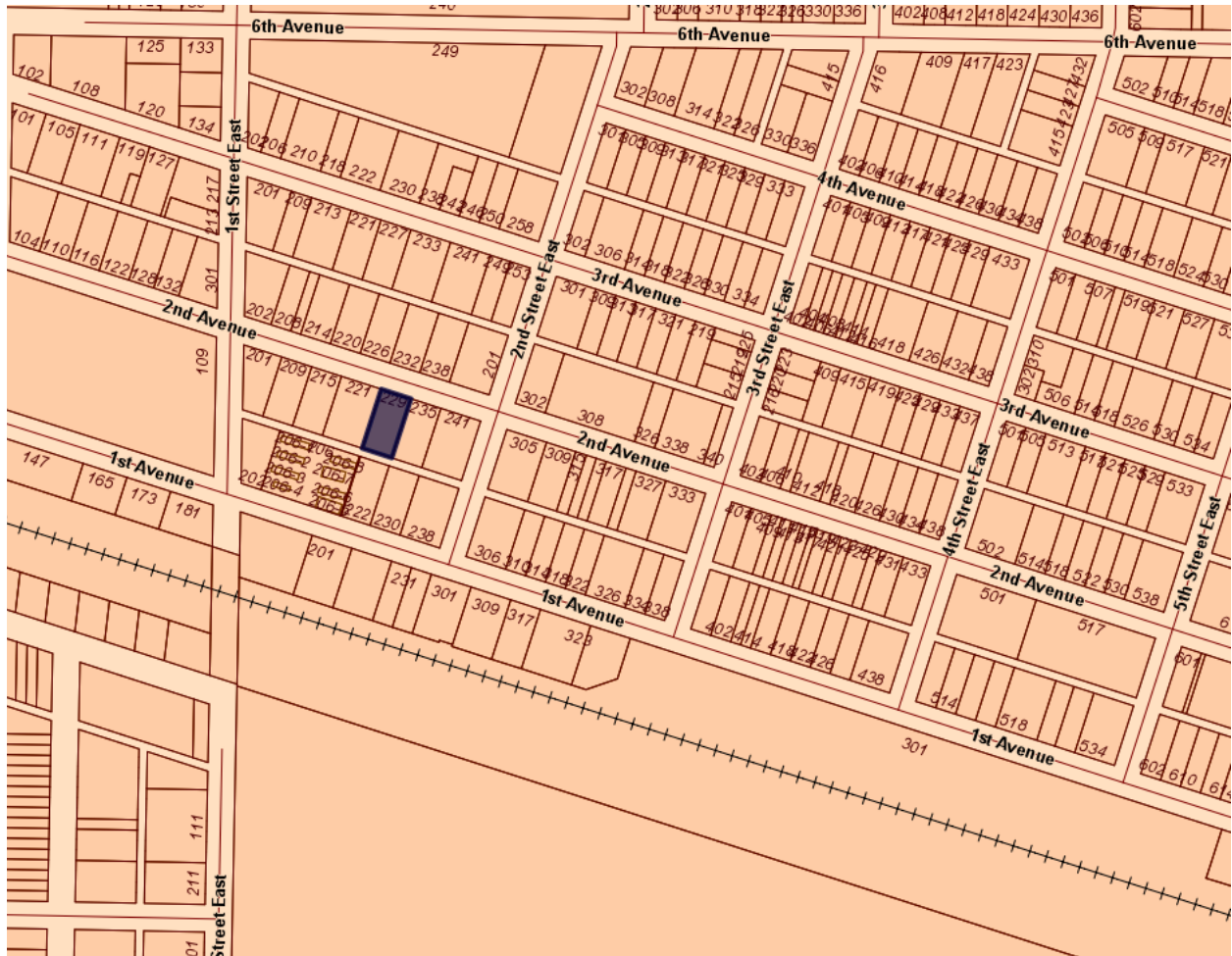
Pursuant to Section 32 of Land Use Bylaw No. 845/13 of the Town of Bassano, notice is hereby given that on **Monday, November 26 at 6:00 p.m.**, the MPC will consider **Development Application No. TOB-D-19-18**.

The application under consideration is to reduce the side yard setback for an accessory building (128 square foot shed) from 1.5 meters to 0.66 meters. This is an existing structure.

Persons requesting to be heard at the meeting may submit comments to the Development Officer no later than Monday, November 26, 2018 at 12:00 p.m. Persons who do not submit comments for inclusion in the agenda package may attend the meeting and submit comments in person. A copy of the application is available for inspection at the Town Office – 502 – 2<sup>nd</sup> Avenue Bassano, Alberta. Comments may be dropped off or mailed to the Town Office; or directed to Amanda Davis, Development Officer/Town of Bassano at [cao@bassano.ca](mailto:cao@bassano.ca) or faxed to 403-641-2585.

Any questions regarding the application may be directed to the Development Officer at 403-641-3788.

Amanda Davis, MBA  
Development Officer  
Town of Bassano





# REQUEST FOR DECISION

Meeting: September 10, 2018 MPC  
Agenda Item: 6.2

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## Discretionary Use – Plan 3872T, Block 4, Lots 1-4 Development Permit Application TOB-D-20-18

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### **BACKGROUND:**

An application was received for a retail cannabis store. Retail cannabis is deemed Discretionary Use within the C1 district pursuant to Bylaw 881/18 and must be deferred to the MPC. The application was reviewed in advance with I. McDougall, ORRSC. The application meets the requirements set out in the bylaw for retail cannabis. However, a small variance is required as the height of the buildings does not conform to the Land Use Bylaw (LUB).

It is mandatory that the applicant obtains a Retail Cannabis License from the Alberta Gaming and Liquor Association prior to occupancy. Receiving development approval is only one part of the applicants' process in offering retail cannabis.

Various conditions would be required as outlined below if the application is approved:

- (1) Must provide the Town of Bassano with a copy of the Retail Cannabis License issued by the Alberta Gaming and Liquor Association prior to occupancy.
- (2) The hours of operation for the Cannabis Retail store are permitted from 10:00 a.m. to 10:00 p.m. daily with no exception.
- (3) All advertising inside the premises shall not be visible from the outside of the building.
- (4) Portable signs are strictly prohibited on the premises.
- (5) As shown in the site plan, the Cannabis Retail store must operate separately from all other businesses on the premises.
- (6) Goods and paraphernalia shall not be visible from the outside of the business premises.
- (7) All secondary permit disciplines (e.g. Building, Plumbing, Electrical, Gas) must be obtained prior to any construction. All development must conform to Alberta Codes and Regulations.
- (8) The applicant must provide the Development Officer with a parking plan that conforms to the Parking Requirements defined within the Land Use Bylaw.
- (9) A sign permit application must be submitted to the Development Officer, and the applicant must receive approval of the sign prior to occupancy.
- (10) A business license must be obtained at the Municipal Office for retail cannabis.

Adjacent landowners received notification of the application on November 19, 2018.

**Development timeline:** Not defined.

### **OPTIONS:**

- #1 – Approve Development Permit TOB-D-20-18 by:
1. Allowing for a waiver for the building height from 35 feet to 38 feet.
  2. And, meeting the conditions defined above (1-10)

#2 – Postpone a decision regarding Development Permit TOB-D-20-18 until a sign permit is received and a parking plan is provided.

#3 – Reject Development Permit TOB-D-20-18, until the applicant achieves compliance with Land Use Bylaw #845/13.

**PROPOSED RESOLUTION:**

1. That the Municipal Planning Commission approves Development Permit TOB-D-20-18 variance allowing for a waiver for the building height from 35 feet to 38 feet with the condition, that any future develop adheres to the building restrictions defined in the Land Use Bylaw.

AND

2. That the Municipal Planning Commission approves Development Permit TOB-D-20-18 for a Retail Cannabis Store with the following conditions:
  - a. The applicant must provide the Town of Bassano with a copy of the Retail Cannabis License issued by the Alberta Gaming and Liquor Association prior to occupancy.
  - b. The hours of operation for the Cannabis Retail store are permitted from 10:00 a.m. to 10:00 p.m. daily with no exception.
  - c. All advertising inside the premises shall not be visible from the outside of the building.
  - d. Portable signs are strictly prohibited on the premises.
  - e. As shown in the site plan, the Retail Cannabis store must operate separately from all other businesses on the premises.
  - f. Goods and paraphernalia shall not be visible from the outside of the business premises.
  - g. All secondary permit disciplines (e.g. Building, Plumbing, Electrical, Gas) must be obtained prior to any construction. All development must conform to Alberta Codes and Regulations.
  - h. The applicant must provide the Development Officer with a parking plan that conforms to the Parking Requirements defined within the Land Use Bylaw.
  - i. A sign permit application must be submitted to the Development Officer, and the applicant must receive approval of the sign prior to occupancy.
  - j. A business license must be obtained at the Municipal Office for Retail Cannabis.

**Prepared By:** Amanda Davis, Development Officer

**Attachments:**

1. Development Permit Application TOB-D-20-18
2. Notice to Adjacent Landowners -November 19, 2018
3. Land Use Bylaw 881/18



DUNCAN PROPERTIES INC.

#203 -16 Midlake Blvd. SE, Calgary, AB T2X 1M2 | Phone: 403.837.2343 Fax: 403.201.3288 | Email: bruce\_bmac@yahoo.ca

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November 6, 2018

RECEIVED  
Nov. 14/18 *AL*

Town of Bassano  
Box 299  
502 – 2<sup>nd</sup> Avenue  
Bassano, AB T0J 0B0

COPY

**Attention: PLANNING DEPARTMENT**

Dear Sir/Madam:

**RE: LAND USE DEVELOPMENT PERMIT APPLICATION**

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Please find enclosed an Application to develop a Recreational Cannabis Retail Store in the old restaurant space in the Imperial Hunter Hotel, located at 501 – 2<sup>nd</sup> Avenue, Bassano, AB.

Please call me at (403) 837-2343 or email me at [bruce\\_bmac@yahoo.ca](mailto:bruce_bmac@yahoo.ca) if you have any questions or concerns.

Regards

  
Bruce McIntosh

# IMPERIAL HUNTER HOTEL LTD.

#203 -16 Midlake Blvd. SE, Calgary, AB T2X 1M2 | Phone: 403.837.2343 Fax: 403.201.3288 | Email: bruce\_bmac@yahoo.ca

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November 6, 2018

Town of Bassano  
Box 299  
502 - 2<sup>nd</sup> Avenue  
Bassano, AB T0J 0B0

**COPY**

**Attention: PLANNING DEPARTMENT**

Dear Sir/Madam:

**RE: DEVELOPMENT PERMIT APPLICATION**

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Imperial Hunter Hotel Ltd. hereby consents to Duncan Properties Inc. making an application to open a Recreational Cannabis Retail Business in the property located at 501 - 2<sup>nd</sup> Avenue, Bassano, AB.

Please call me at (403) 837-2343 or email me at [bruce\\_bmac@yahoo.ca](mailto:bruce_bmac@yahoo.ca) if you have any questions or concerns.

Regards



Bruce McIntosh  
Owner

**IMPERIAL HUNTER HOTEL LTD.**

203-16 MIDLAKE BLVD. S.E.  
CALGARY, ALBERTA T2X 2X7  
Tel: (403) 837-2343

001011

DATE 20 18-11-06  
Y Y M M D D

PAY to TOWN OF BASSANO \$ 400<sup>00</sup>/<sub>100</sub>  
the order of FOUR HUNDRED DOLLARS DOLLARS



CANADIAN IMPERIAL BANK OF COMMERCE  
SHAWNESSY CORNER  
#200, 85 SHAWVILLE BLVD. S.E.  
CALGARY, ALBERTA T2Y 3W5

100  
IMPERIAL HUNTER HOTEL LTD.  
PER

RE Development Permit

⑈00101⑈ ⑆01319⑈010⑆ 10⑈27603⑈

**TOWN OF BASSANO  
NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION**

Date of Application: November 6, 2018

Development Permit Application No.	
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*IMPORTANT NOTICE: This application does not permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

**THIS DOES NOT CONSTITUTE A BUILDING PERMIT.  
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.**

**APPLICANT INFORMATION**

Name of Applicant: Duncan Properties Inc.

Mailing Address: #203 - 16 Midlake Blvd SE Phone: 403.831.7355

City: Calgary Phone (alternate): \_\_\_\_\_

Postal Code: T2X 2X7 Fax: 403.201.3288

Email: bruce\_bmac@yahoo.ca

Is the applicant the owner of the property?  Yes  No  
IF "NO"

Name of Owner: <u>Imperial Hunter Hotel Ltd.</u>	Phone: <u>403.831.7355</u>
Mailing Address: <u>#203 - 16 Midlake Blvd SE</u>	Phone (alternate): _____
City: <u>Calgary</u>	Fax: <u>403.201.3288</u>
Postal Code: <u>T2X 2X7</u>	Email: <u>bruce_bmac@yahoo.ca</u>
Applicant's interest in the property: <input type="checkbox"/> Agent <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Other _____	

**PROPERTY INFORMATION**

Municipal Address of Development: 501 2nd Avenue Roll Number: 0019702083

Legal Description: Lot(s) 1 - 4 Block 4 Plan 3872T

Land Use District: C1

What is the existing use? Restaurant (vacant)

**DEVELOPMENT INFORMATION**

This application is to: (Check all that apply)

Construct a new building (if greater than 500 ft<sup>2</sup> see abandoned well information section)

The building is for:

Commercial Use

Industrial Use

Public/Institutional Use

Alter/renovate/add to the existing building (if greater than 500 ft<sup>2</sup> see abandoned well information section)

Change in or intensification of use

Describe the proposed use, any changes from existing use, and any work to be done.

Cannabis - Retail

**WAIVERS**

Is a waiver of one or more standards of the Land Use Bylaw being requested?

Yes

No

If yes, please specify: Building height

**BUILDING REQUIREMENTS**

	Principal Building		Office Use		
Parcel Size	2,792.27	<input checked="" type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft.	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft.		
Building Size	992.36	<input checked="" type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft.	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft.		
Height of Building	38	<input checked="" type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		Max height 35'
Proposed Setbacks from Property Lines					
Front	3.40	<input checked="" type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		✓
Rear	5.48	<input checked="" type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		✓
Side	0.14	<input checked="" type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		✓
Side	36.16	<input checked="" type="checkbox"/> m <input type="checkbox"/> ft.	<input type="checkbox"/> m <input type="checkbox"/> ft.		✓
Parcel Type:	<input type="checkbox"/> Interior Lot		<input checked="" type="checkbox"/> Corner Lot		

## **ABANDONED WELL INFORMATION**

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 sq. m.), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are required to do the following:

### **1. Obtain map and well information**

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at [www.ercb.ca](http://www.ercb.ca). The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free)**, or
- by e-mail at: [Inquiries@ercb.ca](mailto:Inquiries@ercb.ca), or
- the ERCB Information Services by mail at: Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4.

### **2. Submit the following as part of your development permit application**

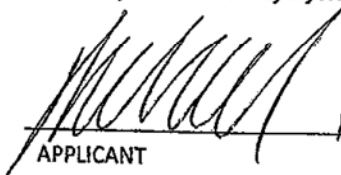
- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

## **DECLARATION OF APPLICANT/AGENT**

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*



APPLICANT

PURE DUNCAN PROPERTIES INC.

Registered Owner (if not the same as applicant)

**TOWN OF BASSANO  
DEVELOPMENT PERMIT APPLICATION**

**DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS**

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- Copy of Site Plan.** Site plan shall provide the following information:  
(May be provided on a survey plan or a sketch on the following page)
  - Legal Description and Municipal Address of Subject Property
  - Scale, North Arrow & Land Use District
  - Adjacent roadways & lanes
  - Lot Dimensions, Lot Area, and Percentage of Lot Coverage for all structures
  - Any buildings with dimensions of foundation and projections
  - The proposed distance from the front, side, and rear property lines
  - Location of Lot Access, Existing Sidewalk(s) and Curbs
  - Location of Fire Hydrant, Street Light, Power/Telephone/Cable Pedestal(s) (if located within property frontage)
  - Location of any Registered Utility Right of Ways and easements
  - Landscaping plan
  - Lighting plan
  - Number and location of parking spaces, both on and off-street
  
- Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - Scale and Dimensions of Exterior Walls and Interior Rooms
  - Floor Plan of the space proposed to be developed
  - Building Elevations including Front, Sides, and Rear elevations, Building Height (From Finished Grade), Roofing Material, and Roof Pitch
  
- Map or additional information from the ERCB regarding location of abandoned wells.**
  
- If applicant is not the registered owner,** a written statement (or this application) signed by the registered owner consenting to this application.

Change of Use

- Permitted Use - Application Fee of \$200.00 payable to the Town of Bassano is included.**
- Discretionary Use or requesting a Waiver (s) - Application Fee of \$300.00 payable to the Town of Bassano is included.**

All other Development

- Permitted Use - Application Fee of \$300.00 payable to the Town of Bassano is included.**
- Discretionary Use or requesting a Waiver (s) - Application Fee of \$400.00 payable to the Town of Bassano is included.**

TOWN OF BASSANO  
NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

Shipping Containers/Accessory Building greater the 100-square foot

- Permitted Use - Application Fee of \$50.00 payable to the Town of Bassano is included.
- Discretionary Use or requesting a Waiver (s) - Application Fee of \$150.00 payable to the Town of Bassano is included.

**SKETCH OF PROPOSED DEVELOPMENT**

Where development involves **BUILDING** and not just a change in use, please provide a sketch of the proposed development. Be sure to include any existing structure(s) (indicate using a **solid line**) and the proposed addition(s) or new building(s) (indicated using a **dashed line**). Include the information required for a site plan.

ATTACHED





# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

501 2 Avenue

Page: 2 of 2

Assumed 108°45'00" No. City Street

60.59

617.60W

108°45'00"

91.48

16°43'28"

49.80

16°43'28"

49.80

Lot 10

16°43'28"

49.80

Lot 5

16°43'28"

49.80

16°43'28"

49.80

Lot 11

16°43'28"

49.80

16°43'28"

49.80

1 Avenue

**RETAIL RECREATIONAL CANNABIS**

Proposed solid dividing wall

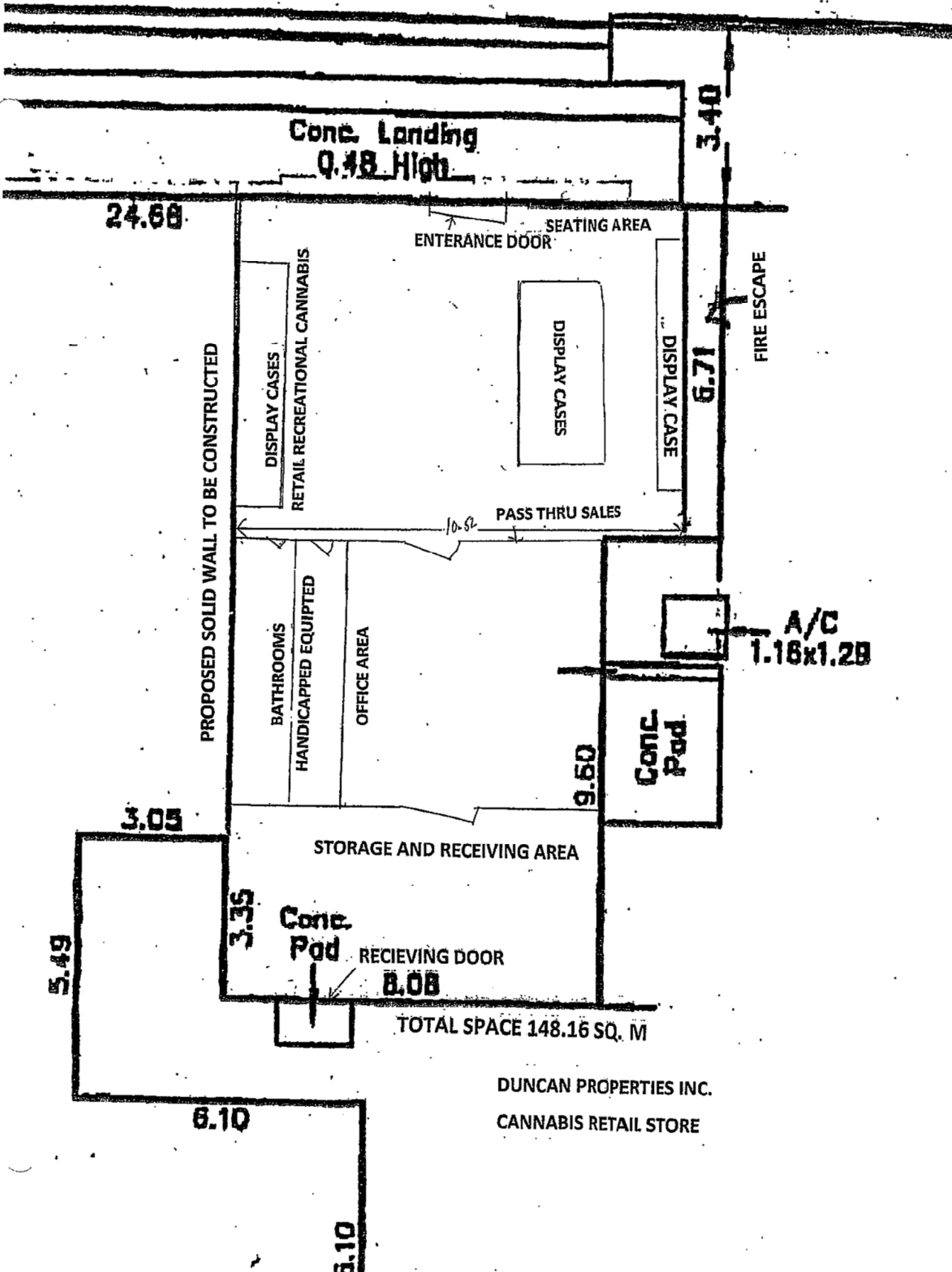
Building  
0.48 Eaves  
Rooftop/Mezz Stairs

Lots 1 to 4 Inclusive  
Block 4  
Plan 3872T

### ABBREVIATIONS:

- A/C - Air Conditioner
- Bldg - Building
- BOC - Book of Curb
- BOW - Book of Walk
- Cdc - Calibrated
- Cont - Containeur
- Contc - Concrete
- C.S - Countersink
- DH - Drill Hole
- Elev - Elevation
- Ex - Excavation
- FB - Foundation
- Gr - Gravel
- LA - Landmark
- UB - Utility Box
- W.A. - Walkway Access
- Wk - Work
- W/O - Without
- W/W - With
- W/W - Walkout Basement
- W/W - Window Well

NOTE:  
UNLESS NOTED OTHERWISE LINES OUTSIDE OF PROPERTY ARE NOT TO SCALE.



Cone. Landing  
0.48 High

24.68

3.40

SEATING AREA  
ENTRANCE DOOR

DISPLAY CASES  
RETAIL RECREATIONAL CANNABIS

DISPLAY CASES

DISPLAY CASE

FIRE ESCAPE

6.71

PROPOSED SOLID WALL TO BE CONSTRUCTED

PASS THRU SALES

BATHROOMS

HANDICAPPED EQUIPTED

OFFICE AREA

A/C  
1.16x1.28

Cone. Pod

9.60

3.03

STORAGE AND RECEIVING AREA

Cone. Pod

RECEIVING DOOR

8.08

TOTAL SPACE 148.16 SQ. M

5.49

8.10

5.10

DUNCAN PROPERTIES INC.  
CANNABIS RETAIL STORE

# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

501 2 Avenue

Assumed 108°45'00"

No. City Streets

0.13 BOW

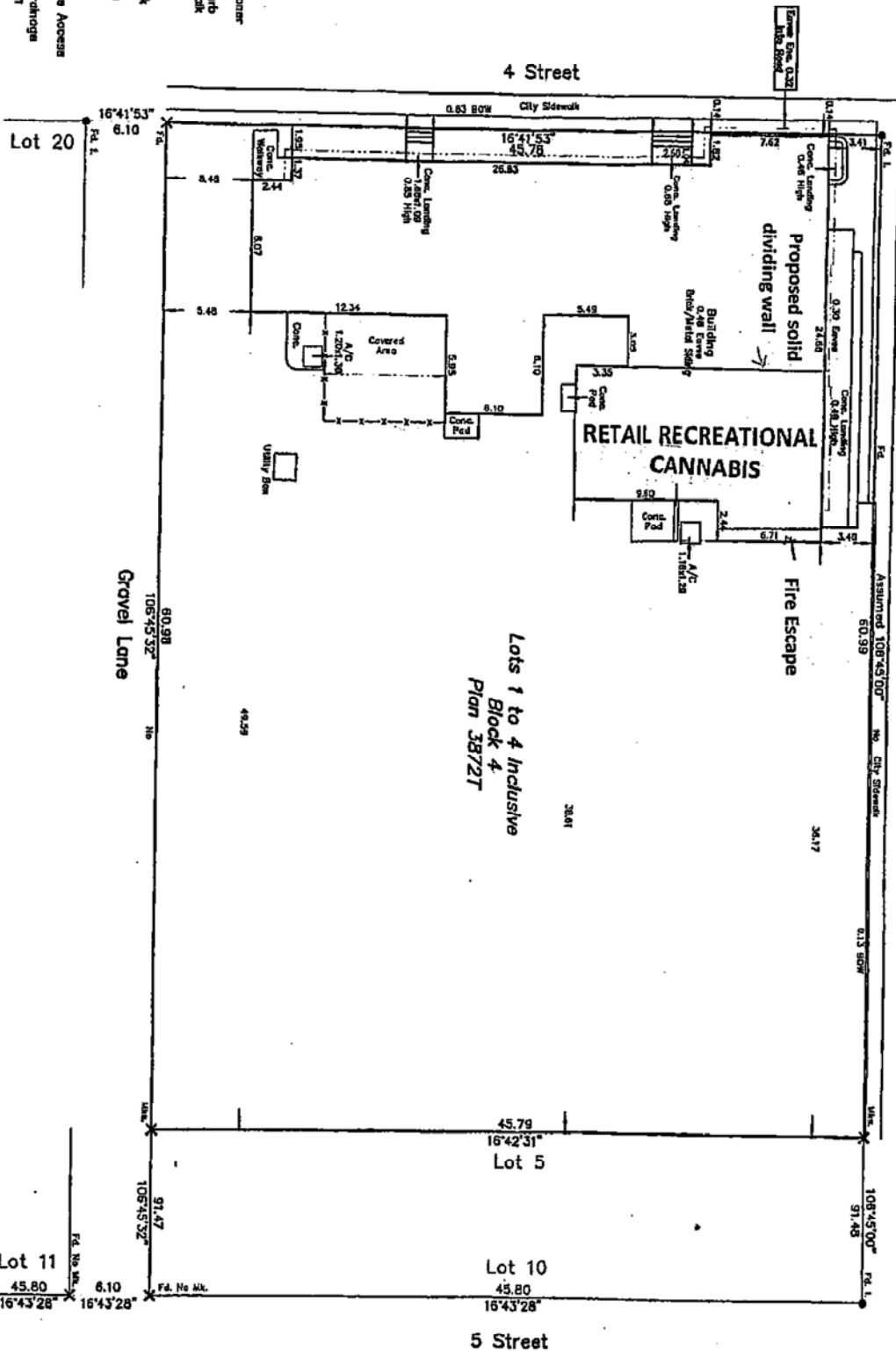
51.48

108°45'00"

R.L. 1

Page: 2 of 2

- ABBREVIATIONS:**
- Acc.—Accessory
  - A/C—Air Conditioner
  - Bldg.—Building
  - B/C—Book of Curb
  - B/W—Book of Walk
  - C—Culvert
  - Conc.—Concrete
  - CS—Covered
  - DL—Dall Hole
  - E—Excavation
  - Fd.—Found
  - I—Iron Post
  - LA—Machinery Access
  - M.—Mark
  - O.D.—Overland Drainage
  - Reg.—Registration
  - Ref.—Reference
  - R/W—Right of Way
  - W/O—Walkout Basement
  - W.W.—Window Well



**NOTE:**  
DIMENSIONS SHOWN OUTSIDE LINES OUTSIDE OF PROPERTY ARE NOT TO SCALE.



**TOWN OF BASSANO**

**PUBLIC NOTICE OF DEVELOPMENT APPLICATION  
ADJACENT LANDOWNERS AND PERSONS LIKELY TO BE AFFECTED**

**\*Hand Delivered at 11:45 a.m. on November 19, 2018**

Notice is hereby given that an application will be considered by the Municipal Planning Commission (MPC) for a Development Permit with regard to the following:

<b>DEVELOPMENT APPLICATION:</b>	<b>Development Permit No. TOB-D-20-18 Application for: Retail Cannabis</b>
<b>DISTRICTING:</b>	<b>Commercial – C1 Discretionary Use – Retail Cannabis and Variance</b>
<b>CIVIC ADDRESS:</b>	<b>501 – 2<sup>nd</sup> Avenue</b>
<b>LEGAL DESCRIPTION:</b>	<b>Plan 3872T, Block 4, Lots 1-4</b>

**Dear Sir or Madame:**

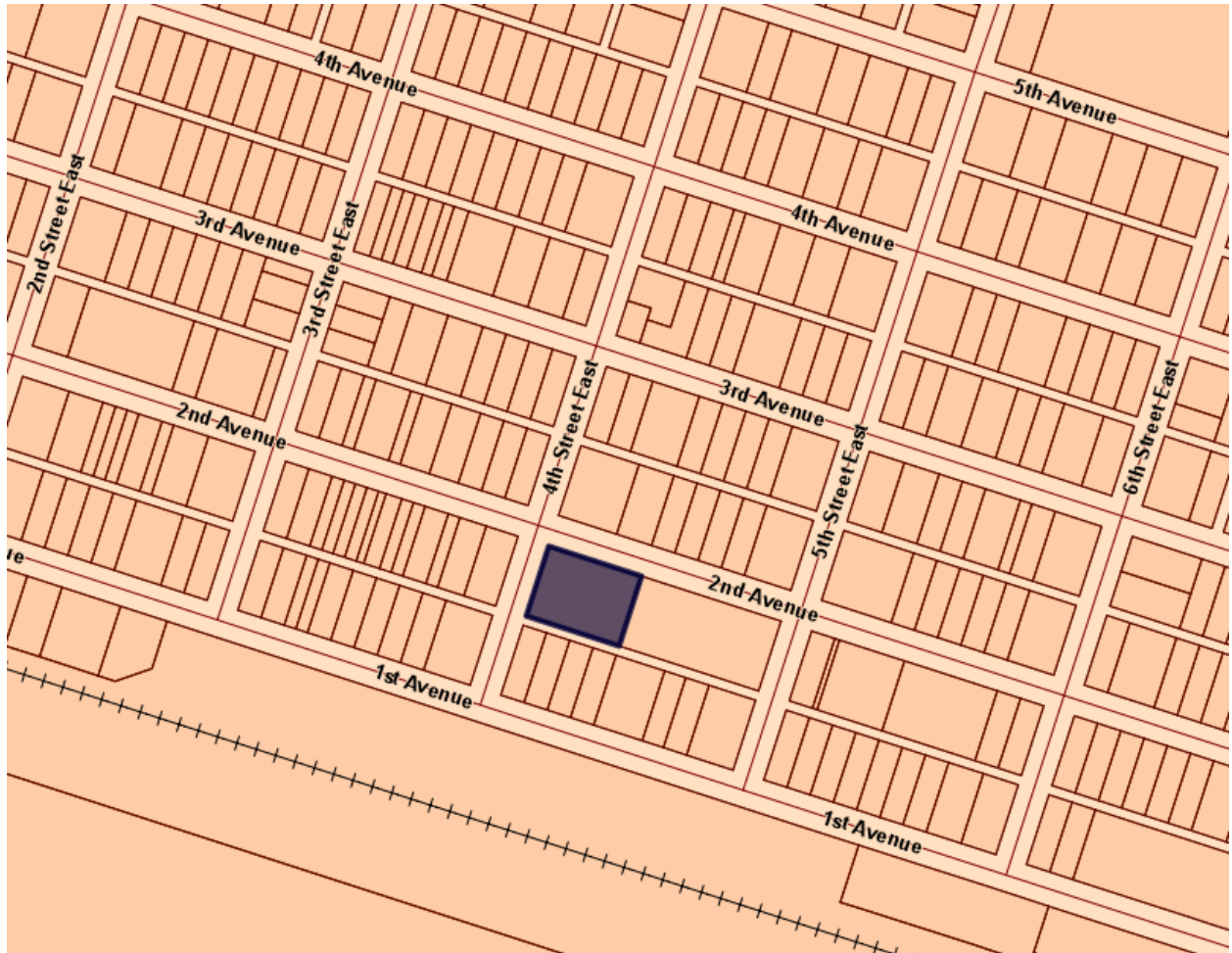
Pursuant to Section 32 of Land Use Bylaw No. 845/13 of the Town of Bassano, notice is hereby given that on **Monday, November 26 at 6:00 p.m.**, the MPC will consider **Development Application No. TOB-D-20-18**.

The application under consideration is for Retail Cannabis shop in a commercial district. The application will also address a variance for the height of the existing building from 35 feet to 38 feet. p

Persons requesting to be heard at the meeting may submit comments to the Development Officer no later than Monday, November 26, 2018 at 12:00 p.m. Persons who do not submit comments for inclusion in the agenda package may attend the meeting and submit comments in person. A copy of the application is available for inspection at the Town Office – 502 – 2<sup>nd</sup> Avenue Bassano, Alberta. Comments may be dropped off or mailed to the Town Office; or directed to Amanda Davis, Development Officer/Town of Bassano at [cao@bassano.ca](mailto:cao@bassano.ca) or faxed to 403-641-2585.

Any questions regarding the application may be directed to the Development Officer at 403-641-3788.

Amanda Davis, MBA  
Development Officer  
Town of Bassano



## Schedule A

### SCHEDULE 2: SECTION 3 LAND USE DEFINITIONS

#### New

**AGLC** means Alberta Gaming, Liquor and Cannabis Commission.

**Cannabis** means Cannabis as defined by the *Federal Cannabis Act*.

**Cannabis Accessories** means accessories that promote the responsible and legal consumption and storage of cannabis.

**Cannabis Product** means a product that contains Cannabis.

**Cannabis Representative** means a corporation or individual registered with the AGLC who is in the business of representing a Cannabis supplier in the sale of the supplier's Cannabis.

**Cannabis Supplier** means a person who holds a Federal licence that authorizes the person to produce Cannabis for commercial purposes or to sell Cannabis to the AGLC.

**Hospital** means a facility providing room, board and surgical or other medical treatment for the sick injured or infirm including outpatient services and accessory staff residences.

**Retail Cannabis Licence** means a licence under the *Gaming, Liquor and Cannabis Act* that authorizes the purchase, sale, transport, possession, and storage of Cannabis.

**Retail Cannabis Store** means a Use where recreational Cannabis can be legally sold, and has been licensed by the AGLC. All Cannabis that is offered for sale or sold must be from a federally approved and licensed producer. No consumption shall be on premises. This may include ancillary retail sale or rental of Cannabis Accessories, and where counselling on Cannabis may be provided.

#### Changed

**Medical Cannabis** means a substance used for medical purposes authorized by a licence issued under the Federal Government's [Access to Cannabis for Medical Purposes Regulations \(ACMPR\)](#) or any subsequent legislation which may be enacted in substitution.

**Cannabis Production Facility** means a Use where Cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all Federal requirements as well as all requirements of this Bylaw, as amended from time to time.

### SCHEDULE 2: LAND USE DISTRICTS

#### Add:

**Retail Cannabis Store** as a Discretionary Use within the Commercial C1, Highway Commercial C2 and Industrial Commercial IC Land Use Districts;

**Hospital** as a Permitted Use within the Public and Institution (PI) Land Use District.

**Replace:**

Medical Marihuana Production Facility with **Cannabis Production Facility** as a Discretionary Use within Industrial Commercial (IC) Land Use District.

## **SECTION 5 Table 5.7.2 Non-residential Minimum Required Off-street Parking**

**Retail Cannabis Stores be added to the Table as  
1 space/37.m<sup>2</sup> (400ft<sup>2</sup>) of GFA**

### **SECTION 13 MEDICAL MARIHUANA CANNABIS PRODUCTION FACILITY**

- 13.1 The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with medical ~~marihuana~~ **cannabis** production as issued by Health Canada.
- 13.2 The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 13.3 The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building. ~~including all loading stalls and docks, and garbage containers and waste material.~~
- 13.4 The development shall not operate in conjunction with another approved use.
- 13.5 The development shall not include an outdoor area for storage of goods, materials or supplies.
- 13.6 The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 13.7 The development must not be within 75.0 metres of a residential, public institutional, or parks and recreation district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential, public institutional, or parks and recreation district.
- 13.8 The Development Authority may require, as a condition of a development permit, a Public Utility and Waste Management Plan, completed by a qualified professional that includes detail on, but not limited to:
  - (a) the incineration of waste products and airborne emissions, including smell; and

- (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material; and
  - (d) the impact to municipal servicing and utilities, including, but not limited to, the effect on water and sewer system delivery.
- 13.9 The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the Light industry/manufacturing use found in Schedule 5.
- 13.10 Any signage relating to a ~~Medical Marijuana~~ **Cannabis Production Facility** is subject to approval by the Development Authority, as well as the sign regulations outlined in Schedule 8.
- 13.11 Cannabis Production Facility is a Discretionary Use within the Industrial Commercial (I-C) Land Use District.

## **NEW**

### **SECTION 14 RETAIL CANNABIS STORES**

- 14.1 The development of Retail Cannabis Stores shall be in accordance with the *Gaming, Liquor, and Cannabis Act* as well as any other applicable regulation.
- 14.2 A copy of the Retail Cannabis Licence issued by the Alberta Gaming and Liquor Commission shall be provided to the Town prior to occupancy as a condition of Development Permit approval.
- 14.3 Hours of operation will be 10:00 a.m. to 10:00 p.m. daily.
- 14.4 Advertising inside the premises shall not be visible from the outside.
- 14.5 Only permanent signage shall be permitted and copy shall be restricted to the business name.
- 14.6 Retail Cannabis Stores will be prohibited in the use of portable signs.
- 14.7 The premises must operate separately from other businesses, including providing a separate Loading Space when one is required.
- 14.8 The public entrance and exit to the Use must be direct to the outdoors.
- 14.9 Goods shall not be visible from outside the business premises.
- 14.10 A Retail Cannabis Store shall have no other Use.
- 14.11 Retail Cannabis Stores shall only be allowed within the Commercial C1, Highway Commercial C2, and Industrial Commercial IC Land Use Districts.



- 14.12 In all districts a Retail Cannabis Store must not be located within a 75m area that contains any of the following Uses or structures, when measured from the closest point of a Retail Cannabis Stores parcel of land to any of the following:
- (a) The boundary of the parcel of land on which a Hospital, as defined in this Bylaw is located;
  - (i) The boundary of the parcel of land containing a School, as defined in this Bylaw;
- 14.13 The specified separation distances are reciprocal and also apply to those described land Uses identified in 14.12 applying for a development permit locating in close proximity of an established Retail Cannabis Store.