

EXHIBIT LIST

File Number	Appellant
SDAB 2024-003	Daniel Roy

Legal Description	Civic Address
Lot 3, Block 10, Plan 5642 NY	193 MacKenzie Avenue, Fort Chipewyan

Exhibit #	Description	Filing Date
	Subject Area Map	2024-09-08
P1.	Request for Postponement	2024-08-12
1.	Notice of Appeal (1 page)	2024-08-22
2.	Development Permit (6 pages)	2024-08-22
3.	Commentary in Support of the Appeal – Beverly Tourangeau (1 page)	2024-09-10
4.	Evidence Disclosure – Appellant (97 pages)	2024-09-12
5.	Evidence Disclosure – Planner’s Report (15 pages)	2024-09-13

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
REQUEST FOR POSTPONEMENT**

Property Under Appeal			
Property Owner/Business Name Daniel Roy		Date of Hearing September 19, 2024	
Legal Land Description:(i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer) Lot 3, Block 10, Plan 5642NY			
Civic Address 193 Mackenzie Avenue			
Development Permit Number (if applicable) 2023-DP-00125		File No. SDAB 2024-003	
Person Requesting Postponement			
Name (If the person requesting is a company, enter the complete legal name of the company) Regional Municipality of Wood Buffalo (Nabil Malik, Planner III, P&D & Shailesh Makwana, Acting Supervisor, P&D)			
Mailing Address 9909 Franklin Avenue		City/Town Fort McMurray	Province AB
		Postal Code T9H 2K4	
Telephone Number (Daytime) Nabil: 780-793-1021	Alternate Telephone Number Shailesh: 780-793-1047	Email Address nabil.malik@rmwb.ca / shailesh.makwana@rmwb.ca	
Capacity to Act			
☐ Appellant ☐ Agent	☐ Other (consent of Appellant required)	☒ Respondent (Municipality)	
Reasons for Postponement (attached copies of supporting documentation)			
The Development Authority is requesting a postponement of the hearing scheduled for September 19, 2024. The Development Officer responsible for the permit approval and the addition of condition #26 will be unavailable on this date. As the Lead Planner for Fort Chipewyan, the Development Officer possesses a comprehensive understanding of the community, which is crucial for addressing the complexities associated with the Development Permit approval. Their presence at the hearing is essential to provide context and clarify the rationale for condition #26. In addition, it has been brought to the attention of the Development Authority that the approval of 2023-DP-00125, will be appealed by an interested party. To be mindful of the time of this Board, it is recommended that both matters be heard concurrently at the future date. (Attach a separate sheet if required)			
The Board will make their decision based on the information you have provided on this form unless you intend to attend in person. Do you wish to appear at the hearing to speak to the postponement in person?			
☐ Yes		☒ No	
Please indicate any date(s) you are not available should your request be granted September 13- 27, 2024			

Nabil Malik
Person Requesting PostponementFOIP section 17(1)
SignatureSeptember 10, 2024
Date**NB: Upon receiving this fully completed page 1, the Clerk will forward it to the other party****Protection of Privacy**

The personal information you provide on this form is being collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. The personal information is used to process your designation of an agent for appeals with the Subdivision and Development Appeals Board. If you have any questions about the collection and use of the personal information contact the Legislative Officer, 7th Floor 9909 Franklin Avenue, Fort. McMurray AB T9H 2K4 ; or call 780.788.2222

To be completed by the person NOT requesting the Postponement			
Name (If the person requesting is a company, enter the complete legal name of the company) Daniel Roy			
Mailing Address FOIP section 17(1)	City/Town FOIP section 17(1)	Province FOIP section 17(1)	Postal Code FOIP section 17(1)
Telephone Number (Daytime) FOIP section 17(1)	Alternate Telephone Number	Email Address FOIP section 17(1)	
Capacity to Act			
☒ Appellant ☐ Agent	☐ Other (consent of Appellant required)		☐ Respondent (Municipality)

Do you consent to the request for postponement?	
☒ Yes	☐ No
If NO, please give reasons for the refusal: Time is of essence for me, I have a limited timeline due to the winter road to bring in all my materials. With the other parties deadline to submit an appeal to 2023-DP-00125 of September 19, 2024, per the legislation, I will gladly accept postponing this appeal meeting pretty much anytime before October 19, 2024	

The Board will make their decision based on the information you have provided on this form unless you intend to attend in person. Do you wish to appear at the hearing to speak to the postponement in person?	
☐ Yes	☒ No

Please indicate any date(s) you are not available should your request be granted

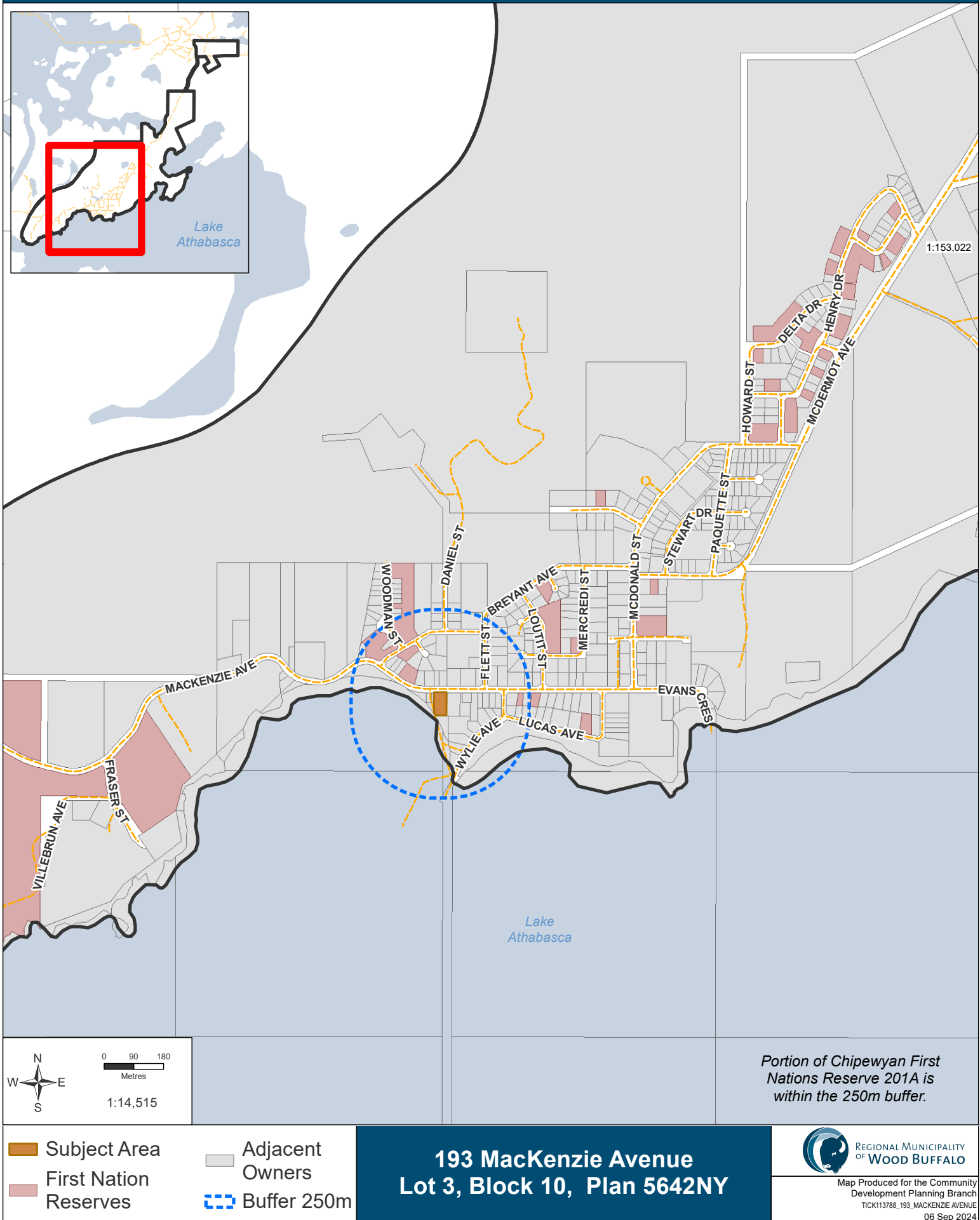
<u>Daniel Roy</u>	FOIP section 17(1)	<u>Sept 12, 2024</u>
Party NOT Requesting Postponement	Signature	Date

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SUBJECT PROPERTY MAP Notification

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Wood Buffalo TRIBUNALS

SUBDIVISION AND DEVELOPMENT APPEAL BOARD NOTICE OF APPEAL

In accordance with Section 678 and 686 of the Municipal Government Act and the Regional Municipality of Wood Buffalo Land Use Bylaw 99/059, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame.

SDAB 2024-003
Received by the
Subdivision and
Development
Appeal Board
August 22, 2024

Section 1 – Property Information

Legal Land Description: (i.e. Lot, Block, Plan or ATS 1/4 Sec-Twp-Rng-Mer)

Lot **3** Block **10** Plan **5642NY** ATS

Civic Address
193 MacKenzie Ave.

Development Permit Number or type of Order
2023-DP-00125

Section 2 - Appellant Information

¹ At the time of the appeal hearing the individual acting as agent must produce the completed and signed Agent Authorization Form

Appellant Name (If the Appellant is a company, enter the complete legal name of the company)

Daniel Roy (I do not yet have an official name for the business)

Agent Name (If applicable)

Contact Name (If different) and position held

Mailing Address

City/Town

Province

Postal Code

FOIP section 17(1)

FOIP section 17(1)

Telephone Number (Daytime)

Alternate Telephone Number

Email Address

FOIP section 17(1)

FOIP section 17(1)

FOIP section 17(1)

Section 3 – Appeal (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit

Subdivision Application

Notice of Order

☐ Approval

☐ Approval

☐ Notice of Order

☒ Condition of Approval

☐ Condition of Approval

☐ Refusal

☐ Refusal

☒ We are the Applicant or Land Owner of the subject property

☐ We are a person affected by an order, decision or development permit

Section 4 – Reasons for Appeal

Section 678 and 686 Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal. In support of your appeal, you are requested to provide a full statement of the grounds and reasons of your appeal. You may include any photographs, drawings, plans for clarification.

We hereby appeal the decision of the Approval Authority for the following reason(s):

Hours of operation, I do not believe it is reasonable to expect regular working folks to finish work at 5pm and have time to address family needs like picking up kids, picking up food, preparing food...all before 6pm. I believe 8pm is a reasonable compromise

PLEASE SEE REVERSE FOR IMPORTANT INFORMATION

FOIP section 17(1)

August 22, 2024

Date

Signature of Appellant/Agent

If an Agent is representing the property owner, a letter is required from the owner giving consent to a property inspection.

Registered Owner:

We hereby give permission to the Regional Municipality of Wood Buffalo to do a site inspection and take photographs of the property.

FOIP section 17(1)

Signature of Registered Owner

Please return the completed form and prescribed filing fee to:

Clerk of the Subdivision and Development Appeal Board, 7th Floor, Jubilee Center, 9909 Franklin Avenue, Fort McMurray AB T9H 2K4
Telephone: 780-743-7001 Email: sdab@mmb.ca

Protection of Privacy

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Office Use Only				
Appeal #:	Fee:	Appeal Hearing Date:	Date Applicant Notified:	Date Appellant Notified:

¹ Agent – A person who acts for a Property Owner, Applicant, Appellant, and/or Affected/Adjacent Property Owner during the appeal hearing process or at a hearing before the Subdivision and Development Appeal Board.

August 16, 2024

Applicant

DANIEL ROY

FOIP section 17(1)**Owner**

DANIEL ROY

FOIP section 17(1)**RE: Liquor Store, Office & Warehouse
193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY**

Your application for a development permit at the above location has been approved by the Development Officer. This approval is subject to the conditions as outlined in the enclosed Development Permit.

PLEASE READ PERMIT CONDITIONS CAREFULLY AND RETURN A SIGNED COPY TO OUR OFFICE.

This development permit shall expire and no longer be valid after one year from the date of decision of the permit if no construction has been initiated. Any other necessary permits shall be in place prior to commencement of any construction or occupancy. In the case of a change of use within an existing structure, where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

IMPORTANT NOTE

1. Under the Municipal Government Amendment Act, this approval may be appealed within twenty one (21) days after the day of decision being posted. Should this decision be appealed within twenty one (21) days after the Date of Decision, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the Permit may be modified or nullified thereby. Commencement of the approved Development prior to expiry of the appeal period is at your own risk.
2. An appeal shall contain statement of the grounds of appeal and shall be delivered personally or by registered mail so as to reach the Secretary of the Subdivision and Development Appeal Board, 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4 within the prescribed time period of twenty one (21) days.
3. Upon delivery of Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a fee of \$1000.00.

Compliance with other legislation - A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:

- a. the requirements of the Safety Codes Act, Environment Protection and Enhancement Act and Natural Resources Conservation Board Act;
- b. the requirements of any other Federal, Provincial, or Municipal statute, regulation code or standard; and
- c. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Municipality is not responsible for not does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

REGIONAL MUNICIPALITY OF WOOD BUFFALO
Planning & Development Department
per:

FOIP section 17(1)

August 16, 2024

Nabil Malik
Planner III
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
Nabil.Malik@rmwb.ca

Date



Permit Number
2023-DP-00125

Applicant: Daniel Roy

Issued : August 16, 2024

Development Permit

193 MACKENZIE AVENUE

Lot	Block	Plan	Section	Township	Range
3	10	5642NY	7	112	7

New Commercial Industrial or Institutional Development

Liquor Store, Office & Warehouse

Advertising Date August 29, 2024

- This development was approved by the Development Officer and is subject to the conditions attached to this permit.
- All conditions stated on this development permit must be complied with.
- You have one year from Date of Decision to commence construction. All appropriate building/mechanical permits must be applied for and issued. In the case of a change of use within an existing structure where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

Regional Municipality of Wood Buffalo
Planning & Development Department
per:

FOIP section 17(1)

Issued : August 16, 2024

Date

Nabil Malik
Planner III
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
Nabil.Malik@rmwb.ca

Advisory Notes:

- 1 Any signage proposed for this development shall require a separate application and approval.
- 2 Any sump required for the development shall be installed so that discharge is as per the requirements of the Sewage Bylaw.
- 3 The developer shall install all appropriate signage at access/egress locations in accordance with the requirements of the Engineering Department.
- 4 Site services shall be in accordance with the Engineering Standards of the Regional Municipality of Wood Buffalo.
- 5 A Utility Installation Permit is required from the developer and shall be obtained from Engineering Services Division prior to installing underground utilities.
- 6 It shall be the developer's responsibility and expense to terminate, at the main, all sanitary and water services which will not be utilized in this development.
- 7 If a route haul permit is required for this development, it shall be applied for through the Planning and Development Department.
- 8 Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the full responsibility of the developer to restore.
- 9 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695.
- 10 A Health Certificate may be required for this development. Please contact the Health Inspector for the necessary information.
- 11 A Municipal Business License is required for this development. Please contact the Licensing Enforcement Officer for information and an application.
- 12 The Alberta Fire Code applies in and around buildings existing or being constructed on a site. Complete project plans and specifications, construction fire safety plans, and fire related activities requiring Fire Prevention Permits shall be reviewed by the Fire Authority prior to the commencement of any work related thereto. Inquiries and permit applications shall be submitted to the Fire Authority.
- 13 All Federal, Provincial and Municipal statutes and regulations shall be met, including the Alberta Building Code.

Conditions:

- 1 The business must have all valid licenses/approvals from the provincial government prior to starting operations and shall be in compliance with the provincial legislation.
- 2 This development is classified as a Liquor Store, Office and Warehouse and is a Discretionary Use in the HC- Hamlet Commercial District.
- 3 Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to occupancy.
- 4 Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
- 5 The garbage and waste material shall be stored in weather-proof and animal-proof containers and shall be visually screened in a manner compatible with the design and external materials of the principal buildings on the site. If a wood screen fence is used, it shall be constructed in accordance with drawing 10-301 of the Engineering Servicing Standards.
- 6 The building location, orientation, capacity and/or use shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval.
- 7 A minimum of 19 on-site parking stalls shall be provided as indicated on the approved plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material and shall be completed prior to the issuance of an Occupancy Permit. Should a seasonal allowance be required for paving the parking lot, the developer shall provide a written request for the seasonal allowance together with an automatically renewable and irrevocable letter of credit equal to 100 percent of the cost of paving the parking lot. A minimum of 2 of the required stalls shall be accessible parking stalls. These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
- 8 A minimum of one loading space shall be provided for this development. Loading shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets or lands.
- 9 All parking stalls shall be graded such that no slope in any direction is less than 0.5% and not more than 4%, to the satisfaction of the Development Officer. All soft landscaped areas shall have a minimum slope of 2% away from buildings.
- 10 A final site grading plan shall be prepared to the satisfaction of the Engineering Department and shall be approved prior to occupancy of any buildings.
- 11 The applicant may need to enter into a Development Agreement with the Municipality to pay for the installation of public utilities, other than telecommunication systems or works, which are necessary to serve the development.
- 12 Any excess fill must be deposited on a site approved by the Municipality. Please contact the Engineering Department and/or the Environmental Branch of the Public Works Department.
- 13 Any and all easements required by the Municipality or any franchise utility as a result of this development shall be provided by the developer at no cost to the Municipality or any franchise utility and shall be registered on title by Utility Right-of-Way Plan.
- 14 Should it be necessary to alter any on site Municipal or franchise utilities, all cost shall be borne by the developer.
- 15 There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development construction. The developer may apply to the Development Officer to utilize these lands.
- 16 All on site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

- 17 Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Full Development Completion Certificate has been issued.
- 18 Any required removal or modification of existing on-site underground storage tanks and the management of identified contaminants shall be undertaken to the satisfaction of the appropriate authorities prior to the construction of the approved development and all applicable permits received from the local Fire Authority.
- 19 A Development Completion Certificate is required and shall be applied for by the applicant on completion of the conditions of development and prior to occupancy.
- 20 A water meter permit may be required. Please contact Underground Services Division for details at 780-799-7493. 780-788-1456 ext. 5832
- 21 A service connection permit may be required. Please apply at <https://www.rmwb.ca/en/permits-and-development/applications-licences-and-permits.aspx>.
- 22 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695 or follow up on our permitting website: <https://aca.woodbuffalo.ab.ca/citizenaccess/>
- 23 Engineering securities of \$40,000 in total [including (a) \$10,000 for 1 approach, (b) \$20,000 for service connections (\$10,000/water + \$10,000/sanitary each), and (c) \$10,000 for a new storm outfall, shall be provided before issuance of the development permit. This is also a damage deposit for any damage to municipal property including roads, sidewalks, curb and gutter, underground infrastructure, boulevard, parks, URWs. All must be restored to original or better condition.
- 24 Construction activities will be completed in adherence to all environment and regulatory requirements which include, but are not limited to the Federal Fisheries Act and the Provincial Environmental Protection and Enhancement Act. Construction activities will implement effective sediment control measures at all stages of construction until disturbed soil has been addressed and the fish bearing water body is effectively protected from any impacts.
- 25 The applicant shall provide security in a form acceptable to the Municipality in the amount of \$7,150.00 as a guarantee for the installation and maintenance of the construction fencing.
- 26 The hours of operation for the Liquor Store is limited to:
9:00am- 6:00pm, Monday to Sunday.
Outside of the permitted hours of operation, the sale of alcohol or any other products is prohibited and the premises shall remain closed to the public .

NOTIFICATION OF APPEAL BOARD HEARING

August 6, 2024

Dear Property Owner/Occupant,

Please be advised that the Subdivision and Development Appeal Board for the Regional Municipality of Wood Buffalo has received an appeal against Condition No. 26 (see below), of an approved Development Permit Application No. 2023-DP-00125 for a Liquor Store, Office and Warehouse at the following property:

**193 MacKenzie Avenue
Fort Chipewyan, AB**
(see enclosed map).

Condition No. 26 "the hours of operation for the Liquor Store is limited to 9:00 a.m. – 6:00 p.m., Monday to Sunday. Outside of the permitted hours of operation, the sale of alcohol or any other products is prohibited, and the premises shall remain closed to the public"

In accordance with section 686 of the *Municipal Government Act, R.S.A 2000, c. M-26*, an Appeal Hearing must be held by the Subdivision and Development Appeal Board upon receipt of a Notice of Appeal.

As you own property/reside within the vicinity of the development, this gives you the legal right to make your comments known to the Subdivision and Development Appeal Board.

The appeal hearing is set as follows:

Date: Thursday, September 19, 2024
Format: Virtually via Microsoft Teams
Time: 4:00 p.m.

In accordance with section 629 of the *Municipal Government Act*, the Subdivision and Development Appeal Board may, while carrying out its powers, duties and responsibilities, accept any oral or written evidence. If you wish to submit written comments regarding this appeal, please submit your written submission by email to sdab@rmwb.ca by **12:00 p.m. noon on Thursday, September 12, 2024**.

If you wish to attend or make a verbal presentation at the appeal hearing, please email your request to the Clerk at sdab@rmwb.ca prior to **12:00 p.m. noon, on Wednesday, September 18, 2024**. Affected parties/adjacent residents will be given a maximum of **five (5) minutes** of time during the hearing to present their evidence. Registered attendees and presenters will be emailed the Microsoft Teams virtual participation link and instructions on the morning of the hearing.

For further information on the Subdivision and Development Appeal Board appeal hearing process please visit www.rmwb.ca/sdab. (See reverse for more important information).

Should you have any questions or concerns regarding this notice of hearing, please contact the undersigned at the information provided below.

Sincerely,
Heather Fredeen

Heather Fredeen
Clerk of the Subdivision and Development Appeal Board
T: 780-743-7001 F: 780-743-7028 E: sdab@rmwb.ca

*I am for the Liquor Store
I am from Fort Chipewyan
Beverly*

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Brian Lepine

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

Please sign and text image to : 780-747-3352

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

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The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name:

Stanley Storkman

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

Please accept this letter as proof of our/my support for the liquor store that Mr. Daniel Roy is proposing in the Hamlet of Fort Chipewyan.

Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Freda Fraser **Signature**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : 780-747-3352

To Whom It May Concern:

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This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name:

Wm D. Roy

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

Please sign and text image to : 780-747-3352

To Whom It May Concern:

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Sincerely;

Name: Peggy Bourke Signature: [Redacted]

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

Please sign and text image to : 780-747-3352

To Whom It May Concern:

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The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Richard Michael **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : 780-747-3352

To Whom It May Concern:

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Sincerely;

Name:

Dakota W. S. P. R. T.

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : 780-747-3352

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Name: Apr / Manti Signature: FOIP section 17(1)

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Sincerely;

Name: Sylvia Gibot

Signature

FOIP section 17(1)

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Name: Walter Tourangeau **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Honesty Grandjambé **Signature:** 

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name:



Signature:

FOIP section 17(1)

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Sincerely;

Name: Rebecca Peters **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Tim Flett **Signature** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

Please sign and text image to : 780-747-3352

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Sincerely;

Name: Doreen Newman

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Tyler Flett

Signature: FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Irene Shortman **Signature:**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**



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Sincerely;

Name: MARY Jane Shortman Signature

Fort Chipewyan Resident: ☒ Yes ☐ No

FOIP section 17(1)

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Sincerely;

Name: John McKay **Signature**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: DAVID Castor Jr

Signature

FOIP section 17(1)

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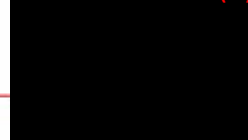
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Sincerely;

Name: DAVID Simpson

Signature: _____

FOIP section 17(1)



Fort Chipewyan Resident: ☒ Yes ☐ No

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Name: Shayechmpdebine Signature

FOIP section 17(1)

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Sincerely;

Name: Emma Voyageur

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Paul Amy **Signature:**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Mark Megan

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: NARHA SEPP

Signature: **FOIP section 17(1)**

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name:

Bethany Thacker

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Kirk Thacker

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Harrison Whiteknife **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Shandra Nadeau

Signature: FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Name: Jennifer Antoine Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: PETER LOURDE JR Signature: **FOIP section 17(1)**

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Sincerely;

Name: Peter Courtois **Signature:** [Redacted] **FOIP section 17(1)**

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Dezance Gauthier Signature: FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Bob Nadlac

Signature: **FOIP section 17(1)**

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Jennifer Stewart

Signature: _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Edward Gondjambé

Signature: **FOIP section 17(1)**

Fort Chipewyan Resident: ☐ Yes ☐ No

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Sincerely;

Name: Debbie Grandjambe Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Kaylee Courtoreille

Signature: FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Patricia Contorale Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: ERNEST THACKER

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Leo Williamson

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Harold WYLIE Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Kevin Kisha

Signature: FOIP section 17(1)

Fort Chipewyan Resident: ☐ Yes ☐ No

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Sincerely;

Name:

Amanda Cardinal

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Frederick Whitall Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Darrell Piche

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Desmond Flett

Signature:

FOIP section 17(1)

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Sincerely;

Name: STANLEY WYLIE Signature: _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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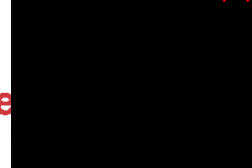
Sincerely;

Name:



Signature

FOIP section 17(1)



Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Calvin Whitehead **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Peter Gibet

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name:

Freddy Marcel

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Sheldon Flett **Signature**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Carmen Cardinal **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name:

D. Hewitt

Signature:

FOIP section 17(1)



Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Katie Jordan

Signature: 

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Normanne Cardinal Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name:

Dan Martin

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Darwin McDonald

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Jennifer Courtorelle

Signature: _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name:

Vital L Woods

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Cody Disher **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name:

Guy Thacker

Signature

FOIP section 17(1)

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Sincerely;

Name:

Calvin Wagan

Signature:

FOIP section 17(1)

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Sincerely;

Name

Gene Lefur

Signature

FOIP section 17(1)

[Redacted Signature]

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Sincerely;

Name:

Timmy Roy

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: ARCHIE WAQUAN **Signature**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name:  **Signat**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name:

Neil Insutched

Signature:

Supt 9/24

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Dave Woods **Signature**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Mildred Woods **Signature:** FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Tom Woods

Signature: _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Flossie Cyprean Signatu

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Bruce Inglis **Signature**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: SAMUEL WYCLIF **Signature:** _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Sincerely;

Name: Clara Shortman Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name:

Mary Kutschke

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

Please sign and text image to : 780-747-3352

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Sincerely;

Name:

Tammy Platt

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: David Thacker

Signature: FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Gracie Thacker Signature: **FOIP section 17(1)**

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name:

JOHN PACHE

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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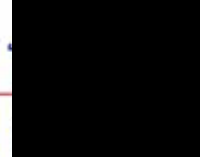
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Name: Wayne Lyp...

Signature:

FOIP section 17(1)



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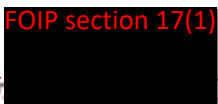
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Sincerely;

Name: Alice Martin

Signature: 

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

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Name: Steven Thacker

FOIP section 17(1)

Signature: _____

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name:

Garrett Courtois

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Name: Dana Cartoreille Signatur

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: RICHARD TUCCARO Signature: _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

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Historically there have been two liquor stores in Fort Chipewyan, unfortunately one was lost to fire a few years ago and was never reopened. Mr. Roy, a long time resident of Fort Chipewyan has decided to open a new establishment to serve the community.

The new premises are to be a purposely built facility that is conveniently located on the main street of Fort Chipewyan which will have all the amenities required for both the public and employees.

This new store will create needed employment in the community as well as offer healthy competition for customers.

The hours of operation purposed are an issue for most as 6 p.m. is extremely early when you consider many people work until 5:00 pm, Also the last flight into the community is approximately 7:00 p.m. Extending the hours of operation to 9:00 p.m. will provide the community and visitors with convenient access to the services offered by Mr. Roy.

Sincerely;

Name: Desmond Courtice Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Corie Marcel

Signature:

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Dalton Flett

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Kurt S Girard Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Keith Lynch

Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

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Sincerely;

Name: Fredrick Ellingson **Signature:**

FOIP section 17(1)

Fort Chipewyan Resident: ☒ **Yes** ☐ **No**

To Whom It May Concern:

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Sincerely;

Name: Wale Bohart

FOIP section 17(1)

Signature: _____

Fort Chipewyan Resident: ☐ Yes ☒ No

To Whom It May Concern:

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Sincerely;

Name: SCOTT ADAM Signature

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

To Whom It May Concern:

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Sincerely;

Name: LINDA BERRY Signature: _____

FOIP section 17(1)

Fort Chipewyan Resident: ☒ Yes ☐ No

REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD

File: 2023-DP-00125

Appellants: Daniel Roy

Subject: Development Permit 2023-DP-00125 Condition #26

Legal Description: Lot 3, Block 10, Plan 5642NY

Civic Address: 193 MacKenzie Avenue, Fort Chipewyan

Land Use Designation: HC – Hamlet Commercial District

Development Permit Application: May 3, 2023

Development Permit Approval: August 16, 2024

Appeal Application Date: September 19, 2024

Introduction

1. This appeal stems from the approval of *Development Permit 2023-DP-00125*, an application for a “Liquor Store, Office and Warehouse Sales” use at 193 MacKenzie Avenue in Fort Chipewyan (Approved Development Permit 2023-DP-00125: Attachment 1), legally described as Lot 3, Block 10, Plan 5642NY, referred to as the “Subject Property” (Subject Property Map: Attachment 2).
2. The approval for Development Permit 2023-DP-00125 includes Condition #26, which restricts the operational hours of the liquor store. While Alberta Gaming, Liquor and Cannabis (AGLC) permits retail liquor stores to operate from 9 a.m. to 2 a.m., Monday through Sunday, Condition #26 limits the store's hours from 9 a.m. to 6 p.m., Monday through Sunday.
3. Condition #26 states:

The hours of operation for the Liquor Store are limited to 9:00 a.m. – 6:00 p.m., Monday to Sunday. Outside the permitted hours of operation, the sale of alcohol or any other products is prohibited, and the premises shall remain closed to the public.
4. The proposed uses are Discretionary Uses in the HC- Hamlet Commercial District and within the authority of the Development Officer to approve. Therefore, it is also within the authority of the Subdivision and Development Appeal Board (SDAB) to consider the appeal.
5. The approval of Development Permit 2023-DP-00125 was publicized on the Regional Municipality of Wood Buffalo's (referred to as the “Municipality”) website. Approval notifications were distributed to property owners within a 200-meter radius of the Subject Property. Notifications were also provided to the leadership and offices of the

three nations: Athabasca Chipewyan First Nation, the Fort Chipewyan Métis Nation, and Mikisew Cree First Nation. Additionally, notifications were posted at the Fort Chipewyan municipal office and Mamawi Hall.

Chronology

6. On May 1, 2023, the Development Authority received the application for a Liquor Store, Office, and Warehouse Sales.
7. On May 3, 2023, the Development Authority began the property file and planning review.
8. On May 8, 2023, the Development Authority informed the applicant, Daniel Roy, via his agent, Edward Le Clerc, that the planning review had identified deficiencies in the application. The applicant was instructed to provide the missing or incomplete information necessary to continue processing the Development Permit application.
9. Between May 2023 and July 2023, the Development Authority worked with the applicant via his agent to work towards rectifying the deficiencies in the application, which included submitting more detailed drawings and technical information.
10. On July 19, 2023, the Development Authority had assessed that it had received all of the missing or incomplete information that was requested.
11. On July 21, 2023, the Development Authority informed the applicant that, due to community concerns about alcohol-related issues, the application would undergo a more thorough and extended review process. This process would include enhanced opportunities for community engagement. This extended review process is authorized under Section 17.2(b) of Land Use Bylaw 99/059.
12. Section 17.2(b) states that: The Development Officer may:

refer development permit applications to the Municipal Planning Commission for those uses listed as “Permitted Uses” or “Discretionary Uses – Development Officer” which the Development Officer wishes to refer to the Municipal Planning Commission.

Furthermore, Section 17.3 states that:

In the absence of a Municipal Planning Commission, the Development Officer shall perform its duties and responsibilities.

Since the Municipality does not have a Municipal Planning Commission, the Development Officer performed the duties and responsibilities of the Municipal Planning Commission for this Development Permit application.

13. In accordance with Sections 17.2(b) and 17.3 of Land Use Bylaw 99/059, the Development Authority advised the applicant that it intended to solicit feedback from the broader community, including community leadership, in Fort Chipewyan. This process included opportunities for community members to provide feedback before a decision was made. Furthermore, the applicant was also advised that interested

parties could appeal any decision made by the Development Authority to the Subdivision and Development Appeal Board

14. On July 25, 2023, the Development Authority circulated the application to both internal and external reviewers. Notifications were also sent to all property owners within the Fort Chipewyan hamlet boundary, as well as to the offices of the three nations: Athabasca Chipewyan First Nation, the Fort Chipewyan Métis Nation, and Mikisew Cree First Nation. A deadline of August 17, 2023, was provided for residents and reviewers to provide comments. The decision to notify all property owners exceeded the Municipality's standard process but was deemed important and within the discretionary authority of the Development Authority. The normal process is to notify adjacent property owners within a 100-meter radius of a proposed development.
15. On August 17, 2023, the Development Authority was notified by the Municipality's Indigenous and Rural Relations Department that community leadership had requested a one-week extension to the August 17, 2023, deadline. This request was granted, and the deadline was moved to August 25, 2023.
16. On August 18, 2023, the Development Authority forwarded the comments from internal and external reviewers to the applicant through the applicant's agent. It was emphasized that the comments must be addressed before the application could proceed to the next step of the Development Permit review process. Comments were received from the following internal reviewers: Engineering Department, Safety Codes Services Branch, and Regional Emergency Services Department.
17. By August 25, 2023, the Development Authority received 10 letters from individual residents of Fort Chipewyan and one letter from Mikisew Cree First Nation (signed by Chief Tuccaro on behalf of the Nation's membership). Overall, the feedback opposed the development of the liquor store. None of the letters expressed support for the development. Commentors referred to the current issues within the community related to drugs and alcohol, including the escalation of crime in the community.
18. Between September 2023 and June 2024, the Development Authority worked with the applicant to address the comments provided by internal and external reviewers. The applicant was advised that the Development Permit application could only be considered complete and proceed to the next stage (rendering a decision) once all comments had been satisfactorily addressed.
19. Between December 2023 and February 2024, there was a period during which the applicant was not in communication with the Development Authority. Towards the end of this time period, the applicant notified the Development Authority that his agent was no longer able to fulfill their duties. Consequently, the applicant assumed responsibility for the tasks previously managed by the agent and resumed direct communication with the Development Authority.
20. In July 2024, the Development Authority was prepared to render a decision on the Development Permit application, having received all required information requested and that was deemed satisfactory to the reviewers who requested the additional information. The applicant had also submitted the necessary securities to the Municipality.
21. The major items that were requested by the reviewers and were addressed by the

applicant were submitting new technical drawings required by Regional Emergency Services, the Engineering Department, and the Safety Codes branch. These technical drawings included revised grading plans, revised building plans, and a revised site plan.

22. On August 16, 2024, the Development Authority approved and issued Development Permit 2023-DP-00125, with Condition #26, which restricted the hours of operations for the Liquor Store.

Discussion

23. The Development Authority determined that there were no justifiable planning reasons to refuse the Development Permit. The Development Permit application is in alignment with planning policies such as the Municipal Development Plan (2011) and the Fort Chipewyan Area Structure Plan (2018), as well as regulations including Land Use Bylaw 99/059.
24. Section C.2.4 of the Municipal Development Plan emphasizes the importance of balanced growth in Fort Chipewyan. It states that future development should be encouraged to concentrate near the Community Core and that efforts should be made to direct development into this area to optimize the use of underutilized lands.
25. According to the Fort Chipewyan Area Structure Plan, the Subject Property is situated within the designated "Community Core" area. The Community Core is envisioned to be the heart of the Hamlet and a hub for commercial, institutional and residential uses. The Community Core is intended to be a vibrant, compact and mixed-use area with services and businesses that serve the community. Furthermore, existing vacant industrial lands in the Community Core have been identified to provide opportunities for development that respects the nearby Lake Athabasca. The Subject Property had also sat vacant until the applicant submitted their plans to develop it.
26. The Fort Chipewyan Area Structure Plan further supports the development of retail commercial, public service, and residential uses within the Community Core, as outlined in Policy 3.2.1. Additionally, Policy 3.3.1 allows a mix of commercial uses including retail uses in the Community Core.
27. The Land Use Bylaw 99/059 zones the Subject Property as HC - Hamlet Commercial District (Section 110.3). Liquor Store, Office, and Warehouse Sales are all Discretionary Uses in this district.
28. In approving the Development Permit application, the Development Authority decided to impose a condition that restricts the hours of operation. This authority is granted under Section 27.2(a) of Land Use Bylaw 99/059.
29. Section 27.2, states:

[T]he Development Authority may, with respect to "Discretionary Uses – Development Officer" and "Discretionary Uses – Planning Commission", impose such conditions as the Development Authority deems appropriate, having regard for the regulations of this Bylaw and the provisions of any statutory plan in effect, including but not limited to the following:

- (a) limiting hours of operation;

- (b) limiting number of patrons;
 - (c) establishing landscaping requirements;
 - (d) requiring noise attenuation;
 - (e) requiring special parking provisions;
 - (f) regarding the location, character and appearance of buildings;
 - (g) regarding the grading of a site or other such procedures as are necessary to protect the site from other developments or to protect other developments from the site;
 - (h) establishing the period of time during which a development may continue;
 - (i) ensuring the development is compatible with surrounding development;
and
 - (j) ensuring the development complies with and is compatible with the development regulations or the land use district regulations of this Bylaw.
30. According to the Alberta Liquor, Gambling, and Cannabis Retail Liquor Store Handbook (2024), which outlines the AGLC's policies and requirements for Retail Liquor Store licensees, retail stores are permitted to operate from 9 a.m. to 2 a.m., Monday through Sunday. However, Condition #26 of Development Permit 2023-DP-00125 restricts the Liquor Store's hours of operation to 9 a.m. to 6 p.m., Monday through Sunday.
31. The Development Authority imposed Condition #26 in response to concerns raised by individual residents and Mikisew Cree First Nation, who submitted letters regarding the Development Permit application. By restricting the Liquor Store's hours of operation, the Development Authority aimed to address the concern around accessibility and availability of alcoholic beverages within the community.

Recommendation:

32. The Development Authority recommends that the Subdivision and Development Appeal Board uphold the decision to restrict the Liquor Store's hours of operation as outlined in Condition #26, from 9 a.m. to 6 p.m., Monday through Sunday.

Rationale:

33. Based on the merits of the Development Permit application, the Development Authority found no grounds to refuse the application. However, considering the feedback from community members and the letter from Chief Tuccaro on behalf of the Mikisew Cree First Nation, it was important for the Development Authority to address the concerns raised. Within its authority, the Development Authority is empowered to impose conditions where appropriate, such as restricting the hours of operation for a proposed development. By restricting the Liquor Store's hours of operation, the Development Authority aimed to mitigate a primary community concern regarding the accessibility and availability of alcoholic beverages.

Attachments:

1. Approved Development Permit 2023-DP-00125
2. Subject Property Map
3. Public Notice- Pre-Decision
4. Public Notice- Post-Decision

REPORT TO SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FILE #

Prepared By: _____ Signature _____
Nabil Malik Date
Planner/ Development Officer

Reviewed and Supported By: _____ Signature _____
Shailesh Makwana Date
Supervisor
Community Development Planning

Presented to: _____
Subdivision and Development Appeal Board



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

Permit Number
2023-DP-00125

August 16, 2024

Applicant

Owner

FOIP section 17(1)

DANIEL ROY

FOIP section 17(1)

RE: Liquor Store, Office & Warehouse Sales
193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY

Your application for a development permit at the above location has been approved by the Development Officer. This approval is subject to the conditions as outlined in the enclosed Development Permit.

PLEASE READ PERMIT CONDITIONS CAREFULLY AND RETURN A SIGNED COPY TO OUR OFFICE.

This development permit shall expire and no longer be valid after one year from the date of decision of the permit if no construction has been initiated. Any other necessary permits shall be in place prior to commencement of any construction or occupancy. In the case of a change of use within an existing structure, where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

IMPORTANT NOTE

1. Under the Municipal Government Amendment Act, this approval may be appealed within twenty one (21) days after the day of decision being posted. Should this decision be appealed within twenty one (21) days after the Date of Decision, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the Permit may be modified or nullified thereby. Commencement of the approved Development prior to expiry of the appeal period is at your own risk.
2. An appeal shall contain statement of the grounds of appeal and shall be delivered personally or by registered mail so as to reach the Secretary of the Subdivision and Development Appeal Board, 9909 Franklin Avenue, Fort McMurray, AB T9H 2K4 within the prescribed time period of twenty one (21) days.
3. Upon delivery of Notice of Appeal, the appellant shall pay to the Regional Municipality of Wood Buffalo, where the appellant is the owner of the site, or his agent, a fee of \$1000.00.

Compliance with other legislation - A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:

- a. the requirements of the Safety Codes Act, Environment Protection and Enhancement Act and Natural Resources Conservation Board Act;
- b. the requirements of any other Federal, Provincial, or Municipal statute, regulation code or standard; and
- c. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

The Municipality is not responsible for not does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

REGIONAL MUNICIPALITY OF WOOD BUFFALO
Planning & Development Department
per:

FOIP section 17(1)

August 16, 2024

Date

Nabil Malik
Planner III
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
Nabil.Malik@rmwb.ca



Permit Number
2023-DP-00125

Applicant: Daniel Roy

Issued : August 16, 2024

Development Permit

193 MACKENZIE AVENUE

Lot	Block	Plan	Section	Township	Range
3	10	5642NY	7	112	7

New Commercial Industrial or Institutional Development

Liquor Store, Office & Warehouse Sales

Advertising Date August 29, 2024

- This development was approved by the Development Officer and is subject to the conditions attached to this permit.
- All conditions stated on this development permit must be complied with.
- You have one year from Date of Decision to commence construction. All appropriate building/mechanical permits must be applied for and issued. In the case of a change of use within an existing structure where no significant construction or reconstruction is necessary, the applicant shall have the new use in operation within one year of the decision of the development permit.

Regional Municipality of Wood Buffalo
Planning & Development Department
per:

FOIP section 17(1)

Issued : August 16, 2024

Date

Nabil Malik
Planner III
Planning and Development Dept.
Land Services Branch
Regional Municipality of Wood Buffalo
Nabil.Malik@rmwb.ca

Permit: 2023-DP-00125

193 MACKENZIE AVENUE
Lot: 3 Block: 10 Plan: 5642NY**Advisory Notes:**

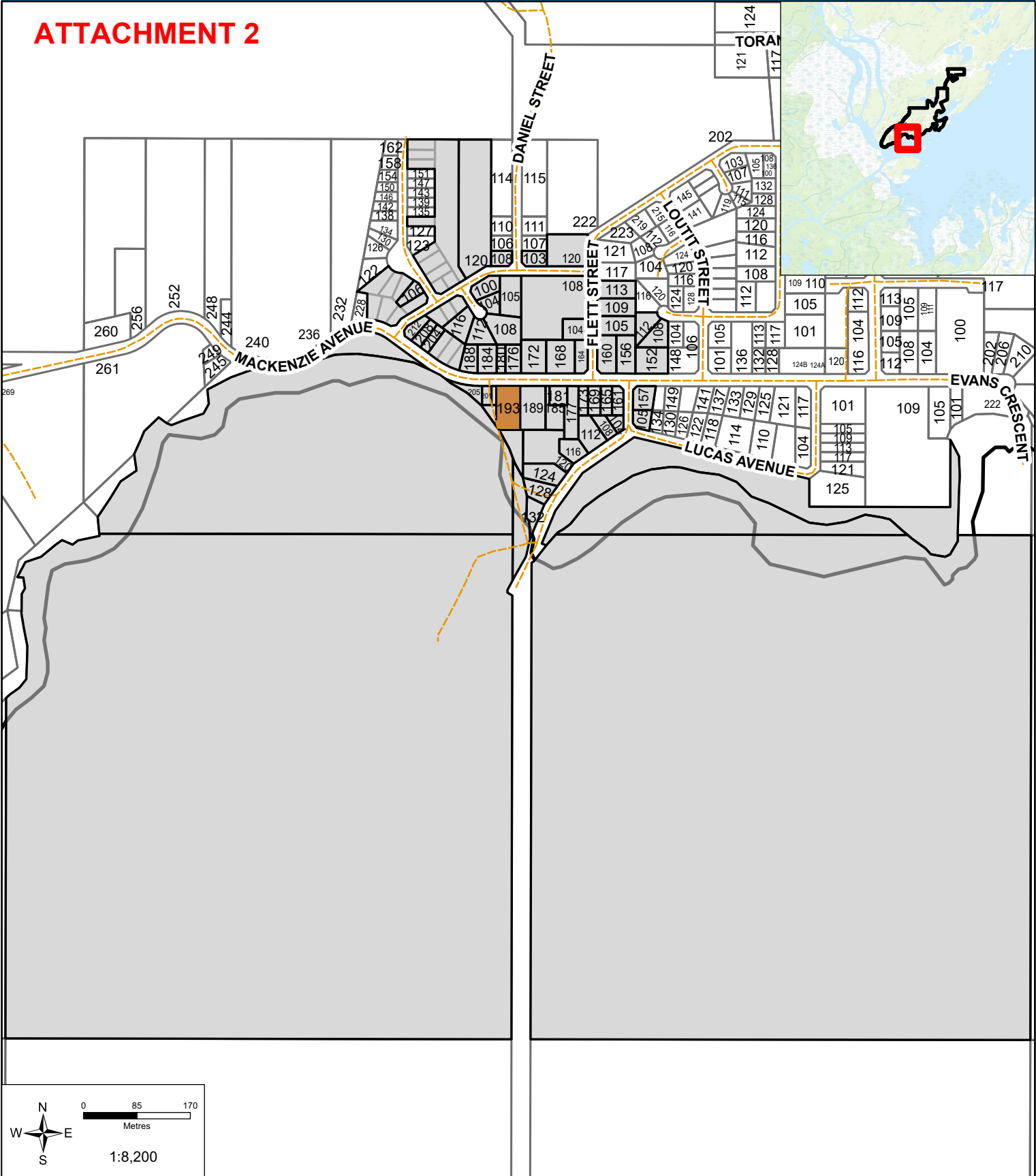
- 1 Any signage proposed for this development shall require a separate application and approval.
- 2 Any sump required for the development shall be installed so that discharge is as per the requirements of the Sewage Bylaw.
- 3 The developer shall install all appropriate signage at access/egress locations in accordance with the requirements of the Engineering Department.
- 4 Site services shall be in accordance with the Engineering Standards of the Regional Municipality of Wood Buffalo.
- 5 A Utility Installation Permit is required from the developer and shall be obtained from Engineering Services Division prior to installing underground utilities.
- 6 It shall be the developer's responsibility and expense to terminate, at the main, all sanitary and water services which will not be utilized in this development.
- 7 If a route haul permit is required for this development, it shall be applied for through the Planning and Development Department.
- 8 Any damage to the streets, sidewalks, curbs or landscaped boulevards caused by this development shall be the full responsibility of the developer to restore.
- 9 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695.
- 10 A Health Certificate may be required for this development. Please contact the Health Inspector for the necessary information.
- 11 A Municipal Business License is required for this development. Please contact the Licensing Enforcement Officer for information and an application.
- 12 The Alberta Fire Code applies in and around buildings existing or being constructed on a site. Complete project plans and specifications, construction fire safety plans, and fire related activities requiring Fire Prevention Permits shall be reviewed by the Fire Authority prior to the commencement of any work related thereto. Inquiries and permit applications shall be submitted to the Fire Authority.
- 13 All Federal, Provincial and Municipal statutes and regulations shall be met, including the Alberta Building Code.

Conditions:

- 1 The business must have all valid licenses/approvals from the provincial government prior to starting operations and shall be in compliance with the provincial legislation.
- 2 This development is classified as a Liquor Store, Office and Warehouse Sales and is a Discretionary Use in the HC- Hamlet Commercial District.
- 3 Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to occupancy.
- 4 Construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
- 5 The garbage and waste material shall be stored in weather-proof and animal-proof containers and shall be visually screened in a manner compatible with the design and external materials of the principal buildings on the site. If a wood screen fence is used, it shall be constructed in accordance with drawing 10-301 of the Engineering Servicing Standards.
- 6 The building location, orientation, capacity and/or use shall be as indicated on the approved drawings. Any changes to the approved plans shall be submitted to the Development Officer for further approval.
- 7 A minimum of 19 on-site parking stalls shall be provided as indicated on the approved plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material and shall be completed prior to the issuance of an Occupancy Permit. Should a seasonal allowance be required for paving the parking lot, the developer shall provide a written request for the seasonal allowance together with an automatically renewable and irrevocable letter of credit equal to 100 percent of the cost of paving the parking lot. A minimum of 2 of the required stalls shall be accessible parking stalls. These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
- 8 A minimum of one loading space shall be provided for this development. Loading shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets or lands.
- 9 All parking stalls shall be graded such that no slope in any direction is less than 0.5% and not more than 4%, to the satisfaction of the Development Officer. All soft landscaped areas shall have a minimum slope of 2% away from buildings.
- 10 A final site grading plan shall be prepared to the satisfaction of the Engineering Department and shall be approved prior to occupancy of any buildings.
- 11 The applicant may need to enter into a Development Agreement with the Municipality to pay for the installation of public utilities, other than telecommunication systems or works, which are necessary to serve the development.
- 12 Any excess fill must be deposited on a site approved by the Municipality. Please contact the Engineering Department and/or the Environmental Branch of the Public Works Department.
- 13 Any and all easements required by the Municipality or any franchise utility as a result of this development shall be provided by the developer at no cost to the Municipality or any franchise utility and shall be registered on title by Utility Right-of-Way Plan.
- 14 Should it be necessary to alter any on site Municipal or franchise utilities, all cost shall be borne by the developer.
- 15 There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development construction. The developer may apply to the Development Officer to utilize these lands.
- 16 All on site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent residential properties.

- 17 Before any construction starts, the applicant shall ensure that the site is fully fenced, as per the approved fencing plan, in order to prevent any damage to Municipal infrastructure and landscaping surrounding the site, to ensure controlled and safe access and egress of the site, and to provide safe pedestrian access on and through any municipal lands adjacent to the site. The site access locations shall be established as per the fencing plan and will be maintained and operated to the satisfaction of the Development Authority. The fencing is to remain in place and in good working condition until all construction activities have ceased and a Full Development Completion Certificate has been issued.
- 18 Any required removal or modification of existing on-site underground storage tanks and the management of identified contaminants shall be undertaken to the satisfaction of the appropriate authorities prior to the construction of the approved development and all applicable permits received from the local Fire Authority.
- 19 A Development Completion Certificate is required and shall be applied for by the applicant on completion of the conditions of development and prior to occupancy.
- 20 A water meter permit may be required. Please contact Underground Services Division for details at 780-799-7493. 780-788-1456 ext. 5832
- 21 A service connection permit may be required. Please apply at <https://www.rmwb.ca/en/permits-and-development/applications-licences-and-permits.aspx>.
- 22 All required Safety Code permits under the Safety Code Act in the: building, mechanical, electrical, gas, plumbing and private sewage disciplines must be obtained for this development. Please contact the Regional Municipality of Wood Buffalo - Planning and Development Branch to obtain the required Safety Code permits or for information regarding these permits 780-799-8695 or follow up on our permitting website: <https://aca.woodbuffalo.ab.ca/citizenaccess/>
- 23 Engineering securities of \$40,000 in total [including (a) \$10,000 for 1 approach, (b) \$20,000 for service connections (\$10,000/water + \$10,000/sanitary each), and (c) \$10,000 for a new storm outfall, shall be provided before issuance of the development permit. This is also a damage deposit for any damage to municipal property including roads, sidewalks, curb and gutter, underground infrastructure, boulevard, parks, URWs. All must be restored to original or better condition.
- 24 Construction activities will be completed in adherence to all environment and regulatory requirements which include, but are not limited to the Federal Fisheries Act and the Provincial Environmental Protection and Enhancement Act. Construction activities will implement effective sediment control measures at all stages of construction until disturbed soil has been addressed and the fish bearing water body is effectively protected from any impacts.
- 25 The applicant shall provide security in a form acceptable to the Municipality in the amount of \$7,150.00 as a guarantee for the installation and maintenance of the construction fencing.
- 26 The hours of operation for the Liquor Store is limited to:
9:00am- 6:00pm, Monday to Sunday.
Outside of the permitted hours of operation, the sale of alcohol or any other products is prohibited and the premises shall remain closed to the public .

ATTACHMENT 2



193 MACKENZIE AVENUE
Lot 3, Block 10, Plan 5642NY

- Survey Parcels
- Adjacent Properties within 200 m
- Subject





July 28, 2023

NOTICE TO ADJACENT PROPERTY OWNERS

**File Number 2023-DP-00125 – Application for Development Permit
LOT 3 BLOCK 10 PLAN 5642NY; 193 Mackenzie Avenue;
FORT CHIPEWYAN ALBERTA**

An application has been received by the Planning and Development department to develop a **Liquor Store, Office and Warehouse** at the property listed above.

You are being informed of this Development Permit **before a decision is rendered** because you live within the hamlet boundaries of Fort Chipewyan. A subject property Map is attached for your reference.

The subject property is zoned for HC – Hamlet Commercial where Liquor Store, Office and Warehouse sales are considered Discretionary Uses. *Discretionary Uses* are land uses which may be considered on a property AND include a twenty-one (21) day appeal period after a decision is rendered.

We ask that if you have any concerns or comments regarding this application that you forward these in writing referencing the above noted File Number, for the consideration of the Development Authority by **4:30 p.m. on August 17, 2023**. All received comments will be reviewed by the Development Authority prior to a decision. If a response is not received it is assumed, you have no comments/concerns regarding this application.

Your concerns/comments may be sent **in writing** to the Development Officer by one (1) of the following methods:

Email: Nabil.Malik@rmwb.ca
Mail: Nabil Malik, Planner III
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4

Email: Brett.Williamson@rmwb.ca
Mail: Brett Williamson, Planner II
Planning & Development Department
Regional Municipality of Wood Buffalo
9909 Franklin Avenue
Fort McMurray, AB; T9H 2K4



NOTICE TO ADJACENT PROPERTY OWNERS