

Your Application has been scheduled by the clerk.

Date: Sep 29, 2026 @ 10:00

Location: Justice Chambers

In person: 601 - 5 St SW, Calgary, AB T2P 5P7

Form 7

[Rule 3.8]

COURT FILE NUMBER

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

APPLICANT

THE OWNERS: CONDOMINIUM PLAN
9311680

RESPONDENTS

VULCAN COUNTY and ERIC STEEVES,
operating as PALLISER GRID

DOCUMENT

ORIGINATING APPLICATION

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

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NOTICE TO THE RESPONDENTS

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date: September 29, 2026
Time: 10:00am
Where: Calgary Courts Centre
Before: Justice in Morning Chambers

Go to the end of this document to see what you can do and when you must do it.

Basis for this claim:

1. The Applicant seeks judicial review pursuant to Part 3, Division 2 of the *Alberta Rules of Court* and a declaration of invalidity pursuant to section 536 of the *Municipal Government Act*, RSA 2000, c M-26 (the "**MGA**") of Bylaw 2026-007 (the "**Bylaw**"), which passed third reading on June 17, 2026.
2. The Bylaw amended Vulcan County's (the "**County**") Land Use Bylaw No. 2020-028 to redesignate approximately 595 acres of section 14-15-21 W4 (the "**Lands**") from "Rural General – RG" to "Rural Industrial – RI". The purpose of the amendment was to have the Lands redesignated to enable development of an AI data centre campus, described as a data processing operation and supporting utility infrastructure.
3. In rendering the Decision, the Council made the following errors which merit judicial review and a declaration of invalidity, *inter alia*:
 - a. Breaching the Applicant's right to procedural fairness through the following acts and conduct:

- i. Approving an application that was incomplete and was (and still is) missing material information required under s. 62.1 of the *Land Use Bylaw*, prejudicing the Applicant's ability to provide meaningful feedback;
 - ii. Approving a version of the application that was amended from what had been made available for public feedback without a further opportunity for public engagement;
 - iii. Disclosing only after public hearing, material planning information from Administration and the Oldman River Regional Services Commission (ORRSC) concerning the relaxation of setbacks, information that was relied upon by Council;
 - iv. Failing to notify affected individuals of the public hearing; and
 - v. Misinterpreting and misapplying provisions of the *Access to Information Act* to overrule the Applicant's right to natural justice and procedural fairness.
- b. Failing to hold a public hearing that accords with the purposes and intent of section 216.4 of the *MGA*;
 - c. Failing to follow its own policies and procedures, including section 62.1 of the *Land Use Bylaw* and General Policy 2.7.1 in the County's *Municipal Development Plan*;
 - d. Misinterpreting, misapplying, or failing to consider relevant information provided to Council in the course of the public hearing, including with respect to designated environmentally significant areas and at-risk bird species; and
 - e. Such further and other grounds as this Honourable Court will entertain at the hearing.

Remedy sought:

- 4. An Order adjourning this Originating Application to a Special Justice Chambers hearing.
- 5. An Order granting judicial review of the Decision.
- 6. An Order in the nature of *certiorari* quashing the Decision and a declaration that the Decision is invalid and void procedurally and substantially.
- 7. An Order granting the Applicants costs.
- 8. Such further and other Orders and Declaration as the Honourable Court deems appropriate.

Affidavit or other evidence to be used in support of this application:

- 9. The Record or Materials of Vulcan County Council.
- 10. Such further and other materials as counsel may advise and this Honourable Court may permit.

Applicable Acts and regulations:

- 11. *Alberta Rules of Court*.
- 12. *Municipal Government Act*.
- 13. Such further and other Acts and Regulations relied upon by the Applicant at the hearing of this Originating Application.

WARNING

You are named as a respondent because you have made or are expected to make an adverse claim in respect of this originating application. If you do not come to Court either in person or by your lawyer, the Court may make an order declaring you and all persons claiming under you to be barred from taking any further proceedings against the applicant(s) and against all persons claiming under the applicant(s). You will be bound by any order the Court makes, or another order might be given or other proceedings taken which the applicant(s) is/are entitled to make without any further notice to you. If you want to take part in the application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of this form. If you intend to rely on an affidavit or other evidence when the originating application is heard or considered, you must reply by giving reasonable notice of that material to the applicant(s).