

The meeting of the Municipal Planning Commission was called to order by Chairperson Kreil at 1:00 p.m. on March 10, 2022 in the Council Chambers of the Lacombe County Administrative Office.

Present

Present: Chairperson Dana Kreil; Commission Members, Barb Shepherd, Brenda Stewart, John Ireland (*via Zoom*), Allan Wilson, Dwayne West and Ken Weenink; County Manager Tim Timmons; Director of Community Services Dion Burlock; Director of Planning Services Dale Freitag; Director of Operations Bill Cade; Planner/Development Officer Peter Duke and Planning Services Administrative Assistant Allison Noonan

Kim Schmidt and Ben Schmidt were also present.

Mrs. Kreil introduced herself and those present introduced themselves.

**MPC 11/22
Agenda**

Moved by Ms. Shepherd that the agenda be approved as presented.

Carried Unanimously.

**MPC 12/22
Minutes**

Moved by Mr. Wilson that the minutes of the February 10, 2022 Municipal Planning Commission meeting be approved.

Carried Unanimously.

Development Permit No. 24/22 submitted by Humble Farmers Inc. to renew a previous approval for the operation of a cannabis production facility on land legally described as Lot 1 Block 1 Plan 962 2191, Pt. NW 25-39-2-W5M, north of Sylvan Lake on property owned by Clayton Reeder c/o Estate of Bryan Reeder. The property is zoned Agricultural 'A' District in the County's Land Use Bylaw.

Peter Duke addressed the Commission and advised that the business was previously approved in 2018 (DPA 179/18) for a cannabis production facility on this parcel. Mr. Duke advised that the facility was not constructed prior to the expiry of their permit, which had a term of three years. Mr. Duke confirmed that two greenhouses were built for the purposes of cannabis production; however, these were subject to an Access to Cannabis for Medical Purposes (ACMPR) licence, which does not require municipal approval. Cannabis has been produced on site for the past three years under the ACMPR licence.

Mr. Duke confirmed that the proposed property is located north of the Blissful Beach subdivision and east of the Summer Village of Sunbreaker Cove and the site is heavily treed on the north boundary, there are also some mature deciduous trees on the west boundary, and the south boundary is sparsely treed. Additional landscaping has been installed on the west boundary as part of the previous approval; however, the southern property boundary would benefit from additional plantings. Mr. Duke also confirmed that there is an existing mobile home and accessory buildings located on the property that will remain. The development application also proposes to construct a number of buildings including: a 576 ft² office, a 5595 ft² shop, and three greenhouses totalling 5147 ft². The new buildings represent the same square footage as approved in 2018; however, the building configurations have changed to include an addition onto an existing building. All growing of cannabis and cannabis related activities are completely contained within the greenhouses and shop, and the buildings will be securely fenced as per Health Canada regulations.

Mr. Duke explained that the applicant outlined that the business will operate Monday to Sunday from 8:00 a.m. to 8:00 p.m. and the business will employ two resident employees, five non-resident onsite employees and two non-resident offsite employees. Expected traffic to the site, will consist of the employee cars and delivery services and is expected to be six vehicle round trips per day. There is sufficient parking onsite. A STOP sign was installed as part of the previous approval. No business signage is proposed as part of this application.

Mr. Duke explained that the application was pre-circulated to landowners within one-mile of the proposed development for comments. Mr. Duke advised that the applicant received responses with concerns regarding:

- Upkeep of the site;
- Noise, odour and day/night lighting;
- Watershed pollution/stormwater runoff; and

- Security.

Mr. Duke confirmed that the application was also pre-circulated to Lacombe County's Operation's Department and the County's Fire Chief for comments. The Operation's Department advised that the applicant will be responsible for dust control from the property's access north on Range Road 2-1 to Rainy Creek Road and the County's Fire Chief outlined a number of requirements including submission of a Fire Safety Plan, compliance with the Alberta Fire Code and a required inspection upon final construction.

Mr. Duke confirmed that the subject site is heavily treed; however, some additional landscaping on the southern property boundary would help to provide adequate screening. Furthermore, the proposed buildings and elevation drawings submitted with the application are set back from Range Road 2-1 and are agricultural in nature. Mr. Duke reported that traffic to the site is minimal and would not have an adverse impact on the surrounding infrastructure or neighbours. The applicants will provide dust control in front of any residence who requests it north of the production facility to mitigate any potential negative impact and there is adequate parking on site to accommodate the proposed employees.

Mr. Duke confirmed that the production facility is relatively small in size and cannabis has been produced in two greenhouses under an ACMPR licence for the last three years; which does not require municipal approval. Mr. Duke advised that there have been no further complaints during the last three-year period and as such, the applicant has requested that the County consider a five year term with an annual review remaining as a condition of approval. Mr. Duke advised that Staff feel that a three year term is appropriate in this case as the applicant has not constructed or operated the facility, which is larger in scale and scope than the ACMPR operation.

Mr. Duke advised that the applicants intend to use blackout curtains on the greenhouses to negate light pollution at night and a holding pond is on site to handle stormwater. Cleanup of the site is being undertaken which is intended to be completed this spring. Smells are to be addressed through the installation of a filtration system on the new structures. Through the application of conditions of approval, staff consider that the renewal of this application for a cannabis production facility is a suitable and appropriate use of the lands; therefore, Mr. Duke recommended approval of the application with conditions.

Kim Schmidt and Ben Schmidt addressed the Commission and advised that they have secured ownership of the property and confirmed that site cleanup has begun and they are prepared to enter into a Development Agreement with the County to plant additional landscaping on the south boundary to mitigate concerns from the neighbours. Ben Schmidt confirmed that he would reside on the property and intends to plant fruit trees and utilize the existing buildings for the business. A discussion was held regarding the request to the Commission to consider a longer term of approval.

MPC 13/22
 DPA 24/22
 Humble Farmers Inc.
 962 2191;1;1
 Pt. NW 25-39-2-W5M

Moved by Mr. West that the Municipal Planning Commission approve Development Permit Application No. 24/22 submitted by Humble Farmers Inc. to renew a previous approval for the operation of a cannabis production facility on land legally described as Lot 1 Block 1 Plan 962 2191, Pt. NW 25-39-2-W5M, north of Sylvan Lake on property owned by Clayton Reeder c/o Estate of Bryan Reeder, subject to the following conditions:

- 1. term of the development permit shall be three (3) years;**
- 2. this approval shall be subject to an annual review by the Development Officer. Failure to comply with the conditions of the development permit may result in the permit being suspended or revoked;**
- 3. prior to occupancy of the building for use as a cannabis production facility, the applicant/operator shall provide to the satisfaction of the County confirmation of application for, and compliance with the requisite federal license;**
- 4. cannabis production facility shall at all times comply with federal and provincial legislation and regulations, failure to do so will result in the immediate termination of this development approval;**
- 5. prior to occupancy of the building for use as a cannabis production facility, a fire safety plan to be submitted to the satisfaction of the County's Fire Chief;**
- 6. prior to occupancy of the building, applicants to arrange for the County's Fire Chief to carry out an inspection of the premises to ensure compliance with the Alberta Fire Code (AFC). Please note, that periodic inspections may occur through your development permit approval term;**
- 7. prior to the issuance of a development permit, the site is to be cleaned up**

- to the satisfaction of the County;*
- 8. the site shall be kept in a neat and tidy condition;**
- 9. any lighting to comply with the County’s Dark Sky Guidelines and Crime Prevention Through Environmental Design Principles;**
- 10. applicants to provide dust control where required, to the frequency and satisfaction of Lacombe County;**
- 11. prior to the issuance of a development permit a landscaping plan is to be submitted to the satisfaction of the County to augment the existing landscaping. Applicants must also enter into a Landscaping Agreement, to be caveated on the title of the property, respecting the approved landscaping plan;**
- 12. landscaping to be completed within one (1) year of the development permit being issued;**
- 13. business activities at the site shall adhere to the description of the business provided with the development permit application. A further development permit application is required for any changes to the business;**
- 14. the applicant/operator shall ensure that the business does not cause any nuisance to surrounding property owners due to noise, light, odour or excessive traffic or anything else of a dangerous or objectionable nature, as determined by the County in its sole discretion;**
- 15. a habitable dwelling to be maintained for as long as the business operates at the site;**
- 16. maximum two (2) resident offsite employee and five (5) non-resident employees may work on-site, unless prior approval is received from the County;**
- 17. no incineration permitted on the site; and**
- 18. no signage is permitted without prior approval from the County.**

It is the responsibility of the applicants to ensure that the proposed development meets the requirements of the provincial Safety Codes Act and the associated Regulations. For more information on what permits may be required, contact one of the safety service agencies listed on the attached sheet.

Carried Unanimously.

Kim Schmidt and Ben Schmidt withdrew from the meeting.

Planning Update

Peter Duke presented the Planning Services update for February 2022 for information purposes.

Next Meeting

The next meeting is scheduled for March 24, 2022.

***MPC 14/22
Adjourn***

***Moved by Mrs. Knight that the meeting adjourn.
Time: 1:44 p.m.***

Carried Unanimously.

Chairperson