



REPORT TO THE MUNICIPAL PLANNING COMMISSION

February 10, 2022

Application No.	08/22
Proposed Development	Cannabis production facility with 5300 ft ² greenhouse <i>*renewal of previous approval</i>
Legal Description	Pt. NE 36-40-03-W5M
Titled Area	37.5 hectares (92.70 acres)
Zoning	Agricultural 'A' District
Landowners	2147271 Alberta Ltd. (High Grade Farms Inc.)
Applicants	2147271 Alberta Ltd. (High Grade Farms Inc.)

BACKGROUND

The applicant, 2147271 Alberta Ltd. (High Grade Farms Inc.), is seeking development approval to construct and operate a 5300 ft² cannabis production facility on Pt. SW 3-40-01-W5M (map attached as Schedule 'A').

The business was previously approved in 2018 (DPA 169/18) for a 15,000 ft² cannabis production facility on this parcel. The facility was not constructed prior to the expiry of their permit, which had a term of three (3) years.

The property is located approximately a mile and a half north of Highway 12 and two (2) and a half miles east of Highway 766. The site is heavily treed and there is an existing homestead and outbuildings located on the property which will remain. The proposal includes a new 5300 ft² greenhouse addition. All growing of cannabis and cannabis related activities are completely contained within the buildings. All buildings (including existing structures) will need to meet the Alberta Building Code, Alberta Fire Code and applicable Health Canada regulations. The remaining 67 acres are intended to be used for the growing of hemp. The hemp growing portion of the business does not require development permit approval as it is considered an agricultural operation under the County's Land Use Bylaw.

The proposal outlines that the administrative portion of the business will operate from 9:00 am to 4:00 pm with the production side of the business operating 24/7.

The on-site employees in the business will include one (1) resident and two (2) to four (4) non-resident employees.

Expected traffic to the site, with the exception of the construction period for the building, will consist of the employee cars, daily mail delivery, and bi-weekly or monthly delivery with a vehicle no larger than a tractor trailer. There is sufficient parking onsite.

No signage is proposed as part of this application (full application attached as Schedule 'B').

POLICY CONSIDERATIONS

The proposed development is considered a cannabis production facility, which is defined in the Land Use Bylaw as "a premises authorized by a license issued by Health Canada and used for the production, cultivation, harvesting, processing (including the trimming, drying, and curing of raw materials), storage or distribution of cannabis or its by-products for commercial sale.

CIRCULATION RESPONSE

Lacombe County's Operation's Department had no issues with the proposed renewal.

The County's Fire Chief advised that the previous requirements would apply including submission of a Fire Safety Plan, compliance with the Alberta Fire Code and a required inspection upon final construction.

Applicants of cannabis production facilities are required to carry out a pre-consultation with landowners within one (1) mile of the proposed development.

Three (3) responses were received as a result of the pre-consultation. All of these landowners were contacted by the applicant and his response have been included in the package. One (1) additional response was received after the consultation deadline which has been included in the consultation package; however, a response from the applicant has not been provided. Of the four letters received, some of the common concerns were in relation to: security, land values, odour, watershed contamination and aquifer usage, future growth of the facility, fencing, traffic and dust, building safety codes, and disposal of waste. Please see the attached letters and responses from High Grade Farms Inc. (attached as Schedule 'C').

All adjacent landowners will also be advised of the MPC's decision and their right to appeal the MPC's decision.

ANALYSIS

The subject site is heavily treed and provides adequate screening which meets the Highways and County Main Roads Overlay District standards. The proposed greenhouse addition plan drawings submitted with the proposed application meet the requirements of the Highways and County Main Roads Overlay District.

Traffic to the site is minimal and would not have an adverse impact on the surrounding infrastructure or neighbours.

While a number of local residents have expressed concerns with the proposed development, the applicant has made an effort to address these concerns. The scale of the facility has been reduced to less than half of its original size that it was approved for in 2018. Traffic to the site is minimal and would not have an adverse impact on the surrounding infrastructure or neighbours.

Cannabis production, although a distinct use that is subject to additional policies, still involves the raising of a horticultural crop, which is the primary use of the Agricultural "A" District. As a result, staff consider that the application for renewal of this cannabis production facility remains a suitable and appropriate use of the lands.

STAFF RECOMMENDATION

APPROVE the application, 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. the total plant canopy space is not to exceed exceed 2300 ft². A further development permit application is required for any changes to the business, including additional canopy space;
6. 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;

7. 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;
8. applicant will be responsible to ensure there is a 150 m (492 ft.) clear line-of-sight in both directions from the access;
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. 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;
12. 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;
13. a habitable dwelling to be maintained for as long as the business operates at the site;
14. the applicants shall install a STOP sign for traffic leaving the site. The sign is to be placed on private property and not within the County right-of-way
15. maximum one (1) resident employees and four (4) non-resident employees may work on-site, unless prior approval is received from the County; and
16. no signage is permitted without prior approval from the County.

It is the responsibility of the applicant 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.

MPC DECISION

PREPARED BY: Peter Duke, Planner / Development Officer



REVIEWED BY: Dale Freitag, Director of Planning Services



REVIEWED BY: Tim Timmons, County Manager

