



## REPORT TO THE MUNICIPAL PLANNING COMMISSION

March 10, 2022

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<b>Application No.</b>	24/22
<b>Proposed Development</b>	Cannabis production facility
<b>Legal Description</b>	Lot 1 Block 1 Plan 962 2191, Pt. NW 25-39-2-W5M
<b>Titled Area</b>	2.43 hectares (6 acres)
<b>Zoning</b>	Agricultural 'A' District
<b>Landowner</b>	Clayton Reeder c/o Estate of Bryan Reeder
<b>Applicants</b>	Humble Farmers Inc.

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### BACKGROUND

The applicant, Humble Farmers Inc., is seeking development approval to operate a cannabis production facility including the construction of an office, shop and greenhouses on Lot 1 Block 1 Plan 962 2191, Pt. NW 25-39-02-W5M (context map and complete application are attached as Schedule 'A').

The business was previously approved in 2018 (DPA 179/18) for a 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. Two (2) green houses were erected 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 (3) years under the ACMPR licence.

The proposed property is located north of the Blissful Beach subdivision and east of the Summer Village of Sunbreaker Cove. 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.

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 ft<sup>2</sup> office, a 5595 ft<sup>2</sup> shop, and three (3) greenhouses totalling 5147 ft<sup>2</sup>. 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.

The proposal outlines that the business will operate Sunday to Saturday 8 am to 8 pm. The business will employ two (2) resident employees, five (5) non-resident onsite employees and two (2) non-resident offsite employees.

Expected traffic to the site, will consist of the employee cars and delivery services, and is expected to be six (6) 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.

Applicants for a cannabis production facility are required to carry out a pre-circulation within one (1) mile of the proposed development. A number of issues arose from residents which are addressed under the following headings in the attached letter and response from Humble Farms Inc. (consultation package attached as Schedule 'B': 1) Upkeep of the site; 2) noise, odour and day/night lighting; 3) watershed pollution / stormwater runoff; and 4) security.

## **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 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.

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.

The application was pre-circulated to 162 adjacent landowners and three responses were received. The concerns and the applicant's response are attached as Schedule 'B'.

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, however, some additional landscaping on the southern property boundary would help to provide adequate screening. The proposed buildings and elevation drawings submitted with the application are set back from Range Road 2-1 and are agricultural in nature.

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. There is adequate parking on site to accommodate the proposed employees.

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. As previously mentioned, municipal approval is not required for these types of facilities. There have been no further complaints during the last three-year period. The applicant has requested that the County consider a five (5) year term with an annual review remaining as a condition of approval. Staff feel that a three (3) 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.

The applicants intend to use blackout curtains on the greenhouses at night 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.

## **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. 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.*

## **MPC DECISION**

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**PREPARED BY: Peter Duke, Planner/Development Officer**  
**REVIEWED BY: Dale Freitag, Director of Planning Services**  
**REVIEWED BY: Tim Timmons, County Manager**

