

The meeting of the Municipal Planning Commission was called to order by Chairperson Kreil at 1:00 p.m. on January 30, 2020 in the Council Chambers of the Lacombe County Administrative Office.

Present

Present: Chairperson Dana Kreil; Commission Members, Brenda Knight, Paula Law, Ken Wigmore, Keith Stephenson and John Ireland; County Manager Tim Timmons; Director of Planning Services Dale Freitag; Senior Planner Cajun Paradis; Planner/Development Officer Peter Duke and Recording Secretary Allison Noonan.

John Ekkel, Kevin Halsey, Les Brunelle and Wes Earle were also present.

**MPC 5/20  
Agenda**

***Moved by Mr. Stephenson that the agenda be approved as presented.***

***Carried Unanimously.***

**MPC 6/20  
Minutes**

***Moved by Mr. Ireland that the minutes of the January 9, 2020 Municipal Planning Commission meeting be approved.***

***Carried Unanimously.***

Development Permit Application No. 157/19 submitted by John and Marlene Ekkel for permission to expand the existing pallet supply business, known as Central Alberta Pallet Supply, and construction of a 7,200 ft<sup>2</sup> pole building addition on Pt. SW 16-41-26-W4M, northwest of Lacombe on property owned by 2218109 Alberta Ltd. This property is zoned Agricultural "A" District under the County's Land Use Bylaw.

Cajun Paradis addressed the Commission and explained that the business manufactures pallets, with the main pallet assembly occurring in the existing shop and the wood cutting taking place at a location in the City of Lacombe. Ms. Paradis explained that the addition to the shop would enable the combination of business activities at this site. Ms. Paradis confirmed that there is one resident and five non-resident on-site employees, which is an increase from the previous approval.

Ms. Paradis confirmed the hours of operation to be Monday to Friday from 6:00 a.m. to 5:00 p.m., with occasional Saturday operation. Traffic is expected to be 18 vehicle trips per day, which includes a 5-tonne delivery truck, a lumber supply truck and the general manager's half-tonne truck, as well as employee personal vehicles. Outdoor storage includes lifts of 2x4 lumber, pre-cut pallet stock, and assembled pallets in an orderly manner. There are no client visits, and no signage proposed for the business.

Ms. Paradis confirmed that the application was pre-circulated to Alberta Transportation, the City of Lacombe and the County's Operations Department. No responses were received from Alberta Transportation and the County's Operations Department has no concerns with the application as presented.

Ms. Paradis confirmed that there is adequate existing tree cover on all sides of the yard site, which screens the business and outdoor storage from the Milton West Branch Road (Township Road 41-2) and the proposed addition is at the rear of the existing buildings. Furthermore, there is an increase in traffic expected to the site, but it is not expected to impact surrounding property owners as the Milton West Branch Road (Township Road 41-2) is paved. As well, there is an existing habitable dwelling on site, which will be required as long as the business operated at the site.

Ms. Paradis recommended approval of the application with conditions.

**MPC 7/20  
DPA 157/19  
John & Marlene Ekkel  
Pt. SW 16-41-26-W4M**

***Moved by Mr. Wigmore that the Municipal Planning Commission approve Development Permit Application No. 157/19 submitted by John and Marlene Ekkel for permission to expand the existing pallet supply business, known as Central Alberta Pallet Supply, and construction of a 7,200 ft<sup>2</sup> pole building addition on Pt. SW 16-41-26-W4M, northwest of Lacombe on property owned by 2218109 Alberta Ltd., subject to the following conditions:***

- 1. term of the development permit for the business to be for five (5) years***
- 2. Development Permit 135/18 shall be declared void upon the issuance of Development Permit 157/19***
- 3. 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***

4. ***the proposed addition to the shop is to be located and constructed in accordance with the site plan and elevation drawings submitted with the development permit application, and any changes will require prior approval from the County***
5. ***the exterior finish of the proposed addition is to complement the exterior finish of the existing shop***
6. ***business activities at the site shall adhere to the description of the business provided with the development application and the site plan. A further development application is required for any changes to the business, including any signage, new buildings or additions to existing structures***
7. ***business to be operated at all times in a manner that does not cause nuisance for surrounding property owners due to noise, dust, excessive traffic, or anything else of dangerous or objectionable nature, as determined by Lacombe County at its sole discretion***
8. ***no more than one (1) resident and five (5) non-resident on-site employees may work at the business unless prior approval is received from the County***
9. ***any outside storage of materials or equipment associated with the business to be screened from view to the satisfaction of the County and the outdoor storage area shall be no greater than 1.6 hectares (4.0 acres) in size***
10. ***site to be kept at all times in a neat and tidy condition***
11. ***a habitable dwelling to be maintained for as long as the business operates at the site***
12. ***no signage permitted unless prior approval received by the County***

***Please note that as the subject property is located within 800 metres (2,624.67 feet) of an intersection between a provincial highway and municipal road, approval is also required from Alberta Transportation. For more information, please contact the Department at (403) 340-5166.***

***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.***

John Ekkel and Cajun Paradis withdrew from the meeting.

Development Permit Application No.154/19 submitted by Kevin Halsey for permission to operate a cannabis production facility, known as Greenway Pharma Inc. on Lot 2 Block 3 Plan 072 9331 located in the Aspelund Industrial Park, west of Blackfalds on property owned by Kendallco Consulting Ltd. This property is zoned Business Industrial "I-BI" District under the County's Land Use Bylaw.

Peter Duke addressed the Commission and advised that Kevin Halsey has applied to establish a cannabis production facility in an existing 12,436 ft<sup>2</sup> building with 4,240 ft<sup>2</sup> office which was formerly utilized by Strata Energy. Mr. Duke confirmed that this site was designed to meet the Highways and County Main Roads Overlay District requirements for landscaping, as well as building design and appearance. Mr. Duke explained that the proposed business would employ 12 non-resident, on-site employees and two non-resident, off-site employees. The hours of operation are proposed to be from 8:00 a.m. to 5:00 p.m. from Monday to Friday; however, there will be security personnel on site at all times.

Mr. Duke explained that expected traffic will consist of mainly local employees driving to and from work as well as some traffic for shipping and receiving and has been estimated at 18-vehicle trips per day. Mr. Duke confirmed that the proposed facility is not open to the general public as this is a grow facility only and no retail sales or customer visits will take place so no customer parking is being proposed; however, 25 stalls are available for staff use. Mr. Duke also confirmed that outdoor storage is required for the storage of soil, planting materials, and shipping supplies and no additional outbuildings are required at this time. Furthermore, an HVAC system specifically designed to eliminate odors is proposed to be installed into the existing building and signage is not being proposed as part of this application.

Mr. Duke advised that the application was pre-circulated to the Town of Blackfalds, the County's Operations Department, the County's Fire Chief and Alberta Transportation for comments. The Operations Department had no

objections to the proposal and confirmed that the access is adequate and that the existing road can handle the proposed traffic generated from the site. The Town of Blackfalds did not provide comments. Alberta Transportation had no objection to the proposed development; however, they did indicate that a Roadside Development Permit is required. The County Fire Chief responded that a Fire Safety Plan is to be developed and approved by the County. The building will be required to meet the most recent requirements of the Alberta Building Code, Alberta Electrical Code and the Alberta Fire Code. Fire Chief Bussiere also noted that the hanging of plastic to create wall dividers is not permitted and further that an inspection will be required prior to occupancy and periodically going forward.

Mr. Duke confirmed that the applicant was required to prepare and distribute pre-circulation package to neighboring landowners in order to solicit feedback on their development. The applicant did not receive any feedback from their consultation, nor did the County; however, Mr. Halsey indicated that they did collect encouraging feedback from their neighbors regarding to the positive impact a 24-hour security team would have on the area.

Mr. Duke summarized that the existing building and lot was designed to meet the Highways and County Main Roads Overlay District requirements for landscaping, as well as building design and appearance; as such, no additional landscaping is required for this development. The facility is fully fenced and security measures including 24/7 security personnel will be in place. In addition to requirements of the County, the applicant is also required to satisfy those enforced under Health Canada. There were no concerns brought forward by the public, to the applicant or directly to the County. The facility can also take advantage of existing transportation and utility infrastructure that is available in the business park. Therefore, Mr. Duke recommended approval of the application with conditions.

Discussion was held regarding security and activities on site and the installation and use of the proposed HVAC system. Mr. Halsey confirmed that the proposed business is a production only facility and no other processing will be done on site. Mr. Halsey also confirmed that the HVAC system that is being designed will ensure that any odor that is created will be mitigated and reduced and will meet all Health Canada regulations and guidelines. Mr. Halsey explained that the footprint of the building will not change and all renovations for the proposed business will occur inside the building and informed the Commission that a security guard will be on site 24/7 and that pending approval, construction will begin in March, 2020 and plan to begin planting product by July, 2020.

**MPC 8/20  
DPA 154/19  
Greenway Pharma  
072 9331;3;2  
(Aspelund Industrial)**

***Moved by Mr. Wigmore that the Municipal Planning Commission approve Development Permit Application No. 154/19 submitted by Kevin Halsey for permission to operate a cannabis production facility, known as Greenway Pharma Inc. on Lot 2 Block 3 Plan 072 9331 located in the Aspelund Industrial Park, west of Blackfalds on property owned by Kendallco Consulting Ltd., subject to the following conditions:***

- 1. the term of the development permit to be for 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 buildings 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. business activities at the site shall adhere to the description of the business provided with the development application;***
- 8. business to be operated at all times in manner that does not cause nuisance for surrounding residents due to noise, light, odour, excessive traffic, or anything else of dangerous or objectionable nature as determined by and at the sole discretion of Lacombe County; and***
- 9. no signage permitted without prior approval from the County.***

***It is the responsibility of the applicants to ensure that the proposed building 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.**

**It is important to note that a roadside development permit is also required from Alberta Transportation. For more information, please contact the Department at (403) 340-5166.**

**Carried Unanimously.**

Kevin Halsey and Les Brunelle withdrew from the meeting.

Development Permit Application No.153/19 submitted by Wesley Earle for permission to operate a cannabis production facility, known as Silver Mountain Cannabis, on Lots 4-6 Block 12 Plan 7159A1 located in the Hamlet of Mirror on property owned by Allan McKenzie. This property is zoned Hamlet Industrial "H-I" District under the County's Land Use Bylaw.

Mr. Duke advised the Commission that the proposed business will be established on three industrial lots in the Hamlet of Mirror that have been previously used for outdoor storage, as well as some welding and repair work from a small shop located on the southern end of the property. Mr. Duke confirmed that the applicant proposed to construct three new buildings, including a 1,500 ft<sup>2</sup> office and two-2,100 ft<sup>2</sup> buildings for cannabis cultivation. The existing shop will be utilized for storage purposes. The proposed buildings will be designed to integrate green building principles, passive heating and an upgraded building envelope. The landscaping is being designed in order to meet Crime Prevention Through Environmental Design (CPTED) principles.

Mr. Duke advised that the proposed business would employ six to ten non-resident, on-site employees and the proposed hours of operation are 7:00 a.m. to 6:00 p.m. on Monday to Friday; however, there would be security personnel and two employees on site 24-hours a day during bi-monthly harvest maturity times. Mr. Duke explained that the expected traffic to the site consists of employees driving to and from work as well as some traffic for shipping and receiving. This has been estimated at seven vehicle trips per day. The facility is not open to the general public as this is a grow facility only and no retail sales or customer visits will take place so no customer parking is being proposed. Outdoor storage is required for planting materials, soil and other gardening equipment. Enhanced HVAC units are proposed to be utilized to prevent odours by utilizing HEPA filters, ozone treatment, and charcoal scrubbers. Furthermore, the building will be compliant with the County's Dark Sky principles to limit light trespass and no signage is being proposed as part of this application.

Mr. Duke confirmed that the application was pre-circulated to the County's Operations Department, the County's Fire Chief, the County's Director of Community Services, Alberta Transportation and CN Rail for comments. The Operations Department had no objections to the proposal and confirmed that the access is adequate and that the existing road can handle the proposed traffic generated from the site. CN Rail and Alberta Transportation had no objection to the proposed development. The County's Director of Community Services responded that this development would be required to connect to the municipal services which are available in 52<sup>nd</sup> Avenue. The County Fire Chief responded that due to the remoteness of the site, emergency services will be delayed as the Alix Fire Department would be the primary fire service provider. Fire Chief Bussiere recommends that the building be constructed of fire resistant materials, a monitored fire alarm system be installed, and a Fire Safety Plan is to be developed and approved by the County. Furthermore, the Fire Chief Bussiere suggested that the building will be required to meet the most recent requirements of the Alberta Building Code, Alberta Electrical Code and the Alberta Fire Code. Fire Chief Bussier also noted that the hanging of plastic to create wall dividers is not permitted and furthermore, an inspection will be required prior to occupancy and periodically going forward.

Mr. Duke advised that applicant was required to prepare a pre-circulation package that was mailed out to neighboring landowners in order to solicit feedback on their development. Of the 350 packages sent out, the applicant received 18 responses because of the consultation. The main areas of concern included property values, moral issues, safety and security, and odor; however, many of those who responded were supportive of the venture and the potential jobs it may bring to the Hamlet. A summary of this feedback, including the applicant's response to the concerns identified was prepared and provided to the Commission for their information. Mr. David Cartwright submitted two letters, one in opposition to the

development which has been included in the applicant’s summary noted above, and a subsequent letter in which he has indicated that he would like to withdraw his opposition but has requested that the County consider requiring paving or dust control on 54<sup>th</sup> street. Mr. Duke read a late submission from Mr. Howard Copland indicating that he opposed the development.

Mr. Duke confirmed that the applicant has indicated that they feel that the increased employment opportunities within the Hamlet should increase property values and lead to the long-term sustainability of the Hamlet. The moral issues are more difficult to reconcile; however, the applicant notes many health benefits associated with cannabis and the business has much in common with a craft brewery or other agri-businesses. In regards to safety and security, the applicant plans to install alarms and offsite video surveillance as well as 24/7 security personnel onsite during product maturity / harvest. In order to address odors, the applicant has proposed the use of enhanced HVAC units, which include HEPA filters, ozone treatment, and charcoal scrubbers.

Mr. Duke also confirmed that the proposed buildings meet all setback requirements and the landscaping plan is being designed in order to meet CPTED principles. The elevation drawings submitted with the development application meet the County’s Highways and County Main Roads Overlay District and the facility will be fully fenced and security measures including both security personnel as well as video surveillance will be in place. Mr. Duke explained that in addition to the requirements of the County, the applicant is also required to satisfy those imposed by Health Canada. With this in mind the scale of the development coupled with the mitigation measures that the applicant is proposing to put in place in terms of security, landscaping, lighting, and odor, staff are of the opinion that this development constitutes a compatible use in the Hamlet Industrial “I-H” District; therefore, Mr. Duke recommended approval of the application with conditions.

The Commission held a discussion regarding the suitability of the site, specifically in regards to adequately screening and buffering potential odors, as well as the close proximity to existing residences to the east of the property. The Commission questioned the applicant on procedures to mitigate potential odors, proposed security for the facility and connecting to water/wastewater in the Hamlet. As well, questions were raised regarding imposing a requirement to add additional landscaping on the north and east side of the property to buffer the site from existing residences.

Mr. Earle addressed the Commission and advised that this property was chosen because his family is from the Mirror area, the property is a good value and he believes it will create jobs in the community. Mr. Earle advised that his consulting business has been involved in establishing other micro-processing operations and have had no problems with odors or any other nuisance to neighboring landowners.

Neighboring property owner, Ed Baker, addressed the Commission and voiced his opposition to the proposed development. Mr. Baker argued that the proposed development is too close in proximity to the residential area, will contaminate the water table and produce odors that HEPA filters and charcoal buffers cannot mitigate.

**MPC 9/20  
Motion**

***Moved by Mrs. Knight that if approved, the applicant would be required to plant additional, linear landscaping on to the east and north side of the property to adequately buffer the existing residences from any odor or other nuisances the proposed development will produce.***

***Carried Unanimously.***

**MPC 10/20  
DPA 153/19  
Wesley Earle  
7159AI; 12;4-6  
(Hamlet of Mirror)**

***Moved by Mrs. Law that the Municipal Planning Commission approve Development Permit Application No. 153/19 submitted by Wesley Earle for permission to operate a cannabis production facility, known as Silver Mountain Cannabis, on Lots 4-6 Block 12 Plan 7159AI located in the Hamlet of Mirror on property owned by Allan McKenzie, subject to the following conditions as amended:***

- 1. the term of the development permit to be for three (3) years;***
- 2. prior to the issuance of a development permit, the applicant shall enter into a development agreement and provide security equal to the value of the estimated cost of the proposed landscaping, which would include additional, linear landscaping on the east and north side of the property boundary, returnable upon the completion of the improvements to the satisfaction of the County;***
- 3. prior to the issuance of a development permit, the applicant shall provide engineered drawings for the extension of municipal water and wastewater***

- services to the subject property, to the satisfaction of Lacombe County and provide the required security for the same;*
- 4. 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;*
  - 5. prior to occupancy of the buildings 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;*
  - 6. 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;*
  - 7. 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;*
  - 8. 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;*
  - 9. business activities at the site shall adhere to the description of the business provided with the development application;*
  - 10. lighting to comply with the County's Dark Sky guidelines, and the Crime Prevention Through Environmental Design Principles;*
  - 11. business to be operated at all times in manner that does not cause nuisance for surrounding residents due to noise, light, odour, excessive traffic, or anything else of dangerous or objectionable nature as determined by and at the sole discretion of Lacombe County;*
  - 12. dust control may be required at the County's sole discretion should the vehicle traffic generated by the business warrant this measure; and*
  - 13. no signage permitted without prior approval from the County.*

*It is the responsibility of the applicants to ensure that the proposed building 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.*

**Motion Lost.**

Next Meetings

The next meetings are scheduled for February 13, 2020 and February 27, 2020.

**MPC 11/20  
Adjourn**

**Moved by Mr. Wigmore that the meeting adjourn.  
Time: 2:42 p.m.**

**Carried Unanimously.**

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Chairperson