

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
OCTOBER 9, 2019**

Present:

Councillors Gord Lawlor, Malcolm Fischer, Wayne Smith, Scott Pfeiffer and Cheryl Barros, Director of Planning and Development Leann Graham, Planning & Operations Clerk Maddie Hall and Development Applicant Marv Gemell

1. **Call to Order:** Chairman c. Barros called the meeting to order at 8:27 a.m.

2. **Additions to Agenda**

None.

3. **Approval of Agenda**

Moved by Councillor G. Lawlor to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the September 19, 2019 MPC Meeting Minutes**

Moved by Councillor M. Fischer that the Minutes of the September 19, 2019 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3183-2019

Applicant: Dry Island Ltd.

Legal: Lot 3, 4 & 5, Block 2, Plan 1723394

Municipal: 4609, 4605 & 4601 – 46 Avenue

Proposed Development: Cannabis Production Facility

Director of Planning and Development read a report that follow:

General:

The owner/applicant is proposing to construct a three phase project creating three separate micro cultivation cannabis facilities. Each phase of the project will take place on its own parcel of land created from a subdivision in 2017.

The construction of the three phase project is estimated at \$3.9 million and it is predicted that it will create 6-10 permanent, full-time jobs.

Under the current zoning of I: Industrial, the use of "Cannabis Production Facility" is a discretionary use and therefore requires MPC approval.

Development Review:

Land Use Bylaw Definition:

"CANNABIS PRODUCTION FACILITY" means a facility used for the production of Cannabis licensed by the Federal Government of Canada where Cannabis and Cannabis products and produced for Medical and/or Retail uses.

I: Industrial District:
Discretionary Use
"Cannabis Production Facility "

Legislation and Policy:

Staff have assessed this application against the provisions outlined in the Town of Stettler Land Use Bylaw.

Recommendation:

That the Municipal Planning Commission approves this application subject to the following conditions:

Conditions below pertain to each phase of the project unless otherwise noted. Phases have been identified and divided by lots 3, 4 & 5 in the above noted plan indicating Phase 1, 2 & 3 respectively:

1. The owner/applicant will be required to provide the Town of Stettler security in the amount of \$30,000 (\$10,000 per phase) in the form of a Letter of Credit or Cash to ensure that all of the conditions listed below have been met to the satisfaction of the Town of Stettler. Security will be released in increments of \$10,000 upon completion of each phase;
2. The owner applicant must submit detailed site plans for approval of Phase 2 & 3 prior to development;
3. The owner/applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
4. The front yard setback shall be a minimum of 9 meters as outlined by the Land Use Bylaw Section 87;
5. The proposed development (Cannabis Production Facility) shall be located in accordance with the approved plan, and all improvements as indicated on the submitted plans shall be constructed as shown unless otherwise stated in these conditions or approved hereafter by the Town of Stettler Development Authority;
6. The owner/applicant must provide any changes to the site plan or floor plan and obtain approval for the Town of Stettler's Development Authority;
7. The owner/applicant shall ensure that all water, sanitary, and storm connections are approved by the Town of Stettler's Director of Operational Services;
 - a) The sanitary servicing at this location is a low pressure sewer. A private tank and grinder pump will be required on the landowners property;

8. It is the owner/applicant's responsibility to ensure that lot grading and drainage are compliant with Section 51 of the Town of Stettler Land Use Bylaw #2060-15;
9. Site access must be constructed from 46 Avenue to be approved by the Director of Operational Services and must contain the minimum 300 mm diameter culvert;
10. The owner/applicant must ensure that minimum parking requirements are met at 1 stall per 100m²:
 - a) Totalling 6 stalls for phase one of the proposed development;
11. The owner/applicant will ensure that all outdoor storage areas and garbage areas are screened from neighboring properties;
12. Landscaping must be completed by the end of the first growing season following the date of approval:
 - a) Each parcel will require 100 m² of landscaped area within the property with 3 trees having a minimum planting height of 1 meter for coniferous and 1.5 meters for deciduous
 - b) All landscaping shall be protected by concrete curbs or approved barriers having a minimum height of 150 mm or separated from the street or parking area by a paved, curbed sidewalk
 - c) The owner/applicant will maintain the ditch/boulevard adjacent to the property;
13. The owner/applicant must obtain a business license from the Town of Stettler;
14. The owner/applicant must supply any additional sign details and obtain approval from the Town of Stettler's Development Authority prior to installation;
15. The owner/applicant shall arrange for and obtain approval from the Stettler Regional Fire Department to confirm compliance with the Provincial Fire Code and provide a notification from the Fire Department to the Town of Stettler for retention;
16. The owner/applicant shall arrange for and obtain approval from the Stettler RCMP, and provide a notification from the RCMP to the Town of Stettler for retention;
17. The owner/applicant must comply with any and all applicable provisions of Provincial Legislation including but not limited to, Alberta Gaming, Liquor, and Cannabis Act, pertaining to Cannabis Production Facilities;
18. The owner/applicant must comply with any and all applicable provisions of Federal Legislation including but not limited to, Health Canada's Directive on Physical Security Requirements for Controlled substances, Food and Drugs Act, Narcotic Control Regulations, Cannabis Act and Regulations;
19. The owner/applicant must possess and submit a copy of their license for all activities associated with cannabis growing, processing, packaging, testing, destruction or storage as issued by Health Canada for retention;
20. The owner/applicant must submit copies of any and all inspections and compliance documents completed by Health Canada to the Town of Stettler for retention;
21. The owner/applicant must submit a Public Utility and Waste Management Plan, completed by a qualified professional, that includes details on:
 - a) The incineration of waste products and air borne emission, including smell;
 - b) The quantity and characteristics of liquid and waste material discharged by the facility; and
 - c) The method and location of collection and disposal of liquid and material waste.

22. The owner/applicant is responsible for the cost and repair of any damage to public property or works located thereon that may occur as a result of undertaking work regulated by the Alberta Building Code;
23. Compliance with the provisions of Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
24. The owner/applicant must obtain a building permit for this development. (In order to obtain a building permit all proper documentation, plans, and fees must be in place). If construction commences prior to a building permit being obtained the building permit fee shall be doubled in accordance with Town of Stettler Policy IV-1.

Alternatives:

- Approve the application with additional conditions.
- Defeat the application stating reasons.

Discussion

Director of Planning and Development L. Graham opened the discussion with addressing condition 21 on her recommendation stating that through conversation with the developer it is understood that there is little concern regarding emissions and smell with this development because the precast structure combined with the air purification system within each individual growing pod will eliminate or contain the smell within the building almost entirely. Developer M. Gemell went on to explain the benefits of a precast design over others, using metal as his main comparison. M. Gemell explained that in some production facilities constructed of metal products smell is proving hard to contain and can have negative impacts on the surrounding area. Discussion ensued regarding the examples and problems this has caused in other communities.

Councillor M. Fischer asked M. Gemell what the distance around each pod will be within the precast structure. Developer M. Gemell explained that their current plan leaves a four foot space between pods as workers will need to access the pod from all side for maintenance purposes.

Councillor M. Fischer inquired about the sea can structures and the appeal they currently have on the market. Developer M. Gemell led the discussion explaining that the sea cans come outfitted and ready for them to place and use within their building. M. Gemell went on to explain that he has toured larger facilities using this system and it has proven to work. Discussion ensued regarding the crops each pod can produce in a year and the low risk it carries as a contamination would be contained to one single pod and not spread throughout the facility. Examples were discussed regarding AGLC call backs on products due to different possibilities of contaminations.

Through discussion M. Gemell transitioned to licensing of facilities explaining that Health Canada requires developers to construct their building and have it operational before they will allow them to acquire a license; a process that includes Health Canada representatives coming to tour the facility.

Developer M. Gemell went on to further explain the legislative conditions on a micro grow facility sharing that they do have a size limit and each facility must be on its own parcel of land or condo parcel. M. Gemell explained that in the profession he is seeing more micro grow facilities popping up and predicts that it will be the way of the future highlighting the quality of product that is possible with the system.

Councillor W. Smith asked the developer if he can expand on his plan for the facility's waste containment and disposal. M. Gemell explained that cannabis cultivation creates very little waste. He explained the process of nutrients being piped into each individual pod and that the harvested plants get shipped to their partners, Delta 9, to be further processed. M. Gemell advised he can get more information about the waste from Delta 9 but ensured there would be very little waste coming from the proposed facility in Stettler other than standard office and lunchroom waste.

Councillor W. Smith asked about the process of sending the plants to their partners for processing and retail. M. Gemell explained the process as essentially harvesting, packing and shipping but with very high security.

Councillor G. Lawlor asked the developer to confirm that it was their plan to construct and complete all three phases by the end of 2020. Developer M. Gemell confirmed.

Councillor S. Pfeiffer asked for examples on how the proposed precast, micro grow system has worked in other communities and if they have seen successes. M. Gemell explained that there are many different means of growing within a micro growing license, but he predicts pods will be the most profitable. M. Gemell also explain that micro grow facilities are still new, but the pods have already been proven through use in larger facilities. He also explained that the proposed precast structure has already been proven in many other agri-businesses by containing smells while creating faster and more efficient cleaning methods within the facilities, giving the example of dairy farms.

Moved by Councillor M. Fischer to approve the application as presented.

MOTION CARRIED
Unanimous

7. **Adjournment:** The meeting adjourned at 9:08 a.m. on a motion by Councillor G. Lawlor.