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From: Laurie Eliuk

Sent: Tuesday, June 23, 2020 10:21 AM

To: Planning Department <planning@lacombecounty.com>

Subject: Meeting July 9/20

Hi. My name is Laurie Eliuk and along with my husband, H Chris Andersen, both being land owners and farmers in the county of Lacombe, would like to thank you in advance for once again having the opportunity to voice our opinion about building permits/developments around our agricultural lands. We are of strong opinion that all cannabis growing/producing/sales be required to be placed in areas designated as industrial. This would have less negative effect on all home owners/land owners. It is of our opinion that this is more of an industrial interest than farming and ranching. The last thing we farmers/ranchers need is a negative value placed on our land and lifestyle. Thank you for any consideration that you give us.

Laurie Eliuk

Chris Andersen

Sent from my iPhone

**Feedback on the proposed amendments to Lacombe County Land USE BYLAW NO. 123/17
and other suggestions and recommendations to the General Regulations and District
Requirements in the LAND USE BYLAW**

Part 3 – Development & Subdivision Application Process

We believe the proposed amendment to 3.4(7) relating to community consultation needs to be clearer for a proposed cannabis production facility. As it stands community is not defined and should be, and there should be consideration given to the time frame for consultation and methods for the consultation. In one recent development application the consultation was done by mail during a mail strike and the application was approved by the County prior to many getting the survey sent by the applicant. This should not happen.

We would like to have the regulation clearer and outline what is considered acceptable consultation, for example who is the community they need to reach, what is acceptable reach, what are acceptable processes for consultation and what should be avoided in the consultation process.

6.32 Cannabis Production Facilities

Part 9 - Amendments to setbacks for Cannabis Production facilities

While increasing setbacks for Cannabis production facilities is necessary if cannabis production facilities are to be permitted in districts that have or are likely to have close residential districts, we believe there should be only one district in the county that is allowed a Cannabis production facility, the Business Industrial district. We believe the county should remove the Agricultural and Hamlet Industrial districts as Cannabis Production districts.

The reasons for our view that new Cannabis Production should only be permitted Business district include:

1. Under the proposed amendments there would be inconsistency in the setbacks across the three districts the County currently allows a cannabis production facility.

The proposed amendments for the Agricultural district, if approved, would require setbacks of 100 meters and 300 meters for production facilities of less than 4 acres and more than 4 acres respectively in an Agricultural district, whereas a setback of only 40 meters in a Hamlet Business district regardless of

the facility size is being proposed. There are no setbacks specific to cannabis production in a business industrial district in the current LUB or proposed in the amendments.

The potential for the LUB to have different setbacks for different districts is very concerning. We believe it will open the door for challenges to the LUB since the proposed setbacks, or lack of them, seems arbitrary and not based on qualified research or the actual experience of current cannabis production facilities. Clearly amendments must recognize that the issues related to cannabis production and processing (noise, odor, etc) are the same regardless of location, with the significance of the issues in any location being related to the size of the production and processing facilities.

We realize the county does have discretionary powers related to setbacks, but setbacks must be based on accepted research and experience of existing facilities. Trying to accommodate facilities in districts with reduced setbacks will lead to inevitable conflicts within communities particularly those with adjacent or relatively close residential districts.

The fact that the County does not see the need for specific setbacks for cannabis production in the Business Industrial district, suggests the County does not see issues related to a Cannabis production and processing facility in that district. This illustrates why we believe cannabis production should only be permitted in the Business Industrial district.

2. We also feel that the Federal government's licensing requirements for a Cannabis Production Facility which outline very specific requirements, for things like fencing, security, noise, odor, etc and these, coupled with the Counties requirement's for noise and light management in the General Regulations make a Cannabis Production facility really only suited for a Business Industrial District.
3. Currently in the LUB's general regulations related to a cannabis production (6.32) there is a regulation for sound levels from a facility. The regulation states that sound should be no more than 35 dBA measured .8 of a kilom., or ½ mile (2640 feet) from a facility. This is inconsistent with setbacks proposed and it would seem they should be consistent given the close proximity of residential districts to industrial districts in some cases. The Hamlet of Mirror is an example. If sound has the potential to be an issue that far away the Business industrial district is the most appropriate for a cannabis production facility.

In summary we do not support the proposed amendments related to setbacks for cannabis production facilities. We believe there needs to be consistency in the

regulations across districts to reduce conflicts in communities and challenges to the country on its regulations. The starting point for developing consistent regulations is to anchor them on broadly accepted research and/or existing facility experience. Developing the regulations may illustrate there are specific districts suitable for cannabis production and processing for a variety of reasons, but this is better than the current arbitrary approach.

We believe careful consideration of the facts related to current cannabis production will show cannabis production and processing facilities should only be permitted in the Business Industrial district. We believe this would be good for the county generally and reduce or eliminate conflicts and unintended consequences within communities in the county. We recommend the county not pass these amendments at this time and further evaluate where best to permit cannabis production and processing.

Developing General Regulations for Air B & B's

We have noted that the County has not considered developing general regulation for Air B & B's in the current proposed amendments to the LUB. We would hope that the County would consider having regulations for Air B & B's. Our experience is that regulations help set guidelines which can support a business like an Air B & B, while providing accountability to property owners who operate them as well as their renters and reducing conflicts or unintended consequences to neighboring properties or areas.

Given that Air B & B's are or are likely to be exclusively in residential districts, the concerns include Air B & B's potential to:

1. Significantly change the character of any area since it transforms a permanent or seasonal dwelling into a rental property, which can create various issues typically associated with rentals, and especially short-term rentals.
2. Create nuisance concerns such as increased noise, parking, etc to an area and to the close and adjacent property owners.
3. Create changes to the operation of other properties in a district, for example would insurance requirements change for neighboring residents.

Regulations clarify among other things questions related to the property owner's responsibilities in ensuring renters, via contracts with the property owner, adhere to county regulations and safety standards. For example, outdoor fire restrictions and permits for things like fireworks, etc.

The General Regulations of the current LUB provide examples of regulations that would address the issues mentioned above as well as potentially others.

In summary we are asking the County to develop general regulations for Air B & B'S and pass amendments to the LUB so regulations related to Air B & B's can be adopted as soon as possible. Having regulations for Air B & B's will help property owners in setting standards for their rental(s), specify what renters can do at the rental and reduce or eliminate nuisance issues as a result of the rental. Our view is the regulations can create a win, win, win for the three stakeholder groups as well as the County.

Carman and Nancy Read
Lacombe County
July 2020

From: Aida and Clarence Koots
Sent: Wednesday, July 8, 2020 3:18 PM
To: Planning Department
Subject: meeting July 9,2020-public hearing

Good Afternoon

We are landowners and farmers in Lacombe County.

At this time we would like to voice our strong opinion that all cannabis growing/producing/sales operations be designated to industrial parcels rather than allowed to be developed on agricultural lands.

We feel that there are some issues such as odours, increased traffic, lighting requirements that make these operations more suitable in industrial parcels.

Thank you for considering our thoughts at this time.

Aida Koots and Clarence Koots

From: Dwayne and Jennifer Johnson
Sent: July 8, 2020 8:05 AM
To: Tim Timmons
Cc: Paula Law ; Keith Stephenson
Subject: public hearing July 9

Dear Mr. Timmons,

In regards to the public hearing happening tomorrow, July 9, I would like to express my concern about an issue facing agriculture, as it relates to marijuana facilities.

Since the legalization of marijuana, debates have gone around in every corner of the nation to determine if marijuana should be considered 'industrial' or 'agricultural'. Each province and municipality has had to come to an agreement on their definition and classification of this debate. In the prairie provinces, where we feed the world, this question should be considered very seriously.

As active farmers in Lacombe County, we do not support marijuana facilities on agricultural land for several reasons. Having facilities spring up will displace food farmers, create a patchwork of concrete and greenhouses, and contribute to the very real issue of rural crime.

I encourage you, as leaders in our province, to set the bar high for other municipalities to follow, and classify marijuana facilities as 'industrial', and to keep them out of agricultural land use. Thank you for your consideration and I would be willing to discuss with you further if you have any questions.

I have CC'd in Ms. Law, as county reeve, and Mr. Stephenson, our county councilor as well.

Sincerely,

Jennifer Johnson

From: Rivers, Karen
Sent: Tuesday, July 7, 2020 11:42 PM
To: Planning Department
Cc:
Subject: Re Municipal Development Plan and Land Use Bylaw Update Meeting July 9

Hello All

Re: Zoning for Cannabis Growing and/or processing Facilities.

We Vote: No to Agricultural Zoning.

We Vote: Yes to Industrial Zoning

Karen Rivers & Jim Lawton

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-----Original Message-----

From: Logan Lawton

Sent: Wednesday, July 8, 2020 8:28 AM

To: Planning Department

Subject: Cannabis Facilities

Good Day,

As we are unable to attend tomorrow.

We would like to see cannabis facilities be zoned into industrial areas rather than allowed in agriculture land .

Thank you,

Logan and Kelly Lawton

Sent from my iPhone

-----Original Message-----

From: Nancy Watt

Sent: Wednesday, July 8, 2020 7:18 PM

To: Planning Department

Subject: Re cannabis zoning

We vote no to agriculture zoning and YES to Industrial zoning

From: Rollie Lusia

Sent: Wednesday, July 8, 2020 9:21 PM

To: Planning Department

Subject: Comments to Proposed Amendments to the County's Municipal Development Plan (MDP) & Land Use Bylaw (LUB)

With regard to the proposed amendments, we would ask that the following be considered:

1. Given the evolving knowledge that various municipalities have obtained over the last couple of years of Cannabis production facilities, and the associated odors, light, and noise pollution, we feel that the only appropriate district for Cannabis production should be the Business Industrial District. Having the Agricultural and Hamlet Industrial districts introduces many inconsistencies in terms of setbacks, and the resultant inconsistent effects on residents. The County's and Federal government's regulations would seem to mandate that Business Industrial is the correct location for these facilities.
2. There is no mention of Air B&B's and/or regulation of them. Air B&Bs are relatively new in terms of regulation, and at this time, seem to be unregulated in many locations. We have concerns regarding the property owner's responsibilities in terms of creating issues with neighbours and in the community where they may be located. Our concerns revolve around noise, parking, adherence to bylaws (fireworks, fire permits, etc). We are not against the idea of Air B&B's, but there should be some expectations and accountability for the property owner and their guests. Unlike a Bed and Breakfast operation, where the property owner is generally present, able to guide, and be aware of their guests behavior, Air B&B's generally hand over the keys and responsibilities to guests who may have little or no concern for adjacent residents.
3. Development and Subdivision Application Process- having had recent experience with the approval of a nearby cannabis production application, we feel that this process should be revisited in terms of notification requirements , public consultation, notification zones, and adequate time for review and response by stakeholders.

Thanks you for considering our comments.

Rollie and Gail Lusia