



Municipal Planning Commission Meeting Agenda

November 1, 2018, 7 pm



1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. ADOPTION OF MINUTES

3.1 Adoption of October 4, 2018 Municipal Planning Commission Minutes

4. UNFINISHED BUSINESS
5. NEW BUSINESS

5.1 Development Permit Application 2018-14

Location: 5032 53th Street (Lots 7-10, Block 11, Plan 6024AC)

Summary: A Discretionary Use permit application to accommodate a Cannabis Retail Store.

6. DELEGATIONS: None
7. ADJOURNMENT

Minutes of the Municipal Planning Commission meeting held in the Town Council Chambers, Killam, Alberta, on Thursday, October 4, 2018 commencing at 6:45 pm.

PRESENT
Brenda Grove, Chairperson
Ben Kellert
Rick Krys
Brenda McDermott
Heidi Pierce
Kim Borgel, CAO
Darlene Gotobed, Recording Secretary

**AGENDA
ITEM NO.**

1. **CALL TO ORDER** Brenda Grove, Chairperson called the meeting to order at 6:49 pm.
2. **ADOPTION OF AGENDA** **MOVED** by Rick Krys to accept the Agenda of the October 4, 2018 Municipal Planning Commission Meeting. **CARRIED**
3. **ADOPTION OF MINUTES**
- 3.1 **MOVED** by Heidi Pierce to adopt the May 10, 2018 Municipal Planning Commission Minutes. **CARRIED**
4. **UNFINISHED BUSINESS** **NONE**
5. **NEW BUSINESS**
- 5.1 **Development Permit Application 2018-11 (Lot 4-5, Block 7, Plan RN97)** Member of the Municipal Planning Commission review the details of the Development Permit Application 2018-11. The Development Permit Application is to allow for:
- A permitted use application requiring variances to the amount of parking and loading spaces required to accommodate a Medical Services Clinic.
- A copy of Ms. Belangers' report and recommendation is attached and forms a part of these minutes.
6. **DELEGATIONS** **NONE**
- MOVED** by Heidi Pierce that the MPC *approve* recommendations for Development Permit Application 2018-11, as attached. **CARRIED**
7. **ADJOURNMENT** **MOVED** by Brenda Grove to adjourn the meeting at 6:51 pm.

Chairperson

Chief Administrative Officer

Municipal Planning Commission Report

Date: November 1, 2018

Site Description:

Legal Description: Lots 7-10, Block 11, Plan 6024AC

Civic Address: 5032 53rd Street, Killam AB

Applicant: The GreenBox Cannabis Inc.

Landowner: Municipal Infrastructure Tech Canada Inc.

Building and Site Area: Building 148.7m² (1600sf), Site 1256.5m² Approximate (13,520 sf)

Development Proposal:

The applicant is proposing the development of a Retail Cannabis Store.

Background and Summary:

The applicant, Greenbox Cannabis Inc., submitted by Janna Jamieson, has applied to open a Retail Cannabis Store at the above noted location. The applicant currently has a conditional offer to purchase the land, subject to Municipal Approval for the operation, as this use is considered Discretionary in the LIB zone. As this site is a corner lot, this decision must be made by the MPC rather than the development officer.

Currently, the site is a vacant parcel of land situated on the corner of 53rd St. and Highway 13.. A search of Town records indicates many years ago there was a residential dwelling on the site. The site was rezoned to Light Industrial Business, (LIB) in 2009 and faces north onto Highway 13. It is bordered by older residential homes to the south and east and a commercial development to the west. There are no conflicting uses noted within 100m of the proposed development.

The site plan provided indicates the front of the store would be facing Highway 13 and would have access from 53 St. This configuration would require MPC to deem the north side of the lot as the front of the site. In this scenario, the setbacks for the building would conform to those noted in the LIB District and no variances would therefore be required. The applicant has also indicated the access will be moved to 15m from the intersection and widened to 9m in order to be compliant with the Land Use Bylaw. It is also recommended a fence 2m or higher be placed along the south edge of the property as per clause 40.8 of the LUB.

The site will need to be serviced with water and sewer connections and an access off of 53 Street. The applicant will need to prepare and submit a site plan for the development which will include not only the location of the building, access and services, but will also show drainage from the site. These items will be addressed by way of a Servicing Agreement between the applicant and the Town should approval for the use be granted by the MPC. The applicant will also be responsible for all costs associated with these connections and ensuring adequate drainage on the lot.

Discussion & Compliance with Land Use Bylaw No. 809:

Land Use

The development area is currently districted as LIB –Light Industrial Business District and the proposed development will consist of a single story structure with 6 parking stalls, 1 handicapped parking stall and a loading zone. The definition of a Retail Cannabis Store is as follows in LUB 809:

“Cannabis- Retail Sales/Store” means a retail store licensed by the Province of Alberta, where non-medical Cannabis and Cannabis accessories are sold to individuals who attend the premises. This use does not allow for consumption of Cannabis on the premises.”

The proposed development as a Retail Cannabis Store is will be a first for the community, like many being seen in communities across Canada with the legalization of Recreational Cannabis provided for by Bill C-45. In preparation for these changes, the Town of Killam adopted Bylaw 855 in the summer of 2018 to detail the specific requirements of applications for the different types of uses associated with cannabis sale and production as they are received. The application for this use has been circulated to neighboring properties and agencies in the community by mail and was posted on the Town’s website and Facebook page. No enquiries or letters in support or opposition to the application were received, and no delegations registered to speak to MPC by the required deadline.

The applicant in addition to meeting the LUB requirements will be also need to meet the requirements set out by Alberta Transportation, the Alberta Liquor and Gaming Commission and the Federal Government.

The business owner will also be required to obtain a building permit in order to be compliant with Alberta Building Codes and a Town of Killam Business License.

Parking & Loading

In accordance with the Land Use Bylaw, the applicant would need to provide six (6) parking stalls as well as one (1) loading area and one (1) handicap parking stall, (5% of the parking requirement) on site. The amount of parking is calculated based upon the gross floor area, 1 stall/25m² GFA.

Rationale for Recommendation:

The following points outline the rationale in support of the recommendation to approve the proposed development:

1. The proposed development would provide for the re-development of a vacant site with a new building along the Highway 13 corridor;
2. The proposed development would provide increased tax revenue and additional jobs opportunities to the Town;
3. No variances to setbacks are being requested in the application.

Development Officer’s Recommendation:

That the Municipal Planning Commission approves:

1. The use of Lots 7-10, Block 11, Plan 6024AC, 5032 53 St., Killam, AB as a Cannabis- Retail Sales/ Store by Greenbox Cannabis, subject to the conditions in the attached Notice of Decision.

Attachments

1. Notice of Decision 2018-14, with conditions, requirements and notes
2. Development Permit Application 2018-14
3. Site Plan
4. Building Plan
5. Street Map
6. AGLC conditional approval