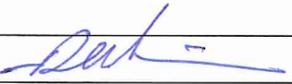
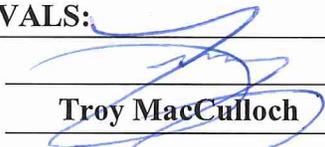


**Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
March 15, 2021, via virtual meeting
2:00 pm
Agenda**

- 1. Adoption of Agenda**
- 2. Closed Meeting Session**
- 3. Development Permit Applications**
 - a. Development Permit Application No. 2021-09
Michelson Holdings Ltd / Southwest Concrete Ltd.
Lot 24, Block 17, Plan 1010825
409 Railway Street, Lundbreck
Concrete Plant (Rebuild)
- 4. Adjournment**

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2021-09 Applicant: Southwest Concrete Products Ltd / Michelson Holdings Location: Lot 24, Block 17, Plan No. 101 0825 409 Railway Street, Hamlet of Lundbreck Division: 5 Size of Parcel: 6550 m ² (70,505 ft ²) Zoning: Hamlet General Industrial and Warehousing – HGIW Development: Concrete Plant (Rebuild)	
PREPARED BY: Roland Milligan	DATE: March 9, 2021
DEPARTMENT: Planning and Development	
Signature: _____	ATTACHMENTS: 1. Development Permit Application 2021-09 2. Site Plan 3. Silo Height Comparison 4. Submissions from Circulation of Application
APPROVALS:	
 _____ Roland Milligan Department Director	 _____ Troy MacCulloch CAO
_____ Date	_____ Date

RECOMMENDATION:

That Development Permit Application No. 2021-09, to develop a building and associated infrastructure for a concrete plant, be approved subject to the following Condition(s) and Variance(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.
3. That the applicant submit proof of valid registration with Alberta Environment as required under the Code of Practice for Concrete Producing Plants.

Variance(s):

4. A 3.96 meter variance of the 15.24 meter height requirement is granted for a silo height of 19.20 meters.

Recommendation to Municipal Planning Commission

BACKGROUND:

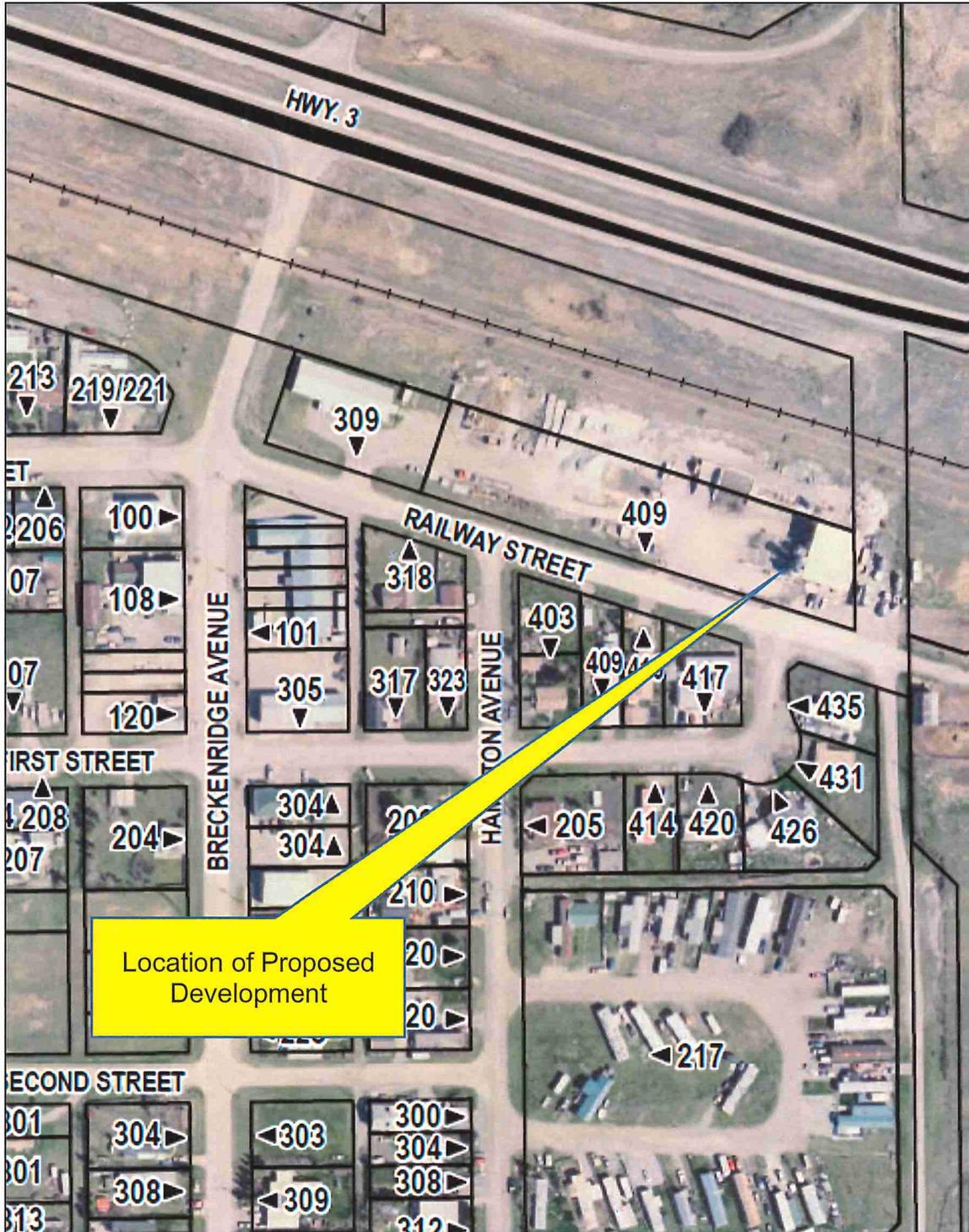
- On February 19th, 2021, the MD received Development Permit Application No. 2021-09 from Southwest Concrete Products Ltd / Michelson Holdings Ltd (*Attachment No. 1*).
- The Permit is to allow the redevelopment of the concrete plant (DP2008-90) that was destroyed by fire in early 2019.
- The site has been used for a concrete plant for over 30 years.
- The original land use district applied to the parcel was Hamlet Highway Commercial. In 2003 the parcel was zoned to Hamlet General Industrial and Warehousing- HGIW (Bylaw 1077-03).
- This application is being placed in front of the MPC because:
 - Within the Hamlet General Industrial and Warehousing – HGIW Land Use District, the Maximum Building Height is 15.2 m (49.9 ft), and the applicant is proposing to replace the existing 17.7 m (58 ft) silos with 19.2 m (63 ft) silos, thereby requesting a variance of 3.96 m (13ft).
- The proposed location building meets all setback requirements of the land use district (*Attachment No. 2*).
- The height of the proposed silos is 19.2 m (63'), requiring a variance of 3.96m (13ft) of the height restriction in the district (*Attachment No. 3*).
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report a number of responses had been received (*Attachment No. 4*). Please be aware that more may be coming in and will be forwarded to the Commission members prior to the meeting.
- As the proposed development is within 300m of a Highway, a Roadside Development Permit application has been submitted to Alberta Transportation.

Planner comments:

- “In regard to Sections 3.2, 3.3, and 8.1 of the HGIW Land Use District, this site was developed without these items being addressed in the past. As the business is operational and designed in a manner to preclude soft landscape (trees, shrubs etc) as a mitigation measure. It would only be an option to require hardscape (a concrete or asphalt pad for the drivable areas in front of the buildings from the gated entrance to the eastern boundary) to mitigate dust. This consideration should be to the satisfaction of Public Works for drainage and connection to the pavement edge.”

Recommendation to Municipal Planning Commission

Location of Proposed Development





DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2021-09

Date Application Received FEB 19/21
 Date Application Accepted MARCH 2/21
 Tax Roll # 0410.000

PERMIT FEE ^{\$100 Permitted} ~~\$150 Discretionary~~
 RECEIPT NO. 48174

IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9

SECTION 1: GENERAL INFORMATION

Applicant: SouthWest Concrete Products Ltd/Michelson Holdings
 Address: 250 1st St E, Cardston, AB, T0K0K0
 Telephone: [redacted] Email: [redacted]
 Owner of Land (if different from above): Michelson Holdings
 Address: 250 1st St E, Cardston, AB Telephone: [redacted]
 Interest of Applicant (if not the owner): Same owners (Michelson is a holder)

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:
Rebuild a 75'x100' building to house a Concrete plant on the existing site in Lundbreck, AB.

Legal Description: Lot(s) 23
 Block 17
 Plan 7610822
 Quarter Section SE4 Sec26, TWP7, Rge2 W5M

Estimated Commencement Date: March 1, 2021
 Estimated Completion Date: Aug 31, 2021

SECTION 3: SITE REQUIREMENTS

Land Use District: HAMLET GENERAL/INDUSTRIAL & WAREHOUSING Division: 5
 Permitted Use Discretionary Use HGIW

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes No

Is the proposed development below a licenced dam?

Yes No

Is the proposed development site situated on a slope?

Yes No

If yes, approximately how many degrees of slope? _____ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes No Don't know Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes No Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	<u>71,700 sq ft</u>	<u>> 15,000 sq ft</u>	<u>YES</u>
(2) Area of Building	<u>7,500 sq ft</u>	<u>N/A</u>	<u>—</u>
(3) %Site Coverage by Building (within Hamlets)	<u>9.7%</u>	<u>N/A</u>	<u>—</u>
(4) Front Yard Setback Direction Facing: <u>South</u>	<u>5.1m</u> <u>16' 9 1/2"</u>	<u>4.6m</u>	<u>YES</u>
(5) Rear Yard Setback Direction Facing: <u>North</u>	<u>8.5m</u> <u>27' 10 1/16"</u>	<u>3m</u>	<u>YES</u>
(6) Side Yard Setback: Direction Facing: <u>East</u>	<u>18.3m</u> <u>44' 2 5/8"</u>	<u>3m</u>	<u>YES</u>
(7) Side Yard Setback: Direction Facing: <u>west</u>	<u>131.7m</u> <u>452' 2 1/16"</u>	<u>3m</u>	<u>YES</u>
(8) Height of Building to Eaves <u>To Peak</u>	<u>9.1m</u> <u>25'</u>		
(9) Number of Off Street Parking Spaces	<u>27</u>	<u>11</u>	<u>YES</u>

Other Supporting Material Attached (e.g. site plan, architectural drawing)

HEIGHT OF SILOS 19.2m 63'
Site plan, arc. drawing

15.24m NO-VARIANCE REQ'D.

ACCESSORY BUILDING <u>N/A</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

SECTION 4: DEMOLITION

Type of building being demolished: Already completed

Area of size: _____

Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

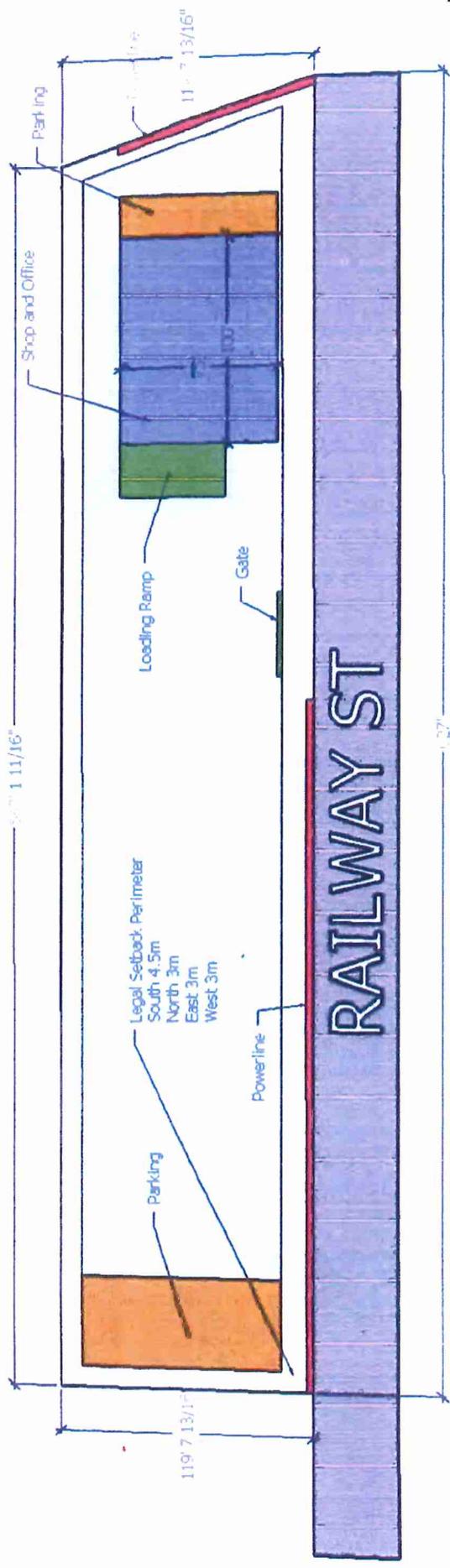
I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

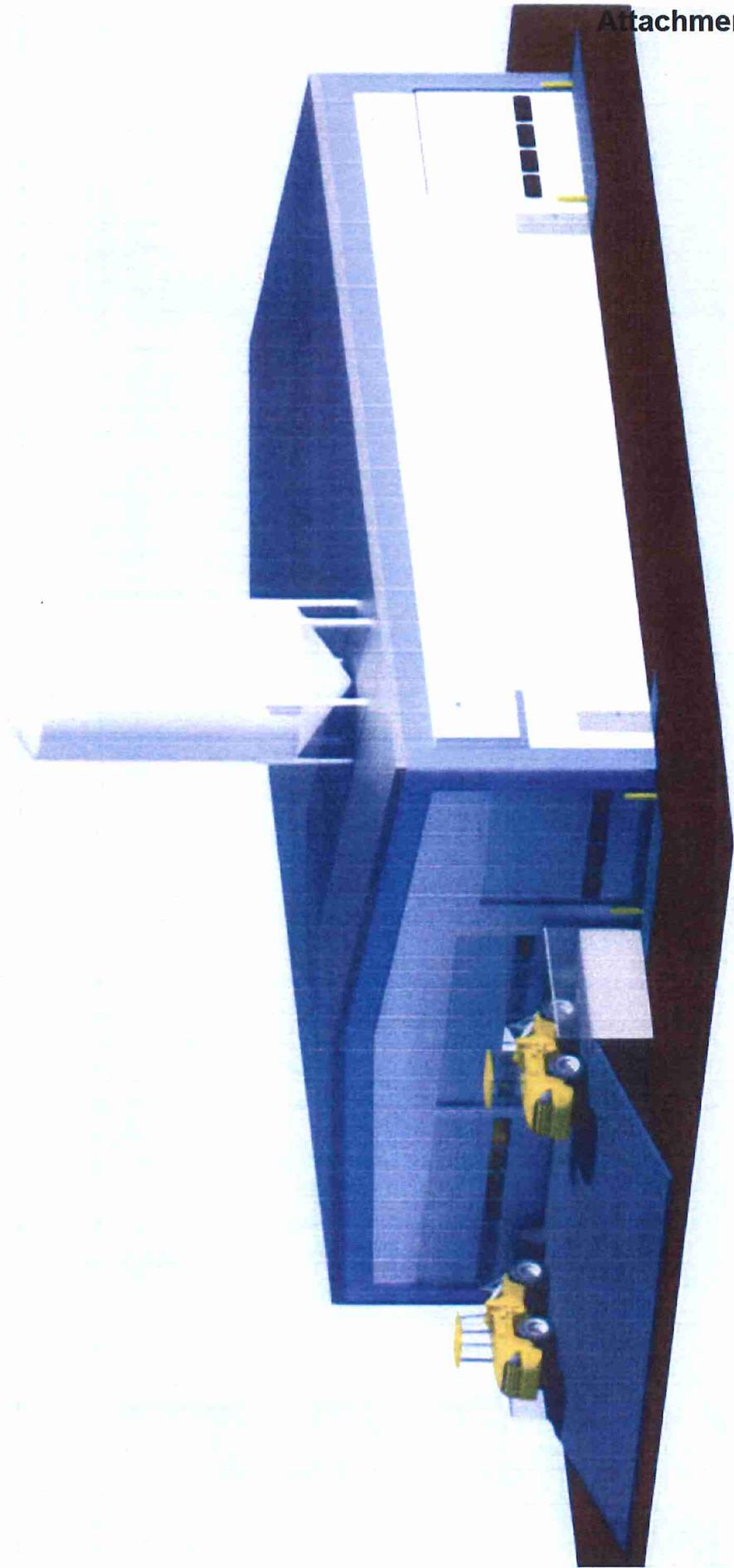
DATE: 18-Feb-2021  Josh Malin - South West Concrete/Michelson Holdings
Applicant

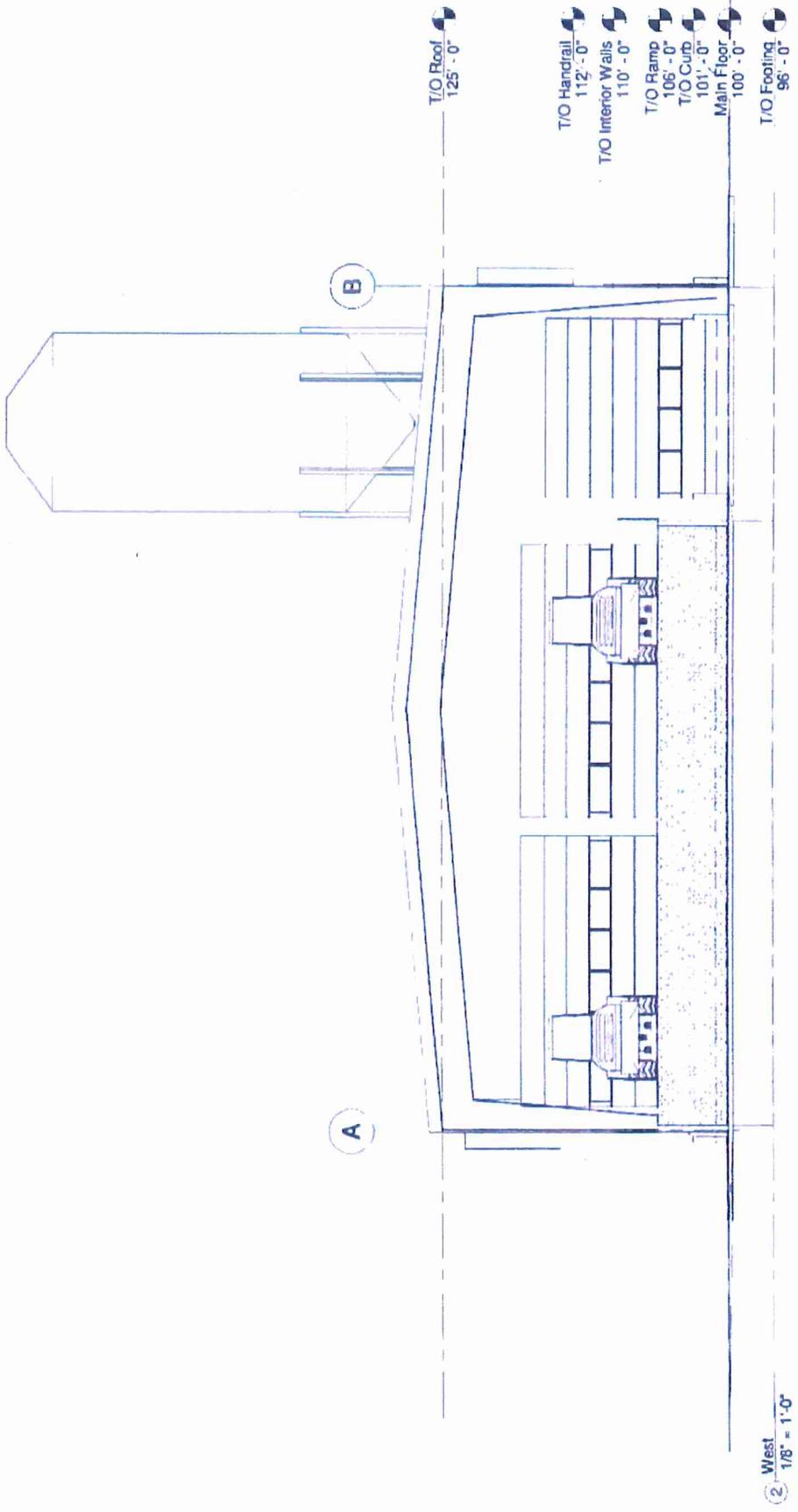
 Michelson Holdings
Registered Owner

Information on this application form will become part of a file which may be considered at a public meeting.

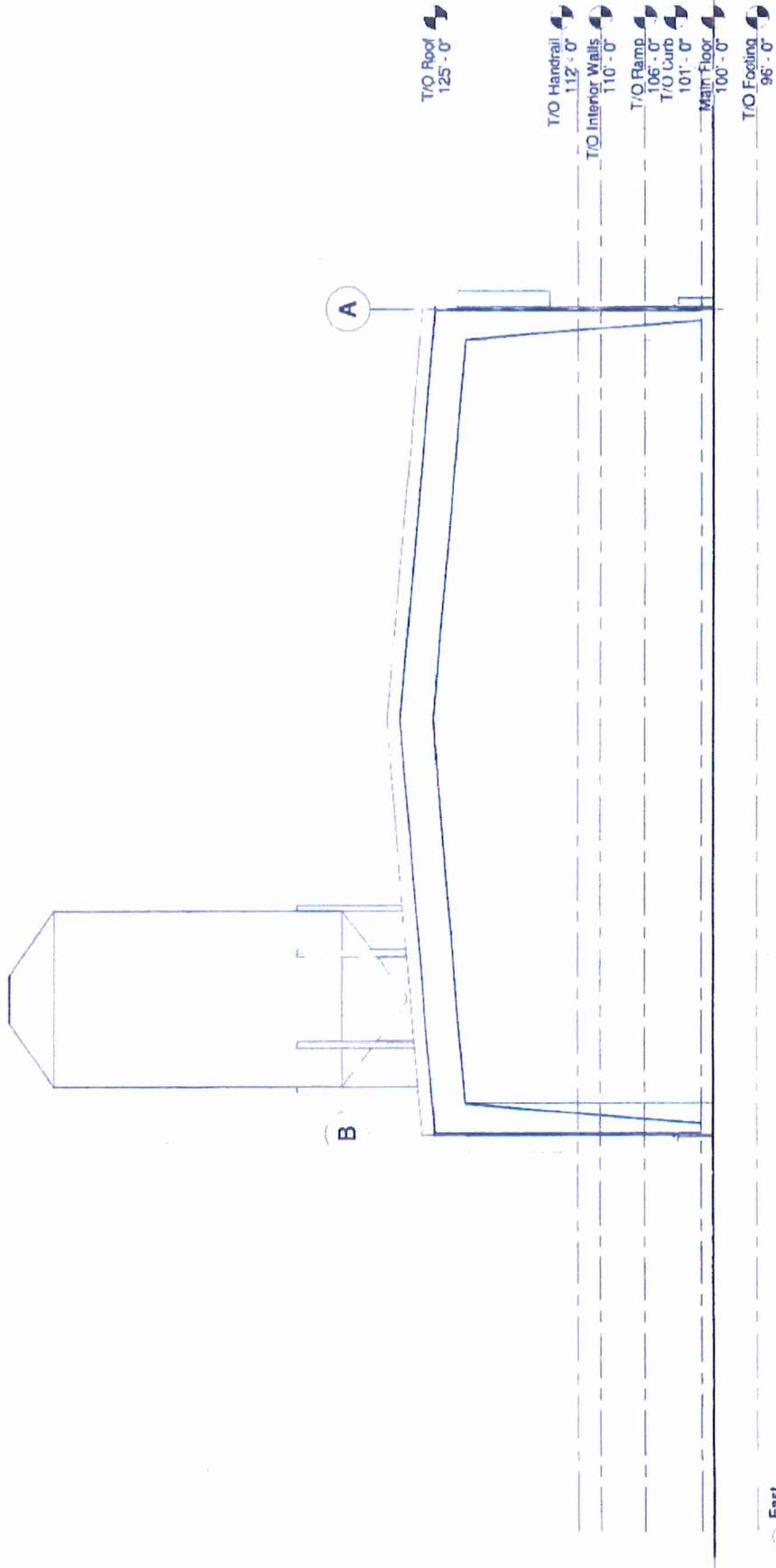
SWCP PROPOSED BUILD SITE



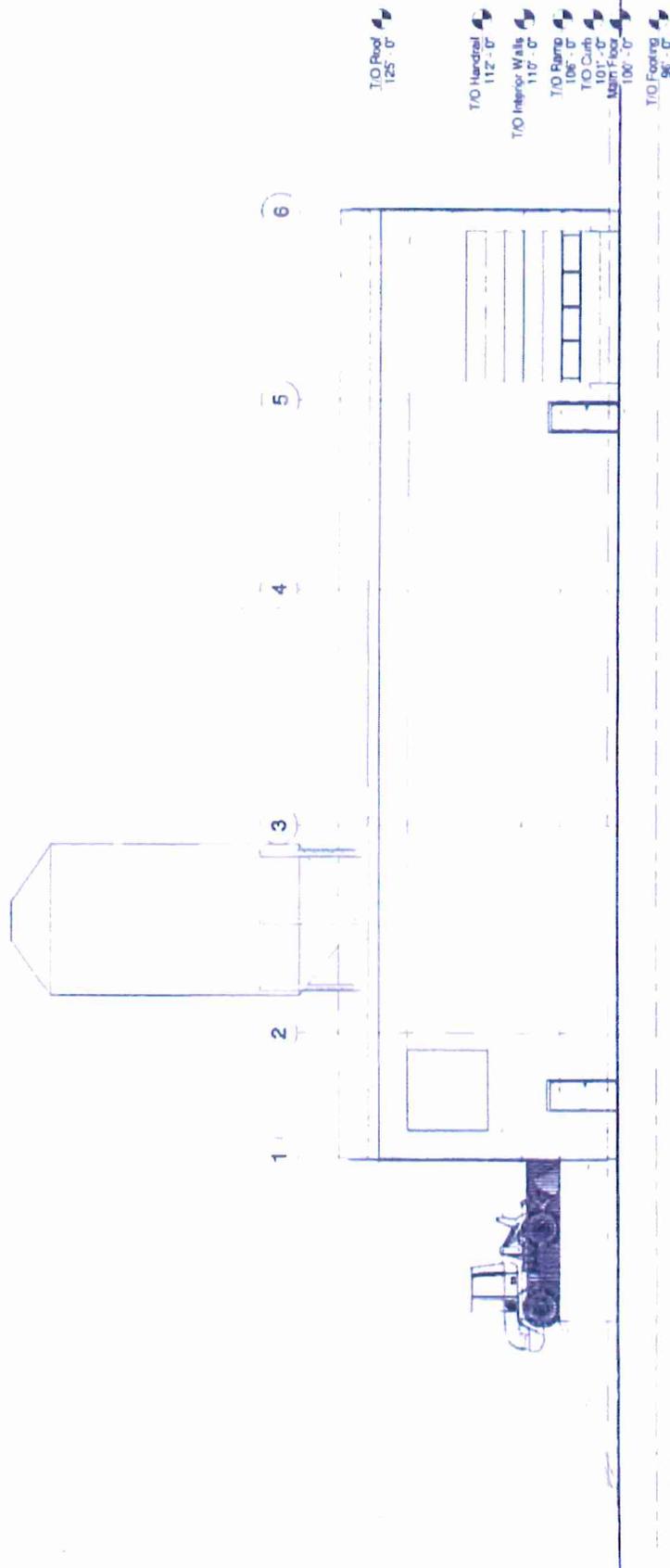




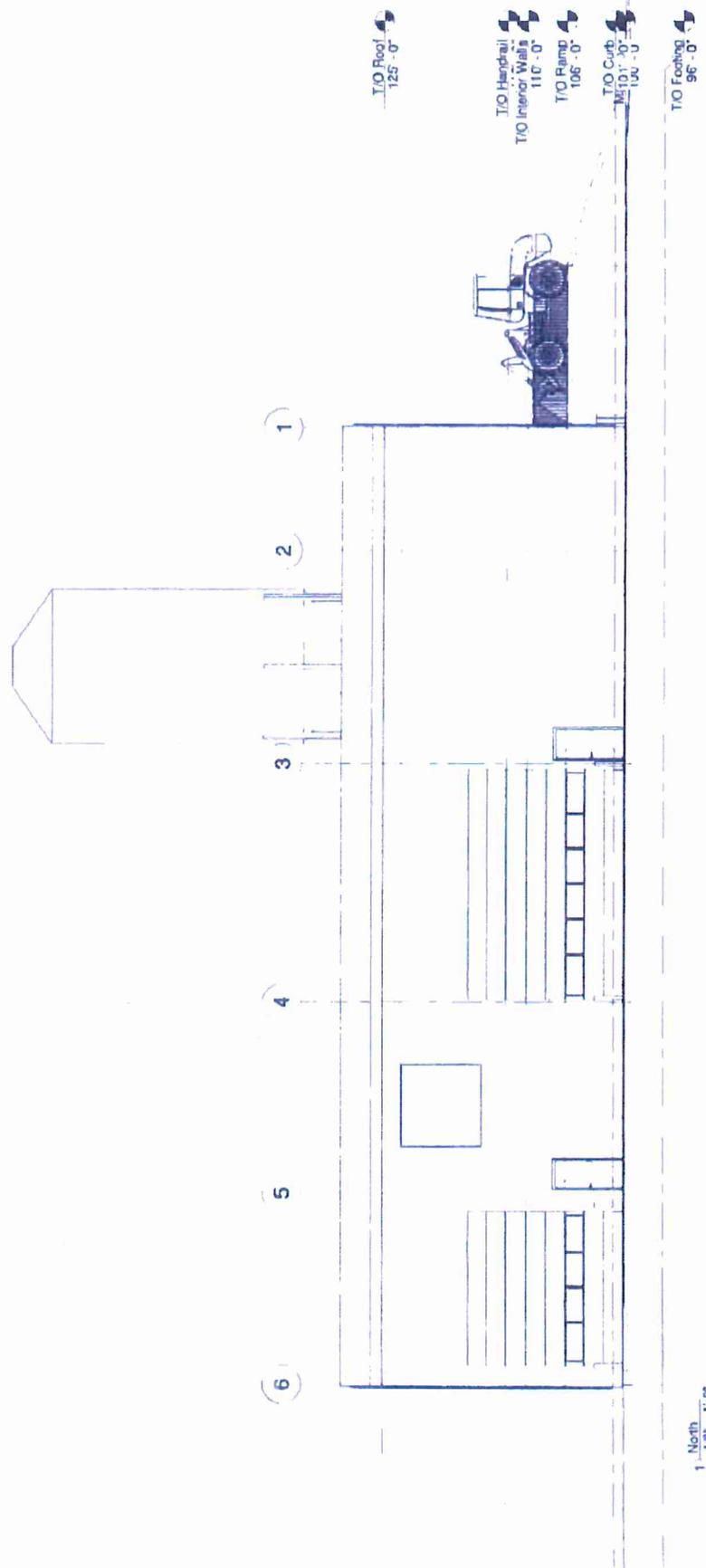
VIEW FROM WEST



VIEW FROM EAST



VIEW FROM SOUTH (Railway Street)





Canadian Pacific Railway

Lot 24
Block 17
Plan 101 0825

1.83m (6') Chain-link Fence

1.83m (6') Chain-link Fence

131.7m

Railway Street

Hamilton Avenue

First Street

18.3m

8.5m

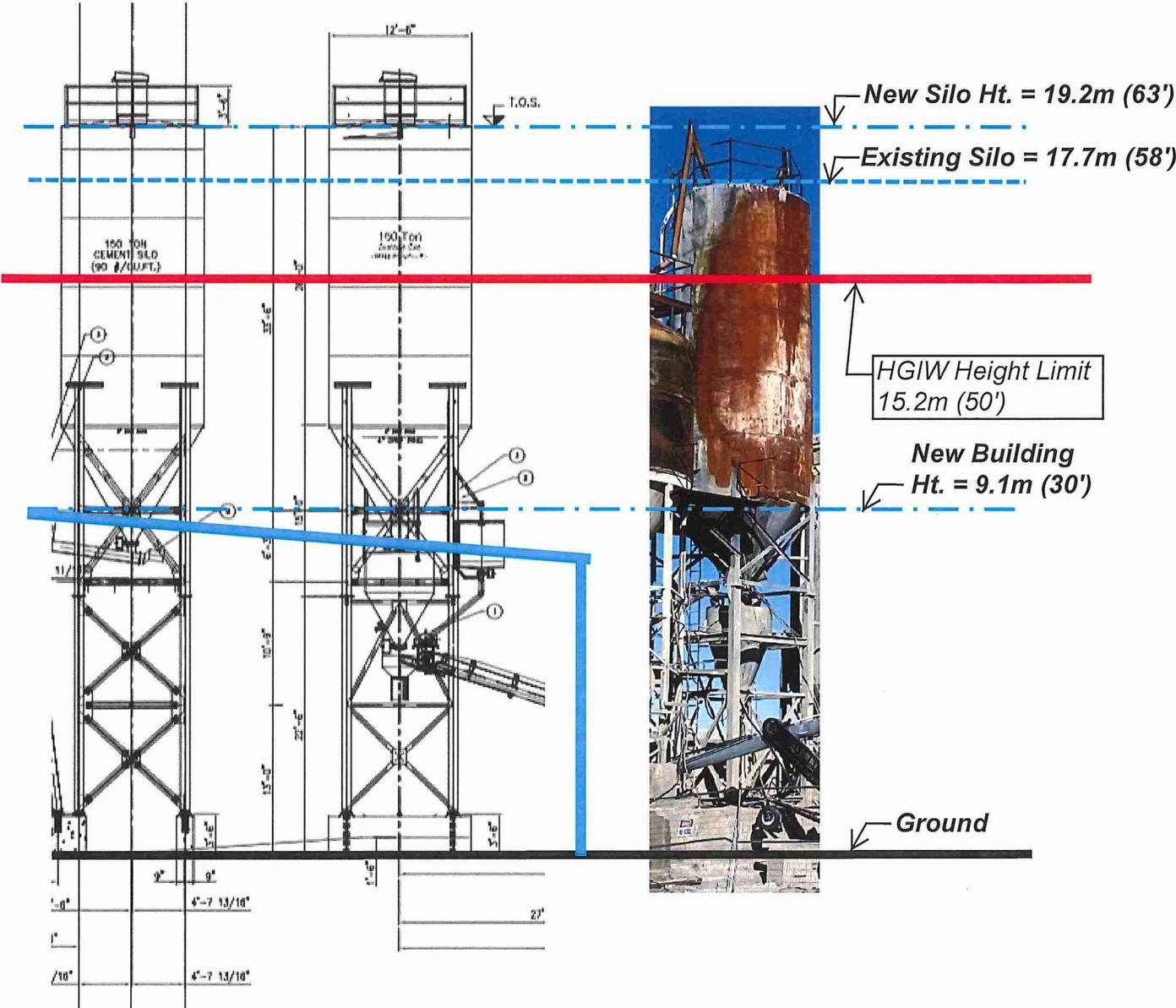
5.1m

Parking

New Building

22.9m (75')

30.5m (100')



From: [REDACTED]
To: [Roland Milligan](#)
Subject: request for 2021-09
Date: March 8, 2021 4:01:56 PM

Hi Roland

just read the application form 2021-09 for southwest concrete products LTD

everything looks fine to me, I do not see any reason so far to make a stop to that,

you have my aproval

any question call me

thank you

Claude Laplante
cnc pro-motion inc
309 Railway ST
Lundbreck
[REDACTED]

Attachment No. 4.2

From: [john powell](#)
To: [Roland Milligan](#); [john powell](#)
Subject: Southwest concrete plant.
Date: March 9, 2021 12:00:29 PM

Rebuilding this plant is absolutely not in the best interest of any Lundbreck citizen. There are a number of reasons this isn't the place for this type of operation. 1st being the General health of people living within the fall out area of the concrete powder (Inhaled , seepage into aquifer) There is a growing number of young children living within a block of the site . I myself am being treated for respiratory problems which worsen any time I in counter fumes, vapors or any slightly toxic airborne chemical. There was a recent death of a woman across the street from Cancer. The seepage into the aquifer is clearly being cause by the uncontrolled washing of the truck at the end of shift. It's not a far stretch to understand that each and every passing train is assisting the contaminated truck washed water down into the aquifer. There are ample other site not located on top of the citizens of Lundbreck. There is no benefit for those of us living close . Have no doubts my wife and I will front and center in any and all efforts to send Southwest Concrete elsewhere . JB Powell. [REDACTED] Lundbreck

Attachment No. 4.3

Denis Hutchinson
[REDACTED]
Lundbreck, AB
Phone [REDACTED]

Good day Roland,

I am writing this letter regarding the development permit application #2021-09.

I have been a resident of Lundbreck for nearly 40 years and 20 of them spent directly across from the cement plant of which I recognize as being part of the community of Lundbreck. At the time of moving to my current residence the amount of cement production, traffic, Terex loaders and other means of transport were much less than present and was tolerated to some degree. Today's production has increased tremendously due to new construction demands and the improved economy of the area thus creating more traffic, noise and dust pollution, now conditions are bordering on intolerable.

According to permit application, it states that the trucks will be loaded inside the building helping to reduce noise and pollution, this was also the previous procedure but doors were left open to reduce exhaust build up. Notwithstanding the delivery of cement from outside contractors was a huge issue as it came in tanker type units and the product was dispatched to the holding silos via a pressure system from the tanker truck. Usually a compressor type delivery system was used and took several hours causing an incessant drone during this period which has been incredibly annoying to all residents near the plant especially when this delivery continued during quiet hours.

The proposed planting of shrubs and trees from years past was never implemented and would do very little to alleviate this problem as the trucks sit on Railway street to pipe cement into the plant not requiring assistance from plant personnel hence the late dispatch of product. On my property the cotoneaster and caragana hedges for the past two years had green foliage where previous years they have been covered in cement dust not really providing healthy plant growth. Dust reduction is nearly impossible with the trucks driving up and down Railway street. With them carrying wet cement when loaded the residue on the tires is then deposited on the street to dry and ultimately blown around the area during regular traffic.

Additionally we cannot forget the fear it has promoted with more possibilities of fire damage to people and surrounding properties. Twice since I have lived in this area this plant has caught fire and burned down. There must obviously be safety regulations being bypassed for whatever reason, and I ask at what point or cost are residents going to be considered in this event?

More concerning are the health issues listed on the petition notice. My wife of 55 years was diagnosed with throat cancer, while I personally have no proof, I will still maintain that a contributing factor was caused by the inhalation of the cement dust we are subjected to. Throat cancer being the first of three cancers that my wife suffered through and eventually took her life. Therefore in my opinion this is a major health issue for all residents near this plant considering the closeness to residential areas less than 50' in some instances, note on the attached links that recommendations from a doctor state five miles being a high danger zone and twenty miles being dangerous. There are plenty of studies and research to substantiate these claims.

Regards,
Denis Hutchinson.

March 09, 2021
Research -

Attachment No. 4.3

<https://scialert.net/fulltext/?doi=rjet.2011.203.212>

http://www.prescott-russell.on.ca/UserFiles/Servers/Server_2375121/File/Services/Planning%20and%20Forestry/Modifications/CementPlant HealthEffects August30.pdf

<https://kinder.rice.edu/urbanedge/2020/08/19/houston-air-pollution-breathe-concrete-plants-TCEQ>

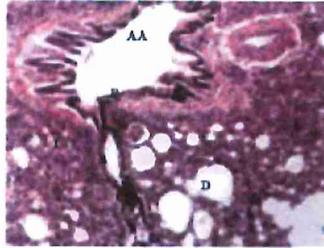


Fig. 4: Histological section through the lung tissues of the rat placed at 1000 m showing normal Alveolar Space (AS) (AA), Damaged Bronchiole (DB), mild area of Inflammation (I) and slight blue-black Pigment (P)

DISCUSSION

The discovery of the toxic elements-aluminum, chromium, silicon and lead in the lungs of the exposed rats in this research supports the findings of [Davidovits \(1994\)](#), [Fatima et al. \(2001\)](#), [Abimbola et al. \(2007\)](#) and [Akinola et al. \(2008\)](#). The result is also in line with [Gbadebo and Bankole \(2007\)](#) and [Ade-Ademilua and Obalola \(2008\)](#) who discovered aluminum, copper, zinc, silicon, magnesium, iron, calcium, cadmium and lead in air-borne particles around West African Portland Cement Factory, Sagamu, Ogun State, Nigeria. The weights gained by the exposed rats in this study contradicts the earlier report by [Akinola et al. \(2008\)](#), who observed a reduction in the weights of the albino rats exposed to cement dust. The weights gained by the exposed rats might be as a result of calcium deposits in the lungs of the exposed rats; calcium is a major component of animal feeds and is very important in the formation of bones and blood. Thus, the weight gained by the exposed rats is not a surprise.

The abnormal high concentrations of the toxic elements in the lung tissues of the exposed rats is an indication of high level of pollution from the cement factory which supports the assertion of [Bilen \(2010\)](#), that cement production is one of the great polluters of the environment. The heavy pollution observed might be as a result of the use of old machinery and left-over cement kiln dust which were not properly disposed. Also, like what is being practiced in some countries, cement manufacturers in Nigeria, especially the Ewekoro cement, might just be using hazardous wastes like tires as alternative source of fuel. This supports the observations of [IPC \(1996\)](#) who found that the levels of heavy metals and dioxins in cement kiln dust from Ribblesdale, United States of America, were higher when cement fuel was burned. Cement fuel is an alternative fuel made of hazardous wastes which are burnt as a source of energy to reduce energy cost while achieving cement production. The concentrations of these toxic elements in the lungs of the exposed rats increased with duration of exposure, degree of exposure and closeness to the cement factory which is in line with what [Abdul-Wahab \(2006\)](#) and [Heather \(2003\)](#) reported. The result also supports the findings of [Yano et al. \(1996\)](#) who discovered that an area within 0-2 km of a cement factory is a high danger zone. It also supports the findings of a medical doctor, Crawford, who stated that an area within five miles of a cement plant will be the high danger zone and within twenty miles of a cement plant will be the danger zone ([CRRC, 2003](#)).

ARE YOU WILLING TO PUT PEOPLE'S LIVES AT RISK BY ALLOWING A PLANT TO BE BUILT THAT CLOSE.
The diseases observed in the exposed rats are in line with the findings of [Meo \(2004\)](#) and [Mohammed and Sambo \(2008\)](#) who have implicated cement dust and its constituents in many health problems. Although calcium is important in metabolism in moderate quantities, excess amount could cause toxicity. Excess amounts of calcium have been implicated in brain injury ([Fan et al., 2007](#)). Aluminum and silicon have also been implicated in some diseases. Thus, aluminum has been reported to lead to dementia in dialysis patients ([CDCP, 2008](#)), metabolic bone disease ([Kausz et al., 1999](#); [Klein, 1998](#)) while its inhalation has been associated with asthma ([Soradragar et al., 1998](#)). It also caused induced degeneration of atrophic cells ([Suarez-Fernandez et al., 1999](#)). Silicon is believed to cause immune system changes in breast implant patients. [Lapin et al. \(1991\)](#) observed that the lungs of rats when exposed to silicon carbide whiskers, had inflammatory lesions, focal pleural fibrosis and lymphoid hyperplasia while [Hubbs et al. \(2001\)](#) showed that inhalation of cement dust is associated with pulmonary fibrosis.

The marked histological changes observed in the lungs of the exposed rats showed that there is interaction between the toxic elements in cement dust and the various organs of animals and plants living within the vicinity of cement plants. The results of the histopathology is in line with what [Akinola et al. \(2008\)](#) observed in the various organs of albino rats exposed to cement dust. Lead and chromium which were not detected in the control rats were present in the exposed rats after 30 days, increasing in concentrations with closeness to the factory and duration of exposure. These two elements, lead and chromium, can increase the risk of cancer ([Lai et al., 1984](#)) and negatively affect the homeopathic, nervous and reproductive systems ([Papanikolaou et al., 2005](#); [Lanphear, 1998](#)).

CONCLUSION

We report that rats exposed to cement dust exhibit histopathology changes in lung tissues as a result of cytotoxic agents emanating from the cement factory. The studies confirm that the amounts of the elements lodged in rats' organs increased with closeness to the factory and length of exposure. Predictably, it is suggested that humans living or working within the vicinity of cement plants may be victims of the same health hazards reported for the experimental rats. We therefore, recommend that there is an urgent need for government

Roland Milligan

From: Arne Andreassen [REDACTED]
Sent: March 8, 2021 10:01 AM
To: Roland Milligan
Subject: Development permit application no. 2021-09

I have reviewed the documents hand delivered to me. I am supportive of the application and hope it will be approved by the Municipal Planning Commission.

Arne Andreassen
[REDACTED]
Lundbreck Alberta