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## Public Meeting

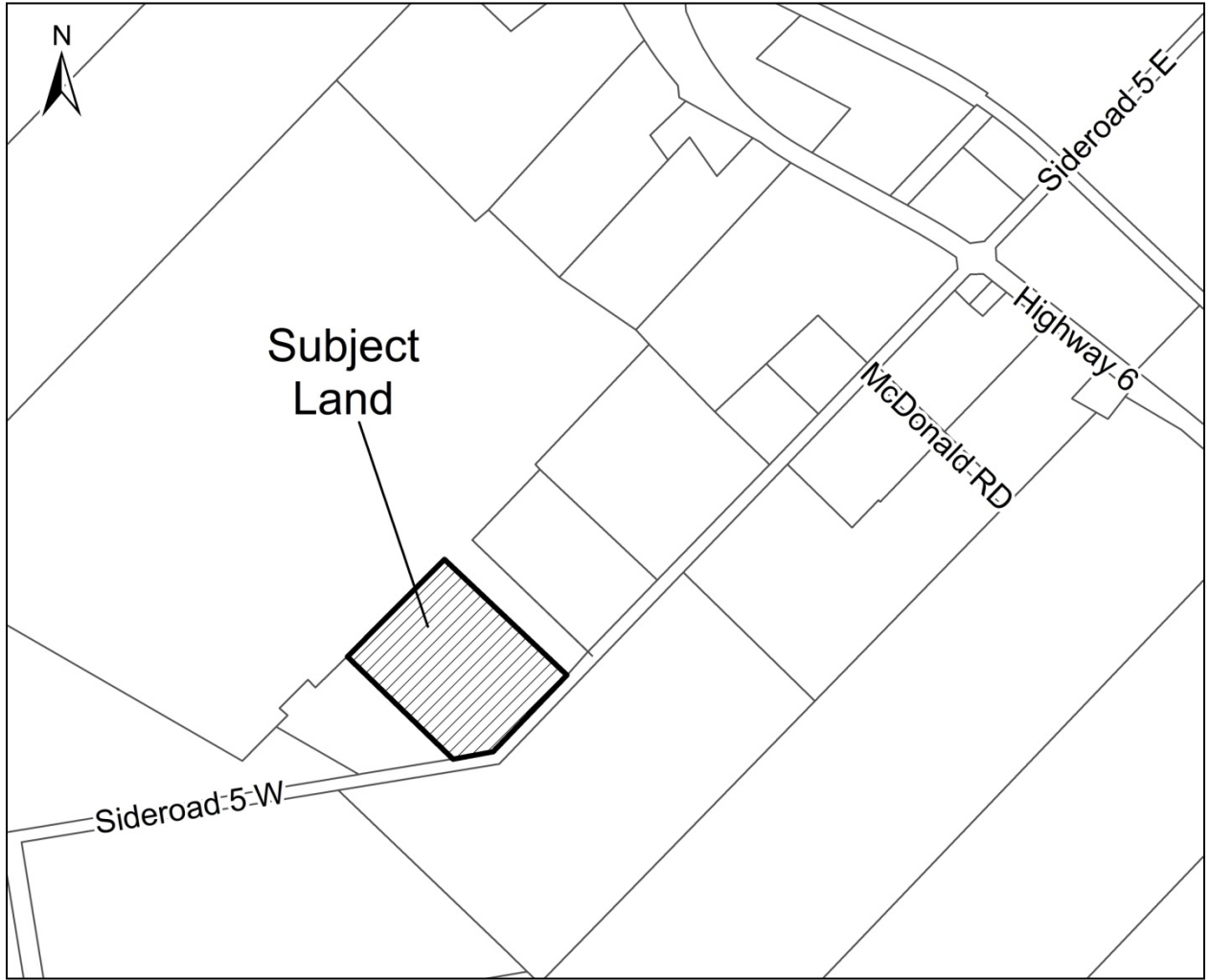
Monday, September 24, 2018 at 7:00 PM

Municipal Office Council Chambers, Kenilworth

### AGENDA

AGENDA ITEM	PAGE NO.
<p><b><u>CALLING TO ORDER</u></b></p> <ul style="list-style-type: none"><li>- Mayor Lennox</li></ul> <p><b><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></b></p> <p><b><u>OWNERS/APPLICANT</u></b></p> <ul style="list-style-type: none"><li>- 10694444 Canada Corporation</li></ul> <p><b><u>LOCATION OF THE SUBJECT LAND</u></b></p> <p>The land subject to the proposed amendment is described as Lot 13, WOSR, Div 3 &amp; 4, RP 61R-8621, Part 7 and is Municipally known as 7246 Sideroad 5 W, Geographic Arthur Township. The property is approximately 6.07 hectares (15.0 acres) in size. The location is shown on the map attached.</p> <p><b><u>PURPOSE AND EFFECT OF THE APPLICATION</u></b></p> <p>The purpose and effect of the proposed amendment is to rezone the subject lands to permit the indoor cultivation of cannabis as part of a cannabis production facility to be licensed by Health Canada. The property is currently zoned Rural Industrial. Other zoning relief may be considered for the proposal where appropriate.</p>	1

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p><b><u>NOTICE</u></b></p> <p>Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on August 31, 2018.</p> <p><b><u>PRESENTATIONS</u></b></p> <p>Curtis Marshall, MCIP, RPP, Senior Planner - See attached report and draft by-law</p> <p><b><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></b></p> <p>None.</p> <p><b><u>REQUEST FOR NOTICE OF DECISION</u></b></p> <p>The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the by-law must submit a written request.</p> <p><b><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></b></p> <p><b><u>COMMENTS/QUESTIONS FROM COUNCIL</u></b></p> <p><b><u>ADJOURNMENT</u></b></p>	<p>2</p>



**10694444 Canada Corporation**



## **PLANNING REPORT for the TOWNSHIP OF WELLINGTON NORTH**

Prepared by the County of Wellington Planning and Development  
Department

**DATE:** September 18, 2018  
**TO:** Mike Givens, C.A.O.  
Township of Wellington North  
**FROM:** Curtis Marshall, Senior Planner  
County of Wellington  
**SUBJECT:** **10694444 Canada Corporation**  
**7246 Sideroad 5 (Township of Arthur)**  
**Zoning By-law Amendment**

### **PLANNING OPINION**

The purpose of the site specific zoning amendment is to permit the indoor cultivation of cannabis on the subject property. The applicant is proposing to operate a commercial medical cannabis production facility within the existing building on the property.

The proposed facility includes both industrial and agricultural components. The processing component of the operation is permitted by the Rural Industrial (RIN) zoning on the property as an industrial use, however it is the introduction of indoor cultivation of cannabis (an agricultural use) which requires an amendment to the zoning by-law.

The proposed facility is subject to federal legislation and approval must be obtained from Health Canada above and beyond any municipal requirements in order for the proposal to proceed.

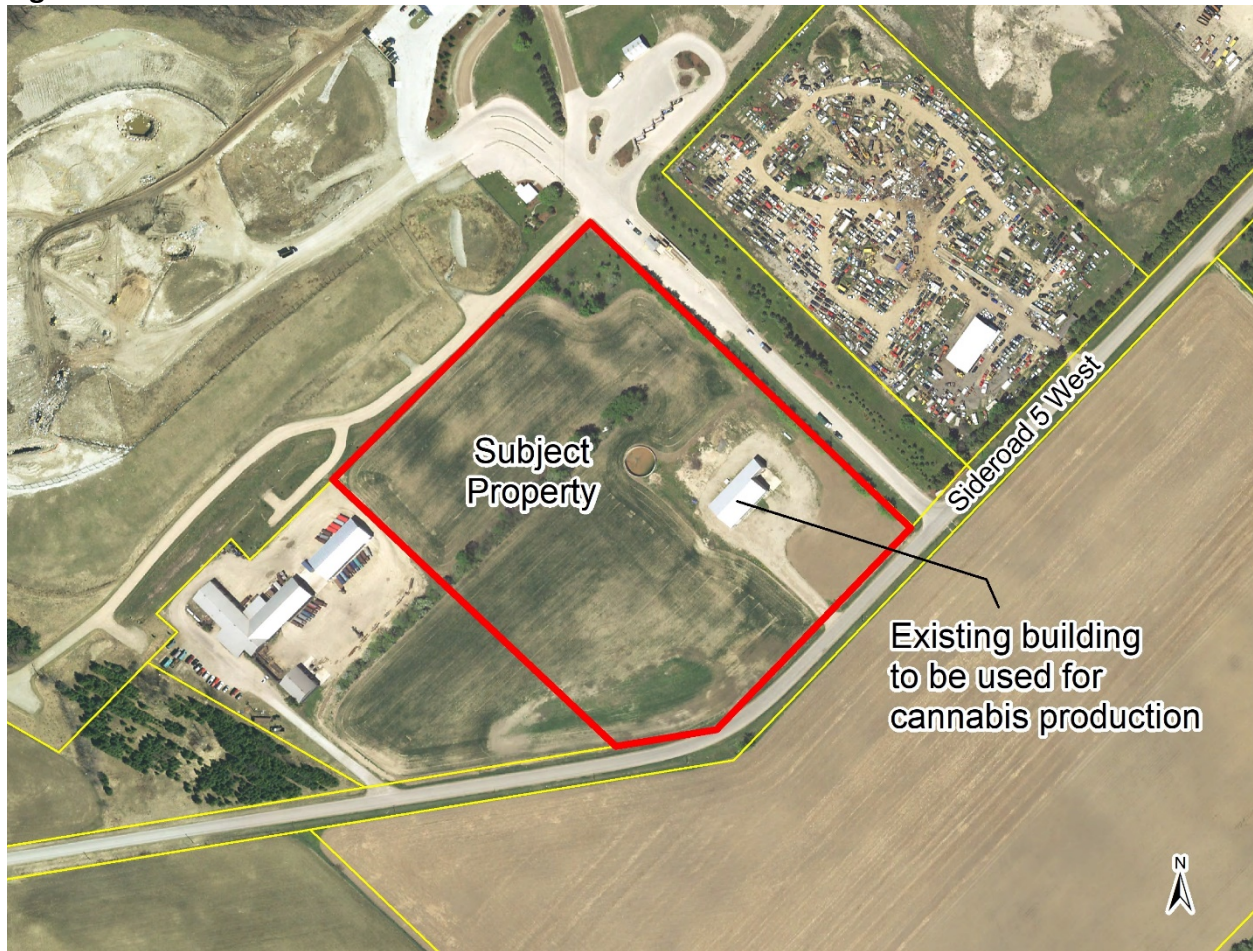
We have no objections to the proposed amendment and are satisfied that the proposal is consistent with the PPS and is in general conformity with the County of Wellington Official Plan.

Planning Staff have prepared a draft Zoning By-law amendment for Council's consideration which is attached to this report.

### **LOCATION**

The land subject to the proposed amendment is described as WOSR, Lot 13, Divs 3 & 4, RP 61R-8621, Part 7 and is Municipally known as 7246 Sideroad 5 West, Geographic Township of Arthur. The property is approximately 6.07 hectares (15.0 acres) in size. There is an existing 464.5 m<sup>2</sup> (5000 ft<sup>2</sup>) industrial building on the property that was used for tanning animal hides (MBC Hides). The subject property is located within a rural industrial area and is adjacent to the County's Riverstown Waste Facility, Kenilworth Auto Recyclers (auto salvage, wrecking, and recycling business), and Rotobale Compaction Solutions. The closest residential dwelling is approximately 600.0 m (1968.5 ft) from the subject property. An air photo showing the property is provided below in Figure 1.

**Figure 1: Air Photo**



## **PROPOSAL**

The purpose of the site specific zoning amendment is to rezone the property permit the indoor cultivation of cannabis on the subject property. A commercial medical cannabis production facility (within the existing building) is being proposed on the property.

The proposed facility includes both industrial and agricultural components. The processing component of the operation (processing of harvested cannabis) is permitted by the Industrial RIN zoning on the property as an industrial use, however it is the introduction of indoor cultivation of cannabis (an agricultural use) which requires an amendment to the zoning by-law. Health Canada identifies that it is the applicants responsibility to address all local municipal requirements.

The proposed facility is subject to federal legislation and approval must be obtained from Health Canada above and beyond any municipal requirements in order for the proposal to proceed.

The applicant has advised that they have been working with Health Canada since early 2018 to obtain the necessary approvals for a medical cannabis production facility. The applicant has indicated that their application is currently under review by Health Canada.

As noted above the facility is subject to federal legislation requirements and approval. The Access to Cannabis for Medical Purposes Regulations (ACMPR) include specific site requirements which must be met for facilities related to security and air quality. For example, visual monitoring (cameras), intrusion detection (alarms), and physical barriers must be provided. Areas where cannabis is present must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen. A producer must produce, package and store cannabis within an enclosed building.

The proposed facility is approximately 464.5 m<sup>2</sup> (5000 ft<sup>2</sup>) in area and is to be located within the existing industrial building on the property. The applicant has indicated that the facility will have a high level of security including: fencing, security cameras, security lighting, intrusion alarms, access control, and will contain a vault for product storage. Waste is also proposed to be kept in a secure manner (indoors) and that air filtration systems will be employed to control odours.

In regards to servicing, the applicant has indicated that water for the facility will be provided by a well on the property and a septic system will be used for waste. Municipal services are not available in the area. According to the applicant, the facility will not use large volumes of water or generate large volumes of waste water. The cannabis plants will be grown using drip irrigation and water will be recycled and reused. The only waste water will come from cleaning and bathroom use by employees. The applicant has also indicated that they do not require a permit to take water from the Ministry of Environment and Climate Change MOECC.

#### **PROVINCIAL POLICY STATEMENT (PPS)**

Under Section 1.3.1 (Employment) of the PPS, Planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

#### **COUNTY OFFICIAL PLAN**

The subject property is designated Rural Employment Area. Permitted uses include dry industrial and commercial uses requiring large lots. Such industrial uses may include manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials.

Under Section 6.8.3, Councils when considering rezoning applications shall ensure that existing and proposed uses are compatible, and that sensitive uses are adequately separated from industrial uses. The Zoning By-law may also limit the location and size of industrial uses.

## **ZONING BY-LAW**

The subject lands are zoned Rural Industrial (RIN). Permitted uses include dry industry, warehousing and existing agricultural uses. The growing of cannabis indoors is not considered an **existing** agricultural use on the property. A zoning by-law amendment is required to permit the indoor growing of cannabis as an agricultural use.

## **PLANNING DISCUSSION**

### **Site Plan Approval:**

The subject property currently has a site plan in effect on the property. A site plan agreement was not required as part of the previous site plan approval for the tanning use. The Township Site Plan By-law is in effect and should the applicant propose any significant changes to the site including grading and/or building additions an amendment to the site plan could be required.

### **Compatibility:**

The proposed facility includes both a processing and cultivation (“growing” of cannabis) components. The processing component of the operation is permitted by the zoning on the property as an industrial use, however it is the indoor cultivation which requires an amendment to the zoning by-law.

We note that facility will be entirely indoors, and will include typical components associated with an industrial use such shipping, receiving, loading, truck and employee traffic, deliveries etc. which are appropriate in an industrial area. The inclusion of indoor cultivation is compatible in a rural industrial area and involves many of the same supportive activities.

In terms of compatibility with adjacent uses, the subject property is located in a rural industrial area and the closest residential dwelling is approximately 600.0 m (1968.5 ft) from the subject property.

### **Upcoming Changes to Licensing:**

Health Canada is currently accepting applications for new licensed producers under the exiting Access to Cannabis for Medical Purposes Regulations (ACMPR) regulations and process. With the pending legalization of cannabis in Canada in October 2018, Health Canada has indicated that a new process will be established which allows for both non medical and medical production. A new process including details regarding license conversions have not been provided from Health Canada to date.

**Draft Zoning By-law:**

Planning Staff have prepared a draft site specific by-law that adds the commercial cultivation of cannabis indoors as an additional permitted use on the property. Planning Staff have included wording to require that the facility must be licensed by Health Canada. Planning Staff have chosen not to restrict the purpose of the cultivation (for medical or non medical) due to the impending changes to the licensing process resulting from legalization in October 2018.

The draft by-law is attached to this report for public viewing and Council's consideration.

Respectfully submitted

County of Wellington Planning and Development Department

A handwritten signature in blue ink that reads "C Marshall". The signature is written in a cursive, flowing style.

Curtis Marshall, MCIP, RPP  
Senior Planner



**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH**  
**BY-LAW NUMBER \_\_\_\_\_.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01**  
**BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule 'A' Map 5 to By-law 66-01 is amended by changing the zoning on lands described as WOSR, Lot 13, Divs 3 & 4, RP 61R-8621, Part 7 and is municipally known as 7246 Sideroad 5 West, Geographic Township of Arthur, as shown on Schedule "A" attached to and forming part of this By-law from **Rural Industrial (RIN)** to **Rural Industrial Exception (RIN-199)**;
2. THAT Section 33 Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<b>33.199</b> WOSR, Lot 13, Divs 3 & 4, RP 61R-8621, Part 7, (Arthur)  7246 Sideroad 5 West	<b>RIN-199</b>	In addition to the other permitted in the Rural Industrial (RIN) zone, the indoor cultivation of cannabis for commercial sale by a licensed producer is permitted subject to approval and licensing by Health Canada under the Access to Cannabis for Medical Purposes Regulations (ACMPR) or subsequent regulations.
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3. THAT except as amended by this By-law, the land shall be subject to all applicable regulations of Zoning By-law 66-01, as amended; and,
4. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO. \_\_\_\_\_

Schedule "A"



**To be rezoned from Rural Industrial (RIN) to Rural Industrial Exception (RIN-199)**

This is Schedule "A" to By-law \_\_\_\_\_.

Passed this \_\_\_ day of \_\_\_\_\_ 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

## EXPLANATORY NOTE

BY-LAW NUMBER \_\_\_\_\_.

### **THE LOCATION OF THE SUBJECT LANDS**

The land subject to the proposed amendment is described as WOSR, Lot 13, Divs 3 & 4, RP 61R-8621, Part 7 and is Municipally known as 7246 Sideroad 5 West, Geographic Township of Arthur. The property is approximately 6.07 hectares (15.0 acres) in size. There is an existing 464.5 m<sup>2</sup> (5000 ft<sup>2</sup>) industrial building on the property that was used for tanning animal hides (MBC Hides).

**THE PURPOSE AND EFFECT** of the proposed amendment is to rezone the subject lands to permit the indoor commercial cultivation of cannabis subject to approval and licensing by Health Canada as an additional permitted use on the property.