

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
MONDAY, SEPTEMBER 24, 2018 AT 27:00 P.M**

The Public Meeting was held in the Municipal Office Council Chambers to consider a proposed zoning amendment application.

Members Present:

**Mayor: Andrew Lennox
Councillors: Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake**

Staff Present:

**Director of Legislative Services/Clerk: Michael Givens
Deputy Clerk: Karren Wallace
Chief Building Official: Catherine Conrad
Director of Finance: Darren Jones
Economic Development Officer: Adam McNabb
Director of Operations: Dale Small
Senior Planner: Brent Lauber
Curtis Marshall
Manager of Planning & Environment: Linda Redmond**

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

No pecuniary interest declared.

OWNER/APPLICANT: 10694444 Canada Corporation

LOCATION OF THE SUBJECT LAND

The land subject to the proposed amendment is described as Lot 13, WOSR, Div 3 & 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.

PURPOSE AND EFFECT OF THE APPLICATION

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.

NOTICE

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 pursuant to the provisions of the Planning Act.

PRESENTATIONS

Curtis Marshall, Senior Planner, reviewed the Planning Report dated September 18, 2018.

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 m² (5000 ft²) 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.

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 m² (5000 ft²) 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.

PROVINAL 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 existing 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 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 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.

CORRESPONDENCE FOR COUNCIL'S REVIEW

None.

REQUEST FOR NOTICE OF DECISION

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.

MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

The Applicant was present to answer questions pertaining to the proposed zoning amendment.

COMMENTS/QUESTIONS FROM COUNCIL

Councillor McCabe inquired about security at the site and if there are other locations they are considering. The Applicant stated that Health Canada has extremely high standards for security that must be met. They have filed a plan with Health Canada that includes cameras, six foot fencing with barbed wire, a

locked gate, 24 hour monitoring, extra lighting features and a key card for every room. This will not be a sales site; production only. This is the only site filed with Health Canada; but, they hope to apply for a site in Mono.

Councillor Burke questioned if the zoning is required for Health Canada approval, how many employees there will be and if the municipality can include medical or non-medical in the zoning amendment. The Applicant stated that they believe zoning will be part of the Health Canada approval. There will be about twenty-five employees. Curtis Marshall, Senior Planner, explained that they are not specifying medical or non-medical because there are not a lot of differences between the two. There is no information available regarding the new process. Currently applications must go through as medical.

Councillor Hern asked how the building will be retrofitted to control odour. The Applicant explained that they create a vacuum where the air is constantly filtered so the odour won't be invasive on neighbours.

Mayor Lennox inquired about the licensing process, regulations and standards in terms of measuring odour. Curtis Marshall, Senior Planner, explained that the government provides a list of must but doesn't prescribe how. It is up to the applicant to provide an acceptable method for approval. The applicant confirmed that there will be a series of site visits prior to licensing and they will be required to meet standards.

ADJOURNMENT

RESOLUTION 8

Moved by: Councillor Hern

Seconded by: Councillor Yake

THAT the Public Meeting of September 24, 2018 be adjourned at 7:43 p.m.

CARRIED

CLERK

MAYOR