



Notice of Application and Public Meeting Proposed Town-Wide Zoning By-law Amendment

FILE NUMBER(S): RZ 19-01

A Public Meeting will be held to consider a proposed Zoning By-law Amendment. Your input and insight will inform and shape plans that meet the needs of our community.

Meeting Date: March 19, 2019
Information Session Start Time: 6:00 p.m.
Public Meeting Start Time: 7:00 p.m.
Meeting Location: Council Chambers
Town Hall
6311 Old Church Road
Caledon East L7C 1J6

APPLICANT AND LOCATION:

Applicant: The Corporation of the Town of Caledon
Location: Applies to all lands within the limits of the Town of Caledon

PROPOSED CHANGES:

To amend Zoning By-law 2006-50 to permit cannabis production facilities in the same manner as currently permitted medical marihuana production facilities, including deleting and amending definitions and general provisions to reflect new legislation and requirements. This change will also include changing the permitted use in the A2-595 zone to permit a cannabis production facility rather than a medical marihuana production facility.

LEAD PLANNER:

Stephanie McVittie, Senior Development Planner
905.584.2272 x. 4253
stephanie.mcvittie@caledon.ca

ADDITIONAL INFORMATION:

For more information about this matter, including a copy of the proposed Zoning By-law Amendment, additional information and material, please visit www.caledon.ca/notices or contact the Lead Planner at Town Hall from Monday to Friday, 8:30 a.m. to 4:30 p.m.

APPEAL PROCEDURE:

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Town of Caledon to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Clerk of the Town of Caledon before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Clerk of the Town of Caledon before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

HOW TO STAY INFORMED:

If you wish to be notified of the decision of the Town of Caledon on the proposed Zoning By-law Amendment, you must make a written request to the Clerk of the Town of Caledon, 6311 Old Church Road, Caledon, Ontario, L7C 1J6.

ACCESSIBILITY:

If you require an accessibility accommodation to attend or participate in this Public Meeting, or to access any materials related to this item in an alternate format please contact Legislative Services by phone at 905-584-2272 x.2366 or via email at accessibility@caledon.ca. Requests should be submitted at least 10 days before the Public Meeting.

Multi-Tenant Landowners: Please post this notice in a visible location to all residents of the land.

Notice Date: February 13, 2019



Public Meeting Information Report

Community Services Department – Planning & Development

Public Meeting: March 19, 2019 at 7:00 p.m. in Council Chambers, Town Hall

Applicant: The Corporation of the Town of Caledon

File No.: RZ 19-01

The Purpose of a Public Meeting:

In accordance with the *Planning Act*, a Public Meeting is held for the public to provide comments concerning the proposed Town-wide amendment.

Staff and Council will not make a recommendation or decision on the proposed Zoning By-law Amendment at a Public Meeting. A Planning Report will be brought forward by staff and considered by Council at a later date.

As a member of the public, you are welcome to request to be notified of any future Public or Council Meetings. Please provide your contact information on the 'Sign-In' sheet provided in the lobby. Please be advised that the sign-in information will form part of the public record for these applications.

Property Information:

The proposed Town initiated Zoning By-law Amendment (RZ 19-01) applies to all properties Town-wide which are zoned by Comprehensive Zoning By-law 2006-50, as amended.

Proposal Information:

At the June 26, 2018 Committee of the Whole General meeting, staff provided a Report to Council (Staff Report 2018-54) which set out recommendations to prepare the Town for the legalization of recreational cannabis. As a resolution of Council, staff was directed to conduct a Zoning By-law review to investigate if adjustments to the by-law are necessary as a result of the updated cannabis regulations. On December 11, 2018, staff provided a memo to Council indicating that as a result of the new Federal legislative changes, interest received from proponents wishing to grow and establish recreational cannabis production facilities as well as the lack of provisions within the By-law, there is a need to consider amending the Zoning By-law to include provisions to regulate these uses.

The Town of Caledon has initiated a Town-wide Zoning By-law Amendment (RZ 19-01) to permit cannabis production facilities in the same manner as currently permitted medical marihuana production facilities. The amendment includes deleting and amending definitions, general provisions and other provisions of the by-law to reflect new legislation and requirements. The proposed amendment will also expand the permissions for the one site-specific zone (A2-595) to permit a cannabis production facility.

The by-law does not consider any regulations relating to cannabis retail stores.

The proposed changes are contained within Schedule 'A' – Draft Zoning By-law Amendment, attached.

Consultation:

In accordance with the *Planning Act*, a combined Notice of Application and Public Meeting was posted on the Town's website and placed in the Caledon Enterprise, Brampton Guardian, Erin Advocate, Georgetown Independent and Orangeville Banner on or before February 28, 2019.



Public Meeting Information Report

Community Services Department – Planning & Development

The subject application was most recently circulated to external agencies and internal departments for review and comment on February 13, 2019.

The following agencies and departments have no concerns with the proposed by-law:

- Town of Caledon: Heritage and Urban Design
- Credit Valley Conservation, Toronto and Region Conservation Authority
- Dufferin-Peel Catholic District School Board
- County of Dufferin

Finance has indicated that as part of the 2019 DC Background Study, the treatment of cannabis and controlled substance buildings is being considered to ensure consistency.

Comments from the following agencies and departments remain outstanding at this time:

- Town of Caledon: Accessibility, Building, Facilities, Engineering, Economic Development, Finance, Fire, Legal Services, Open Space and Design (Landscape), Regulatory Services, Transportation, Zoning
- Region of Peel, Niagara Escarpment Commission
- Peel District School Board
- Ontario Provincial Police – Caledon Detachment
- Ministry of Transportation
- Lake Simcoe Region Conservation Authority, Nottawasaga Valley Conservation Authority
- Township of Adjala-Tosorontio, City of Brampton, Township of East Garafraxa, Town of Erin, Town of Mono, Town of New Tecumseth, Town of Orangeville, Simcoe County, City of Vaughan, County of Wellington, York Region
- Bell Canada, Canada Post, Enbridge, GO Transit, Hydro One, Municipal Property Assessment Corp., Rogers Communications, Canadian Pacific Railway

Next Steps:

If you wish to be notified of the decision of the Town of Caledon on the proposed Zoning By-law Amendment, you must make a written request to the Clerk of the Town of Caledon, 6311 Old Church Road, Caledon, Ontario, L7C 1J6.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Town of Caledon to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Clerk of the Town of Caledon before the by-law is passed, the person or public body is not entitled to appeal the decision.

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Contact:

For further information, please contact Stephanie McVittie, Senior Development Planner at 905-584-2272 x. 4253 or stephanie.mcvittie@caledon.ca.

Attachments:

- Schedule A: Draft Zoning By-law Amendment



THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. [By-law Number Inserted by Town]

Being a by-law to amend Comprehensive Zoning By-law 2006-50, as amended, to reflect changes to the Cannabis Act and permit cannabis production facilities.

WHEREAS Section 34 of the Planning Act, as amended, permits the councils of local municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law;

AND WHEREAS the Council of The Corporation of the Town of Caledon considers it desirable to pass a zoning by-law to implement recent amendments to the Cannabis Act to permit cannabis production facilities within the Town of Caledon, Regional Municipality of Peel.

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts that By-law 2006-50 as amended, being the Comprehensive Zoning By-law for the Town of Caledon, shall be and is hereby amended as follows:

1. The following definitions are deleted from Section 3, Definitions:

Cannabis
Marihuana
Medical Marihuana Production Facility
2. The following definitions are added to Section 3, Definitions in alphabetical order:

Cannabis means the substance as defined in the Cannabis Act, as amended.

Cannabis Production Facility means a *building* or portion thereof used for growing, producing, packaging, testing, destroying, storing or distribution of *Cannabis* and authorized by a license issued by the federal Minister of Health, pursuant to the Cannabis Act, as amended. For purposes of clarification, no part of this *use*, whether accessory or not, may be located outside.
3. All references to “*Medical Marihuana Production Facility*” throughout the By-law are deleted and replaced with “*Cannabis Production Facility*”.
4. Section 4.20.1 is amended to replace “current and valid production license issued by Health Canada” with “current and valid license issued by the federal Minister of Health”.
5. Section 4.20.2 is amended to replace “erection of a residential or institution use” with “erection of a residential or institutional use”.
6. Section 4.20.7 is amended to replace “Marihuana for Medical Purposes Regulations, SOR/2013-119.” with “Cannabis Act, as amended.”
7. The following rows are added to Table 8.1 in Section 8, Industrial Zones:

	ZONES					
USE	MP	MS	MU	MA	MX	MD
Cannabis Production Facility	✓ (3)	✓ (3)				

8. The following text is added as a Footnote for Table 8.1:

(3) Must comply with Section 4.20 Cannabis Production Facility.

Read three times and finally
passed in open Council on the
[XX] day of [XXXXXX], 2019.

Allan Thompson, Mayor

Carey deGorter, Clerk

DRAFT

Public Meeting

Cannabis Production Facilities

File No.: RZ 19-01

Tuesday, March 19, 2019

Community Services



Current Zoning By-law Permissions

- Through RZ 13-15, Zoning By-law 2006-50 was amended to permit Medical Marihuana Production Facilities in the Prestige Industrial (MP) and Serviced Industrial (MS) zones, subject to provisions which:
 - Require appropriate licensing be in place
 - Address separation distances from various uses (i.e. schools, daycares)
 - Require Site Plan Approval
 - Prohibit signage/advertisement and accessory open storage
- Where a Medical Marihuana Production Facility is proposed in any other zone, a site specific Zoning By-law Amendment (and possibly an Official Plan Amendment) would be required.
- There has only been one site-specific amendment proposed and approved (White Sova located at 20383 Hurontario Street), which is now zoned A2-595.
- The Town's By-law does not permit Cannabis Production Facilities, as now defined by Federal legislation

Cannabis Act

- The Federal Cannabis Act and its Regulations provide the framework for legal access to cannabis and regulate its production, distribution and sale. The Act and Regulations apply to both recreational and medical cannabis.
- A person is required to obtain a license issued by Health Canada for the legal production of cannabis.
- The following licenses are issued by Health Canada:
 - Standard Cultivation (grow cannabis on large scale)
 - Micro-Cultivation (grow cannabis on small scale, < 200 m²)
 - Nursery (grow cannabis plants and seeds)
 - Standard Processing (make products on a large scale)
 - Micro-Processing (make procedures on a small scale, using <600 kg dried cannabis/year)
 - Sale for Medical Purposes (previously known as medical marihuana)
 - Analytical Testing (testing of cannabis)
 - Research (research and development with cannabis)

Community Services



Cannabis Production Facilities

- Cannabis Production Facilities are interpreted by the Town as an Industrial land use, similar in nature to the currently permitted Medical Marihuana Production Facilities.
- Licenses holders may (depending on license type) permit:
 - Cultivation (including licenses for micro and standard cultivation or nursery)
 - Processing (including licenses for micro and standard cultivation)
 - Sale for medical purposes
 - Analytical testing
 - Research
 - Related activities such as possession, transportation, storage, destruction and research and development are also permitted

Effect of Proposal

- To permit Cannabis Production Facilities in the same manner that currently defined Medical Marihuana Production Facilities are permitted
- Replace “Medical Marihuana Production Facility” with “Cannabis Production Facility” throughout the By-law (including site specific zone A2-595)
- Delete the definition of “Marihuana” from the By-law
- Amend the definition of “Cannabis” and “Cannabis Production Facility” to reflect new legislation