



Municipality of North Grenville

Report No.
PD-022-2020

File No.
ZBA-05-20

Agenda Date:	August 19th, 2020 – Special Council Meeting
Subject:	Zoning By-law Amendment – Cannabis Production Facility By-Law
Attachments:	Appendix 1: Recommended Zoning Provisions Appendix 2: Public Consultation Details

RECOMMENDATION

The following recommendation is provided for Council’s consideration:

That Council approve an amendment to Zoning By-Law 50-12 to add various definitions for Cannabis facilities, provide specific provisions for the processing and manufacturing of Cannabis; and

That Council approve and enact By-Law 72-20 to extend the Interim Control By-law for a period of one-year to allow for further consideration of the proposed Zoning By-Law Provisions.

BACKGROUND

Interim Control By-Law

On August 27th, 2019, Council passed an Interim Control By-Law to prohibit the establishment of any new cannabis production facility for a one year period. An exemption was made for two properties to allow existing proposals to proceed.

The Interim Control By-Law was passed by Council in order to provide staff the time to undertake planning review of current planning practices pertaining to Cannabis Production Facilities. This included looking at issues such as compatibility with surrounding land uses and setbacks.

Staff have taken the time to undertake a zoning analysis of existing planning practices for the land use regulation of Cannabis Production Facilities and related uses. The recommended Zoning Provisions (**Appendix 1**) take into consideration concerns that were raised by residents living within proximity to an existing Cannabis Production Facility and best planning practices which are being implemented in other municipalities.

An extension of the Interim Control By-law is required to allow for additional consideration of the Zoning By-Law provisions that are being considered. An amending by-law will be presented to Council for their consideration.

Summary of Requested Zoning By-Law Amendment

On October 15th, 2019, Council passed By-law 96-19, which amended the zoning for a property on Townline Road to permit a Cannabis Production Facility. The by-law brought in a definition for a Cannabis Production and Processing Facility, created a definition for a Greenhouse-Cannabis and defined what Cannabis is. Prior to the site specific Zoning By-

Law Amendment, it was planning practice to classify the use as a warehouse and manufacturing

type use, which is permitted within the Business Enterprise and Industrial Zones. The proposed housekeeping amendment will officially adopt the Zoning By-law definitions that were enacted site specifically through By-law

96-19. The proposed By-law will also introduce new provisions and definitions for the following: Cannabis Micro-production, Cannabis Micro-cultivation, Cannabis Cultivation, Cannabis Nursery and Air Treatment Control.

REGULATORY FRAMEWORK

Provincial Policy Statement

The new Provincial Policy Statement came into force and effect on May 1st, 2020. The *Planning Act* requires that all planning decisions be consistent with the Provincial Policy Statement (PPS), which provides policies for land use and development, with the overall goal to enhance the quality of life for Ontario residents.

Section 1.1 of the Provincial Policy Statement speaks to the management of land uses to achieve efficient and resilient development and land use patterns. This includes avoiding development and land use patterns which may cause environmental or public health and safety concerns and promoting cost effective development patterns and standards to minimize land consumption.

Rural areas are identified as areas that are supported by building upon rural character and leveraging rural amenities and assets, as well as promoting the diversification of the economic base and employment opportunities and providing opportunities for economic activities in prime agricultural areas (Section 1.1.4.1). On areas identified as Rural Lands, development that is compatible with the rural landscape and that can be sustained on rural services is encouraged (1.1.5.4). Additionally opportunities should be retained to locate new or expanding land uses that require separation from other uses (1.1.5.5).

Land use compatibility (1.2.6) is addressed within the PPS. Major facilities and sensitive land uses shall be planned and developed to avoid or minimize and mitigate any potential adverse effects from odours, noise and other contaminants, minimize risk to public health and safety and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 1.3 of the Provincial Policy Statement addresses Employment policies. Planning authorities shall promote economic development and competitiveness. This is to be achieved through providing an appropriate mix and range of employment, providing opportunities for a diversified economic base, including maintaining a range of suitable sites for employment uses and taking into account the needs of existing and future businesses. To meet these requirements the PPS requires that municipalities identify employment areas within their Official Plans and protect these lands for employment purposes. These areas are encouraged to be located in proximity to major goods movement facilities and corridors.

Section 1.7 of the PPS outlines how municipalities should support long term economic prosperity. Policies include promoting opportunities for investment readiness.

The PPS defines an agricultural use as the *growing of crops, including nursery, biomass and horticultural crops...and associated on farm buildings and structures*. The 2020 PPS encourages municipalities to take an agricultural systems approach (Section 2.3.2) to maintain and enhance the geographic continuity of the agricultural land base. An agricultural systems approach recognizes the inter-connected elements that collectively create a viable and thriving agricultural sector.

The PPS permits all types, sizes and intensities of agricultural uses and normal farm practices on prime agricultural lands (2.3.3.2). Agriculture related uses and on-farm diversified uses are encouraged if they do not hinder surrounding agricultural operations (2.3.3.1).

Depending on the classification of the Cannabis operation (e.g. large scale, micro, cultivation), a cannabis operation may be compatible if the proposed operation meets the intent of planning policy.

United Counties of Leeds and Grenville Official Plan

The United Counties of Leeds and Grenville Official Plan provides the high-level policy framework for long-term growth within the Counties' municipalities.

Section 2.6 of the United Counties sets out the framework for employment lands and economic development. The Counties encourage local municipal Official Plans to designate and protect employment areas and to provide for an appropriate mix and range of economic development activities and employment uses. This includes maintaining an inventory of available commercial and industrial properties and maintaining a suitable range of sites for a diversified economic base.

The Counties Official Plan further speaks to the locations of economic development in Section 2.6.1. This includes focusing new industrial and employment related development in areas designated for employment purposes, protecting employment areas along major goods and movement facilities and corridors and along major transportation corridors including Highway 416 and providing an appropriate mix of employment uses within the Regionally Significant employment areas to increase their market competitiveness.

Rural areas are identified as being important to the overall structure and economic success of the Counties. Section 3 of the United Counties Official Plan encourages the promotion of a diverse economic base and range of activities and employment opportunities through goods and services, including value added products (3.1(g)&(i)).

Agricultural policies (Section 3.2) within the Counties Official Plan promote normal farm practices and protect the right to farm. In line with the PPS, the Counties Official Plan also recognizes the growing of crops and associated on-farm buildings and structures as an agricultural use (3.2.2(b)). The United Counties Official Plan also provides provisions for agriculture-related uses and on-farm diversified uses (3.2.2(d)&(e)).

Cultivation of cannabis as an agricultural practice is regulated by Provincial legislation. Micro-processing and micro-cultivation can be viewed as an on-farm diversified or agriculture related use due to the small scale nature of the operations. Zoning considerations will be given to the co-location of these operations with existing agricultural operations. Opportunities may exist on lands designated as Rural to locate micro-processing and micro-cultivation operations where land use compatibility with sensitive land uses is minimized.

North Grenville Official Plan

The Official Plan for North Grenville provides the policy framework for directing long-term growth within the municipality.

A goal of the Official Plan as established in Section 2.2.5 is to diversify the local economy by attracting a wide range of businesses including industrial and light manufacturing. This is to be achieved by attracting investment within economic enterprise lands and fostering a climate for innovative economic opportunities.

The North Grenville Official Plan designates employment lands as Economic Enterprise and establishes policies for development on these lands within Section 10.5. The intent of the Economic Enterprise designation is to encourage an integrated mix of Highway Commercial, Industrial and Service commercial uses, and to encourage the development of this area as a major employment generator.

Areas designated as Economic Enterprise allow for the development of commercial and industrial uses which otherwise conflict with most land uses. These lands allow for commercial development that may not be appropriate within the Downtown Commercial area of Kemptville.

Economic Enterprise lands are identified as areas that support and facilitate opportunities for local job creation (10.5.3(a)) and expand and diversify the local economy (10.5.3(c)).

Large scale Cannabis Production and Processing Facilities are appropriate in industrial and business enterprise zones. Land within the Economic Enterprise designation are less likely to conflict with sensitive land uses such as residential uses. To ensure compatibility with surrounding land uses, the Official Plan identifies Site Plan Control as an effective tool to maintain the character and scale of industrial development (10.5.4(d)).

Micro-Production and Micro-Cultivation of Cannabis as well as cannabis nurseries may be more appropriate in the Agricultural designation where they are not likely to conflict with sensitive land uses (e.g. Rural Residential land uses).

Section 4 of the Official Plan speaks to Rural Land Uses policies. Policies for Industrial uses in the Rural Area permits such uses as agricultural processing plants, warehousing and similar industrial uses (4.3(b)). These uses are typically smaller scale than the operations that are permitted within the Economic Enterprise Designation.

To address incompatibility concerns in the Agriculture designation, Site Plan Control is implemented to reduce the impact to surrounding land uses and the policy considerations as set out in Section 4.3(c) of the Official Plan.

PLANNING ANALYSIS

Zoning Analysis

The Federal Government is the responsible entity for issuing licences for Cannabis activities. The illustration attached in **Appendix 2** details the different subclasses of licences for the growing and producing of cannabis. The proposed Zoning By-law Amendment follows the licence classifications as established by the Federal Government.

Cannabis Production and Processing Facility

The following considerations were given when developing the proposed Zoning Provisions for Cannabis Production and Processing Facilities:

Odour: Due to the nature of a Cannabis Operation, odour was an identified concern in relation to sensitive land uses. Set back provisions and the consideration of air treatment control were identified as being tools to reduce the odour impact from a Cannabis Production Facility to a sensitive land use.

Municipalities across the country varied in the distance that was established from a facility to a sensitive land use. In general, setbacks typically varied between 150 metres and 500 metres.

The D-Series Guidelines, which were developed to help Land Use Planners minimize the encroachment of industrial lands uses upon sensitive lands and vice versa, identifies acceptable setback and influence areas to reduce the impact of industrial operations. Industrial uses typically are associated with odours which may cause a nuisance, whether it's a plant that uses chemicals as part of their process, food processing plant or Cannabis facility. Establishing setbacks helps to reduce the impact, although it may not eliminate an odour entirely.

Based on the D-6 Series Guidelines, Cannabis Production and Processing Facilities fit the definition of a Class II facility, which recommends a 300 metre influence area around a Class II facility.

It is proposed in the Cannabis Housekeeping Zoning By-law Amendment that a minimum setback of 150 metre be established from a Cannabis Production and Processing Facility to a sensitive land use when an air treatment control mechanism is implemented within the facility. A greater setback of 300 metres will be required if no air treatment control mechanism is utilized.

Traffic: Larger scale cannabis operations can generate a high level of traffic both related to employment and delivery services. Depending on the size and scale of a Cannabis operation shift work may be common place. Site compatibility should be taken into consideration to ensure that traffic can be accommodated for any proposed site. Proposed facilities should be encouraged to be located on arterial and collector roads.

Security: Security provisions are required as part of the licensing through Health Canada. This includes fencing around the Cannabis Production Facility. Increased setbacks from sensitive land uses will create a separation buffer. Landscaping and other site attenuation measures can help reduce the visual impact from fencing requirements. Landscaping and buffering are addressed through Site Plan Control.

Lighting: Site security measures require lighting on the exterior of the buildings at all times. The Municipality has a dark skies policy which requires zero foot candles at the property line. Lighting concerns are addressed at the Site Plan Control stage of development.

Water, Wastewater and Stormwater: Larger Cannabis production facilities have the potential to require substantial amounts of water, and produce large amounts of wastewater and stormwater that are typically associated with operations occurring on municipal services. Cannabis Production Facilities on privately serviced lots need to be of an adequate size to accommodate wastewater and stormwater provisions. Site servicing, grading and drainage are addressed at the Site Plan Control stage of development.

Due to the large size and scale of Cannabis Production and Processing Facilities, strict setbacks and provisions are recommended to reduce the impact to sensitive land uses. Locating these uses within the Business Enterprise zone and Industrial zone, which is the

appropriate location for land uses that pose compatibility issues constitutes good land use planning. Site Plan Control will continue to be used to address how properties are developed.

Cannabis Cultivation

The *Farming and Food Production Protection Act*, 1998 protects the agricultural use of land. Under the Act, an agricultural operation is defined as 'an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward'. Agricultural Operations includes the production of agricultural crops, greenhouse crops, maple syrup, mushrooms, nursery stock, tobacco, tree and turf grass and any additional agricultural crops prescribed by the Minister.

The *Farming and Food Production Protection Act* states that *no municipal by-law applies to restrict a normal farm practice carried on as part of an agricultural operation.*

Cannabis cultivation is captured as an agricultural process. The Zoning By-law does not restrict the cultivation of cannabis on lands that permit agricultural uses, however, provisions are recommended to help reduce the visual impact of cannabis crops from the general public. There are examples of municipalities requiring setbacks from the property line to the edge of planting. The Federal Government may also stipulate additional security measures for outdoor cultivation of Cannabis.

The move towards outdoor cultivation is steadily climbing as a cost-efficient method of producing cannabis plants. Compared to the cost of operating greenhouse operations, outdoor cultivation is viewed as a cheaper growing option. It is estimated that 1 acre of land has the potential to yield 1,000 kg of cannabis.

Cannabis Cultivation will be permitted within green houses in the Agriculture zone. The proposed zoning provisions would restrict the number of green houses to a maximum of four (4).

Cannabis Micro-Production, Cannabis Micro-Cultivation and Cannabis Nurseries

Micro-production and micro-cultivation of Cannabis as well as cannabis nurseries can be viewed as a 'craft' industry due to the small scale nature of these operations. Licences for the micro-production and micro-cultivation of cannabis limit the amount of cannabis product that can be produced and the area that can be used for cultivation purposes. According to the *Cannabis Licensing Application Guide* created by the Federal Government, micro-processing is limited to a maximum of 600 kg of dried cannabis a year. Micro-cultivation is limited to a plant surface area of no more than 200 square metres (this includes multiple surfaces such as surfaces vertically arranged. According to the guidelines, micro-cultivation can occur both indoors and outdoors.

These uses, due to their small scale nature, may be appropriate within Agriculture zone as an on farm diversified use, as well as the Industrial and Business Enterprise zones. Establishing a minimum acreage for the establishment of a micro-cultivation, micro-production facility and cannabis nursery in the Agriculture zone could reduce the impact to neighbouring land uses. Minimum setback provisions are recommended from a sensitive

land use to reduce concerns with incompatibility. Micro-cultivation outside of the Agricultural zone should be conducted indoors.

As per the Federal Licensing guidelines, a cannabis nursery is defined as being part of the cultivation process. Nurseries are recommended to be restricted to a total surface area of 50 square metres and must contain all parts of budding or flowering plants. There is a

maximum of 5 kg of flowering heads harvested from plants and flowering heads, leaves and branches of the plants must be destroyed within 30 days of harvesting. Nurseries are meant to assist with propagating the cannabis plant. Nurseries are permitted to sell plants and seeds to licence holders that are authorized to sell Cannabis. It is recommended that Nurseries for the propagation of Cannabis be permitted in Agriculture, Industrial and Business Enterprise zones.

Proposed zoning provisions for the Agriculture zones are intended to recognize the on-farm diversified of cannabis nurseries and micro-cultivation and micro-processing. Limiting the gross floor area of all buildings in the Agriculture zone reflects the fact that these uses are intended to be secondary to the agricultural use of the property and encourages larger cultivation and processing facilities to be located in Industrial zones where they are better suited.

PUBLIC CONSULTATION

This application was posted in a newspaper that has general circulation and to agencies as required by the *Planning Act*. The Notice of Public Meeting was also published on the Municipal website. At the time this report was written one letter was submitted by a resident regarding Cannabis facilities (**Appendix 3**).

CONCLUSION

The proposed definitions and zoning provisions address incompatibility concerns with sensitive land uses. Site Plan Control, except in the case of outdoor cultivation as an agricultural practice, will be used to address site specific development.

ALTERNATIVES

That Council refuse an amendment to Zoning By-Law 50-12 to add a various definitions for Cannabis, provide specific provisions for the processing and manufacturing of Cannabis and add Cannabis related uses as a permitted use within the various Zoning Categories.

This alternative is not recommended as the proposed Zoning By-Law amendment is consistent with the PPS, conforms to the Counties' and Municipality's Official Plans, and represents appropriate and good land use planning.

FINANCIAL/STAFFING IMPLICATIONS

This item has been identified in the current budget: Yes No N/A **X**

This item is within the budgeted amount: Yes No N/A **X**

Staffing implications, as they relate to implementing Council’s decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

COUNCIL WORK PLAN

The proposed Zoning By-law Amendment supports the values of “Sustainable, Strategic Growth” and “A Safe, Healthy and Cohesive Community” within the Council Work Plan, as the development is a strategic investment within the Municipality, provides opportunity for local employment and provides specialized care within North Grenville.

**Prepared and submitted
by:**

**Reviewed and submitted
for Council consideration
by:**

Original Signed By

Original Signed By

Amy Martin
**Acting Director of Planning
and Development**

Gary Dyke
CAO

Recommended Zoning Provisions

The proposed changes to Comprehensive Zoning By-law 50-12 regarding Cannabis Production Facilities are as follows:

1. That Section 5 of By-law 50-12, as amended is hereby further amended by adding the following new definitions to Section 5 and renumbering accordingly, as follows:

“AIR TREATMENT CONTROL” shall mean the functional use of an industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

“CANNABIS” shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp which is a source of food stuffs (i.e. hemp milk, hemp seed, hemp oil etc.), fiber or biofuels.

“CANNABIS, CULTIVATION” means the authorized growing of cannabis plants and harvesting material from those plants as well as those ancillary activities authorized under the Cannabis Act of Canada.

“CANNABIS, MICRO-CULTIVATION” means the authorized growing and harvesting of cannabis up to a maximum plant surface area of 200 square metres of cannabis plants, as well as ancillary activities authorized under the *Cannabis Act* of Canada

“CANNABIS, MICRO-PRODUCTION” means the manufacturing of cannabis or cannabis products, up to a maximum of 600 kg of dried cannabis in 1 calendar year as permitted by the *Cannabis Act* of Canada. For clarity, this definition includes a facility used for the cultivation, producing, processing, destroying, packaging, storage, distribution or analytical testing and research of cannabis and cannabis products but does not include the retail sale of cannabis.

“CANNABIS PRODUCTION AND PROCESSING FACILITY” shall mean any land, building or structure used for cultivating, producing, processing, destroying, storing, packaging and/or distribution or analytical testing and research of

cannabis. A Cannabis Production and Processing Facility shall not include growth, production and processing of four (4) or less cannabis plants on a lot for personal use and does not include the retailing of cannabis or cannabis products under a retail operator licence issued under the *Cannabis Licence Act, 2018*. This definition does not include licensed agricultural cultivation in a field or cultivation within a greenhouse-cannabis.

“GREENHOUSE-CANNABIS” shall mean a building whose roof and sides are made largely of glass or other transparent or translucent material for the growing of cannabis plants in which the temperature and humidity can be regulated for the cultivation of cannabis for subsequent processing and sale.

“NURSERY, CANNABIS” means the authorized growing of cannabis plants to produce the starting material (seed and seedlings) and associated activities;

“SENSITIVE LAND USE” shall mean any building, structure, use or associated amenity area (indoor or outdoor) where humans may be adversely affected by adjacent industrial type land uses, including but not limited to residential uses, day care facilities, places of worship, schools or playgrounds.

2. That Section 6 of By-law 50-12, as amended is hereby further amended by adding the following provisions and renumbering accordingly, as follows:

CANNABIS PRODUCTION AND PROCESSING FACILITY PROVISIONS:

- a) Notwithstanding any other provision of this By-law, cannabis production and processing shall be subject to the following provisions:
 - i. Cannabis Production and Processing Facilities will only be permitted in the Industrial (M) and Business Enterprise (C5) Zones.
 - ii. Any application for an amendment to permit a Cannabis production and processing facility in any other zone will be subject to the provisions set out below.
 - iii. The cultivation and processing of cannabis is not permitted outdoors.
 - iv. No building or structure or portion thereof used for cannabis production and processing purposes that is equipped with air treatment control shall be located within 150 metres from a sensitive land use.
 - v. No building or structure or portion thereof used for cannabis production and processing purposes that is not equipped with air treatment control shall be located within 300 metres from a sensitive land use.
 - vi. A building or structure used for security purposes for cannabis production and processing may be located in the required front yard and does not have to comply with the required minimum front yard, side yard and rear yard setbacks.

- vii. Outdoor storage is prohibited on the property on which the cannabis production and processing is located.
- viii. All development in relation to the establishment of, or expansion to, a cannabis processing and production facility will be subject to Site Plan Control.

CANNABIS MICRO PRODUCTION, MICRO-CULTIVATION AND NURSERY

Notwithstanding any other provisions of this By-law, any Cannabis micro-production, cannabis micro-cultivation and cannabis nursery shall be subject to the following provisions:

- i. Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nurseries will only be permitted in the Industrial (M) and Business Enterprise (C5) zones.
- ii. All Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery activities must occur within an enclosed building;
- iii. No outdoor cultivation, production or storage is permitted;
- iv. The minimum lot area for a Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery facility is 4,000 square metres; and
- v. All facilities must have an air treatment control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery is located.
- vi. Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery facilities will be restricted to a maximum of 200 square metres.
- vii. All development in relation to the establishment of, or expansion to, a Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery will be subject to Site Plan Control.

CANNABIS CULTIVATION – AGRICULTURE ZONE

Notwithstanding any other provisions of the By-law, Cannabis Cultivation on agricultural lands are limited to the Agriculture Zone and are subject to the following conditions:

- i. The outdoor cultivation of Cannabis will be limited to the Agricultural Zone.

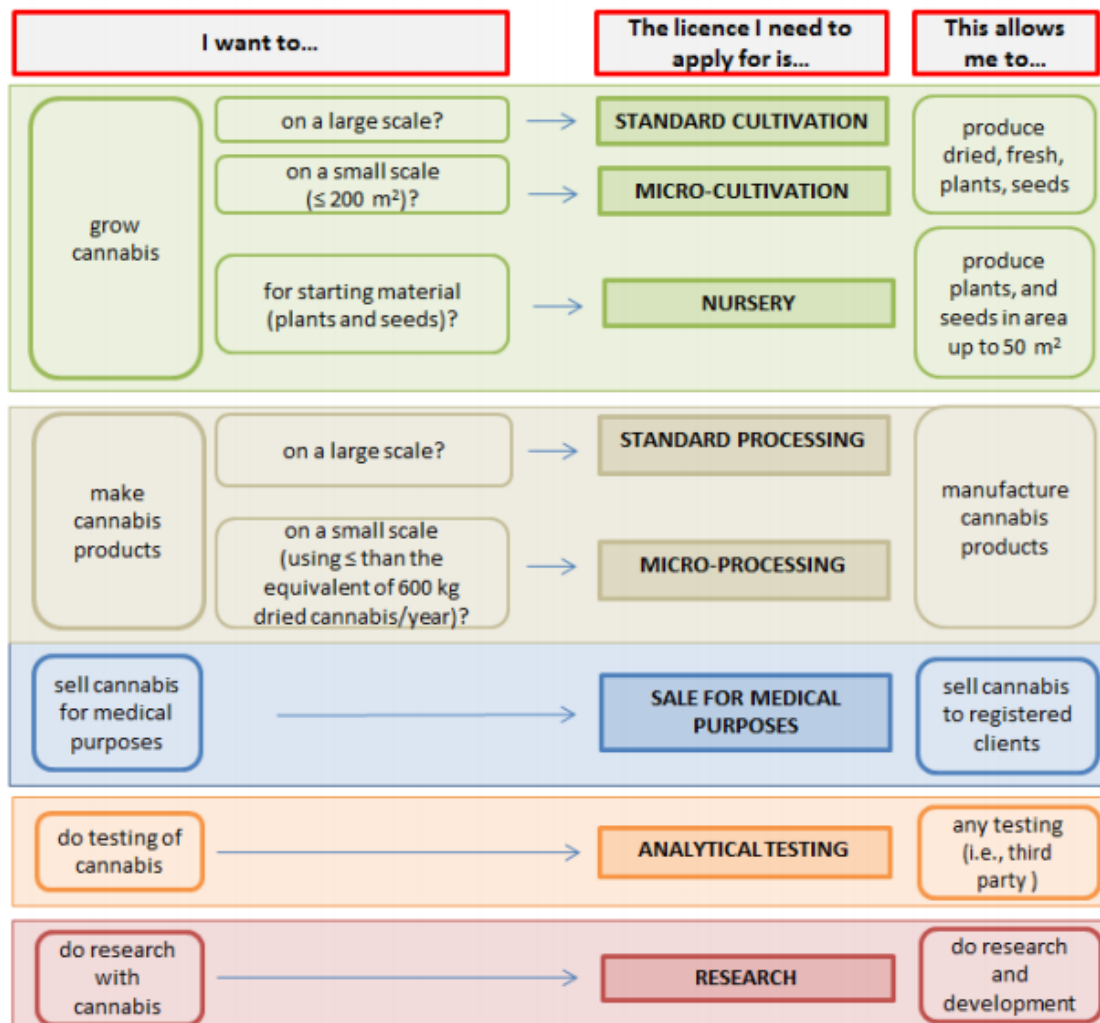
- ii. Maximum combined gross floor area of all building(s) associated with Cannabis Cultivation is 1000 square metres;
- iii. No building or structure associated with Cannabis Cultivation in the Agriculture Zone shall be located within 100 m of any lot line;
- iv. No security fencing greater than 1.2 metres in height may be located within 30 m of any lot line;
- v. Cannabis cultivation is permitted in a Greenhouse – Cannabis.
- vi. A maximum of four Greenhouses- Cannabis shall be permitted.

- vii. No building height shall exceed 10.5 m;
- viii. Except for driveways, the perimeter of the lot shall be continuously landscaped with a buffer of non-invasive trees and shrubs, 2 m or more in width and 1.5 m or more in height.

Classification of Cannabis Licences – Government of Canada

Cannabis Licensing Application Guide: Cultivation, Processing and Sale for Medical Purposes

Figure 2: Cannabis Classes and Subclasses of Licences



An analytical testing licence, research licence, industrial hemp licence and cannabis drug licence are other types of licences, but are outside the scope of this guide. For more information on requirements for these licence classes, applicants may refer to the Cannabis Act and its Regulations, and additional guidance published on the Health Canada website.

Public Consultation Details

Notice was posted within newspapers that have general circulation, as well as on the Municipal Website. The following comments were received:

Aaron Nichols
21 Darcy's Way
Kemptville ON K0G 1J0

August 13, 2020

Amy Martin
Senior Planner
Municipality of North Grenville
Kemptville ON K0G 1J0
amartin@northgrenville.on.ca

Re: ZBA-05-20 Cannabis Production Facilities – Public Comments

Ms. Martin

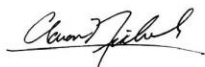
I would like to take this opportunity to provide comments to the Corporation of the Municipality of North Grenville in advance of the Public Meeting to be held on August 19th, 2020 at 6:30 p.m.

I have the following concerns regarding the proposed amendments to the Comprehensive Zoning By-Law 50-12 and the Interim Control By-Law Extension (Cannabis Production Facilities):

1. Odours from the production of cannabis will impact the quality of life and property values of nearby residents.
2. There is no effective mechanism for the Municipality to ensure Health Canada guidelines for controlling odours from production are followed and enforced.
3. The proposed location for cannabis production (382 Townline Road) is not appropriate given the proximity to residential properties – there are hundreds of properties within a 3-kilometer radius.

Attached are additional details in support of my concerns.

Sincerely



Aaron Nichols

Concern: Odours from the production of cannabis will impact the quality of life and property values of nearby residents.

Below is a summary of some media coverage from other Canadian municipalities that have approved cannabis production facilities and the impact it has had on residents – there is no guarantee that residents of North Grenville will not experience the same issues:

News Story	Summary of Key Points
<p>CBC News June 2019 “Complaints about smelly cannabis not just a problem in Gatineau”</p>	<p>People in Gatineau, Que., aren't the only ones in Canada frustrated with the skunky stink from nearby cannabis grow operations.</p> <p>Federal minister says odour regulations are 'quite strict,' but local politicians say enforcement is lacking</p> <p>In Gatineau, the smell from a Hexo plant has become so intolerable that Virginie Roussin no longer hangs her laundry out to dry or leaves her windows open.</p>
<p>Financial Post January 2019 “Pot 'skunk smell' pits producers against residents of small Ontario farming town <i>Cannabis growers in Pelham, Ont., are receiving mounting complaints over light pollution and the smell emitting from their facilities</i>”</p>	<p>David Ireland is frustrated by the “skunk smell” of pot that wafts down from two cannabis cultivation facilities roughly five kilometres away and lingers outside his home, even in the winter.</p> <p>This tension in Pelham highlights the growing pains of the cannabis industry as Canadian pot players ramp up production to meet domestic and global demand while balancing the concerns of the communities where they operate.</p>
<p>Hamilton Spectator June 2019 – “Hamilton mulls bylaw crackdown on odour over 'skunky' personal pot-growing”</p>	<p>"My office has been inundated with complaints about very strong odours," said Clark, pointing in particular to a former nursery off Centennial Parkway where several individuals with personal federal licences have combined to grow more than 2,200 plants together.</p> <p>"They are federally licensed, but Health Canada is not dealing with (odour complaints). We need to give our municipal bylaw officers the tools to deal with it."</p>
<p>Kamloops This Week Nov 2019 - Health Canada not interested in hearing neighbours' complaints over Westsyde pot operation</p>	<p>Westsyde residents worried about a proposed outdoor cannabis growing facility in their neighbourhood should direct concerns to the applicant, according to Health Canada.</p> <p>Residents have expressed frustration to this newspaper about feeling in the dark about what is</p>

	occurring on the property and have concerns, such as the impacts on property values, smell, lights and security.
London Free Press May 2019 - City seeks clarity as pot smells, and complaints mount	Spring weather has brought back a pungent odour from a medical marijuana growing operation in northwest London, say frustrated neighbours. There's been confusion about what role the city plays in policing odours coming from a cannabis growing operation. London bylaw boss Orest Katolyk previously said enforcement of smells didn't fall under the jurisdiction of municipalities and he forwarded complaints to Health Canada and Ministry of the Environment.
Niagara This Week Aug 2020 - Nuisance bylaw to deal with cannabis odour coming soon to Lincoln	The town's associate director of planning Matt Bruder is hoping to get the nuisance bylaw through council soon. It's part of the town's multi-pronged approach to dealing with cannabis production concerns and will allow bylaw officers to respond to complaints and enforce mitigation efforts.

Links to news stories:
https://www.cbc.ca/news/canada/ottawa/smelly-cannabis-production-blair-bc-ontario-1.5164646
https://financialpost.com/cannabis/pot-producers-face-pushback-over-odour-smell-in-ontario-farming-town
https://www.thespec.com/news/cannabis/2019/06/01/hamilton-mulls-bylaw-crackdown-on-odour-over-skunky-personal-pot-growing.html
https://www.kamloopsthisweek.com/news/health-canada-not-interested-in-hearing-neighbours-complaints-over-westsyde-pot-operation-1.24000442
https://lfpres.com/news/local-news/city-seeks-clarity-as-pot-smells-and-complaints-mount
https://www.niagarathisweek.com/news-story/10128119-nuisance-bylaw-to-deal-with-cannabis-odour-coming-soon-to-lincoln/

Key Quotes from Public Officials

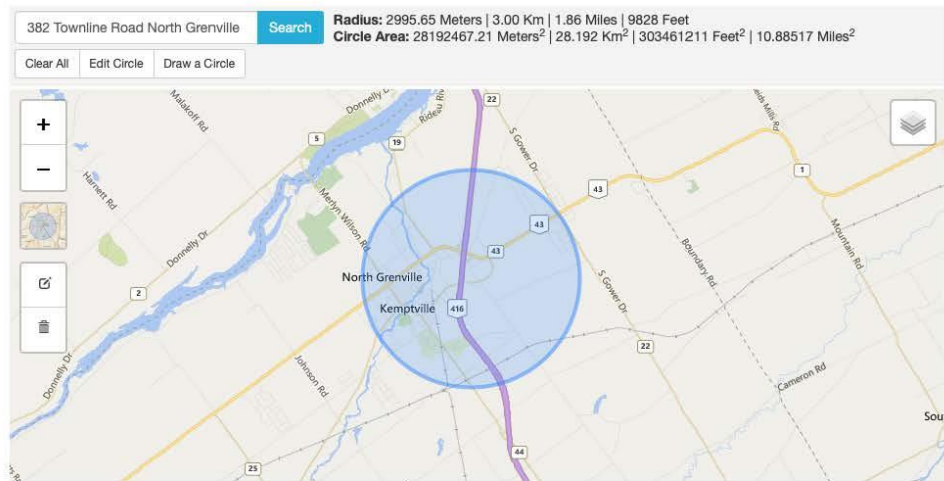
"In my experience, the smell of the actual growing of the plant does not represent health concerns, but at the same time I fully accept that it can affect the quality of people's lives and their enjoyment of their properties," said Border Security and Organized Crime Reduction Minister Bill Blair in a recent interview.

Concern: There is no effective mechanism for the Municipality to ensure Health Canada guidelines for controlling odours from production are enforced.

On October 9th 2019 Council approved a zoning By-Law Amendment to permit cannabis production facility at 382 Townline Road, based on a recommendation from the Committee of the Whole and supported by a report to council (PD-021-2019). That report suggests that concerns over odours from the production of cannabis will be addressed through a site plan (agreement) and Health Canada licensing criteria.

It is my submission that the site plan agreement may not be an effective way to enforce controls such as odour emissions that have the potential to impact surrounding residents on an ongoing basis. The media has reported on several municipalities (Chatham, London, Gatineau, and Pellham) where odour issues have arisen, where Health Canada has advised complaints to contact producers directly.

Concern: The proposed location for cannabis production (382 Townline Road) is not appropriate as there are hundreds of homes within a 3-kilometer radius of the location.



<https://www150.statcan.gc.ca/n1/pub/71-607-x/71-607-x2019010-eng.htm>

From: [Maureen Taylor-Greenly](#)
To: [Amy Martin](#)
Cc: [Dave Greenly](#)
Subject: Re: Zoning for future Cannabis processing plants
Date: Thursday, August 13, 2020 8:49:12 AM

Thanks Amy!!

Thought of one more question:

Has public health been consulted on the issue of zoning for cannabis plants in our community?

More specifically, are there any findings in the medical/public health literature that should be taken into account as the municipality develops the parameters for zoning going forward

Take care

Maureen

Maureen Taylor-Greenly

Sent from my iPhone

On Aug 12, 2020, at 14:17, Amy Martin <amartin@northgrenville.on.ca> wrote:

Received, thank you Maureen.

Kind Regards,

Amy

[<image005.png>](#)

[<image006.png>](#)

[<image007.png>](#)

[<image008.png>](#)

Amy Martin
Senior Planner
Municipality of North Grenville
Phone: 613-258-9569 ext.118
www.northgrenville.ca

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From: Maureen Taylor-Greenly
Sent: Wednesday, August 12, 2020 2:16 PM
To: Amy Martin <amartin@northgrenville.on.ca>
Cc: 'Dave Greenly'
Subject: Zoning for future Cannabis processing plants

Hi Amy

Thanks again for your time on the phone. My husband (David) and I live on Kimberly Avenue in the Kettle Creek subdivision. As I explained to you over the phone, I was shocked to hear of a cannabis processing plant going in so close to our subdivision (we are about 3kms away) and doubly shocked that this is being allowed so close to a residential area and to a beautiful spa. You informed me that this had been approved last fall. As you know, Kemptville is one of the fastest growing communities in Ontario.....its close to a large city yet far enough away to still enjoy the attributes of rural living. My husband and I moved here 22 years ago for exactly these reasons. Given the increasing subdivisions and communities in its geographical boundaries and more and more residential dwellings its important to understand the impacts of such plants on citizens of the community. My questions are as follows:

- What noxious impacts do these plants have (specifically odor and lighting) and how are these being factored into future zoning parameters
- What distance should plants be from any zoned residential area in order to mitigate against these impacts
- What is the maximum concentration ratio of plants in a geographical area that should be considered in order to preserve clean air for the surrounding areas, community and residents

Lastly and I know its not the topic of this meeting, but for the processing plant that has already been approved off of Van Buren, what can be done to safeguard against smell and excessive lighting? This plant has already been approved but can measures be put in place to prevent these known impacts?

Thanks Amy

Maureen and Dave Greenly,
21 Kimberly Avenue, Kemptville ON