



CORPORATION OF THE TOWN OF KINGSVILLE

**OFFICIAL PLAN AMENDMENT NO. 7**

2623391 Ontario Limited  
609 Road 3 E and VL SS Road 3 E  
Part of Lot 4, Concession 2 ED. Part 1, RP 12R 11488 &  
Part 1, RP 12R 22191

JUNE 2018

## TABLE OF CONTENTS

### **PART “A” - THE PREAMBLE**

|     |                                |       |
|-----|--------------------------------|-------|
| 1.0 | Authorizing By-law No. 75-2018 | pg. 3 |
| 2.0 | Background                     | pg. 4 |
| 3.0 | Purpose of this Amendment      | pg. 4 |
| 3.0 | Location of this Amendment     | pg. 4 |
| 4.0 | Basis of this Amendment        | pg. 5 |

### **PART “B” - THE AMENDMENT No. 7 (OPA # 7)**

|  |               |       |
|--|---------------|-------|
|  | The Amendment | pg. 6 |
|--|---------------|-------|

### **PART “C” – THE APPENDICES**

Appendix ‘A’ – Minutes of Public Meeting

Appendix ‘B’ – Public submissions

Appendix ‘C’ – Planning report to Council

## **PART “A” - THE PREAMBLE**

### **1.0 Authorizing By-law No. 75-2018**

THE CORPORATION OF THE TOWN OF KINGSVILLE

#### **BY-LAW NO. 75-2018**

BEING A BY-LAW TO AMEND THE OFFICIAL PLAN  
OF THE TOWN OF KINGSVILLE

WHEREAS the Town of Kingsville Official Plan is the Town’s policy document that contains objectives and policy direction established by Council to provide guidance for the physical development of the Town while providing for the future pattern of development for the Town;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to amend the Official Plan;

NOW THEREFORE the Council of the Corporation of the Town of Kingsville, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P. 13 hereby enacts as follows:

1. That the attached amendment to the Town of Kingsville Official Plan is hereby adopted as Official Plan Amendment No. 7 (OPA 7); and,
2. This By-law shall come into force and take effect on the day of the final approval thereof by the County of Essex.

READ A FIRST, A SECOND AND A THIRD TIME AND FINALLY ENACTED THIS 25<sup>th</sup> DAY OF JUNE 2018.

---

Mayor Nelson Santos

---

Clerk Jennifer Astrologo



## **2.0 Background**

In April of 2014 Council approved new Official Plan policies to address the pending changes to Federal legislation governing the growing of medical marihuana which was transitioning from individual or designated growers to a commercial based industrial type of format. The initial version of these policies limited operations as-of-right to industrial properties subject to certain criteria designed to provide buffering from potentially land conflicts with sensitive lands uses such as residential, institutional or open space areas. As part of the public consultation process the agricultural sector presented interest in also being permitted to explore the establishment of MMPFs. Council supported this however with the limitation that development would be within existing greenhouse operations subject to individual site-specific zoning and site plan control.

## **3.0 Purpose of this Amendment**

The purpose of this amendment is to permit a medical marihuana production facility to be established in a new build greenhouse, i.e. no greenhouses are currently located on the lands which are the subject of this OPA

## **4.0 Location of this Amendment**

This amendment consists of one part that shall be known as Item 1.

### Item 1:

Lands approximately 38 hectares (94 acres) in area as indicated on the attached schedule are to be included in site-specific special policy area 3.1.2 in the Kingsville Official Plan.

## 5.0 Basis of this Amendment

The subject lands consist of two farm parcels with a combined total lot area of 38 ha (94 ac.) and frontage of 359.6 m (1,180 ft.) on Road 3 E. The applicant is proposing to construct a new greenhouse in three phases along with supporting infrastructure. A greenhouse is a permitted use in the Agriculture designation however, the applicant is proposing to utilize the new build greenhouse for the establishment of a medical marihuana production facility. In order to proceed with development on the property there are three approvals that are required as follows:

- i) An Official Plan Amendment to site-specifically permit a new build greenhouse on the subject lands to be used for the establishment of a medical marihuana production facility;
- ii) A Zoning By-law Amendment to rezone the subject lands to add a medical marihuana production facility as an additional permitted use and establish odour control requirements;
- iii) Site Plan Approval which will outline the details and full requirements of the overall build-out of the proposal including lighting control requirements.

## PART “B” - THE AMENDMENT

All of this part of the document, entitled “Part B” – The Amendment”, consisting of the following text and one (1) map (entitled Schedule “1”) together constitute Amendment No. 7 to the Kingsville Official Plan.

Item 1:

Map Schedule “A” (Land Use Plan) is amended by placing the lands so depicted on Map Schedule “1” in a site-specific special policy area.

Item 2:

A new section is added to Section 3.1 Agriculture after subsection 3.1.1 Minimum Distance Separation to be worded as:

### **3.1.2 Agriculture Site-Specific Policies**

Item 3:

A special policy is added to Section 3.1 **Agriculture**, after subsection 3.1.1 to be worded as follows:

#### **“3.1.2 2623391 Ontario Ltd. – Road 3 E**

For the lands identified on Schedule “A” Land Use Plan as “Site Specific Special Policy Area 3.1.2” and located at 609 Road 3 E and V/L SS Road 3 E, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

- a) A medical marihuana production facility shall be permitted in a new build greenhouse.

## **PART “C” - THE APPENDICES**

The following appendices do not form part of the Amendment but are included for information purposes:

- Appendix “A” – Minutes of Public Meeting
- Appendix “B” – Public Submissions
- Appendix “C” – Planning Report to Council

**Appendix A  
Minutes of Public Meeting**

**Appendix B**  
**Public submissions**

## Appendix C Planning Report to Council