

## **Re: Medical Marihuana Production Facility Application by Domric International Inc. at 3069 Graham Side Road**

We are writing to express our opposition to the application for the zoning bylaw amendment (file ZBA/22/18) that would permit the growing of medical marihuana at 3069 Graham Side Road (Part of Lot 18, Concession 5). We are residential property owners who live at 3193 Graham Side Road. We are very near to the subject property. All that separates our home from the subject property is a thin strip of farmland. There are residential properties that abut the applicant's property, with homes within 100 metres of both the existing and the proposed greenhouses. We have the following concerns regarding the application:

### **ODOUR**

We worry about the smell that would emanate from such a facility. Council has heard complaints from neighbours of Part 2 marihuana grow operations in town. Please do not subject us to the even greater nuisance a larger commercial operation would pose to us and our neighbours. The entire area would reek of marihuana, as parts of Kingsville and Leamington already do. The smell triggers headaches for us. This is more than a nuisance that impacts the enjoyment of our property, but a health issue.

### **LIGHT**

We moved to this area because we cherish the dark skies at night. I (Dan) joined the Royal Astronomical Society of Canada in 2004 and I use my 10-inch Dobsonian telescope often. The existing greenhouse operation on the subject property is dark at night. We know from the experience of other municipalities that Medical Marihuana Production Facilities are lit at night. Even if three sides of the proposed greenhouses were tarped in accordance with Kingsville's controls, light would still be emitted through the roofs and one face. Light would shoot straight up into the sky, obliterating the stars. Light would flood the area, making it difficult for us and our children to sleep our night. The negative impact of constant light on circadian rhythm is well-documented. Again, this is more than just a nuisance, but a health issue.

### **CRIME**

We know from Leamington's experience that a Medical Marihuana Production Facility attracts criminals keen on breaking into the operation. Having such a facility near our home would put us at greater risk of theft and break-ins. Thieves might come for the marihuana facility, but see our barn, home or vehicles as an easier or secondary target. The security of our family and property would be compromised by the location of this facility so close to our home.

### **ROAD CONDITION**

Graham Side Road is crumbling. Roads crews are here regularly patching what's left of the asphalt. Chunks of asphalt are deposited on our front yard each winter by snowplows. In our view, Graham Side Road cannot support more traffic, especially truck traffic. A Medical Marihuana Production Facility would surely increase traffic on Graham Side Road.

## **WATER PRESSURE**

Has the town studied whether our water infrastructure can support more greenhouses on Graham Side Road? The water pressure at our home is lower compared to that at our last home on Division Street South. More vegetable greenhouses are currently under construction on the east side of Graham Side Road across from the subject property. We shudder to think what the water pressure will be like once those greenhouses go into production. Even more greenhouses, like those proposed by this application, will surely make the situation worse.

## **THE CHARACTER OF THE AREA**

Our home was constructed in 1904. We have made overtures to Kingsville's Municipal Heritage Advisory Committee regarding possible designation of our home under the Ontario Heritage Act. One of the designation criteria is the property's relationship to the surrounding area. A marihuana production facility with its required high fences and lighting would damage the aesthetic of the surrounding area and compromise our application. As you know, the town uses heritage designation for tourism promotion. Our property is already being used for tourism purposes with the installation last year of a barn quilt designed by students at Kingsville District High School. Its location is registered so visitors can take a drive down our rural road and look at the barn quilt, much like birders travel to the area to see unique species. Imagine the reaction of visitors seeking a rural heritage experience driving past a marijuana production facility that by its nature, looks more like a detention centre than an agricultural operation.

## **THE APPLICATION**

The application is not accurate or complete. Entire sections of the application are blank. The sketch attached to the application does not include all the existing buildings on the property, nor does it fulfill all the requirements of Section 20 of the application. Furthermore, the applicant claims the subject property is on municipal sewers. We challenge this claim.

## **BY-LAW 129-2015**

The applicant is seeking relief on five of the 10 subsections of the bylaw governing Medical Marihuana Production Facilities (S. 4.46):

The application proposes a marihuana production facility abutting residential properties. There will not be a minimum distance separation of 100 metres between the facility and neighbouring homes as required under S. 4.46 (g).

The applicant seeks to have a residential use on the lot, which contravenes subsections (c) and (i).

The growing of medical marihuana would be an secondary or accessory use on the property, in contravention of subsections (d) and (i).

The applicant proposes maintaining a vegetable greenhouse operation on the subject property, in contravention of subsections (e) and (i).

**The application is clearly not in keeping with the existing bylaw governing medical marihuana production facilities. Council passed that bylaw to put**

controls in place and offer some protection to residential neighbours. Granting the extensive relief contemplated by the application would effectively gut the bylaw and set a dangerous precedent that puts the rights of proposed medical marihuana applicants above the rights of existing residential property owners. Medical Marihuana Production Facilities should not be allowed near homes. Please do not grant the sweeping relief sought by the applicant. A medical marijuana production facility located so close to us would adversely impact our health, the value of our home and our enjoyment of our property.

Sincerely,

Sarah and Dan Anzovino