



NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING: ZONING BY-LAW AMENDMENT

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/04/19**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNER: **Great Northern Seedlings**

LOCATION OF PROPERTY: **1507 Road 3 E**
Part of Lot 9, Concession 2 ED, Parts 1 & 2,
PL 12R 16606

PURPOSE OF APPLICATION: The subject land is a 7.3 ha (18 ac.) farm parcel containing approximately 2.2 ha (5.5 ac.) of greenhouse along with support facilities. The property also has site plan approval for up to an additional 2.95 ha (7.29 ac.) of greenhouse. The applicant received approval of an amendment to permit the growing of medical marihuana in the existing greenhouse in July of 2018. The same owner also filed application for a zoning amendment on lands located at 1270 Road 3 E to the west of 1507 to permit a medical marihuana growing facility but as a new build operation. That amendment was refused by Council in October of 2018 and the owner appealed Council's decision to the Local Planning Appeal Tribunal (LPAT). As with any appeal LPAT encourages both affected parties to explore possible solutions in an effort to avoid the lengthy and expensive hearing process. In consultation with administration, the applicant, and outside legal counsel a possible resolution is being suggested which would lead to the withdrawal of the appeal, if approved.

The applicant would prefer to develop a new build facility versus that of a retrofit and has proposed that the existing zoning permission granted at 1507 Road 3 E be relocated to 1270 Road 3 E. The property at 1507 Road 3 E would then be rezoned to include an H- Holding provision that would not permit its use for a medical marihuana production facility until it had been clearly demonstrated that the proposed new build at 1270 Road 3 E was in full compliance with all lighting and odour control regulations outlined by the Town for a minimum of one year.

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN: **March 25, 2019**
WHERE: **Town of Kingsville Municipal Building (Council Chambers)**
TIME: **7:00 p.m.**

Your comments on these matters are important. If you have comments on this application, they may be forwarded by phone, email, or mail to the attention of: **Robert Brown, Manager, Planning Services**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

IF A PERSON or public body would otherwise have an ability to appeal the decision of Council for the Town of Kingsville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submission to the Town of Kingsville before the zoning by-law is adopted, 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 submission to Council before the zoning by-law is adopted or the zoning 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 add the person or public body as a party.

ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

DATED AT
THE TOWN OF KINGSVILLE
on March 4, 2019.

Robert Brown, H. Ba, MCIP, RPP
519-733-2305 (x 250)
rbrown@kingsville.ca

