



COMMITTEE MINUTES

PLANNING ADVISORY COMMITTEE SEPTEMBER 17, 2019 @ 7:00 P.M. Council Chambers, 2021 Division Road North, Kingsville

A. CALL TO ORDER

Chairperson John Lein called the Meeting to order at 7:00 p.m. with the following persons in attendance:

MEMBERS OF PLANNING ADVISORY COMMITTEE:

Deputy Mayor Gord Queen
Councillor Laura Lucier
Chairperson John Lein
Lorrie Mensch
Wayne Latam

MEMBERS OF ADMINISTRATION:

Manager of Planning, Robert Brown
Administration – Stephanie Coussens

B. DISCLOSURE OF PECUNIARY INTEREST

Chairperson John Lein reminded Committee members to disclose any interest they may have prior to each agenda item being discussed.

No members disclosed any conflicts with the items being presented.

C. ADOPTION OF PLANNING ADVISORY COMMITTEE MEETING MINUTES DATED MAY 21ST, 2019

PAC – 10 – 2019

Moved by Laura Lucier, seconded by Wayne Latam that the Planning Advisory Committee Meeting Minutes dated May 21st, 2019 be adopted.

CARRIED

D. HEARINGS

1. OPA / 02 / 19 & ZBA / 14 / 19 – 318 County Road 8 – Chris CHEVALIER

Manager of Planning Services, Robert Brown presented his report dated September 12th, 2019 to the Town of Kingsville Planning Advisory Committee regarding a proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) for lands owned by Chris CHEVALIER, located at 318 County Rd 8, in the Town of Kingsville.

The subject land totals 20.23 ha (50 ac.) and contains a single detached house and several outbuildings. The applicant is proposing to develop an internal growing operation for the production of cannabis (Medical Marihuana Production Facility (MMPF)). Under Section 4.46 of the Kingsville Zoning By-law an amendment would be required to permit an MMPF subject to the provisions of that section. The Kingsville Official Plan limits consideration of zoning amendments for an MMPF to replacement or retrofit of existing agricultural buildings or in a greenhouse-type structure. Since the proposed development is a new build an amendment of the Official Plan would be required to site-specifically permit a MMPF.

If the requested amendments are approved the next step would be submission and approval of a site plan for the proposed building and site improvements as per Section 4.46.

The applicant, Chris Chevalier was in attendance, along with his representation, Aaron Farough of Wolf Hooker Professional Corporation.

Chairperson, John Lein asked if there were any comments from the committee, applicant or the public.

Councilor Laura Lucier asked Robert Brown, Manager of Planning Services to explain the passive ventilation. Mr. Brown explained that all air within an indoor grow operation must be moved using mechanical means forcing all air to be cleaned before it leaves the building. Councilor Lucier, asked if an odour issue did arise would the applicant be held under the same odour control provisions as past by-laws? Mr. Brown ensured Councilor Lucier that the applicant will be subject to the same controls.

Committee member Wayne Latam, noticed that the property is at the border of the municipality with Lakeshore. Did the property owners within the 120M buffer area that fall in Lakeshore get the same notice that the Kingsville residents got? Mr. Brown confirmed that all property owners within the 120M buffer area received the same notice regardless of which Municipality they are in.

Chairperson John Lein, asked if Health Canada held any requirements regarding fencing of the property. The applicant's lawyer, Aaron Farough explained that Health Canada, does not require the property to be fenced.

Committee Member Lorrie Mensch, asked the applicant what his shipping plans would entail. Would there be multiple trucks in and out? The applicant, Chris Chevalier explained that everything will be shipped directly to Delta 9 in Manitoba. Under the applicants license he is only able to cultivate a Micro Processing operation. He is not able to grow as a Part 2. He cannot sell the Medical Marihuana to anyone but Delta 9.

Deputy Mayor Gord Queen asked the applicant what the anticipated traffic flow would be? Will it impact the neighbours? Mr. Brown indicated that the County of Essex has requested a traffic study. Mr. Chevalier, the applicant indicated that the amount of traffic that will be expected is minimal, a few full time and a few part time employees. Mr. Brown also indicated that he would be following up on the County's request given the minimal traffic levels.

Councilor Lucier, asked regarding the Moratorium from Council; how are we proceeding with this and if the applicant is aware of the Moratorium. Mr. Brown indicated that the operation in question is considerably different from a greenhouse operation and that it will be up to Council to make the call if they view this as part of what the Moratorium would cover. The applicant was advised of Council's direction at the start of the application process.

In 2018 council decided that they would not support further medical marihuana approvals until odour and lighting control had been demonstrated as required in the zoning approvals.

Gord Queen referenced Smith Falls and the use of the former Hersey factory as an indoor grow operation that has not raised the same issues with odour and seems to have been very successful in that regard.

Mr. Latam asked the applicant why he chose to do a micro operation only? Is there a way to ensure that it doesn't grow into something bigger? Mr. Brown explained that the zoning could limit it to a micro grow. The Site Plan would also be a degree of control since it is specific to a particular building footprint. An amendment would be required if the applicant wished to expand. Mr. Latam asked the applicant, if a Micro has a higher yield? Mr. Chevalier explained that a Micro operation is very similar to a Microbrewery, the cannabis production is focused on quality versus quantity, being hand trimmed and in a very controlled environment.

Chairperson Lein asked if we have control on a certain size of a warehouse. Mr. Brown explained that a Micro license is limited to 200 sq. m (2,150 sq. ft.).

Chairperson Lein asked where the applicant would be drawing water from; is the property on municipal water or well? What would the impact be to the neighbours? The applicant indicated that the water need per day is approximately 500 gallons per day. Usage is also reduced because there is no sunlight so evaporation would be minimal.

Lorrie Mensch, in regards to the water that you are taking in. The water needs to be cleaned before it is discharged. How will the applicant ensure this happens?

Mr. Chevalier explained that the water will be caught in a cistern. The water contains nutrients that can be land applied on other farm crops. Mr. Chevalier will be working with AGRIS and if tests are required he is happy to do that.

Chairperson John Lein confirmed there were no other comments from the applicant or the audience.

PAC – 11 – 2019

Moved by Gord Queen, seconded by Lorrie Mensch, that the Planning Advisory Committee endorse the construction of a warehouse building for the purpose of a micro grow, on lands known as 318 County Rd 8 E, and recommends moving forward to Council for consideration of the requested Official Plan and Zoning By-law amendment subject to planning staff outlining the difference between the current greenhouse approval and the proposed indoor grow operation in relation to the current Council prohibition on further cannabis production approvals.

CARRIED

E. NEW BUSINESS

F. ADJOURNMENT

PAC – 12 – 2019

Moved by Laura Lucier seconded by Lorrie Mensch that there being no further items of discussion, the meeting adjourn at 7:32 p.m.

CARRIED

CHAIRPERSON, John Lein

RECORDING SECRETARY, Robert Brown