Date: February 20, 2020

To: Members, Planning Advisory Committee

From: Brynne O’Neill, MCIP, RPP
Development Planner

Re: PZ-06-18 – Updates to proposed Cannabis Production and Processing Facilities Zoning By-law Amendment

On November 20, 2019, Planning Staff brought forward a City-initiated zoning by-law application PZ-06-18 relating to Cannabis Production and Processing Facilities. This report provided Planning Staff’s recommendations, which are summarized as follows;

- Define “Cannabis Production and Processing Facility” in both the City and County By-law;

- Within City of Brantford Zoning By-law 160-90 All Cannabis Production and Processing Facilities shall be in enclosed structures, which shall not include a greenhouse, no retail shall be permitted, and Cannabis Production and Processing Facilities shall only be located in General Industrial (M2) Zones as identified on the Map (as seen in the PAC report, link provided above); and.

- Within County of Brant Zoning By-law 61-16, Cannabis Production and Processing Facilities will be prohibited.

The Planning Advisory Committee passed the following resolution:

“THAT the Planning Advisory Committee RECEIVE this report as information and that the following comments BE FORWARDED to Staff for inclusion in the Report to Committee of the Whole – Community Development:

There are no concerns of the Planning Advisory Committee associated with the application.”
The application then proceeded to Committee of the Whole on January 14, 2020. The Staff Report recommended the same recommendations that were initially presented to the Planning Advisory Committee.

At Committee of the Whole, Members of Council approved an alternate recommendation, which would include the requirement of a 400 m separation distance between Cannabis Production and Processing Facilities and residentially zoned lands.

The recommendations are follows:

“A. THAT Zoning By-law Amendment Application No. PZ-06-18 initiated by The Corporation of the City of Brantford to amend Zoning By-law 160-90 by adding “Cannabis Production and Processing Facility” as a definition, adding General Provisions for Cannabis Production Facilities, and updating the General Industrial (M2) Zone to restrict where Cannabis Production and Processing Facilities are permitted, and where permitted, implement a 400m setback from “General Industrial (M2)” zoned property lines to any residentially zoned property line BE APPROVED, and

B. THAT Zoning By-law Amendment Application No. PZ-06-18 initiated by The Corporation of the City of Brantford to amend the County of Brant Zoning By-law 61-16 (for the lands located in the City of Brantford) by adding “Cannabis Production and Processing Facilities” as a definition, modifying some existing definitions, and updating zoning provisions to prohibit the use of a “Cannabis Production and Processing Facilities” in all Zones, BE APPROVED, as outlined in Section 8.0 of Report 2019-640; and,

C. THAT Pursuant to Section 34 (10.10) of the Planning Act, R.S.O. 1990, c.P.13, the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter as discussed in Section 7.2 of Report 2019-640.”"

A memo was prepared by Planning Staff for Council detailing the implications of the proposed 400 metre separation distance between Cannabis Production and Processing Facilities and residentially zoned lands. On January 28, 2020 Council referred File: PZ-06-18 / Report No. 2019-645 back to Staff with the following resolution:
“THAT Zoning By-law Amendment Application No. PZ-06-18 initiated by The Corporation of the City of Brantford to amend Zoning By-law 160-90 and Zoning By-law 61-16 in relation to Cannabis Production and Processing Facilities BE REFERRED back to Staff for the following reasons:

a. To allow time for Staff to notify affected landowners of the proposed change that would introduce a 400 metre separation distance between a Cannabis Production and Processing Facility and residentially zoned lands so that they have the opportunity to speak to the application through a Public Meeting pursuant to the Planning Act, to be held prior to June 1st, 2020; and,

b. To allow Staff time to arrange a neighborhood meeting where affected residents and business owners can provide comment in regard to the change described above.”

In regard to Council’s resolution, Planning Staff is seeking additional input from the Planning Advisory Committee respecting the proposed 400 m separation distance between Cannabis Production and Processing Facilities and residentially zoned lands.

Brynne O’Neill, MCIP, RPP
Development Planner
Attachments (electronic)