
Notice of Public Meeting Concerning a Proposed Amendment to the Township of Springwater Official Plan, an Amendment to Comprehensive Zoning By-law 5000, as Amended and a Proposed Amendment to the Township Wide Site Plan Control By-law

Reference – File No. OP-2021-002 & ZB-2021-005 – Cannabis Production Facilities

Take notice that the Council of The Corporation of the Township of Springwater will hold a public meeting virtually via *Zoom* on **Monday, May 31st, 2021 at 6:30 p.m.**, to consider the proposed applications under Sections 17, 21, and 34 of the *Planning Act*, R.S.O. 1990, c. P 13 as amended.

For more information on how to participate in the Council meeting on Zoom please refer to the “Frequently Asked Questions Protocol for Public Participation in Virtual Public Meetings” document available at www.springwater.ca/planning. Interested stakeholders/residents that would like to comment will be required to pre-register with the Township. The Council meeting will also be live streamed on the Township’s YouTube channel at: www.springwater.ca/live

Alternatively, you can listen to the meeting through *Zoom* by dialling **1-647-558-0588** and inputting the **meeting ID: 869 9014 4136** when prompted.

Subject Lands

Entire geographic area of the Township of Springwater

No key map has been included in this notice as the proposed amendment applies to the entire municipality.

Purpose and Effect

The purpose of the proposed amendments is to update the Official Plan and Zoning By-law with policies regarding the permission and regulation of Cannabis Production Facilities.

The effect of the proposed Official Plan amendment is to permit federally licensed cannabis cultivation and processing on lands designated for Agricultural uses in the Township of Springwater; require licensed Cannabis Production Facilities to be subject to Site Plan Approval; and identify the criteria to be met for the approval of Cannabis Production Facilities.

The effect of the proposed Zoning By-law amendment is to permit federally licensed cannabis cultivation and processing as-of-right within the Agricultural (A) Zone. In addition, to permit federally licensed indoor cannabis cultivation and processing by way of site-specific rezoning in the General Industrial/ Inside Storage (MI), and General Industrial/ Outside Storage (MO) Zones, subject to meeting the applicable zoning provisions.

Any person may make a submission in support of, in opposition to, or ask a question regarding the proposed amendments. Written submissions are recommended and can be made to the Planning Department by email, regular post or the drop box located at the Administration Building. Please ensure all written submissions include your name, address and the application number.

If you are unable to make a written submission and therefore wish to make an oral statement during the meeting, please refer to the attached “Frequently Asked Questions Protocol for Public Participation in Virtual Public Meetings” and follow the instructions listed under “How do I make an oral submission during the meeting?”

If a person or public body does not make oral submissions at the public meeting or make written submissions to the Township of Springwater Planning Department, before the proposed official plan amendment is adopted, or before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of Springwater to the Local Planning Appeal Tribunal and 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 do so.

Written and oral submissions will form part of the public meeting record, including the name and address of the commenters, as information collected under the *Planning Act*. The minutes, written submissions and a recording of the meeting will be posted on the Township’s website.

If you wish to be notified of the Council’s decision to adopt the proposed Official Plan Amendment and approve the proposed Zoning By-law Amendment, or of the refusal of a request to amend the Official Plan or Zoning By-law, a written request must be submitted to the Planning Department.

Additional information related to the proposed amendments will become available on the Township of Springwater’s website as part of the Agenda which is posted six days prior to the public meeting date. Please see link below for Agenda: <https://springwater.civicweb.net/filepro/documents/32435>. Any questions regarding the application or requests for additional information can be directed to the Planning Department.

Dated at the Township of Springwater on April 29, 2021.

Planning Department, Township of Springwater
Administration Centre
2231 Nursery Road
Minesing, ON L9X 1A8
(705)728-4784 x 2019 Fax (705) 728-2759
e-mail: publicmeetings@springwater.ca
website: www.springwater.ca

Frequently Asked Questions

Public Participation in Virtual Public Meetings



How can I watch the public meeting online?

- If you are interested in watching the public meeting and do not wish to make any comments you can do so by viewing it online at: springwater.ca/live

How do I find the virtual public meeting agenda?

- The agenda is published six days prior to the public meeting and will include the application, any associated drawings/documents received and a copy of the public meeting presentation. Agendas can be viewed online: <https://springwater.civicweb.net/filepro/documents/32435>

How can I comment on an application?

Mail



Township of Springwater - Planning Department
2231 Nursery Road, Minesing, Ontario, L9X 1A8

Please note, Canada Post is experiencing significant delivery delays at this time.



Drop Box

Located at the Administration Centre next to the bench
2231 Nursery Road, Minesing, Ontario, L9X 1A8



Email

publicmeetings@springwater.ca



Phone

705-728-4784 ext. 2019 to leave a voicemail or provide comments to the Planning Department. The following will be required:

- Your full name and address
- The File Number you are referring to

Please note, your call and comments will be recorded in accordance with the Municipal Freedom of Information and Protection of Privacy Act



Zoom

To make an oral submission during the public meeting you will need to pre-register to be on the Commenter's List by following the instructions provided below.

All comment submissions must include name of commenter, their address, and the application name/phone number that they will be providing comments from.

How do I make an oral submission during the meeting?

- **To make an oral submission during the question period of the public meeting you will need to make a request to be added to the Commenter's List. Requests must be made prior to 8:30 A.M. on the day of the public meeting.**

- You can make a request by contacting the Planning Department by email at publicmeetings@springwater.ca or by telephone at 705-728-4784 ext. 2019. An email will be sent providing meeting details which are needed to join the meeting and have the ability to comment. Once you have been added to the Commenter's List, you can join the meeting via Zoom, please refer to the next section for further details on how to do so.

What is Zoom and how can I use it?

- Zoom is a web based, peer-to-peer software platform, which is used for teleconferencing and can be accessed through computer and mobile devices or by telephone (landline). The Township has chosen to use this platform for holding public meetings as it is secure and easy to use.

To join the Zoom Meeting:

A hyperlink including a meeting ID and password will be provided in the meeting agenda and within the Public Meeting Notice if you would like to participate. You will need this information to join the Zoom meeting.

Join by Computer, Smartphone or Tablet

1. Open a web browser (For example: Chrome, Safari, Firefox).
2. Go to join.zoom.us.
3. Enter the meeting ID provided in the meeting agenda and the Notice of Public Meeting.
4. Follow the prompts to download the Zoom application and join the meeting.
5. Join to the audio either through the device or by calling in.

Dial by Phone

1. On your phone, dial the teleconferencing number: 1-647-558-0588
2. When prompted, enter the meeting ID number provided in the agenda and within the Notice of Public Meeting.
3. Once you are in the meeting, you can press *6 to mute or unmute yourself.

If Council addresses my concerns relating to the application before my opportunity to make comment, can I withdraw my request to make an oral submission?

- It is not recommended. Your interest in the matter should be stated to ensure that your comments are included as part of the public record.

Will I be able to ask a follow up question?

- After you have addressed Council and provided your oral submission, Council will be given an opportunity to respond or deliberate further, the Moderator will then offer you the opportunity for a follow up question or comment. If you decline, you will be placed into the viewing area.

I am having trouble connecting to Zoom, what should I do?

- Submit an email or leave a message at the following, and provide your comments to ensure that they are included in the public record.

Email: publicmeetings@springwater.ca

Phone: 705-728-4784 ext. 2019

The Corporation of the Township of Springwater

By-law 2021-_____

Being a By-law to adopt Official Plan Amendment **xx** (OPA **xx**) of the Springwater Official Plan with respect to lands within the entire geographic area of the Township of Springwater

(OP-2021-002 - Cannabis Production Facilities)

Whereas the Township of Springwater has held a public meeting for an Official Plan Amendment regarding Cannabis Production Facilities in accordance with the provisions of the Planning Act;

Now Therefore the Council of the Corporation of the Township of Springwater in accordance with the provisions of the Planning Act, R.S.O., 1990, c.P. 13, as amended, hereby enacts as follows:

1. That Official Plan Amendment **xx** of the Township of Springwater, being the attached text, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of the aforementioned Official Plan Amendment for the Township of Springwater and to provide such information as required by Section 17 (7) of the Planning Act, R.S.O., 1990, as amended.
3. That this By-law shall come into force and take effect upon approval by the County of Simcoe subject to the appeal provisions under the Planning Act.

Read a First, Second and Third Time and Finally Passed this _____th day of _____, 2021.

Don Allen, Mayor

Renée Ainsworth, Clerk

**Amendment xx to the
Official Plan for the
Township of Springwater**

The attached explanatory text constituting Amendment xx to the Official Plan for the Township of Springwater, was prepared and adopted by the Council of the Corporation of the Township of Springwater by By-law 2021-_____ in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990 c.P. 13 as amended.

Don Allen, Mayor

Corporate Seal
Of Municipality

Renée Ainsworth, Clerk

Amendment xx
To the Township of Springwater Official Plan

Introduction

Part A - The Preamble does not constitute a part of this Amendment.

Part B - The Amendment consisting of the following text constitutes Amendment No. xx to the Township of Springwater Official Plan.

Part A – The Preamble

Title

This Amendment when approved by the County of Simcoe shall be known as Amendment Number xx to the Official Plan of the Township of Springwater.

Purpose

The purpose of the Amendment is to: enable the Official Plan to provide policy guidance for legal cannabis cultivation and production on lands designated for ‘Agricultural’ or ‘Industrial’ uses in the Township of Springwater; require licensed Cannabis Production Facilities to be subject to Site Plan Approval; and require certain criteria to be met for the approval of Cannabis Production Facilities.

Location

The Amendment applies to all lands within the Township of Springwater.

Basis

The Township has initiated an amendment to the Official Plan to implement the recommendations of a Cannabis Production Review Study prepared by WSP Group to address an increase in concerns associated with the commercial production of cannabis in Springwater. This amendment provides policies for the consideration of Cannabis Production Facilities, and associated criteria, to be implemented through the Zoning By-law and Site Plan Control process. The policies are intended to prevent and mitigate adverse impacts from Cannabis Production Facilities that may not be mitigated to a satisfactory extent by Federal regulations.

This OPA is part of a comprehensive regulatory framework being established by the Township including amendment to the Zoning By-law and the Site Plan Control By-law.

The Cannabis Act, 2018, establishes rules for the production, possession and sale of cannabis across Canada, but permits provinces the authority to regulate the use, distribution, and sale of recreational cannabis. Following the Cannabis Act, Ontario passed the Cannabis Control Act in December 2017. Cannabis Regulations (SOR/2018-144) provides for licenses to cultivate and process cannabis including requirements for physical and personnel security at facilities.

The Cannabis Act regulations include licensing for both large-scale (“standard”) and small-scale (“micro”) cultivation and processing facilities, and authorize associated activities such as analytical testing, import/export and research. Licenses may be granted to individuals or organizations and holding multiple licenses would allow multiple activities to be conducted on one site (i.e. both cultivation and processing).

The Federal regulations, in part:

- Prohibit any licensed activity in a dwelling;
- Permit both indoor and outdoor cultivation, but permit only indoor storage and processing;
- Require reasonable measures to prevent the escape of odours and pollen from indoor areas; and
- Require physical and personnel security requirements, such as securing the perimeter to prevent unauthorized access with physical barriers and restricting access areas where cannabis is present.

In response to an increase in concerns associated with the production of cannabis, Council approved Interim Control By-law #2020-041 on June 3, 2020 to temporarily prohibit all development and crop production pertaining to cannabis production facilities until June 3, 2021. This provided the Township with the opportunity to research the issue and prepare policy and regulation related to Cannabis Production Facilities.

Part B – The Amendment

Details of the Amendment

Text Amendments

1. Subsection 30.7 (Glossary of Terms) is hereby amended by adding subsection (30.7.1.12) as follows:
 - 30.7.1.12 “Cannabis Production Facility” shall mean any building or structure, use of land, license and/or authorization to possess, sell, provide, ship, deliver, transport, destroy, produce, cultivate, process, export and/or import cannabis for medical or non-medical purposes, including related research as defined in applicable Federal Regulation as amended from time to time.
2. Subsection 17.3 (Agricultural Policies) is hereby amended by adding subsection (17.3.6) as follows:
 - 17.3.6 Cannabis Production Facility
 - 17.3.6.1 Licensed Cannabis Production Facilities in accordance with the Federal Cannabis Act and subject to other pertinent policies of this Plan, may be permitted, subject to the Township’s Comprehensive Zoning By-law, as amended, and approval of Site Plan Control pursuant to the Planning Act, R.S.O. 1990, c.P. 13 and the Township of Springwater Site Plan Control By-law.

17.3.6.2 In considering an application for a Cannabis Production Facility within the “Agricultural” designation which does not comply with the minimum requirements of the Agricultural (A) Zone, the applicant shall address the following criteria:

- i. A Zoning By-law Amendment shall be required for any proposal for a Cannabis Production Facility which does not comply with the minimum requirements of the Agricultural (A) Zone.
- ii. new purpose-built facilities will be encouraged as the first option, and any retrofit or use of existing agricultural buildings or structures must first demonstrate suitability for such use;
- iii. that mitigation measures be taken to reduce impacts on abutting residential, institutional, and other sensitive land uses, and, to determine the appropriate separation distance of the proposed facility to existing sensitive land uses and zones, including commercial and recreational land uses frequented by members of the public;
- iv. that buffering and screening will preserve the agricultural character of the surroundings;
- v. that required facilities will be installed such as, but not be limited to, on-site water storage and rate-of-flow control facilities and complete Stormwater management facilities.
- vi. that a waste management plan will be submitted to the satisfaction of the Township describing the method and location of collection and disposal of any waste products.
- vii. Access to municipal water supply is preferred and mandatory where available; however, in the case of a private water supply, the Township will require justification from a qualified person that there is sufficient water for daily usage (Provincial water taking permit may be required) and adequate fire suppression.
- viii. Access to municipal sanitary sewer is preferred and mandatory where available, however in the

case of a private septic system or other on-site disposal system, the Township will require confirmation from a qualified person that discharge from the facilities can be safely treated in a private septic system or alternative. If discharge or treatment of produce requires off-site handling, the owner(s) will provide documentation of agreement(s) with approved handlers.

3. Subsection 12.2 (Industrial Policies) is hereby amended by adding subsection (12.2.3) as follows:

12.2.3 Cannabis Production Facility

12.2.3.1 Licensed Cannabis Production Facilities in accordance with the Federal Cannabis Act and subject to other pertinent policies of this Plan, may be permitted, subject to a site-specific Zoning By-law Amendment, and approval of Site Plan Control pursuant to the Planning Act, R.S.O. 1990, c.P. 13 and the Township of Springwater Site Plan Control By-law.

12.2.3.2 In considering an application for a Cannabis Production Facility within the "Industrial" designation which does not comply with the General Industrial (MI/MO) Zones, the applicant shall address the following criteria:

- i. A Zoning By-law Amendment shall be required for any proposal for a Cannabis Production Facility which does not comply with the minimum requirements of the General Industrial (MI/MO) Zones.
- i. new purpose-built facilities will be encouraged as the first option, and any retrofit or use of existing industrial buildings or structures must first demonstrate suitability for such use;
- ii. that mitigation measures be taken to reduce impacts on nearby residential, institutional, and other sensitive land uses, and, to determine the appropriate separation distance of the proposed facility to existing sensitive land uses and zones, including commercial and recreational land uses frequented by members of the public;

- iii. that required facilities will be installed such as, but not be limited to, on-site water storage and rate-of-flow control facilities and complete Stormwater management facilities.
- iv. that a waste management plan will be submitted to the satisfaction of the Township describing the method and location of collection and disposal of any waste products.
- v. Access to municipal water supply is preferred and mandatory where available; however, in the case of a private water supply, the Township will require justification from a qualified person that there is sufficient water for daily usage (Provincial water taking permit may be required) and adequate fire suppression.
- vi. Access to municipal sanitary sewer is preferred and mandatory where available, however in the case of a private septic system or other on-site disposal system, the Township will require confirmation from a qualified person that discharge from the facilities can be safely treated in a private septic system or alternative. If discharge or treatment of produce requires off-site handling, the owner(s) will provide documentation of agreement(s) with approved handlers.

Implementation

This Amendment will be implemented by the enactment of an amending Zoning By-law to reflect the general intent of this Amendment.

Interpretation

The provisions of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

The Corporation of the Township of Springwater

By-law 5000-

Being a By-law to amend Zoning By-law 5000 as amended, with respect to Cannabis Production Facilities within the Township of Springwater

(ZB-2021-005 – Cannabis Production Facilities)

Whereas By-law 5000, as amended, is the main Comprehensive Zoning By-Law of the Township of Springwater;

And Whereas authority is granted under Section 34 of the Planning Act, R.S.O. 1990, c.P.13 as amended, to enact such amendments;

And Whereas the proposed amendment is in conformity with the Township of Springwater Official Plan;

No Therefore the Council of the Corporation of the Township of Springwater enacts as follows:

1. That By-law 5000 as amended, is hereby further amended by adding the following definition to Section 35:

35.xx “Cannabis Production Facility” shall mean any building or structure license and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, cultivate, process, export and/or import cannabis for medical or non-medical purposes, including related research as defined in applicable Federal Regulation as amended from time to time.

2. That Section 33, Agricultural (A) Zone is hereby amended by adding the following permitted uses to the list of non-residential uses:

33.2.2.m) Cannabis Production Facility in accordance with General Provisions Section 3.xx

3. That Section 26, General Industrial Inside Storage Zone (MI) Zone is hereby amended by adding the following permitted uses to the list of non-residential uses:

26.2.2.h) Cannabis Production Facility in accordance with General Provisions Section 3.xx and only by way of site-specific Zoning By-law Amendment.

4. That Subsection 3, General Provisions is hereby amended by adding the following new subsection and renumbering all subsequent section as necessary:

3.xx Cannabis Production Facility

Cannabis Production Facility uses, which are subject to the Section entitled Licenses, Permits and Other By-laws as well as the Building By-laws Section of this By-law, shall be permitted only in the zones indicated in this By-law and the use shall be maintained in accordance with the following provisions:

- a) All Cannabis Production Facilities are subject to Site Plan Control pursuant to Section 41 of the Planning Act;
- b) In addition to the requirements of this Section, a Cannabis Production Facility shall comply with all zone provisions of the zone it is located within;
- c) A Cannabis Production Facility will be prohibited on any lot within a Residential, Institutional or Commercial Zone;
- d) Minimum setback for all structures associated with a Cannabis Production Facility shall be 30.0 metres from all property lines within the Agricultural (A);
- e) Notwithstanding d) above, where outdoor cultivation is proposed in the Agricultural (A) zone, no building or structure or portion of land thereof used for cannabis production facility purposes may be located closer than 150 metres to any Residential or Institutional Zone, Parks, Open Space Zone, any residential dwelling in an Agriculture Zone, day nursery, school, community centre, place of entertainment, place of assembly, place of worship, long term care home, retirement home, cultural facility or any other sensitive use;
- f) Outdoor storage shall be prohibited on a property on which a Cannabis Production Facility is located;
- g) No outdoor signage or advertising related to a Cannabis Production Facility shall be permitted;
- h) Within the General Industrial (MI) Zone, loading spaces for a Cannabis Production Facility must be wholly enclosed building within a building;
- i) All uses associated with a Cannabis Production Facility, except the outdoor cultivation of cannabis within an Agricultural (A) zone, must take place entirely within a building;

5. That Subsection 3.41 Parking Provisions is hereby amended by adding the following subsection and renumbering all subsequent section as necessary:

Use

a) Cannabis Production Facility

Minimum Parking Requirement

- 1 space per 100 square metres of gross floor area

6. That this By-law shall take effect and come into force pursuant to the provisions of and regulations made under the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read a First, Second and Third Time and Finally Passed this **XX** day of , 2021.

Don Allen, Mayor

Renée Ainsworth, Clerk

DRAFT

The Corporation of the Township of Springwater

By-law 2021-_____

Being a By-law to Amend Township Wide Site Plan Control By-law #2015-027 for Cannabis Production Facilities

Whereas Sections 41(2) of the Planning Act, R.S.O. 1990, c.P.13, as amended provides the authority for where in an Official Plan an area is shown or described as a proposed site plan control area, the Council of the local municipality in which the proposed area is situate may establish, by by-law, designate the whole or any part of the municipality as a 'Site Plan Control Area'; and

And Whereas Sections 41(3) of the Planning Act, R.S.O. 1990, c.P.13, as amended allows for the Council of the local municipality to pass a by-law under subsection (2) to designate a site plan control area by reference to one or more land use designations contained in a by-law passed under Section 34 of said Act; and

And Whereas the Official Plan for the Township of Springwater is in effect and delineates or describes certain land designations within the Township as a site plan control areas; and

And Whereas the Council of The Corporation of the Township of Springwater deems it necessary to designate certain areas as "Site Plan Control Areas";

Now Therefore the Council of the Corporation of the Township of Springwater enacts as follows:

1. That all lands designated or zoned for commercial, employment, institutional, open space and industrial uses within the Township of Springwater are designated as Site Plan Control areas and that the property owner(s) of said lands may be required to enter into an agreement with the municipality to regulate the various aspects and conditions of development or redevelopment;
2. That all lands designated or zoned for multi-residential uses within the Township of Springwater are designated as Site Plan Control areas and that the property owner(s) of said lands may be required to enter into an agreement with the municipality to regulate the various aspects and conditions of development or redevelopment;
3. That notwithstanding subsections 1 and 2, lands designated or zoned for street townhouse dwellings as defined under Comprehensive Zoning By-law 5000 shall be exempt from this By-law;

4. That all lands designated or zoned to permit Cannabis Production Facilities within the Township of Springwater are designated as Site Plan Control areas and that the property owner(s) of said lands may be required to enter into an agreement with the municipality to regulate the various aspects and conditions of development or redevelopment, including but not limited to: lighting, fencing, landscaping, access, security, parking, and location of certain infrastructure, as needed, associated within these facilities.

5. That this By-law shall come into force and take effect upon final passage hereof.

**Read a First, Second and Third Time and Finally Passed this [redacted] st day of [redacted],
2021.**

Don Allen, Mayor

Renée Ainsworth, Clerk