


TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL **FILE: D14-1574**
D09-OPA47

FROM: M. KALYANIWALLA, M.C.I.P., R.P.P., DIRECTOR OF PLANNING SERVICES (ACTING)

NOTED: R. FORWARD, MBA, M.Sc., P. ENG. 
GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT

C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RE: INDUSTRIAL RATIONALIZATION REPORT PLN023-14

DATE: MARCH 23, 2015

Staff Report PLN023-14 was considered at the General Committee meeting on September 8, 2014, which was subsequently referred to the February 23, 2015 Infrastructure, Investment and Development Services Committee (IIDSC) meeting for further review of staff's recommendations. This memorandum has been prepared to provide a response to the Committee's request for more information on the regulation of Medicinal Marihuana Facilities and to address an inquiry received from a property owner after the Committee meeting regarding staff's proposed Outdoor Storage standards.

Staff provided the IIDSC an Industrial Matrix, which outlined the comments received from the public, landowners and industries in regards to the industrial review. Each comment was reviewed and a detailed response to each question was provided, explaining how the comment was addressed and if it resulted in a change to staff's original recommendation. This matrix also provided a summary of the stakeholder engagement program used by staff in formulating the recommendations.

Regarding regulation of Medicinal Marihuana facilities, the definition as currently proposed by staff would permit Medicinal Marihuana facilities in the General Industrial (GI) zone exclusively and be limited to locating within a stand-alone building and not part of a multi-tenant building. The intent of having the use as a stand-alone building was for security purposes and protection of other industrial uses.

At the request of the Committee, Planning staff have completed additional review of Health Canada's "Directive on Physical Security Requirements for Controlled Substances (Licensed Dealers Security Requirements for the Storage of Controlled Substances)". This document outlines the types of licensed facilities and the required security measures that are regulated through a rating system from Level One (1) through Level Eleven (11), and limits the type and amount of controlled substance that is permitted on site. To staff's knowledge there is no specific requirement for licensed facilities to be located in a stand-alone building. Upon further consideration of the information available, staff are recommending that the proposed definition for *Medical Marihuana Production Facility* be amended to delete reference to a "stand-alone building" and shall read as follows:

"Medical Marihuana Production Facility shall mean the use of a wholly enclosed building(s) or structure(s) to possess, produce, ship, deliver, transport, test or destroy medical marihuana or cannabis authorized by a license issued by the federal Minister of Health, pursuant to the Marihuana for Medical Purposes Regulations and the Controlled Drugs and Substances Act."

Subsequent to the IIDSC meeting, Mr. Ray Duhamel on behalf of Mr. Don Pratt requested reconsideration of the proposed Outdoor Storage standards. As currently proposed, Outdoor Storage would be permitted within the proposed Light Industrial (LI) and the proposed Highway Industrial (HI) zones with the size of the Outdoor Storage limited to thirty (30%) percent of the Lot Area and not be permitted on any lot unless there is an existing building with a gross floor area of at least 550 square metres. Upon consideration of Mr. Duhamel's client's situation on King Street and the application of related zone standards, i.e. building coverage and minimum lot area standards through some "what if"

scenarios, staff have determined that limiting Outdoor Storage based on Lot Area is not appropriate. The issue is that if Lot Area is used there could be situations where the permitted Outdoor Storage would be larger than the main building. In these instances, the Outdoor Storage could dominate the site and thus not be secondary to the main building (use) and also be difficult to screen.

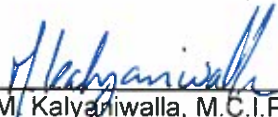
To address this issue and to provide flexibility to allow for Outdoor Storage on properties within the new Light Industrial (LI) and Highway Industrial (HI) zones, staff are proposing to eliminate the size restriction based on Lot Area and replace it with a sized restriction related the gross floor area (GFA) of the main building. This provision would limit the outdoor storage to not exceed fifty (50%) percent of the total GFA of the main building. Using the relationship to the size of the building would also negate the need for a minimum building size as it would be redundant. By amending this provision, it would ensure that the outdoor storage remains secondary to the principal industrial use. An amendment to address such change would be as follows and be added to Section 4.11 "Outdoor Storage Standards" of the Zoning By-law:

Maximum Permitted Outdoor Storage

Outdoor Storage or Outdoor Accessory Storage to a permitted use, shall not exceed fifty (50%) percent of the total gross floor area of the main building in both the Light Industrial (LI) and Highway Industrial (HI) zones;

The IIDSC meeting also included a presentation from Innovative Planning Solutions regarding the rezoning of lands along Essa Road from industrial to residential/commercial. The rezoning of lands to residential were not contemplated as part of this policy review. A Staff Report on the employment conversion policies is scheduled to come before General Committee on March 23, 2015 for consideration.

If members of Council have any questions please do not hesitate to contact the undersigned or Steven Farquharson, Development Planner at ext. 4478.



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Director of Planning Services (Acting)