

August 17, 2021

Mayor Doug Measures & Members of Council

Clearview Township
217 Gideon Street
Stayner, Ontario
L0M 1S0

Dear Mayor and Council Members,

I am writing in response to Project No.: 2021-060-ZB, **Proposed Amendment to the Zoning By-law 06-54** which are amendments relating to the cultivation and processing of cannabis in the Township.

Our home is at 1410 Conc. 6th South Nottawasaga. Our family has resided here since 1965. Our property consists of 35 acres of agricultural land (cash crop) 5 acres of bush/forest, 2 acres of amenity space/buildings and 7 acres of pasture land.

Thank you for moving forward to amend the Zoning Bylaw to regulate the use of lands in the Township for the production and processing of cannabis. This a much needed and overdue action. Our property is surrounded by agricultural lands which, depending on the outcome of the current planning process, could be developed into cannabis production/processing facilities to the detriment of our security, water supply, property value and quality of life.

I am one of many community minded citizens in Clearview who have been active in advocating for a solution to the potential negative impacts of an unregulated cannabis industry. I support the position advanced by Konstantine Stavrakos on behalf of this group of concerned residents and I urge Council to accept his recommendations.

Furthermore, I would like to draw Council attention to the following:

1. Microgrows and Ag-Industrial Zoning

It makes common sense that small cannabis operations will have small negative impacts. Cannabis cultivation/production in AG zones should be restricted to “microgrows” of less than 200 sq metres (rough 46’ x 46’). Combined with the setbacks set out in the draft bylaw, single microgrow operations are not likely to impact neighbouring residents. At the same time, microgrows will allow property owners and in particular owners of smaller properties/farms to have access to this industry and diversify their income. At a time of increasingly large corporate farm operations and the resulting de-population of the rural landscape, it is important to create income opportunities that can benefit small family farming operations.

It is also important to provide a clear framework for the development of larger scale cannabis operations. Such operations are clearly industrial and have industrial scale impacts that can only be managed via Industrial or AG-Industrial zoning and site specific development plans.

2. Greenhouses

It appears that para. 2.36.3 of the draft bylaw permits greenhouses in AG zones and that the number of greenhouses on a lot would only be restricted by lot coverage provisions. A large block of greenhouses represents potentially serious visual and environmental impacts (wastewater/nutrient contamination, groundwater depletion, odour, pesticide contamination, light pollution). Another serious negative impact of cannabis greenhouses would be the permanent removal of agricultural land available for the production of food.

Allowing greenhouses in AG zones while prohibiting hoop houses (see 2.36.9) is illogical - greenhouses and hoop houses are similar in form, transparency, lighting, function and venting/odour characteristics. They differ only in construction. Restricting one and not the other does not make sense.

Furthermore, in Clearview's Official Plan, greenhouses are not permitted in AG zones. They are only permitted in AG – Industrial zones that result from a site specific zoning bylaw amendment. In considering such an amendment, *Council shall consider:*

- *the need for the proposed use in relation to the availability of existing similar uses within the Township,*
- *the availability of alternate locations for the proposed use on poorer quality agricultural lands,*
- *the adequacy of the proposed method of access from existing or proposed roads,*
- *the adequacy of utilities and municipal services,*
- *compliance with the Minimum Distance Separation Formulae I and II, and general compatibility of the proposed use in relation to surrounding uses given its nature and visual appearance, and*
- *any potential noise, odour and/or traffic impacts.*

To allow greenhouses as proposed in Bylaw 06-45, contravenes the intent of the Official Plan and usurps the role of Council to assess if green house developments are suitable for specific sites.

3. Setbacks for “Standard cannabis production and/or processing facilities”

The Province has issued a draft planning document “Land Use Compatibility Guideline” which is intended to support the Provincial Policy Statement which the Township is required to follow when developing its OP and Zoning Bylaw. The Guideline suggests that cannabis production and processing is an industrial use and recommends a 500m setback from sensitive uses such as a dwelling.

While the Provincial Guideline is very clear, proponents of large scale cannabis operations in Clearview may feel that 500m minimum setback to a standard cannabis production and/or processing facility from a dwelling would be unreasonably restrictive and would effectively block all development of standard operations. The argument goes that given the lot fabric and dwelling distribution of the Township, once such a setback was applied, there would be little or no lands available for such facilities.

Having plotted such setbacks on a number of blocks of land in the Township, I think such suggestions are without merit.

I have attached maps of 4 blocks in the township, each of approximately 1200 acres and bounded by roads on 4 sides. The lands contained therein are largely agricultural. The blocks are distributed throughout the Township with 2 being in Sunnidale and 2 in Nottawasaga. The maps were created with publicly available satellite imagery using Google Earth and its available drawing and measuring tools.

On each map, red setback envelopes scaled at 500m are plotted around each dwelling in the block or in some cases adjacent to the block. For the sake of simplicity, any other setback requirements, such as the proposed 30m setback from lot lines or setbacks measured to lot lines rather than dwellings, have been ignored.

The space that remains within the block between the setback envelopes represent the space available for development of a standard cultivation and/or processing facility, less the 30m setback from lot lines. While I could not accurately measure the space in the blocks available for cultivation, I think it is quite evident that a 500m setback regime would result in **significant** lands being available for standard cannabis facilities.

Sincerely,

Chris Skelton

Chris Skelton

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Stayner, ON