

**AMENDMENT NO. 5
TO THE
OFFICIAL PLAN OF THE
TOWNSHIP OF BROCK**

Cannabis Production and Processing

Prepared For:

The Corporation of the Township of Brock

Prepared By:

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Drafted: February 1, 2021

**THE CORPORATION OF THE
TOWNSHIP OF BROCK**

BY-LAW NO. 3015-2021

Being a By-law passed pursuant to the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990, as amended.

The Council of the Corporation of the Township of Brock, in accordance with the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990, as amended, hereby enacts as follows:

1. Amendment No. 5 to the Official Plan of the Township of Brock, consisting of the attached explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Region of Durham for approval of Amendment No. 5 to the Official Plan of the Township of Brock.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the *Planning Act*.
4. This By-law shall come into force and take effect on the day of final passing thereof.

Enacted and passed this 22nd day of March, 2021.

Signed: Original Signed
John Grant, Mayor

CORPORATE SEAL OF
MUNICIPALITY

Signed: Original Signed
Becky Jamieson, Clerk

Certified that the above is a true copy of By-law No. 3015-2021, as enacted and passed by the Council of the Township of Brock on the 22nd day of March, 2021.

Signed: Original Signed
Becky Jamieson, Clerk

CERTIFICATE
AMENDMENT NO. 5
OFFICIAL PLAN OF
THE TOWNSHIP OF BROCK

The attached explanatory text constituting Amendment No. 5 to the Official Plan of the Township of Brock, was prepared by the Council of the Township of Brock and was adopted by the Council of the Township of Brock by By-law No. 3015-2021 in accordance with the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990, on the 22nd day of March, 2021.

Signed: Original Signed
Mayor – John Grant

CORPORATE SEAL OF
MUNICIPALITY

Signed: Original Signed
Clerk – Becky Jamieson

This amendment to the Official Plan of the Township of Brock, which has been adopted by the Council of the Township of Brock, is hereby approved in accordance with the provisions of Sections 17, 21 and 22 of the *Planning Act*, R.S.O. 1990 as Amendment No. 3 to the Official Plan of the Township of Brock.

Date

Region of Durham

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**AMENDMENT NO. 5
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INTRODUCTION

STATEMENT OF COMPONENTS

- PART “A” THE PREAMBLE does not constitute part of this Amendment.
- PART “B” THE AMENDMENT, consisting of the following text constitutes Amendment No. 5 to the Official Plan of the Township of Brock.
- PART “C” THE APPENDICES do not constitute part of Amendment No. 5 to the Official Plan of the Township of Brock, and contain planning reports, background information and public and agency comments pertaining to the Amendment.

PART “A” -- THE PREAMBLE

1.0 PURPOSE OF THE AMENDMENT

The Township of Brock Official Plan currently does not contemplate Cannabis Production or Processing as a land use. As such, an amendment to the Official Plan is necessary to permit Cannabis Production and Processing responsibly in the Township, as well as to ensure that the implementing Zoning By-law conforms to the Township of Brock Official Plan and the Durham Region Official Plan. Therefore, the purpose of Amendment No. 5 to the Township of Brock Official Plan is to:

1. Amend the Agricultural Land Sectoral Policies (Section 3.2.1) to establish a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ as independent land uses separate and distinct from an ‘Agricultural Use’ or a ‘Home Occupation’;
2. Amend the Agricultural Land Sectoral Policies (Section 3.2.1) by adding a new Section 3.2.1.6 to permit a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ within the Rural Area provided the proposed uses satisfy the criteria outlined within the Official Plan and subject to the regulations of the Township Zoning By-law;
3. Amend the Settlement Areas Policies (Section 5.4 Mixed Use Corridors) to prohibit the establishment of a ‘Cannabis Production and Processing Facility’ or a ‘Medical Cannabis Production Site’ within the Mixed Use Corridors Land Use Designation;
4. Amend the Settlement Areas Policies (Section 5.6 Employment Areas) to permit a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ within the Employment Land Use Designation subject to criteria;
5. Amend the Development Review Policies (Section 7.3 Information Requirements) by adding a new Section 7.3.2.1 to provide more detailed application requirements for a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’ including the requirement for pre-consultation with the Township, requirement that such applications be subject to Site Plan Control, and a more detailed list of studies required in support of an application; and
6. Amend the Interpretation Policies (Section 9) by adding a new ‘Section 9.6 – Definitions’ and by providing definitions for a ‘Cannabis Production and Processing Facility’ and a ‘Medical Cannabis Production Site’.

These amendments apply to the entirety of the Township of Brock.

3.0 BASIS OF THE AMENDMENT

On April 8, 2019, Council for the Township of Brock passed an Interim Control By-law (ICBL) to temporarily prohibit the establishment of new Cannabis Production or Processing Facilities, or the expansion of existing Cannabis Production and Processing Facilities on any lands within the Township of Brock for a period of twelve months in order to allow for the completion of research and consultation. The ICBL excluded the establishment of Cannabis Production and Processing Facilities on lands where a “Manufacturing, Processing, Assembling and/or Fabrication Plant” is legally permitted. A Report to Council (dated September 10, 2019) provided an overview of the

recommendations derived from a Cannabis Land Use Impact Study completed by EcoVue Consulting Services Inc. The study recommended changes to land use planning documents including the Township's Official Plan, Zoning By-law and Site Plan Control By-law in order to mitigate potential land use impacts. The report is included as Part C – Appendix 1. Two Public Open Houses were held on February 26, 2020 to present the results of the land use study as well as the draft Official Plan and Zoning By-law Amendments. A Statutory Public Meeting presenting revised amendments to the Official Plan and Zoning By-law was held on March 15, 2021. The comments received from the public are included as Part C – Appendix 2.

Currently, the Official Plan does not contemplate Cannabis Production and Processing as a land use. Consequently, many of the policies governing land use within various land use designations indirectly permit Cannabis Production and Processing. The Official Plan Amendment contained herein, will provide clarity to municipal planners, prospective developers and the public regarding the appropriate location and site development requirements for Cannabis Production and Processing in the Township.

PART “B” -- THE AMENDMENT

1.0 INTRODUCTORY STATEMENT

All of this part of the document entitled PART “B” -- THE AMENDMENT, consisting of the following text, constitutes Amendment No. 5 to the Official Plan of the Township of Brock.

2.0 DETAILS OF THE AMENDMENT

The Official Plan of the Township of Brock is hereby amended as follows:

1. Section 3.2.1 (Agricultural Lands Sectoral Policies) is hereby amended by deleting and replacing Section 3.2.1.3, which shall read as follows:

“Permitted agricultural uses include the growing of crops, including nursery and horticultural crops, raising of livestock and poultry and other animals for food, fur and/or fiber, as well as aquaculture; apiaries, agro-forestry; and maple syrup production, but shall not include a *cannabis production and processing facility* or a *medical cannabis production site*. Agriculture-related uses are those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are established in proximity to the farm operation”.

2. Section 3.2.1 (Agriculture Lands Sectoral Policies) is hereby amended by creating a new subsection (3.2.1.6), and re-numbering all subsequent sections accordingly. The new Section 3.2.1.6 shall read as follows:

“*Cannabis Production and Processing Facilities* and *Medical Cannabis Production Sites* are permitted in Rural Areas, including areas designated Agricultural or Major Open Space in the Region of Durham Official Plan, subject to the following:

- i) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* shall not be permitted in conjunction with any residential use on a single lot;

- ii) All *Cannabis Production and Processing Facilities* and *Medical Cannabis Production Sites* shall be subject to the Information Requirements contained in Section 7.3.2.1 of this Plan; and,
 - iii) A *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site* is permitted subject to the requirements of the implementing Zoning By-law.
3. Section 3.2.4 (Home Occupations) is hereby amended by deleting and replacing Section 3.3.4.5, which shall read as follows:
- “Home occupations shall include businesses such as bed and breakfast accommodation, but shall not include medical offices, medical facilities, group homes a *cannabis production and processing facility* or a *medical cannabis production site*”.
4. Section 5.4 (Mixed Use Corridors) is hereby amended by adding a new subsection 5.4.1.4, which shall read as follows:
- “A *cannabis production and processing facility* or a *medical cannabis production site* shall not be permitted in Mixed Use Corridors”.
5. Section 5.6 (Employment Areas) is hereby amended by deleting and replacing Section 5.6.3.2, which shall read as follows:

“Permitted uses in Employment Areas are: manufacturing, assembly and processing of goods, service industries, research and development facilities, warehousing, business parks, limited personal service uses, hotels, storage of goods and materials, freight transfer and transportation facilities, *cannabis production and processing facilities*, and *medical cannabis production sites*. *Cannabis production and processing facilities* and *medical cannabis production sites* will be encouraged to locate in Employment Areas with municipal servicing. Applications for the development of a *cannabis production and processing facility* or *medical cannabis production site* are subject to the Information Requirements contained in Section 7.3.2.1 of this Plan. Uses declared to be obnoxious under the provisions of any applicable statute, regulation or guidelines shall not be permitted.

Limited personal service and retail uses, serving the Employment Area may be permitted up to 10% of the aggregate gross floor area of the permitted uses. Major retail use with a gross leasable area of 2,000 square metres or greater or any single retail use greater than 500 sq. metres that is not ancillary to employment uses shall not be permitted within Employment Areas”.

6. Section 7.3 (Information Requirements) is hereby amended by adding a new Section 7.3.2.1, which shall read as follows:

“7.3.2.1 Cannabis Production and Processing

In addition to the information requirements of Section 7.3.2 of this Official Plan, the following requirements shall also apply to an application to establish a *Cannabis Production and Processing Facility* or a *Medical Cannabis Production Site*:

- a) Applicants shall attend a pre-consultation with Township staff in advance of submitting any planning application in order to review the proposal for a *cannabis production and processing facility* or a *medical cannabis production site*;
- b) All proposed *cannabis production and processing facilities* and *medical cannabis production sites* shall be subject to Site Plan Control;
- c) All proposed cannabis production and processing facilities and medical cannabis production sites shall demonstrate dark sky friendly lighting and building design as part of the Site Plan Control process;
- d) All proposed cannabis production and processing facilities and medical cannabis production sites will be required to undertake detailed hydrogeological and/or site servicing studies, to the satisfaction of the Municipality, to ensure the proposed development can be adequately serviced without negatively impacting municipal water servicing capacity, surface or ground water supply, municipal wastewater facilities, watershed health and fish habitat. Development of cannabis production and processing facilities or medical cannabis production sites may not be permitted if adequate water or wastewater servicing cannot be provided. Development of cannabis production and processing facilities and medical cannabis production sites shall address to the greatest extent possible, any adverse effects identified;
- e) Where ecological and hydrologic features are present, all proposed cannabis production and processing facilities shall undertake an Environmental Impact Assessment, which includes an assessment of impacts of wastewater on the ecological and hydrological integrity of the watershed including fish habitat. The Township may require that medical cannabis production sites also undertake an Environmental Impact Statement where assessment of the potential impacts of the medical cannabis production site are deemed necessary. Development of a cannabis production and processing facility or medical cannabis production site in these situations shall undertake appropriate measures to mitigate to the greatest extent possible, any adverse effects identified;
- f) All cannabis production and processing facilities and medical cannabis production sites shall be required to undertake odour screening studies, to the satisfaction of the Municipality, and to mitigate identified impacts through recommended odour control measures;
- g) All proposed cannabis production and processing facilities and medical cannabis production sites may be required to undertake noise impact studies, at the discretion of the Municipality, to assess potential impacts on adjacent sensitive receptors and mitigate as appropriate;
- h) All proposed cannabis production and processing facilities and medical cannabis production sites are subject to the Township's Zoning By-law."

7. Section 9 (Interpretation) is hereby amended by adding a new **Section 9.6 - Definitions**, which shall read as follows:

“9.6 Definitions

Defined terms are *italicized* throughout the text, except where otherwise stated:

Adverse Effect as defined in the *Environmental Protection Act*, shall mean one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Cannabis shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels).

Cannabis Production and Processing Facility shall mean lands, buildings or structures used for growing, producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.”

Medical Cannabis Production Site - shall mean the use of any land, buildings or structures for the purpose of producing, processing, testing, destroying, packaging and/or shipping of cannabis which is authorized by registration of a designated person by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.”

3.0 IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of Official Plan Amendment No. 5 shall be in accordance with the respective policies of the Official Plan of the Township of Brock.

PART “C” -- THE APPENDICES

The following appendices do not constitute part of Official Plan Amendment No. 5 but are included as information supporting the Amendment.

- **Appendix No. 1 – Land Use Study**
- **Appendix No. 2 – Public Comments**




Land Use Study

Planning for the Impacts of **Cannabis Cultivation and Production Facilities**

Prepared for: Township of Brock

EcoVue Reference No.: 19-1435-02

Date: September 10, 2019

A large, light-colored, stylized tree graphic is positioned on the left side of the page, extending from the bottom to the middle. It has a thick trunk and a full, rounded canopy with many small, light-colored leaves.

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1.0 INTRODUCTION

The Government of Canada passed the bill legalizing cannabis for recreational purposes on June 19, 2018 with a legalization date of October 17, 2018. With the legalization of production, processing and sales for both recreational and medical use now in place, individuals and businesses are actively searching for land to establish growing operations, processing and packaging facilities. The rise of this new market has prompted public debate on the planning impacts associated with Cannabis Cultivation and Processing Facilities (CCPFs). There are many considerations for municipal staff to determine how to appropriately define, categorize and regulate Cannabis production and processing through the mechanisms available under the *Planning Act*.

On April 8, 2019 Council for the Township of Brock passed an Interim Control By-law (ICBL) to temporarily prohibit the establishment of new Cannabis Production or Processing Facilities, or the expansion of existing Cannabis Production and Processing Facilities on any lands within the Township of Brock. The ICBL excluded the establishment of Cannabis Production or Processing Facilities located on lands where “Manufacturing, Processing, Assembling and/or Fabricating Plan” is legally permitted (Appendix X). The purpose of the ICBL is to allow staff and the planning consultant (EcoVue) adequate time to conduct research and consult the public in order to amend the Official Plan, Zoning Bylaw or Site Plan Control By-law to properly manage these facilities from a land use planning perspective.

The Government of Canada passed the bill legalizing cannabis for recreational purposes on June 19, 2018 with a legalization date of October 17, 2018. With the legalization of recreational cannabis, land use planning policies and regulations are required to manage both recreational and medical marijuana facilities. The domestic and global demand for cannabis production and processing provides great opportunity for economic development in rural communities through job creation and the diversification of the economic base. The advent of Cannabis Production and Processing presents an opportunity for the Township of Brock to support the development of the cannabis industry in appropriate locations which promote sustainability and best practices.

This study sets out to evaluate the implications associated with the production and processing of cannabis. It is intended to provide a background on the existing legislation, studies and reports associated with the establishment of CCPFs, and review how municipalities throughout the Province are managing

this new land use. It will also provide an analysis of the implications of CCPFs in the context of the current Official Plan for the Township of Brock (BOP) and Zoning By-Law (BZBL), and provide a description of five possible strategies to manage the land use implications of CCPFs. The report will conclude with a final recommendation regarding the best approach for the Township of Brock.

1.1 Cannabis Cultivation and Production Facilities (CCPFs)

1.1.1 Licensing

The Cannabis Regulations (SOR/2018-144) published by the Federal Government applicant, establishes a number of classes and subclasses of licences that permit cannabis-related activities:

- A license for cultivation;
 - A license for micro-cultivation;
 - A license for standard cultivation; and
 - A license for a nursery.
- A license for processing;
 - A license for micro-processing; and
 - A license for standard processing.
- A license for analytical testing;
- A license for sale;
 - A licence for sale for medical purposes
- A license for research; and
- A cannabis drug license.

The type and number of licenses held will have different impacts on cannabis-related land uses within the Township. For example, a person or company can hold a license for cultivation only, processing only or both. While it is anticipated that many applicants will apply for both a cultivation and processing license so both activities can take place on the same property, information on licenses granted and applied for is required to determine if that is the case.

➤ Cultivation Licenses

Cultivation is permitted to take place either indoors – typically in a greenhouse – or outdoors in the native soils. The difference between cultivation and micro-cultivation is that the licensed area for micro-cultivation cannot exceed 200 square metres (the area in which all plants and parts of plants must be contained). A holder of a nursery license can carry out activities similar to those with a cultivation or micro-cultivation license, except they are not permitted to obtain fresh or dried cannabis. If a nursery license holder cultivates cannabis for the purpose of harvesting seeds, the surface area for budding and flowering plants is limited to 50 square metres.

➤ Processing License

Holders of a processing license are only permitted to process cannabis for sale. A micro-processing license permits a maximum of the equivalent of 600 kilograms of dried cannabis to be sold or distributed each year. Processors are not permitted to be involved in the propagation, cultivation or harvesting of cannabis.

➤ Analytical Testing License

This license holder is permitted to possess cannabis for the purposes of altering its chemical or physical properties. All samples of a batch must be destroyed within 90 days of completing the testing. Cultivation or processing is not permitted with this license.

➤ License for Sale for Medical Purposes

A holder of this license is permitted to possess and sell cannabis products. Under this license, cannabis products can be sold to holders of other types of licenses, a person with an exemption under the *Cannabis Act* and a hospital employee.

➤ Research License

This license holder is able to possess cannabis, produce cannabis, or transport, send or deliver between sites set out by the license. Someone with this license can sell cannabis plants and seeds to other license holders, the Minister or a person with an exemption under the *Cannabis Act*.

➤ Cannabis Drug License

A holder of a cannabis drug license is permitted to possess cannabis and produce or sell drugs containing cannabis.

1.1.2 Land Use Restrictions for License Holders

Sections 39, 40 and 41 of the Cannabis Regulations outline some restrictions on cannabis license holders which are relevant to land use planning. Section 39 states that a license holder may only conduct activities at the site that are authorized by the license, and, if applicable, may only conduct these activities within a particular building set out in the license. Additionally, the regulations prohibit all licensed producers from conducting any activity that is authorized by a cannabis license within a dwelling-house. Finally, as stated previously, the production of cannabis outdoors, in the native soils, is permitted, however *“a holder of a license must not produce cannabis – other than obtain cannabis by cultivating, propagating or harvesting it – or test, store, package or label cannabis outdoors”* (s. 41).

1.2 Access to Cannabis for Medical Purposes

In August of 2016, the Access to Cannabis for Medical Purposes Regulations (ACMPR) came into force (as Part 14 of the Cannabis Regulations [SOR/2018-144]), and the Federal Government began accepting applications for cultivation from those prescribed medical marijuana. The new regulations were in response to *Allard v. Canada*, which found that individuals requiring marijuana for medical purposes did not have “reasonable access”.

An individual with a medical permit for cannabis may apply to register with Health Canada to produce a limited amount for their own medical purposes, or designate a 3rd party to do so. Once an individual is successfully registered, they will receive a certificate from Health Canada including their legal authority to possess and produce cannabis as well as the location and maximum limits on production, storage and possession. If an individual wishes to designate a 3rd party to be their producer, the application process is similar, but they must prove that the designated person has not been convicted or received a sentence for a drug offence in the last 10 years. A designated person can only produce for a maximum of two

individuals (including themselves). The regulations also permit a maximum of four registrations per address.¹

1.2.1 Land Use Restrictions for Health Canada Registrants

The amount of medical marijuana that an individual is entitled to on a daily basis determines how many plants they are legally entitled to grow. A prescription of 1 gram per day is roughly equivalent to 2 outdoor plants or 5 indoor plants. Section 326(1) of the Cannabis Regulations states that a Health Canada registrant must “*not propagate or harvest [cannabis plants] a) indoors and outdoors at the same time; or b) outdoors if the production site is adjacent to a school, public playground, daycare facility or other public place frequented mainly by individuals under 18 years of age*”. Other than proving that any outdoor plants will not be produced adjacent to the sensitive land uses listed above, there are very few rules in place at the Federal level to regulate the production and processing of marijuana by medical permit holders. Since it is possible that one individual may be entitled to grow an unlimited number of plants, as prescribed by a doctor, and up to four registrants may be located at one address (and sometimes there are multiple addresses on one property), thousands of plants may be grown on a single property with few regulations in place to protect sensitive land uses. These registered individuals are also known as “Alternative Production Sites”.

1.3 Planning Implications

There is no requirement for applicants to seek municipal support before applying for a license under the *Cannabis Act* – it is only required that applicants provide municipalities with written notice of an application. License holders are also required to notify the municipality, with a copy sent to the Minister, of a license being issued. Similarly, there is no requirement for applicants seeking to register with Health Canada under the ACMPR to obtain municipal support or approval. Although a municipality does not have a role in the issuance of licenses or registration certificates under the *Cannabis Act*, they still possess the authority to regulate land uses.

¹ Mat Vaughan (2018). “Change is in the Wind”, <https://ontarioplanners.ca/blog/planning-exchange/june-2018/change-is-in-the-wind> (accessed June 21, 2019).

From a planning perspective, CCPFs (this includes “Alternative Production Sites”), like any other agricultural or industrial use, can be regulated through zoning and site plan control. According to our research, some of the common issues that come up when revising the definitions and provisions associated with a Municipality’s Zoning By-laws are:

- Whether to categorize cannabis production as an agricultural or industrial use
- How to define Cannabis - an agricultural crop or pharmaceutical product?
- How to determine the appropriate provisions to appropriately separate cannabis production from sensitive land uses such as residential areas, community facilities, etc.
- Whether to distinguish between different scales of production and processing reflecting the federal licensing regime.

As with any guidelines, provisions or regulations within a Zoning By-law, any amendment to restrict where CCPFs can be established must have a basis in applicable planning policy (e.g. Provincial Policy Statement (PPS), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the Region of Durham Official Plan (DOP), and the BOP. The Township must avoid applying reactionary amendments to the zoning by-law that do not conform to the aforementioned documents as such amendments are not defensible before the Local Planning Appeals Tribunal (LPAT) and do not represent good planning.

2.0 Impacts of Cannabis Cultivation and Production Facilities

The main land use issues associated with cannabis production and processing are:

- The impacts of odours, light and noise resulting from production and processing on sensitive land uses;
- The impacts associated with placing large-scale indoor cannabis production or processing facilities on productive farmland;

- The size and scale of unlicensed facilities under the ACMPR – these are determined by an individual's prescription and may vary widely. There are no requirements for these facilities to implement odour control (unlike licensed facilities);
- Impacts on Watershed Health;
- Human Health and Safety Concerns related to Processing Facilities; and
- Security.

2.1 Land Use Impacts

2.1.1 Impacts on Sensitive Land Uses

Certain land uses should be separated for a variety of reasons. As an example, waste management facilities should not be located adjacent to residential land uses. Concern has been expressed by residents of the Township and other municipalities regarding the location of CCPFs in proximity to sensitive land uses such as residential dwellings, schools and community centres. There are many reports of impacts related to noise, light pollution and odours produced by these facilities.

2.1.1.1 NOISE & USE OF ENERGY UTILITIES

Reports of “deafening” noise from CCPFs exist throughout Canadian news articles. Cannabis plants require careful regulation of temperature and humidity to maintain a suitable microclimate, meaning that typical CCPFs require a full heating, ventilating, and air-conditioning (HVAC) system. The system may be run at reduced capacity during nighttime hours. However, in order to support the appropriate growing environment, the system needs to operate 24 hours a day. In addition to creating noise, the HVAC system requires a large amount of energy. One study published in the Journal of Energy Policy found that 2,000 kWh of power are required to produce one pound of cannabis, while by comparison, one pound of aluminum requires 7 kWh.² This power is typically provided at a high voltage to a transformer substation on the site of the facility where it is reduced to a more usable voltage. These transformers can generate

² Peter Maloney, “Utilities grapple with growth in cannabis legalization”, 2018, <https://www.publicpower.org/periodical/article/utilities-grapple-with-growth-cannabis-legalization> (accessed June 21, 2019).

a significant amount of noise, but also produce a “frequency hum” which generates strong tones. According to Andrew Carballeira, an acoustics consultant, “tonal sounds tend to be more disturbing to communities than sounds with many frequency components”.³ The third potential source of noise pollution are deliveries of materials to the facilities. Carbon dioxide gas is used to boost production and is usually delivered by tanker truck to the facility. Other potential sources of noise are alarm systems and large machinery (e.g., tractors).⁴

Zoning regulations for cannabis should be in step with the capacity of utility systems to support the permitted land use and design goals for facility-generated sound can be effectively derived through computer modelling.^{5,6} Site plan control and setback provisions can effectively mitigate noise pollution.

2.1.1.2 LIGHT POLLUTION

A number of anecdotal reports have highlighted issues arising from the light pollution generated by CCPFs. Since the majority of cannabis produced at an industrial scale is grown indoors (and usually in a greenhouse), the indoor lighting system is not contained to the building. While urban areas are quite accustomed to light pollution, many CCPFs are being established in rural and agricultural areas, which are not impacted as severely by light. Cannabis plants require particular amounts of light and heat; during one of the growth phases, cannabis requires light for 18 hours each day. This may disturb not only neighbouring residential dwellings, but also the lifecycles of local wildlife including plants, animals and migrating birds.⁷

Most site plan control regulations address outdoor lighting designs, but do not consider the specific requirements of CCPFs and their effects on surrounding land uses. Section 4.10.3 of the Township of Brock Official Plan states that: “*Outdoor lighting and light pollution has an impact on the natural*

³ Andrew Carballeira, “Legal Marijuana: Where there’s Smoke there’s Sound”, 2017, <https://www.acentech.com/blog/legal-marijuana-theres-smoke-theres-sound/> (accessed July 10, 2019).

⁴ Ibid.

⁵ Federation of Canadian Municipalities (2018). Municipal Guide to Cannabis Legalization: A roadmap for Canadian local governments, <https://fcm.ca/sites/default/files/documents/resources/guide/municipal-guide-cannabis-legalization.pdf> (accessed June 21, 2019).

⁶ Andrew Carballeira, “Legal Marijuana: Where there’s Smoke there’s Sound,” 2019, <https://www.acentech.com/blog/legal-marijuana-theres-smoke-theres-sound/> (accessed June 9, 2019).

⁷ Emily Robertson, “Greenhouse Light Pollution is Affecting Prey, Migration, and Humans,” 2019, <https://www.rxleaf.com/greenhouse-light-pollution-is-affecting-prey-migration-and-humans/> (accessed June 9, 2019).

environment and the general quality of life.... the impact of lighting should be assessed and measures implemented to mitigate against detrimental impacts on natural features and functions". Section 4.10.5 of the Township of Brock Official Plan also recognizes the detrimental effects of light pollution and directs Council to consider the enactment of a light pollution by-law.

The issue of light pollution originating from CCPFs can be addressed through site plan control regulations or through the introduction of a general Dark Sky Friendly Lighting By-law that would require dark sky friendly lighting for all new developments in the Township of Brock (see Appendix C for an example of Dark Sky Friendly Lighting policies).

2.1.1.3 ODOUR

Cannabis has a unique smell compared to other agriculture or agricultural processing facilities, and odour is proving to be one of the chief complaints of community members living or working nearby to CCPFs. That said, many other agricultural uses produce strong odours, such as chicken farming or feedlots. In those cases, Minimum Distance Separation (MDS) regulates the distance between livestock barns, manure storages or anaerobic digesters and surrounding sensitive land uses, which would not apply to the production and processing of cannabis. One anecdotal report stated that odour became a nuisance 5 kilometres from two CCPFs, particularly on hot, humid days when the facility needed to ventilate more frequently.⁸ To date, there have been no scientific studies associated with the health effects resulting from exposure to cannabis odours.⁹

Part 5, Section 85 of the Cannabis Regulations, states that: *"the building or part of the building where cannabis is produced, packaged, labelled and stored must be equipped with a system that filters air to prevent the escape of odours"*. Thus, in theory, licensed facilities should not be creating nuisance odours. However, according to news articles, even when facilities meet these Federal regulations there may still be odour complaints. Additionally, facilities operating under the ACMPR do not have air filtration requirements. In the Township of Brock, neighbours of an ACMPR growing facility spoke of obnoxious

⁸ Armina Ligaya, "Pot a 'two-edge sword' in Ontario town where producers face pushback over smell," 2019, <https://www.bnnbloomberg.ca/pot-a-two-edge-sword-in-ontario-town-where-producers-face-pushback-over-smell-1.1198073> (accessed June 6, 2019).

⁹ Public Health Ontario, "Evidence Brief: Odours from Cannabis Production," 2018, <https://www.publichealthontario.ca/-/media/documents/eb-cannabis-production-odours.pdf?la=en> (accessed June 6, 2019).

odours during harvest. Municipalities can better manage odour pollution through a combination of site plan control and setback provisions in the applicable zoning by-law. Facilities operating under the ACMPR without odour filtration could be required to adhere to greater setbacks from sensitive land uses. Odour Screening Reports and Odour Control Reports can be required to help determine sufficient setbacks and odour control measures.¹⁰

2.1.1.4 IMPACTS ON FARMLAND

Cannabis is a form of intensive agriculture and is usually performed in a controlled environment such as a greenhouse or warehouse. This approach to cultivating cannabis does not require arable soils. In many parts of Canada, the production of medical marijuana has traditionally been permitted in agricultural areas. Due to the dramatic increase in new and proposed CCPFs after the legalization of recreation cannabis, some areas of Canada are experiencing growing pressure on farmland from CCPFs. The concern is that locating warehouses and large-scale industrial-style greenhouses on arable soils is inappropriate and results in the permanent loss of farmland. In British Columbia, there is an ongoing debate as to whether intensive cannabis cultivation should be permitted on the provincial Agricultural Land Reserve (ALR).¹¹ One of the reasons that producers are often interested in locating their indoor facilities on farmland is because it is often much more affordable than acquiring space in industrial zoned areas.

In 2018, the Federal Government lifted the ban on outdoor cultivation of medical and recreational cannabis. Outdoor production is permitted for Nursery, Micro, and Standard Cultivation Licenses, as well as those with a certificate from Health Canada permitting production for medical use under the ACMPR. Outdoor cultivation is challenging in the Canadian climate, but dramatically reduces costs for the producer. A farm in southwestern Ontario may be the first business to be awarded a license for outdoor cultivation on a 40-hectare property.¹² Outdoor cultivation requires arable soils in an agricultural area.

¹⁰ Ortech Consulting Inc., "Cannabis Industry and Odour Regulations," 2018, <https://www.ortechconsulting.com/blog1/cannabis-industry-and-odour-regulations> (accessed June 6, 2019).

¹¹ Lyonel Doherty, "Council to consider not allowing cannabis production on ALR," 2018, <https://www.oliverchronicle.com/council-to-consider-not-allowing-cannabis-production-on-alr/> (accessed June 6, 2019).

¹² Dale Carruthers, "Southwestern Ontario farm could have first licensed outdoor cannabis crop," <https://lfpres.com/news/local-news/southwestern-ontario-farm-could-have-first-licensed-outdoor-cannabis-crop> (accessed June 1, 2019).

Therefore, it is important to consider policies and regulations that are specific to both indoor and outdoor cultivation.

The Durham Region Official Plan (DROP) contains the policies and designations for the rural portion of the Township of Brock, referred to as the “Rural System”. The Rural System is comprised of Prime Agricultural Areas, Rural Settlements, Major Open Space Areas, Regional Nodes and Aggregate Resource Extraction Areas. “Prime Agricultural” areas are designated on Schedule “A” – Map “A1” to the DROP and are comprised of Canada Land Inventory Class 1-3 soils, as well as Class 4-7 soils and areas where farms predominate. Section 3.2.1.2 of the Township of Brock Official Plan states that the predominant use of land within the Prime Agricultural designation *“shall be agriculture and agriculture-related uses”*. These include *“the growing of crops, including nursery and horticultural crops...Agriculture-related uses are those farm-related commercial and industrial uses that are small scale and directly related to the farm operation and are established in proximity to the farm operation”*. Section 3.2.1.4 states that *“All types, sizes and intensities of agricultural uses are permitted...”*.

Section 2 of the Township of Brock Official Plan discusses the Vision and Strategic Direction for the municipality. Section 2.2.7.2 states that one of the objectives is to protect prime agricultural land from urban development, and to *“support farm practices that will protect the long-term productivity of agricultural lands and minimum environmental impact”*. The DROP states that the goal of the Rural System is to support agriculture, but also more specifically, *“to support community food security”* (s. 9.1.2, DROP). Subsection 9A of the DROP also states that all development within the Prime Agricultural area will be on private services, and that *“the intrusion of urban type land uses into Prime Agricultural areas shall not be permitted”* (s. 9A.1.5, DROP).

The Township of Brock may wish to prohibit industrial-style (“urban type”) CCPFs in areas with Canada Land Inventory Soil Classes 1-3 in order to adhere to the goal of preserving community food security and to restrict the scale of facilities developing in rural areas on private services. This could be accomplished by restricting the total area devoted to cultivation or processing in Prime Agricultural areas to 200 square metres (which is consistent with Health Canada’s distinction between micro and standard scales of production and processing).

2.1.1.5 IMPACTS ON WATER SUPPLY AND WATERSHED HEALTH

Cannabis has high water needs when grown indoors, but particularly when grown outdoors. A cannabis plant needs approximately 22 litres of water per day (compared to wine-producing grape plants, which require approximately 12 litres per day). Water used in cannabis production must meet high quality standards to maximize maturation and yield, and when water is drawn from a depleted aquifer it is more likely to be contaminated with bacteria and fungi which can be passed to the crop. Water usage for outdoor cultivation is particularly demanding. In California, studies have shown that irrigation of cannabis is having impacts at the watershed scale with lethal and sub-lethal effects on fish and amphibian populations.¹³ Where CCPFs are proposed, decision makers should look carefully at the impacts to the overall watershed and local flow needs. Additionally, cannabis production may produce effluent containing growth nutrients and pesticides, which can affect local ecosystems negatively. Approvals may be needed for producers to discharge effluent or for monitoring to ensure compliance with discharge requirements or restrictions. Special attention should be paid to discharge occurring near fish bearing habitat to ensure compliance with the *Fisheries Act*.¹⁴

The Township of Brock presents some unique considerations as the urban areas of Cannington and Sunderland depend on a communal well system for drinking water, and Beaverton draws its water from Lake Simcoe. Schedules ID, 2D and 3D depict Wellhead Protection Areas for Cannington and Sunderland, as well as Intake Protection Zones for Beaverton. Section 6.4.2.3 of the BOP states that “*Within WHPAs and IPZs, it may be necessary to restrict or even prohibit certain land uses and activities due to their potential to negatively impact groundwater and surface water quality and drinking water quantity*”. Careful consideration is required during the approvals process to ensure proposed facilities can be sustained without causing a negative impact. When considering development that may impact source water protection areas, the South Georgian Bay Lake Simcoe (SGBLS) Source Water Protection Plan should be consulted (BOP, s. 6.4.1).

¹³ Bauer S, Olson J, Cockrill A, van Hattem M, Miller L, et al., “Impacts of Surface Water Diversions for Marijuana Cultivation on Aquatic Habitat in Four Northwestern California Watersheds,” 2015, PLOS ONE 10(9): e0137935, <https://doi.org/10.1371/journal.pone.0137935>.

¹⁴ Selina Lee-Anderson, “Spotlight on Cannabis – Part 2: Taking a Closer Look at the Environmental Costs of Cannabis Cultivation,” 2018, <https://www.mccarthy.ca/en/insights/blogs/canadian-era-perspectives/spotlight-cannabis-part-2-taking-closer-look-environmental-costs-cannabis-cultivation> (accessed May 27, 2019).

Overall, concerns regarding watershed health can be addressed through the inclusion of the appropriate guiding policies regarding servicing capacity and environmental impact studies for CCPFs. Additionally, the involvement of the Conservation Authority in all CCPF development proposals is important for assessing the impacts of CCPFs at the watershed scale and ensuring that proposals conform to the Lake Simcoe Protection Plan where applicable.

2.1.1.6 HUMAN HEALTH AND SAFETY

Processing cannabis has certain human health and safety concerns. Extraction of cannabis oil can involve the use of butane, which is explosive at ordinary temperatures.¹⁵ Section 17(4) of the Cannabis Regulations permits *“a holder of a license for micro-processing or standard processing...to alter or offer to alter the chemical or physical properties of cannabis by the use of an organic solvent when conducting that activity”*. At least seven cases of explosions resulting from the improper use of butane (associated with unlicensed and illegal activity) have been documented in Ontario.¹⁶ This risk can be managed through zoning and site plan control. Consideration could be given to restricting any processing activities to the Restricted Industrial (M1) Zone or the General Industrial (M2) Zone, and specific fire-restrictive design or construction characteristics could be required through site plan control.

2.1.1.7 IMPACTS OF UNLICENSED FACILITIES UNDER THE ACMPR

Land use conflicts are occurring at a scale that was unanticipated with the introduction of the ACMPR. Since the size and scale of these operations is determined by an individual's particular certificate, it is difficult to anticipate and plan for the land use considerations associated with this category of cultivation and processing. Like the Township of Brock, Norfolk County has experienced widespread issues and complaints from citizens, mainly regarding odour from large-scale greenhouse operations cultivating cannabis for multiple permit holders who have delegated to a third-party producer. Since it is possible for thousands of plants to be grown on one property without odour control, and there are no federal regulations regarding minimum separation distances (other than outdoor operations not being located

¹⁵ Federation of Canadian Municipalities (FCM; 2018). *“Municipal Guide to Cannabis Legalization: A roadmap for Canadian local governments”*, <https://fcm.ca/sites/default/files/documents/resources/guide/municipal-guide-cannabis-legalization.pdf> (accessed May 24, 2019).

¹⁶ Jennifer Bieman, “Legalized marijuana prompts drug-related explosion, fire warning,” 2018, <https://lfpres.com/news/local-news/legalized-marijuana-prompts-drug-related-explosion-fire-warning> (accessed June 10, 2019).

directly adjacent to an area frequented by children), many cannabis cultivation operations are occurring adjacent to sensitive land uses in Norfolk County. Norfolk County Planning Department has derived an effective solution to this problem through specific setback requirements for CCPFs without odour control in their zoning by-law (see Section 3.1.5 of this report for more details).^{17,18} In addition, including facilities that operate under the ACMPR in the definition of “Cannabis Production and Processing” can help ensure that the land use implications associated with these facilities are managed properly.

2.1.1.8 SECURITY AND CRIME RATES

There are some reports of increased crime rates as a result of CCPFs. However, our research only revealed studies which examined the relationship between crime rates and cannabis retail dispensaries.

Members of the public may be concerned about a CCPF locating in proximity to their home due to the belief that it will attract crime to the area. However, the Cannabis Regulations require that licensed facilities be equipped with stringent security measures. These measures are intended not only to protect the operations of the CCPF, but also to reduce the possibility of crime in the surrounding area.

Facilities licensed for standard cultivation, standard processing, sale (which authorizes cannabis possession), and those with a drug license (if the amount sold/distributed annually exceeds 600 kilograms), are required to have a site design which prevents unauthorized access, and to monitor the perimeter of the site as well as all operation and storage areas with visual recording devices and intrusion detection systems. The only exception is the grow area which must only be monitored at the exit and entry points.

Micro-cultivation, micro-processing, and nursery licensed facilities must also have a site design which prevents unauthorized access, and the site must be surrounded by a physical barrier to prevent access. Storage areas must be surrounded by a physical barrier that prevents unauthorized access and access must be restricted to those who require it to perform their duties. Micro-cultivation, micro-processing and nursery licenses do not require the visual recording devices or intrusion detection systems that those licensed under a standard cultivation, standard processing or certain licences for sale require. Those

¹⁷ Mat Vaughan, “Change is in the Wind,” 2018, <https://ontarioplanners.ca/blog/planning-exchange> (accessed May 20, 2019).

¹⁸ Mat Vaughan (Principal Planner, Norfolk County), Telephone interview, 7 May 2019.

licensed only for analytical testing or those who possess a drug license or research license also require specific security measures.

Unlicensed facilities operating under a certificate (ACMPR) are not required to employ specific site design or security measures. Under the ACMPR, it is the individual's responsibility to ensure that all marijuana plants or cannabis products are secure, and that other people, including children, cannot access them. The Township of Brock could consider requiring security measures such as perimeter fencing through Site Plan Control for those submitting a *Planning Act* or Building Permit application for a CCPF as a registrant under the ACMPR. Additionally, by restricting the development of CCPFs within residential areas and in proximity to sensitive land uses, any potential impacts on security will be mitigated through prohibitions in certain zones or land use designations, as well as through minimum separation distances. To be clear, our research did not determine any causation between CCPFs and increased crime rates.

2.1.2 Defining and Protecting Sensitive Land Uses

The Durham Region Official Plan defines "Sensitive Uses" as *"means such uses as residences, nursing and retirement homes, elementary & secondary schools, day care facilities, provincial hospitals, places of workshop and other similar institutional uses, and recreational uses which are deemed by an area municipality to be sensitive"* (Durham Region Official Plan, Sub-Section 15A, Definitions). This definition echoes the definition provided in the Provincial Policy Statement (PPS).

The Township of Brock Official Plan and Zoning By-law Number 287-78-PL do not contain a definition of sensitive land uses. Although a definition is not absolutely necessary, a list of specific land uses considered to be sensitive to the production and processing of cannabis in the Township of Brock should be established and included in the local planning document. The Township of Brock Official Plan also does not include any policies regarding the separation of Industrial and sensitive land uses, other than within the Employment Lands designation: *"Adequate buffers shall be provided to separate employment uses from residential areas in order to reduce conflicts. Buffers may include such features as setbacks, berms, walls, fences and landscape strips"* (s. 5.6.3.7, BOP). Theoretically, this policy would likely apply to the majority of cannabis production uses. However, it would not apply to CCPFs that are located outside of Employment Areas (e.g. within the Rural system), and would only protect residential uses (i.e.

not institutions like schools or daycares). Additionally, no guidelines are provided for minimum setbacks or criteria for determining such setbacks.

A definition of Class I, II and III Industrial is provided in the Ontario Government's "D-6 Compatibility between Industrial Facilities", while the "D-6-3 Separation Distances" provides the Area of Influence and recommended Minimum Separation for each of the classes. A licensed Cannabis facility would most likely be categorized as Class II, since there are likely to be periodic outputs of minor annoyance and occasional outputs of either point source or fugitive emissions (noise, odour, dust and/or vibration). A Class II Industrial use is defined as having a 300-metre area of influence and a 70-metre minimum separation from incompatible development.

Ultimately, the separation of sensitive land uses and CCPFs can be managed effectively through the appropriate definitions, zoning (minimum separation distances) and site plan control.

3.0 Managing the Land Use Implications of CCPFs

An amendment to the existing Township of Brock Official Plan (BOP) and Township of Brock Zoning Bylaw (BZBL) will allow the Township to introduce new policies, definitions, provisions and regulations that are specific to facilities that produce or process cannabis. It is also possible to amend the Township's Site Plan Control By-law in order to introduce provisions of site plan control that would be specific to all new CCPFs. While the Zoning By-law and Site Plan Control By-law are useful tools available to the Township, it is important to note that they are amended in conformity with Provincial and municipal planning policy.

3.1 Strategies

We have identified five strategies for consideration by the Township of Brock.

These include:

1. "Business-As-Usual" (do nothing). Production and processing will be permitted in a variety of existing land use designations and zones;
2. Amend the BOP to include a definition of CCPFs and permit in certain land use designations;

3. Add a definition of CCPFs to the BZBL and permit CCPFs in certain zones;
4. Add a definition of CCPFs to the BZBL and create a new CCPF-specific zone; or
5. Add a definition of CCPFs and create a new section in the General Provisions of the BZBL with specific regulations for CCPFs.

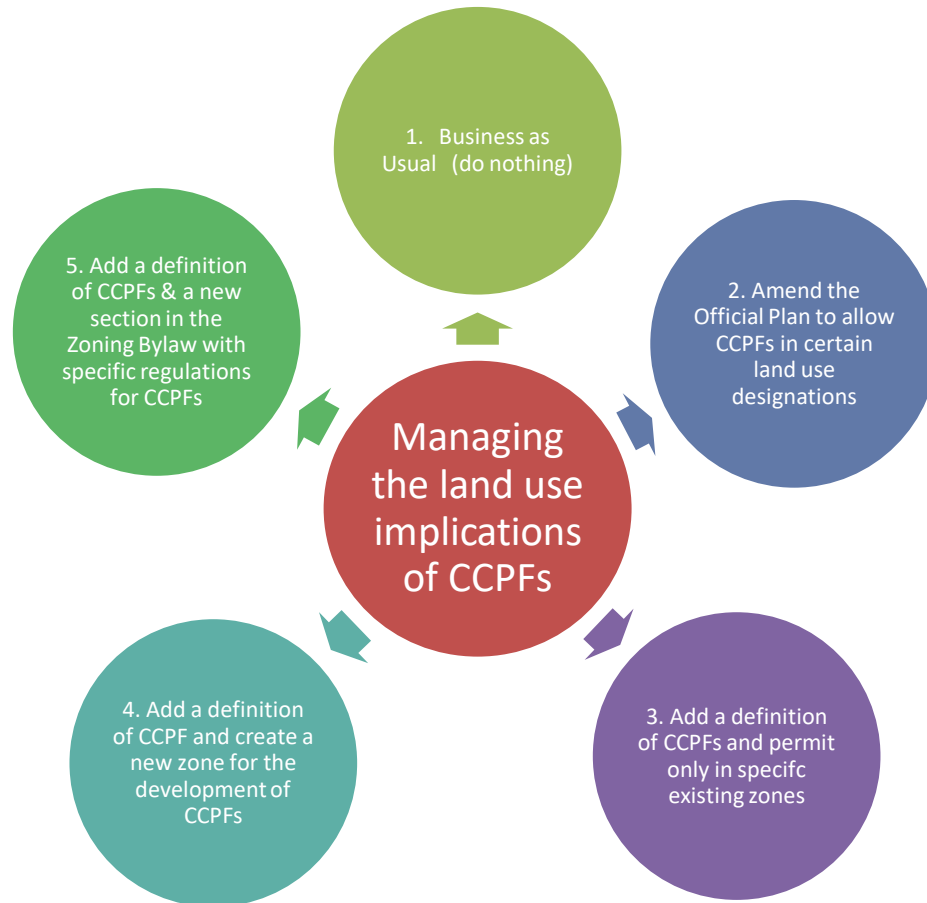


Figure 1. Five strategies for managing the land-use implications of Cannabis Production and Processing Facilities (CCPFs) in the Township of Brock.

3.1.1 “Business As-Usual” (do nothing)

An analysis of the BZBL was performed in the context of the nature of CCPF developments, the definitions provided in Section 10 of the BZBL and the Federal Cannabis regulations (SOR/2018-144). The results indicate that out of 25 existing zones, cultivation, production, processing or sales (excluding retail sales to the public) is currently permitted in 10 of these zones (Table 1). If no amendments are made to the BOP or BZBL, prospective developers could legitimately apply for building permits or carry out activities associated with the production or processing of cannabis within these 11 zones. Currently, CCPF activities would be permitted in the Environmental Protection (EP), Rural (RU), Rural Buffer (RB), Rural Residential (RR), Hamlet Residential (HR), Shoreline Residential (SR), Residential Type One (R1), Residential Type Two (R2), Restricted Industrial (M1) and General Industrial (M2) zones.

These determinations were made by reviewing *Plate “B” Permitted Uses and Activities in General Zone Categories* as well as the definitions in Section 11 of the Township of Brock Comprehensive By-law for each of the permitted uses within each of the zones. The definitions which currently permit a CCPF are listed in Appendix A.

The “business as usual” approach was considered by the Town of Erin. After a review of the existing zoning by-law, Town planning staff determined that cannabis production facilities were already permitted within a number of zones, and that amendments to the zoning by-law were not necessarily required.¹⁹

¹⁹ Laura Dean, “Municipal Land Use Planning Regulations and Cannabis Production Facilities,” 2018, <https://www.airdberlis.com/insights/publications/publication/municipal-land-use-planning-regulations-and-cannabis-production-facilities> (accessed May 27, 2019).

Table 1 - Zones in which CCPFs are currently permitted according to the Township of Brock Comprehensive Zoning By-law No. 287-78-PL. Please see Appendix A for the definitions of the permitting use(s) referenced in this table.

Zone	Zone Symbol	CCPF Permitted? (YES/NO)	Permitting Use(s)
Rural			
Rural	RU	YES	<ul style="list-style-type: none"> • Farm • Home Industry • Home Occupation
Rural Buffer	RB	YES	<ul style="list-style-type: none"> • Farm • Home Industry • Home Occupation
Residential			
Rural Residential	RR	YES	<ul style="list-style-type: none"> • Home Occupation
Hamlet Residential	HR	YES	<ul style="list-style-type: none"> • Home Occupation
Shoreline Residential	SR	YES	<ul style="list-style-type: none"> • Home Occupation
Residential Type One	R1	YES	<ul style="list-style-type: none"> • Home Occupation
Residential Type Two	R2	YES	<ul style="list-style-type: none"> • Home Occupation
Industrial			
Restricted Industrial	M1	YES	<ul style="list-style-type: none"> • Manufacturing, Processing, Assembling &/or Fabricating Plant • Warehouse • Wholesale Commercial Establishment
General Industrial	M2	YES	<ul style="list-style-type: none"> • Manufacturing, Processing, Assembling &/or Fabricating Plant • Warehouse • Wholesale Commercial Establishment
Other			

Zone	Zone Symbol	CCPF Permitted? (YES/NO)	Permitting Use(s)
Environmental Protection	EP	YES	<ul style="list-style-type: none"> Farm

3.1.1.1 DISCUSSION

The “business as usual” approach is not recommended due to the fact that sensitive land uses could be negatively affected by the externalities outlined in Section 2.1 of this report, particularly in the Rural and Residential Zones outlined in Table 1. In addition, this approach would make it difficult for prospective developers to determine if and where CCPFs would be permitted and under which provisions, without meeting with staff directly. A strategy that reduces land use conflicts and provides more certainty and clarity to prospective developers and the general public is preferred.

3.1.2 Amend the Township of Brock Official Plan

A second strategy to consider is to amend the BOP to include a definition of Cannabis Production and Processing Facilities (or similar), and to list this term as a permitted or prohibited use within each land-use designation. The amendment would also include the requirement that any application for a CC PF would require a Zoning By-law Amendment (ZBA) in order to prescribe the appropriate setbacks or other site development requirements. Guidelines for the appropriate setbacks to protect sensitive land uses and prevent other land use conflicts would also need to be included in the Official Plan Amendment. These guidelines would be used to determine specific requirements during the Zoning By-law Amendment application process.

The land use designations which currently and indirectly permit CCPFs include the Prime Agriculture (as part of the Rural System of the Region of Durham), Employment Areas, Hamlets. All of these land use designations are likely to be suitable for CC PF development with the appropriate provisions in place.

3.1.2.1 PRIME AGRICULTURAL

Without a specific definition of “Cannabis Production and Processing” Facilities, cannabis production could legitimately occur within the Agricultural land use designation according the policies outlined in Section 3.2.1 of the BOP and Section 9A of the DROP. These policies permit “a full range of agricultural,

agriculture-related and secondary uses". Section 3.2.1.5 defines Secondary Uses as: "*uses that are secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property. Such uses will be permitted in the Rural System and Prime Agricultural Areas, subject to the following conditions:*

- *The use is compatible with, and does not hinder, surrounding agricultural operations;*
- *Complies with the Provincial Minimum Distance Separation formulae; and,*
- *Does not adversely affect the cultural and rural character of the area or the natural environment*".

However, the "*intrusion of urban type land uses*" is not permitted (DROP, s. 9A.1.5), and agriculture-related uses (e.g., processing) may only be permitted if they are deemed to be "*small scale and exclusively devoted to the farm operation*" (DROP, s. 9A.2.3).

Though some forms of production and processing of cannabis and cannabis products may be considered to be appropriate within the Prime Agricultural designation, these sections may need to be amended to provide specific guidelines for CCPFs. The guidelines which already exist for prohibiting "urban type" land uses provide some protection against inappropriate development on agricultural land. However, section 3.2.1 of the BOP could benefit from specific guidelines or provisions for developing CCPFs on agricultural lands such as those pertaining to scale of development (e.g., ≤ 200 square metres devoted to production or processing of cannabis or specific technical studies required). Requirements such as these could be set up to align with the federal licensing structure (ie., ≤ 200 square metres for micro-production or micro-processing and >200 square metres for standard production and processing).

3.1.2.2 EMPLOYMENT AREAS

Permitted uses in Employment Areas include: "*manufacturing, assembly and processing of goods, service industries, research and development facilities, warehousing, business parks, limited personal service uses, hotels, storage of good and materials, and freight transfer and transportation facilities. Uses declared to be obnoxious under the provision of any applicable statute, regulation or guideline shall not be permitted*" (BOP, s. 5.6.3.2). Therefore, depending upon how one defines cannabis production (ie. As

a product or crop), CCPFs would likely be permitted under the definition of “*manufacturing, assembly and processing of goods*”. Activities permitted under a research license would also be permitted in Employment Areas under “*research and development facilities*”.

Employment Areas are one of the most suitable locations for industrial-style CCPFs since they are already designated for industrial uses and are separated from Residential Areas as well as areas designated as Prime Agricultural. Additionally, Employment Areas have the additional benefit of municipal servicing: “*Generally, Employment Areas will develop on lands having municipal water and sewage services*” (BOP, s. 5.6.3.1). However, in Cannington and Sunderland where the water supply is derived from a communal well system, careful consideration of water usage of proposed CCPFs will still be required.

Although Durham Region has an employment objective of 50 jobs/hectare, it is acknowledged that this will be challenging in Brock Township. As such, the minimum density is 12 jobs per hectare. Permitting CCPFs that are appropriately designed and located in Employment Areas can help Brock Township achieve employment targets. The BOP states that there will likely be a deficit of employment lands at or before 2031. The demand for Employment Areas for the development of CCPFs may be further increased due to the legalization of recreational cannabis.

As discussed previously in Section 2.1.2 of this report, the Employment Areas policies provide some protection to sensitive land uses: “*Adequate buffers shall be provided to separate employment uses from residential areas in order to reduce conflicts. Buffers may include such features as setbacks, berms, walls, fences and landscape strips*” (BOP, s. 5.6.3.7). However, this policy only provides protection to residential uses. A comprehensive list of uses considered to be sensitive in the context of CCPFs should be included in the Official Plan and Zoning By-law amendments.

3.1.2.3 HAMLET

According to the BOP:

“Development in Hamlets is to be compatible with the surrounding land uses and may consist of a variety of uses including: residential uses; community facilities;

employment uses and commercial uses that meet the immediate needs of the residents of the hamlets and the surrounding rural area” (BOP, s. 5.9.2.2).

Therefore, it would be possible for a CCPF to locate within the Hamlet designation as an “employment use” given the current policy. It will be up to the municipality to decide whether this is appropriate.

The BOP also states that the Hamlet areas “*are to be a focus of limited development outside of the Urban Areas. The residential character and cultural heritage that is unique to each hamlet is to be preserved and enhanced*” (BOP, s. 5.91.1).

Depending upon the type and scale of CCPF, and as long as sensitive land uses are adequately protected, it is our opinion that there are no issues with the establishment of a CCPF where any other light industrial or manufacturing uses are permitted. The most significant factor would be adhering to minimum separation distances and complying with any other recommendations for location or mitigation recommended as a result of a site-by-site analysis as part of the zoning by-law amendment proposed herein.

3.1.2.4 DISCUSSION

It is our recommendation that an amendment to the BOP be undertaken in order to:

- 1) Define and permit CCPFs within certain land use designations;
- 2) Provide guidelines for setbacks and site development requirements and
- 3) Require a zoning by-law amendment for each CCPF application.

The current structure and form of the BOP is somewhat conducive to this option. This strategy would allow each CCPF application to be assessed on a case-by-case basis, including the determination of the appropriate setbacks and site development requirements, while completely prohibiting CCPFs in the land use designation areas considered inappropriate for such development.

A possible drawback to this approach is the introduction of setbacks through the BOP instead of the BZBL. This would be a guiding policy as opposed to a regulation, and therefore would be subject to more variation. This could also be considered a positive aspect if Council wishes to evaluate and determine

site-specific setbacks for each CCPF as opposed to having regulated minimum separation distances. Regardless of the approach, a definition and additional clarity is required regarding CCPFs as a permitted or prohibited use in each land use designation of the BOP.

3.1.3 Permit CCPFs in Certain Existing Zones

A third strategy involves the creation of a definition for “Cannabis Cultivation or Processing” in the BZBL, and permitting the use in the appropriate zones. These zones would likely include the Rural (RU), Rural Buffer (RB), Development (D), Restricted Industrial (M1), General Industrial (M2), and Rural Industrial (M3) Zones. In Ontario, all uses are presumed to be prohibited, except those that are explicitly permitted in a zoning by-law. Thought should be given to which types of CCPFs should be permitted in each zone (indoor/outdoor, warehouse/greenhouse, micro/standard, with or without air quality control, etc.).

As shown in Section 3.1.1 of this report, CCPFs are considered to be permitted in 10 of 25 zones due to the definitions of the permitted uses including the activities typically associated with CCPFs (please see Appendix A for a list of these permitted uses and their definitions). After listing “CCPFs” as a permitted and defined use, this term would then be excluded from the definitions of the uses which indirectly permit CCPFs (ie., Farm, home industry, home occupation, warehouse, manufacturing, etc.).

3.1.3.1 DISCUSSION

The benefit of this approach is that it provides prospective producers with some certainty as to where their contemplated use is permitted. However, it becomes more difficult to implement a specific set of provisions regulating CCPFs (e.g., separation distances) since the listed provisions must be appropriate for all permitted uses in each zone.

3.1.4 Create a New Zone for CCPFs

The fourth strategy is to create a definition of CCPFs, and create a new zone to exclusively permit their development. CCPFs would be prohibited in all other zones. This approach would require identifying and re-zoning specific areas of the Township for CCPF development.

3.1.4.1 DISCUSSION

This approach may be suitable if the Township is planning to be highly restrictive regarding the establishment of CCPFs (i.e., if there are a limited number of sites which would be considered suitable). Otherwise, this approach may result in areas of the Township with split or multiple zones on individual properties. The benefit of this strategy is that it would provide prospective developers with exceptional clarity as to where a CCPF would be permitted with CCPF-specific regulations, which would likely not require a site-specific analysis during the application process.

3.1.5 Create a New Section in the Township of Brock Zoning By-Law

The final strategy involves the creation of a definition for CCPFs; permitting CCPFs within certain existing zones; and requiring all CCPFs to adhere to a set of special provisions set out in a new section of the General Provisions of the BZBL. This is by far the most popular method implemented by municipalities throughout Ontario. The Municipality of Trent Hills, the Township of Cavan-Monaghan, the Town of Erin, Brant County and most notably, Norfolk County have all implemented a strategy similar to this in order to manage the land use implications of CCPFs (Appendix B).

Southwestern Ontario (and specifically Norfolk County), which was traditionally the site of widespread tobacco production, has now become a popular area for cannabis cultivation and processing in response to both domestic and international demand. Norfolk County has had a significant influx of both licensed and unlicensed CCPFs, and has found success in managing the impacts through a detailed set of general provisions in their zoning by-law.²⁰

Norfolk County's definition of "Cannabis Production and Processing" is as follows: *"means lands, buildings or structures used for producing, processing, testing, destroying, packaging and /or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto"*. This definition

²⁰ Mat Vaughan (Principal Planner, Norfolk County), Telephone Interview, 7 May 2019.

is effective in that it specifically includes operations permitted under license as well as registrants under the ACMPR.

Norfolk County's Zoning By-law also provides a definition of "Cannabis": *"shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels)".*

"Cannabis Production and Processing" is excluded from Norfolk County's definition of "Farm", "Garden Centre", and "Wholesale Outlet" and is exclusively permitted in the General Industrial Zone (MG), the Light Industrial Zone (ML), the Rural Industrial Zone (MR), and the Agricultural Zone (A), subject to the General Provisions in Section 3.21 of the Zoning By-law.

The General Provisions of Norfolk County's Zoning By-law for "Cannabis Production and Processing" (Section 3.21) outline specific setbacks from sensitive land uses for operations with and without air treatment control (Table 2). Norfolk County has identified the Residential Zone, the Institutional Zone, and the Open Space Zone, as well as any dwelling, public school, private school, place or workshop, and daycare nursery as sensitive land uses. The required 70 metre and 300 metre setbacks between CCPFs and sensitive land uses appear to be based on the recommended minimum distance in which incompatible development should not take place for Class II and III Industrial land uses.²¹ Any setbacks implemented for CCPFs in the Township of Brock should not be arbitrary and should be based on a defensible policy document. The following table summarizes the provisions for "Cannabis Production and Processing" in Norfolk County.

²¹ Government of Ontario, "D-6-3 Separation Distances", <https://www.ontario.ca/page/d-6-3-separation-distances#section-1> (accessed June 19, 2019).

Table 2. Example Zoning By-law provisions for “Cannabis Production and Processing” from the Zoning By-Law of Norfolk County 1-Z-2014.

Zone(s) where “Cannabis Production and Processing” is located	Air Treatment Control (Y/N)	Required setback (metres)	Identified Sensitive Land where Setback is Required
-General Industrial -Light Industrial -Rural Industrial	YES	70	-Residential Zone -Institutional Zone -Open Space Zone
-Agricultural	YES	150	-Residential Zone -Institutional Zone -Open Space Zone
-General Industrial -Light Industrial -Rural Industrial	YES	150	-Dwelling -Public School -Private School -Place of Worship -Day Care Nursery
-Agricultural -General Industrial -Light Industrial -Rural Industrial	NO	300	-Dwelling -Public School -Private School -Place of Worship -Day Care Nursery

Additionally, the general provisions in Norfolk County’s Zoning By-law permit a *“building or structure used for security purposes for Cannabis Production and Processing”* to be located in the front yard which is not required to comply with the minimum yard setbacks. Outdoor storage is prohibited on any site where

Cannabis Production and Processing takes place, and *“All development in relation to the establishment of or expansion to Cannabis Production and Processing shall be subject to Site Plan Control”*.

3.1.5.1 DISCUSSION

The strategy discussed above is a viable and perhaps the most preferable method of proceeding with managing the land use implications of CCPFs in the Township of Brock. The approach can be detailed and specific to CCPFs without complicating the provisions outlined for more general purposes in existing zones. Not only does this strategy appear to be the most straightforward and effective way of managing CCPFs, but it also provides exceptional clarity to prospective developers who can look directly to the zones where CCPFs are permitted and the specific requirements outlined in a new section of the General Provisions. Attracting developers through a straight-forward and inviting process is important since CCPF development represents significant economic development potential for rural communities.

3.2 Final Recommendations

It is our recommendation that the Township amend the Official Plan, Zoning By-law and Site Plan Control By-law in line with the strategy outlined in Section 3.1.5 of this report. This strategy involves the implementation of land use policies and zoning by-law provisions that are specific to CCPFs. Through an amendment to the Site Plan Control By-law, the Township will ensure that all new CCPFs will be safely and efficiently designed. Moreover, these changes to the Zoning By-law and Site Plan Control By-law are defensible before the LPAT, are consistent with applicable policy and are non-discriminatory.

Specific recommendations include:

- Create a new definition of “Cannabis” and “CCPF” (or similar term) in the BOP and BZBL (this includes Alternative Production Sites). A definition which is similar to that of “Cannabis Production and Processing” in Norfolk County is recommended as it is not specific to production within a “facility” and thus applies to both outdoor and indoor operations. The definition should include cannabis production and processing operating under **license, registration or authorization** by Health Canada.

- Add this newly defined term as a permitted or prohibited use in each land use designation in the BOP (and include a policy stating that CCPFs are allowed only where they are permitted in the Township Zoning By-law, and are subject to the CCPF-specific provisions, to provide clarity).
- Prohibit the newly defined term for cannabis production and processing in the definitions identified as requiring revision in Appendix A of this report.
- Amend *Plate “B” Permitted Uses and Activities in General Zone Categories* to include the newly defined term, “Cannabis Production or Processing” (or similar) in Column 1
 - Permit this newly defined use within the appropriate zones: The **Rural (RU) Zone; Rural Buffer (RB) Zone; Development (D) Zone; Restricted Industrial (M1) Zone; General Industrial (M2) Zone; and Rural Industrial (M3) Zone** are recommended.
 - Consider permitting industrial-style operations only in the Industrial and Development zones and reserving Prime Agricultural lands for smaller or otherwise less impactful CCPFs and the agri-food sector. Consider limiting CCPFs to micro-cultivation and micro-processing on agricultural lands (≤ 200 square metres).
 - Consider operations involving processing to be permitted only in the Restricted (M1) and General (M2) Industrial Zones.
- Create a section of corresponding text to the permitted use in Plate “A” which requires Site Plan Control for all CCPFs and a specific set of site design requirements based on Best Practices. Setbacks should always respect the minimum separation outlined in the by-law but consideration should be given to adjusting the requirements based on the outcomes of technical studies on a site-by-site basis.

We recommend requiring:

- Detailed building design requirements to minimize externalities and protect human health and safety

- Detailed servicing and environmental impact reports on projected water needs, wastewater, and the anticipated impacts on watershed health and fish habitat
- Water Conservation practices including the recycling of greywater to reduce overall consumption and reduce the impacts of wastewater on ecosystems
- Noise impact studies to assess the impact of HVAC systems, electrical transformers and traffic on adjacent land use
- Odour screening reports and odour control measures for all indoor CCPFs
- Dark sky friendly lighting and building design (e.g., blackout systems) for all CCPFs and consider this requirement for all new development in the Township
- Create a new Plate for Cannabis Production and Processing Provisions
 - This plate should include appropriate setbacks or minimum separation distances between CCPFs and identified sensitive land uses or zones. It is recommended that all Residential Zones and the Community Facility Zone be treated as sensitive, and that all uses listed in the DROP definition of “Sensitive Land Use” be treated as sensitive. Include specific setback provisions for operations with and without air quality control. Ensure setbacks are based on defensible land use planning policy documents.
- Consider offering developers an “accelerated development process” for CCPFs to boost economic development in the Township
- Require a pre-consultation for all prospective CCPF developers to clearly outline the process and discuss development opportunities.

4.0 Conclusions

There is considerable interest in establishing production and processing facilities for cannabis products in the Township of Brock. There has also been growing concern from the public regarding the impacts from these operations. We hope that the concerns relating to land use compatibility have been addressed



in this report and are accompanied by a set of recommendations that will provide clarity and certainty to the public and prospective developers alike. Overall, the development of the cannabis industry presents a significant opportunity for economic growth and employment in the Township of Brock. However, the land use impacts that are associated with cannabis production and processing must be carefully considered in the context of sensitive land uses and the natural environment.

It is up to the municipality to determine the extent of land use control that is required. However, much like any other major planning decision, the municipality must exercise caution and ensure that its ultimate decision is grounded in policy and follows good planning principles.

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.

A handwritten signature in blue ink, reading "J. Kent Randall", is written over a horizontal line.

J. Kent Randall B.E.S. MCIP RPP
Manager and Senior Planner

A handwritten signature in blue ink, reading "Sarah Bale", is written over a horizontal line.

Sarah Bale B.Sc., M.Sc., M.E.S
Planner

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Appendix A

Township of Brock Zoning Bylaw

Definitions Currently Permitting CCFPs/Recommended for Revision

11.60 FARM: Shall mean any farming or agricultural use and includes berry or bush crops; breeding, raising or training horses or cattle; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetable or fruit produce produced on the premises; mushroom farms; nurseries, orchards, riding stables; the raising of sheep or goats; the raising of swine, tree crops; market gardening; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture. "FARM" shall include a single-family dwelling house, buildings and structures, such as barns, silos, biogas digestion system, and accessory buildings, which are incidental to the operation of the farm, but shall not include a slaughterhouse; commercial greenhouses, farms devoted to the intensive hatching raising and marketing of chickens, turkeys; other fowl or game birds; fur bearing animals including game farms which specialize in the raising of wild and undomesticated animals; fish, frogs or bees. Barns and silos, for the purpose of this By-law, shall be considered as principal or main buildings or structures on the lot in which they are located.

11.80 (b) HOME INDUSTRY: Shall mean a small scale industry which is carried on in accordance with the provisions of this By-law as an accessory use in a building accessory to the principal residence use of the property.

11.82 HOME OCCUPATION: Shall mean any occupation which is carried on, in accordance with the provisions of this By-law relative thereto, as an accessory use and only by members of one family residing upon the premises

11.102 MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT: Shall mean a plant in which the process of producing a product suitable for use, by hand or mechanical power and machinery, is carried on systemically with division of labour.

11.191 WAREHOUSE: Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandize, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include truck terminal.



11.192 WASTE DISPOSAL AREA: Shall mean a place where garbage, refuse or domestic or industrial waste is disposed of or dumped.

11.199 WHOLESALE ESTABLISHMENT: Shall mean the use of land or the occupancy of a building and/or structure, for the purposes of selling, and/or offering for sale, goods, wares and/or merchandise on a wholesale basis, and includes the storage of warehousing of those goods, wares and/or merchandise.



Appendix B

Summary of Other Municipal Approaches

Managing Land Use Implications of CCPFs

Municipality of Trent Hills

The Municipality of Trent Hills passed Zoning By-law Amendment 2019-037 that establishes definitions of “Cannabis”, “Cannabis Production and Processing” and “Air Treatment Control”. The By-law establishes cannabis production and processing uses as permitted uses in the Rural (RU), Agricultural (A) and General Industrial (M1) Zones. New general provisions include setbacks that range from 300 metres to 70 metres, depending on adjacent land uses and whether air treatment control is implemented.

City of Quinte West

The City of Quinte West passed a housekeeping amendment (16-062) to their Zoning By-law which included definitions for “Medical Marijuana Production Facility” and “Marijuana Dispensary”. The By-law does not explicitly permit or prohibit the use in any zone or establish any general provisions associated with the use. The definition of “Commercial Greenhouse” was amended to exclude medical marijuana production facilities.

City of Belleville

In 2016, the City of Belleville passed Zoning By-law Amendments 2016-02, 2016-03 and 2016-04, amending their Zoning By-law Numbers 10245, 3014 and 2076-80 to incorporate definitions for “Medical Marihuana Production Facility” and “Marihuana Dispensary”. The By-law does not explicitly permit or prohibit the use in any zone or establish any general provisions associated with the use.

On March 4, 2019, the City of Belleville hosted a public meeting to consider an amendment to the Zoning By-law to update terminology and definitions related to cannabis, ensuring that they are in accordance with Federal and Provincial regulations. A decision has not yet been made regarding the proposed amendment at the time of writing this Report.

Township of Cavan Monaghan

The Township of Cavan Monaghan recently completed an update to their Zoning By-law that came into effect on October 1, 2018. The By-law contains definitions for “Cannabis” and “Cannabis Production Facility”. Further, cannabis production facilities have specifically been excluded in the definition of “Agricultural Uses” and “Farm”.



General provisions for cannabis production facilities include a minimum setback of 70 metres and the requirement that all such facilities be subject to Site Plan Approval. Cannabis production facilities are a permitted use in the Urban Employment (M1) Zone.

Township of Havelock-Belmont Methuen

Zoning By-law Amendment 2018-029 amends the Township's Zoning By-law by amending the definition of "Commercial Greenhouse" to not include the growing of marihuana. The By-law establishes a definition for "Marihuana Production Facility" and permits it as a use in the Restrictive Industrial (M1) Zone. No other uses shall be permitted on the same lot and a marihuana production facility shall only be located where full municipal services are available.

Town of Erin

Zoning By-law Amendment 18-35 passed by the Town of Erin establishes a definition of "Medical Cannabis Production Facility" and sets out a number of general provisions for such uses to meet. The amendment permits medical cannabis production facilities in the Agricultural (A), Light Industrial (M1), General Industrial (M2) and Rural Industrial (M3) Zones.

Facilities established in the M1 or M2 Zone would require a minimum setback of 70 metres from Residential, Institutional or Open Space Zones. In the A and M3 Zones, a 150-metre setback is required.

Norfolk County

Norfolk County passed By-law 25-Z-2018 to amend their Zoning By-law to include definitions for "Cannabis", "Cannabis Production and Processing" and "Air Treatment Control". The by-law further amends the definitions of "Farm", "Garden Centre" and "Wholesale Outlet" to exclude cannabis production and processing.

The by-law provides general provisions for cannabis production and processing facilities and establishes it as a permitted use in the General Industrial (MG), Light Industrial (ML), Rural Industrial (MR) and Agricultural (A) Zones. Minimum setbacks range from 300 metres to 70 metres depending on the applicable zone and the use of air treatment control.



Brant County

A definition and general provisions for “Medical Marijuana Production Facility” were established as part of Comprehensive Zoning By-law 61-16. Medical marijuana production facilities are listed as a permitted use in the Light Industrial (M2), Heavy Industrial (M3), Agricultural (A) and Agricultural Employment (AE) Zones.

Minimum setbacks are 70 metres from Residential, Institutional or Open Space Zones when the use is located in the M2 and M3 Zone and 150 metres when in the A and AE Zones.



Appendix C

Dark Sky Friendly Lighting Policies

Gravenhurst Official Plan & Zoning By-Law

The following is provided as a template for implementing dark sky friendly lighting policies in the BOP and BZBL. These policies are taken from the Gravenhurst Official Plan and Zoning By-law. Gravenhurst was the first municipality in Ontario to require dark sky friendly lighting for all new development. Policies like these will be important to implement before permitting the development of CCPFs, and particularly those situated in large-scale greenhouses. Consideration could be given to requiring dark sky friendly lighting for all new development in the Township.

DARK SKY FRIENDLY LIGHTING & DESIGN – From the Gravenhurst Official Plan:

K21.1 Dark sky lighting policies shall be implemented by By-law and will apply to all development, including residential, commercial, industrial and institutional uses, and are implemented primarily through Site Plan Control.

K21.2 New and existing development is encouraged to provide exterior lighting that avoids light trespass, and does not impose glare on neighbouring properties. In all cases, lighting must be designed to direct downwards rather than outwards.

K21.3 Exterior lighting shall not interfere with water navigation.

K21.4 The intensity of light on both existing and new development should be reduced where possible to minimize the impact on surrounding properties. Exterior floodlights are not permitted.

K21.5 Full cut-off dark sky compliant lighting will be required for all new development and, where appropriate, redevelopment. Low level lighting is encouraged.

K21.6 In the case of major development, a detailed lighting plan will be required.

Excerpt from the Gravenhurst Zoning By-law General Regulations:

LIGHTING

5.15.1 The use of sensitive lighting practices that do not interfere with the view of the night sky or spill into surrounding properties is required for all land uses. Lighting fixtures shall be directed downward (not exceed 2% above horizontal).



The Corporation of the Township of Brock
1 Cameron Street E, Cannington ON, L0E 1E0

Summary of On-Line Cannabis Survey Comments

1. The intention of this by law is to direct the production and processing of Cannabis to industrially zoned lands where impacts can and will be mitigated. In the rural areas, only micro cultivation is proposed to be permitted, which means buildings for producing or cultivating cannabis can't be larger than 200 square metres. Do you have feedback on the proposed purpose and effect of the by law as described above?

Please do not include nor permit temporary zoning in a retail commercial/residential area.

I don't think rural areas should be restricted from farming/cultivating cannabis like this. Farms in BC do really well with cannabis crops with minimal incident. Lots of fear based decisions going on here.

Less worries about residences in rural areas than industrial too.

not with in town limits

There is a cannabis grower east of our property, our address is [REDACTED]

Growing in greenhouses and white barn, it smells like a 1000 skunks, no telling what the chemical fertilizer is doing to our drinking water!!!!

Sounds right

Agreed

I don't prefer to see any cannabis grown anywhere in Brock Township. There are enough barriers in the North we don't need to add other problems.

I agree. Cultivation should be kept out of residential areas. Keep it rural or industrial, but let's keep it I Brock.

My feedback is that it is too little, too late. Council COULD have voted NO to cannabis, but folded to pressure to allow it in the Township.

That would be almost impossible to impose since the operations all started up as soon as the feds legalized cannabis Farms near us are growing in large barns and acres of green houses with no regulation, observations or inspections

What will the filter process be required to prevent the odour from the processing of Cannabis from creating awful smell in the vicinity?

I agree to limit all production to industrial areas only. I do not agree with permitting micro cultivation in rural areas. All production of any kind should be limited to industrial areas.

There are many rural locations where the distance between neighbours is relatively small and a micro cultivation would reasonably impinge upon a neighbour.

If people can grow and sell legal products for distribution and generation of income, it can only improve a community . (and btw I find it interesting that on your Facebook post you to



**The Corporation of the Township of Brock
1 Cameron Street E, Cannington ON, L0E 1E0**

Summary of On-Line Cannabis Survey Comments

link to this survey, you post a picture of skateboarders. What does skateboarding have to do with legal cannabis growth it leads me to believe that there is a slanted presentation by using this photo, towards having people believe cannabis users are all young male skateboarders. An unfortunate choice for a picture).

That sounds fair. If someone wanted more, could they apply for an exception?

If land is available at a distance from residential and community/ recreation areas, I would not have a problem with any facility to produce cannabis being larger than 200m, in this way treating cannabis like a crop.

Are there any "industrialized areas" in the township? I think not! The township is not open for business so why have this survey?

I have no objection to having the township open up to the Cannabis industry. It would employ people who leave the township daily to earn money.

That's too small for it to be effective or cost effective for larger operations.

I have no problem with the growth or production of cannabis in the township and see no reason to delay allowing such facilities, nor to restrict them to a micro in size. This is a legitimate business which would be economically beneficial to our area

Against production and processing of Cannabis within all regions of Brock Township

We think it is a good idea to restrict this to industrial zoned lands only.

A 200 sq ft building will not sufficiently be possible to grow, cultivate, process, cannabis. Especially if individuals wanted to choose this site as their provider for medical prescriptions!

Do we need to have any buildings in Brock Township for this purpose? Who will be monitoring these buildings? Will there be security requirements?

I agree with it.

Brock's slogan (above) is ironic, given the recent article in Durham Region News:
https://www.durhamregion.com/news-story/9872841--the-smell-is-horrendous-residents-weigh-in-on-brock-cannabis-bylaw/?utm_source=twitter&source=newsdurham&utm_medium=socialmedia&utm_campaign=&utm_campaign_id=&utm_content=

Do you really expect residents to be subjected to the stink of those plants, especially when plants are grown out-of-doors? Even a single person smoking it the open air in the summer, two yards over, is enough to drive a person off! Imagine having to live next to acres of it! None of this stuff should be grown close to residences. And certainly not outdoors. You're impinging on their human rights to breathe clean air, especially in the place they live.

Sounds realistic



The Corporation of the Township of Brock
1 Cameron Street E, Cannington ON, L0E 1E0

Summary of On-Line Cannabis Survey Comments

As a green belt region Brock should be giving prime consideration to outdoor growing as opposed to indoor. Cannabis is an agricultural crop and there is years of experience from the hemp industry that could be applied to the knowledge base creating the planning guidelines for cannabis in the township. The demand for outdoor grown, and particularly organic outdoor cannabis is as high or higher than the demand for indoor grown. Setting aside a % of permits for organic growing would also contribute to Brock's climate change plans and green belt protections.

Outdoor grown requires only existing infrastructure other than fencing. Outdoor uses far fewer agricultural inputs as problems associated with greenhouse and indoor growing e.g. mould, do not exist. Outdoor growing will not tax our water supply nor wastewater processing, irrigation is not practical. Cannabis production, processing and ancillary businesses will provide much needed employment in the township.

I tend to agree. Large cultivations would tend to produce a large amount of cannabis odor which wouldn't be acceptable for residential areas to have to smell. The Industrial areas themselves need to be far enough away from residential areas so the odor cannot reach the residential areas. The same with the rural areas.

2. The draft by-law proposes that the following conditions must be met in order for cannabis to be permitted in those zones: a) No cannabis production or processing with air treatment control in an industrial zone can be any closer to a residential, community, recreational or open space zone than 70m. Do you have feedback on this requirement?

Yes.

Yes.

The one next to us is about 500 meters away, no air control.

Sounds right

Agreed

I don't want to see it in the region at all. It's ridiculous how we are paying huge money for solutions to the countries drug problem and yet we feel we need to grow more.

Good.

NOT ENOUGH SPACE. 70m is far too close to a residential area.

Are you going to go out and measure the distances? We cannot enjoy our property during the pleasant months as the stench is nauseating not to mention being unable to keep our windows open

70 m is still too close to a residential or community area.



The Corporation of the Township of Brock
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Summary of On-Line Cannabis Survey Comments

I agree with this.
I think you will have negative feedback on 70m
Fair
Because I understand some of the more central areas of our communities (ex. downtown Cannington) are zoned industrial or mixed industrial because of long-past business that operated on certain premises, I feel strongly that any cannabis production facility in an industrial zone should meet the stipulation of being at least 150m between itself and any residential, community, or recreational space. Bring in cannabis production, we have loads of space, but keep it away from our homes and local retail businesses to preserve something of the character we have in our downtown centres. In the coming years, that unique flavour - the walkable downtown with stores and restaurants - will be what distinguishes us from the massive, encroaching suburbs. If commercial cannabis production is established near to our residences, recreation areas, and retail centres, we will lose any character we might lay claim to and all future business that might attract people will look elsewhere.
should be same requirements as 3b
What is an open space zone? We're a rural area with lots of open spaces. Since there is no industrialized zone then 70m is superfluous.
It should fall under the same category as any other industrial farming bylaws.
70m sounds fine as a distance from neighbouring buildings
Against - 70 m is too close
Good, increased space would be even better.
The bylaws are being worded and set to make it impossible to successfully run this plant!
70 m is much too close. My closest neighbors are at least that distance away and when the breeze is moving it the right direction I cannot enjoy my backyard due to the smell of cannabis. We need much more control and better laws before we proceed any further with this.
I do not want ANY production in my neighborhood. If crime rates increase, my property value decreases, as does my sense of security in my own home or walking on my street.
70m? Seriously?! The length of a single building lot (if you're lucky)? A mile *might* be enough... depending on how much is being grown. But NOT 70 m. The stink travels. Ask anyone who lives within a few houses of someone who smokes it.
In other words: - NONE of it should be grown OUTDOORS. - Air treatment control should ALWAYS been a requirement of any production/growing operation.



The Corporation of the Township of Brock
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Summary of On-Line Cannabis Survey Comments

- NO production should be anywhere near (i.e. within a mile of) residential, community, recreational zones, and WILDLIFE reserves/forests/wetlands/etc.
Why 70 m why not greater, worried about possible negative aroma and worried it can be carried some distance
Perhaps consider that this and other set-back requirements may be amended over time as the aggressive personal opinions of people personally adverse to cannabis will likely reduce over time. NIMBY (not in my back yard) attitudes existed towards hemp in 1998 when it was legalised, those attitudes disappeared within a few years
I'm not sure if 70M is far enough away. The larger the production, and or processing, the further away they should be from residential areas. I would suggest that to be taken into consideration, going by other production/processing plants to determine what the distance should be. I understand that this has been a complaint in established cannabis production areas.
Beaverton is very close to rural areas and we don't have a lot of industrial area do we? I would be concerned that because we get a lot of high winds coming off from the West and North West, odors of cannabis production or processing make reach a large area surrounding the plants.
70 m is not enough
3. b) No cannabis production or processing with air treatment control in a rural zone can be any closer to a residential, community, recreational or open space zone than 150m. Do you have feedback on this requirement?
Yes
Sure - why the difference for rural?
Sounds right
Agreed
I don't want to see it anywhere
Also good.
FAR TOO CLOSE-should be much farther.
Again, it will require constant policing,
150 m is still not far enough from residential!
No micro processing allowed. See above comment
That's better
Fair



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Summary of On-Line Cannabis Survey Comments

At least 150m.
Rural zone should be no more than the 70m.
Should be treated the same as other ag operations
Against 150 m is too close
Good, increased space would be even better
Nope can or can't?
Needs to be much further away
It's not anywhere near enough.
More study is needed possibly a much larger number
as above.
Do we know if 150m is enough. See 1 & 2 answers.
150 m is not enough
4. c) No cannabis production or processing with air treatment control in an industrial zone can be any closer to a sensitive land use than 150m. Do you have feedback on this requirement?
Should not be allowed or at least further controls in wellhead protection areas.
I'm not sure what sensitive land uses may entail. Not able to offer a true answer on this.
Sounds right
Agreed
Grow it in Ottawa where Justin pushed the legislation through! He can have it in his back yard!
FAR TOO CLOSE - should be much farther.
This is not an acceptable distance - what about local wildlife - both plants and animals!?
150m is not a large enough gap. It is reasonable that the smell will impinge on neighbouring land.
Not sure
Fair
At least 150m. Brock Township has a lot of space, there's no need for any cannabis production to be within 150m of a sensitive land use area.
should be same as 5d



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Summary of On-Line Cannabis Survey Comments

Define the nebulous "sensitive land use." I don't know what this means. The survey question needs to be rewritten and clarified.
Same as any other agricultural operations.
Against 150 m is too close
Good, increased space would be even better.
Again, makes no sense by writing " which is it. Can or can't?
What is sensitive land use? Hopefully that includes residential property, but it still needs greater distance
<ul style="list-style-type: none">- What is 'sensitive land use'?- Does that term include 'residences/residential'?- If you allow this to be grown outdoors, how will you control its spread into other places, especially into 'wild' areas such as marshes, forests, etc., let alone farm fields?- How will you control its possible ingestion by animals/birds?
as above. Thought needs to be given to outdoor facilities.
Again, I do not know if 150m is enough. Do we have recommendations that suggests this distance?
5. d) No cannabis production or processing without air treatment control in an industrial OR rural zone can be any closer to a sensitive land use than 300m. Do you have feedback on this requirement? - Responses
Same as above - sensitive land?
Still too close.
Same, 150m
Agreed
FAR TOO CLOSE - should be much farther
Who will monitor the air quality?
Air treatment control mandatory
Fine
That seems excessive. 150m is good
Winds blow in the smell of manure so at least 300m
agree
Can't answer without a definition of sensitive land



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Summary of On-Line Cannabis Survey Comments

See above
Against 300 m is too close
Increase the 300m
no.
Nowhere near enough. (see above)
Agri-chemicals & pollen are hazardous
6. e) A security building for the purposes of cannabis production or processing does not have to comply with front, side or rear-yard setbacks. (Note: as security buildings need to be able to see the perimeter of the yard or fence, the standard setbacks would not be appropriate). Do you feel it appropriate to not have set-back requirements for security buildings for the purpose of a cannabis production or processing facility? - Responses
Should have security setbacks
Security buildings should suit the security needs. Fine to not have set-back requirements.
Need those setbacks
Agreed
Iâm ok with this.
Of course, it is not appropriate. Cannabis-producing and processing buildings should fall under the same requirements as other buildings. Why should these drug dealers have special consideration?
Not acceptable! Security is of primary importance with an industry such as this, given what happened to a Cannabis production building near Beaverton!
Agreed
Just have the building comply to all Standards
Whatever best promotes safety
Cannabis production and processing shouldn't be located anywhere close enough to our residential, retail, recreation, or community areas that having a set-back requirement is relevant. Create these facilities in those large areas where they do not impact the average citizen.
yes
There is high-end security required under the federal legislation. I see no requirement for a set back.



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Summary of On-Line Cannabis Survey Comments

Yes. It's no more a threat for theft than any other cash crop operation.
Yes this sounds fine
Not appropriate
Unknown
Most cannabis facilities have indoor security. So in my opinion having no outdoor security is appropriate.
Not sure what this is
There should still be setbacks in rural zones.
No, I do not. They need to follow ALL existing bylaws, regardless. Also, if security is an issue to begin with, then why allow production facilities in your community? And if you do allow them, how do you propose to ensure the safety of Brock's residents?
No too great an impact on surrounding appearance also starting argument for multiple use with some security aspect
Yes
In some locations there may not be a problem, but it would depend on what was located in the adjacent lots. If it is agreed upon by those owners of adjacent lots then I would accept that.
7. f) No "Open Storage" of cannabis is permitted. Do you agree that open storage of cannabis should be prohibited?
Yes
If by open storage you mean final product waiting to go to market, then I agree.
If you mean product that has just been gathered, is drying or being processed, then I'm fine with open storage during production.
Yes
Correct
Agreed
Disagree. Open storage can be an integral part of properly curing cannabis. Without proper curing cannabis can become unpleasant to consume at the least and potentially toxic at worst case. This should be reviewed on a case by case basis to ensure it does not affect neighbors while allowing for safe and proper production and harvesting procedures.
No storage at all.
Of course it should be prohibited. I'm surprised you even ask the question.



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Summary of On-Line Cannabis Survey Comments

Absolutely agree! Otherwise, trespassers would be causing problems trying to steal the product.
Agreed
I am not sure what this means
Fair
yes
Again, define open storage. Definition requires the state of cannabis, i.e. growing plants, harvested plants, waste.
If the producer wants to take the chance that their crop will be destroyed by exposure to the weather, then they have that right.
Agree, however, still disagree with entire proposal of cannabis production within Brock township
Yes.
So you propose by this question that you will grow, cultivate the cannabis to selling grade, package, and process as well package, and make available for delivery, cannabis all within a 200 sq ft building? Can't see this as doable.
Yes
yes.
Definitely.
Agree
Cannabis quality degrades with improper storage including exposure to heat, light and moisture. Unclear what this means, was not in the presentation. Cannabis would never be stored like hay for instance simply due to the value of the crop.
Yes. Though, if open storage was in a secured area, not accessible and securely monitored 24 hours a day, then it might be ok.
Yes
8. g) Cannabis production and processing can ONLY happen in the zones indicated above. Do you agree that cannabis production and proceession should only be allowed in the Rural, Rural Buffer and Industrial Zones with the above noted restrictions?
Yes
I agree with the zones. Not necessarily all the restrictions.
out in the country on farmland not in town



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Summary of On-Line Cannabis Survey Comments

Distances should be increased
Yes
Agreed
Yes
I don't agree with it being in the Township at all, but if we have to put up with it (and that's Council's fault), then yes, it should be in outlying area - BUT the distance requirements are MUCH TOO SMALL.
They are already there in abundance, these bylaws will be akin to shutting the barn doors after the horse has left. We as homeowners and tax payers should have had a say before they were allowed to commence operations as soon as the law legalizing cannabis was passed.
Yes. We do not wish to see Cannabis production/processing near to town proper, especially near health centres and schools.
Only in industrial zones with air treatment. No production in any other zone.
Not necessarily
On what scale? Would residents be allowed 4 plants on their property as they should be?
I think cannabis production and processing should happen in the rural areas considering that we have so much land in our township. Introducing production and processing into industrial zones only invites the kind of conflict we had when the downtown Cannington facility was proposed. Once you allow any such facility - for production or processing - into our downtown retail areas, you are destroying any chance for retail growth in those areas. Brock Township is surrounded by suburbs that are getting closer. The one thing that distinguishes us that we can exploit for attention and gain is that we still have historic downtown areas in our main communities. These areas are RARE and getting rarer. People who only have big box centres to shop at like to be able to come somewhere and walk around and shop and have something to eat, they enjoy going to festivals and community events where community is still alive because the suburbs are indeed "communities" but they lack unity. We are different!
yes
What is a rural buffer zone? Again, lacks definition. Therefore, can't answer this question as stated.
It should be allowed to be grown wherever other crops are allowed to grow.
I do not feel cannabis growth and production needs to be restricted to these areas
Totally disagree with cannabis production and proceession anywhere in Brock township
Yes, we agree.



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Summary of On-Line Cannabis Survey Comments

No!
NO! I live in a rural area and do not want it here! It also makes any suspicious activity less visible and encourages potential crimes. I like my peaceful living area and would like to keep it that way.
I do not agree with cannabis processing being done in rural or rural buffer zones.
It should NOT be allowed in Rural Buffer zones at all. And NOT allowed in Rural zones unless it is in an indoor facility -- however, any building erected on rural land will most likely destroy the arable land beneath the structure... land where food should be grown.
Even these zones may be too broad some rural zones border residential it needs to be more restrictive
Brock should be thoughtful about limiting the future scope of cannabis as a crop. Climate change is altering the viability of corn, soy and other common crops grown in the region and this will become an issue for farmers in the near future. Brock should consider building in the ability for these parameters to be changed in the future as agricultural and economic parameters change. Also as NIMBY attitudes decrease the ability to be flexible will be important.
I agree, only if it is confirmed that odors cannot reach surrounding homes.
Yes
9. h) ALL cannabis related development will be subject to Site Plan control. This means that things like fencing, lighting, grading, parking etc. will all have to be looked at on every cannabis development application. Do you agree that Site Plan control should be applied to all cannabis development applications?
Yes
Yes.
yes
Yes
Yes
Agreed
Yes
OF COURSE it should be applied. Why do you even ask? Why is a drug producer being considered for special treatment?
Only on new Operations? What are you going to do about existing operations
Absolutely agree! A very high standard must be applied to all development applications!



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Summary of On-Line Cannabis Survey Comments

Agreed. Specific site plan controls should be drafted around cannabis production sites. Specific concerns are ground water seepage, traffic management, air quality in surrounding areas, light pollution, security and access control, security of staff, staff safety from environment
Yes
Yes. This sounds like literally every other type of building
Yes
Yes
You can't have an "etc" in a survey. You need to list all sir plan entities. The federal statute defines security which includes fencing and lighting. I can see grading and parking.
Sure. If it is required, then each facility should meet that minimum requirement.
Cannabis production should not be treated any differently than other local business ventures Would these restrictions be put in place if a winery opened up here? If not, then I say they are not needed
Agree, however, disagree with cannabis production and procession anywhere in Brock township
Yes.
Yes.
And none of those things will stop any potential crime in a rural area where there are not as many people to detect suspicious activity.
yes
Yes. Definitely!
Absolutely
The cannabis industry includes many products, services and businesses other than the growing and processing of the physical plant. All of these other cannabis related industries should be unregulated and unencumbered in the region. Brock has no jobs, all of these ancillary opportunities should be openly encouraged. Bringing successful, entrepreneurial businesses to the community is critical. Brock should also be open to the establishment of cannabis culture stores including those that sell cannabis for recreational purposes.
Yes
Yes, I agree. Neighbouring site has no fencing, no security at all. Who is supposed to be enforcing these controls??



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Summary of On-Line Cannabis Survey Comments

10. Do you have any other feedback that you would like to share regarding the proposed draft by-law regarding the growth and production of Cannabis in the Township of Brock?

I just feel basic common sense needs to prevail with this - it's a legal crop now - regardless of people's mixed feelings.

Intelligent decisions on air quality, security, etc. are all good thoughts, but I hope that the "loud" people who are afraid of cannabis and don't want it to be legal are not the ones steering the by-law ship. Thanks you for the opportunity to add my voice.

No

Should make it a point to hire locally, people within the community. If we are going to bring production of this size to Brock, then the jobs should go to Brock citizens where possible.

This mostly seems reasonable as long as it only applies to industrial or commercial applications. If any of this were to be applied to residential/home growers it would seem as an attempt to dissuade people from growing in their back yards by making the process too expensive.

It grieves me that we even consider this considering drug problems in our communities. Cannabis is far stronger strains and we want to grow it to impact the not yet developed brains of our youth. I hate everything about supporting anything to do with this.

Yes - Council could have voted NO - so Mayor Bath's comment in a recent Brock Citizen article that we couldn't say no to cannabis is not true. This country is in a drug crisis. Legalizing pot and then having our local municipal council vote for having it in the Township is disappointing and counterproductive. Children and pets are already suffering because people can buy cannabis legally. NO ONE has to use cannabis for recreational purposes, so this is entirely unnecessary. In Brock Township, cannabis producers should come under MORE STRINGENT CRITERIA than other businesses, NOT LESS. And I repeat that I am disappointed with our Council voting yes to cannabis. As someone who does not use recreational drugs, I can tell you it takes courage to NOT use drugs (including alcohol) in our society. Think about that. Pretty scary. And you on Council have now exacerbated this situation. YOU COULD HAVE VOTED NO.

I would like to know what kind of security is required for these processing/production areas. Security cameras that are functioning always must be in place surrounding the area, as well as the safety of the employees working in these areas must be taken into consideration - i.e., there should be security guards on duty during work hours at least.

I think the rhetoric around cannabis growth is slanting the presentation of this to the public

Cannabis production and processing is a huge industry that appears poised to grow even larger. It's an opportunity for jobs and growth within our township. Keep it out of our downtown



**The Corporation of the Township of Brock
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Summary of On-Line Cannabis Survey Comments

areas, those are the areas that make us unique. We have so much room in Brock Township, encourage facilities in the agricultural areas.

The township is not open to business. All the above is an infringement on my rights. The whole content of this survey wrecks of acquiesce to the few to the detriment of the many.

The site plan should be encouraging me business not stifling it.

Cannabis had been with us for millennia how is it different now? Federal register are in place already.

We need to stop treating cannabis as if it's some sort of way out, crazy plant. It is a crop. And needs to be treated as any other crop. Let's stop demonizing it, and start to look at it as the valuable cash crop that it is.

Although I do not personally use cannabis, I also see no reason for any stigma against it. I would be just as happy to see this type of business develop here as any other.

Disagree with cannabis production and procession anywhere in Brock township

Not at this time.

By this survey, it appears as though you have set this up to be a failure. A 200 sq ft is not sufficient. Having been involved with cannabis now for 4 yrs. Using several of them, all medical grade cannabis however, implies that this is something the township does not want. That's the impression given. And would be a loss to those who would work for a facility such as this in Cannington and possibly find employment there.

You need to clarify if this cannabis facility would be a processing plant for growing, processing, and delivering medical cannabis? If so, it's not sufficient.

If this is simply a store much like the pot shops, sure these guidelines would be fine. But the money it would bring in as a growing medical cannabis would be lost.

I think it is obvious that I do not want it anywhere near me. I moved to a rural area for a reason, and I want to have to move due to cannabis production in my neighborhood. Law or no law, it is not something I can live comfortably with. Especially with the lack of education our society has of the associated risks (ie cannabis induced psychosis). If Brock township is going to allow production then I certainly hope they also plan to educate those who are using what is produced.

It is legal now. there is nothing we can do about that part.

However I am very concerned about security and safety of all residents. Especially in rural zones it will be next to impossible to keep the neighbouring residents save.



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Summary of On-Line Cannabis Survey Comments

The growth and production of food, clean air, and the health and well-being of Brock's residents are FAR more important than production of this useless crop. We don't NEED it.

It's time for \$\$ to take a backseat. Be brave and lead the way toward sustainable agriculture and a healthy environment.

Go slowly, there is lots to be learned

Cannabis was legalised by the Federal government to reduce the black market and diversify Canada's economic base. Many of these companies trade on the stock market and should be viewed with the same regard as a Unilever or Kraft.

Many long-time farmers, both young and old, are already growing cannabis on farms in Brock completely illegally. The final by-law should recognise that positive attitudes to this agricultural crop far outweigh the complaints of a few individuals.

Cannabis odours are 100% non-toxic. Cannabis contains the same aromatic compounds as hundreds of skin creams, shampoos, baby products and foods. Only female cannabis plants are grown, producing no allergy causing pollen.

Current ag-chemical use in Brock causes hazardous drift, odours and environmentally damaging effects that will not be an issue with cannabis.

Brock should consider promoting hemp as a crop alongside cannabis.

Again my concern is that residential areas in Beaverton are close to rural areas and I don't think any of our industrial areas are very large and would most likely be close to residential areas as well.

The larger the production/processing plant the further away it needs to be. I have to assume that the distances stated above are already acceptable distances, but wind needs to be considered around here as it can be often at high rates of velocity.

It would be nice to know that someone is inspecting these sites regularly, and that security guidelines are being followed. It would also be nice if neighbours were informed BEFORE these sites were permitted to open!! I feel like my quality of life has changed and my property value has plunged.

Note: 13 people provided contact information to be kept informed of the rest of the Cannabis process.



The Corporation of the Township of Brock
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Summary of Comments

Received at the February 26, 2020 Open Houses Regarding Cannabis Production and Processing

Please find below a table of the comments received during the open houses. The comments will be considered during a review of the draft by-law following the April 6, 2020 Statutory Public Meeting. These comments, any comments received by phone or email, as well as the responses from the on-line survey will be thoroughly considered and changes made where appropriate prior to the by-law being presented to the Committee of the Whole for consideration.

Please note that any personal information of individuals submitted on forms has been removed to protect privacy.

Comment	Response	How Received
After reviewing the By-Law proposal, I feel it necessary that changes be made allowing farmers to be able to grow Cannabis outdoors on a larger scale than a micro growing facility. I would also like to add that growing outdoors has a much smaller carbon footprint and is much more sustainable. Allowing outdoor Cannabis would add an element of diversification for my farming operation. It would also create jobs and fit Durham's current agenda regarding Climate Change.	Thank you for your comment. This will be considered during the revision process to the proposed by-law.	2pm Open House Comment Sheet
Having substantial cannabis farming in Brock would attract cutting edge research and phy to chemical extraction industries. Cannabis contains multiple terpenes and other healthy phytochemicals proven to prevent and treat a host of diseases. This market will explode. Having quality cannabis grown here would bring jobs in health, and green energy to Brock.	Thank you for your comment. This will be considered during the revision process to the proposed by-law.	2pm Open House Comment Sheet
Why would you remove Cannabis from the definition of a farm? It is a crop.	In order to place land use controls on Cannabis specifically, "Cannabis" has to be removed from the current definition of "farm" in the by-law and	During 3pm Presentation



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Summary of Comments

Received at the February 26, 2020 Open Houses Regarding Cannabis Production and Processing

Comment	Response	How Received
	defined on its own. Otherwise, the controls put on "Cannabis" would apply to all "farm" uses, which is not appropriate.	
Does the extension of the Interim Control By-law until August mean that a new By-Law won't be in effect until then?	No. When the new By-law is enacted, the Interim Control By-Law will no longer be in effect.	During 3pm Presentation
With the proposed By-law, if an existing agricultural operation is looking into outdoor Cannabis production and wants to grow more than micro-cultivation allows currently, is there a chance to increase the amount currently proposed? There is less environmental impact compared to indoor cultivation.	We will consider the current 200m ² condition in the rural areas during the By-law review process to make sure it is the most appropriate for Brock. The operation of larger, outdoor, licenses facilities is a very new reality. Previous to the last few months, it just wasn't the most productive or effective way to grow Cannabis in Canada. Due to some new innovations, this is becoming more of a reality and we will definitely address this consideration in the next steps.	During 3pm Presentation
Did you look at hemp? It has been legal since 1988 and there was unwarranted fear around that when it was legalized as well. We are farm country and greenbelt. People aren't going to build large facilities – they want to farm.	We have looked at hemp, but if you have additional technical information or research you would like to provide to us, we would appreciate the contribution and review it.	During 3pm Presentation
Will the next draft include outdoor cultivation because the presentation did not specify?	It will be considered, along with the entirety of the by-law during the review process.	During 3pm Presentation
The request for an Environmental Impact Study – is that for	The study requirements are done on a case-by-	During 3pm



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Summary of Comments

Received at the February 26, 2020 Open Houses Regarding Cannabis Production and Processing

Comment	Response	How Received
indoor facilities only? These aren't requested for other crops for example.	case basis as an application is received.	Presentation
What about wastewater in Cannington and Sunderland? Would applicants have restrictions for that, and would it impact the capacity in those towns?	Water and wastewater would be detailed in terms of what would be used and needed within each application. There could be a larger infrastructure impact for water and wastewater, depending on the size and nature of the application. The Region is involved in these discussions too during a planning application process at the pre-consultation stage, and Cannabis applications would be no different.	During 3pm Presentation
The statistic of 22L of water per day per Cannabis plant is simply untrue. Where did you get that? I disagree with removing Cannabis from the definition of a farm.	The 22L per day per plant is a widely used statistic in much of the Cannabis research available. It depends on the method of cultivation, the region it is grown in and a variety of factors. If you have data with another viable statistic, please provide it.	During 3pm Presentation
This By-law doesn't affect the ACMPR? [insert: Access to Cannabis for Medical Purposes Regulations]	To a certain degree, yes. Future ACMPR facilities would be subject to Site Plan. The Official Plan and Zoning By-law amendments do address facilities operating under the ACMPR. We have designed the by-law to address both licensed facilities as well as facilities operating under medical certificate.	During 3pm Presentation



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Summary of Comments

Received at the February 26, 2020 Open Houses Regarding Cannabis Production and Processing

Comment	Response	How Received
Do you think the Town will limit the amount of people allowed to build a facility? What if a landowner wants to put up a greenhouse with Cannabis vs. a greenhouse for tomatoes?	<p>No, that would require some type of first come, first serve system with a cap on it. That is not an appropriate land use control.</p> <p>We have approached Cannabis as an agricultural crop with different concerns and nuisance possibilities than say a tomato crop.</p>	During 3pm Presentation
Cannabis has an all-natural smell. Nobody is talking about the smell of Round-up or other herbicides/fungicides sprayed on agricultural crops and these have an awful smell. It is windy all the time now and the overspray can be smelled all over the Township. You aren't talking about trying to control that. The odour of Cannabis is not harmful. What are your qualifications to create a by-law regarding Cannabis? You do not seem to be experts.	<p>The odour of Cannabis is one of the known issues that have come up for all municipalities trying to create their land use controls regarding Cannabis and we therefore need to consider it.</p> <p>Sarah specifically has done hours and hours of research on this issue. The bottom line is that we do not have to be Cannabis experts, we are Land Use experts creating a by-law, which is a land use tool regarding a new land use issue in the Province, on behalf of the Township.</p>	During 3pm Presentation
Grow op by [REDACTED] only has one door. Not legal – no one has gone by to inspect.	Thank you for your comment. As discussed at the Open House, Township Staff will follow up with you on this situation.	6:30pm Open House Comment Sheet
I'm in agreement with much of the new by-law items, however, 300m is not enough distance for the stink issues of the	Thank you for your comment. This will be considered during the revision process to the	6:30pm Open House



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Summary of Comments

Received at the February 26, 2020 Open Houses Regarding Cannabis Production and Processing

Comment	Response	How Received
greenhouse grow-ops. They should also have to use proper air filtering options. Just rising the sides of the green houses lets the stink out worse. Please put a section in the by-law that the Township has the right to do surprise inspections, even if they are under the pretense of safety inspections.	proposed by-law.	Comment Sheet
The 300m from residences is NOT enough – INSANE! Should be at least 1km / 2.2 miles from anyone's homes. The SMELL IS HORRIBLE – we should not have to tolerate this – if you had to smell this you would throw up. We are having water issues on Brock Concession 11 and nothing is being done. We are not happy – should be written that grow ops can be inspected anytime. [Note: assuming commenter intended 2.2km or 1 mile]	Thank you for your comment. This will be considered during the revision process to the proposed by-law.	6:30pm Open House Comment Sheet
I recommend that grow-ops be prohibited in Rural Residential areas. 300m ² is not nearly far enough away. I am concerned about water as well. What if the water in wells run dry from a Cannabis facility?	Thank you for your recommendation regarding the 300m ² set-back. In terms of water, studies will be required where the amount of water required, where it comes from, and how it will be disposed will be submitted as part of an application.	During 7:30pm Presentation
This process is doing nothing for what we are already dealing with. I have property damage from people access a facility next to me, I have water issues. What will happen to my animals if the water runs dry? You have done nothing to help our situation and this is a complete waste of time.	We are extremely sorry for the situation you are in. Land use planning or this By-law will help us to minimize any future impacts from Cannabis, but it cannot unfortunately retroactively change what is already happening now. We do not have the legal authority to go back and change the way	During 7:30pm Presentation



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	someone is using their land if they were using it before the Interim Control By-law or this one came into effect. The only control we have is if one of these operations tries to change something about how they are operating. For example, adding a greenhouse etc. The municipality then has a role to implement some standards.	
So, you are just going to “grandfather” everything that is here now?	We aren’t going to actually do anything. That is the process for all land uses. If the use existed before the By-law, it is considered legal non-conforming. To use your term, “grandfathered”.	During 7:30pm Presentation
Where did the 300m ² smell zone come from? Who is going to be responsible for enforcing this?	<p>The setbacks are based on a successful Cannabis Zoning By-law in Norfolk County. Norfolk is the pioneer of dealing with Cannabis land use impacts in Ontario and have found that their zoning has been quite successful in controlling the impacts while also providing clarity to the public and prospective developers.</p> <p>In terms of enforcement, it depends on what part of the By-law is being contravened. It could involve our By-Law Department, the Building</p>	During 7:30pm Presentation



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	department if it is a Building Code violation or it could be the Police. It depends on the situation.	
Will Durham Region Police be involved in the consultation?	They have not been to date, but they will be.	During 7:30pm Presentation
The smell can last for 60 to 90 days and reaches for miles. Will there be inspectors going into each of these facilities? There is documentation saying that you can inspect at any time – you should look into that.	No. Inspections would be done based on resident complaint as is the current standard operating procedure once permits have been obtained. We're not sure what documentation you are referring to specifically, but if you can provide it to us, that would be appreciated. Follow-Up Note: This commenter has provided the "Municipal Guide to Cannabis Legalization: A Roadmap for Canadian Local Governments" by the Federation of Canadian Municipalities by email. This document will continue to be used during the review process.	During 7:30pm Presentation
I am concerned that the smells or nuisances from other "normal" farming operations are going to start being reviewed and changed if we start putting controls on this agricultural product. Is that your intention?	No, that is not the Township's intention to start looking at other established agricultural practices or standards.	During 7:30pm Presentation
What is Council's stance on Cannabis in general?	Explanatory Note: Councillor Doble and Councillor Schummer were in attendance, and	During 7:30pm Presentation



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	<p>this question was directed to them with the caveat that Council does not yet have all of the information regarding this issue.</p> <p>Councillor Doble: This is an issue of concern for many residents and I think we need to proceed with caution and collect as much information as possible moving forward.</p> <p>Councillor Schummer: This is a complicated situation and let's face it, we have an enforcement problem in north Durham. If the rules are going to be put in place, we need a way to enforce them.</p>	
<p>1. The by-law could stipulate how cannabis will be (for the large part) treated like any other crop - in this way, there is more normalcy connoted about cannabis agricultural activities while reducing stigma. As I mentioned in the meeting, I used greenhouse tomatoes as an example to compare what degree of restrictions are placed on this crop versus greenhouse cannabis.</p> <p>2. There could be a restriction on the scale of operations. i.e. no greater than 10 football fields (a random number but something</p>	<p>Thank you for your detailed comment. It will be considered during the review process for the By-law.</p>	<p>Received by email on February 26, 2020 at 7:30pm</p>



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<p>to consider). The need for economic stimulus in Brock is very important. More so is the need for small mom and pop farming operations to be welcomed as a main or secondary income stream. I am concerned with the massive scale of industrial cannabis operations from companies like Cannabis Corp., Aurora Cannabis etc. They are the main culprits of the kind of agro-chemical and water usage that has detrimental impacts to the community, ecology, local economy (and take over or squeeze out individual or family businesses - while reducing biodiversity). Local operations are not impeded or directly impacted by global price fluctuations of cannabis which most of these multinational corporations are subject to. Therefore, there is less economic risk for local-small scale operations, and significant less environmental impacts.</p> <p>3. I know there are not a lot of examples of outdoor micro-cannabis operations, but that does look like it is the trend. It would seem that most of the citizens interested in growing are going to select the cheapest routes since they are not big companies so having a better understanding of what this could look like - and the by-law rules - would be ideal (now that you</p>		



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<p>have a better gauge of the audience of potential entrepreneurs).</p> <p>4. The by-law could outline what are triggers for the need to conduct impact studies. A two-tier process with a clear chart of the steps would make things less confusing. The small farmers can be overwhelmed with the process of licensing as is - and so a complex by-law will only hinder economic development. More illustrations!</p> <p>5. I suggest that cultivation properties should include the suggestion of a berm to obscure operations. Safety is obviously a big issue as theft is common. In addition, many people consider a field of cannabis to be unsightly or encouraging youth to smoke based merely on the visual presence. Not sure if there is a 'not in your front yard' policy...</p> <p>6. Lastly, consider mentioning water source protection and the need for agricultural activities to be a certain distance away from WHPAs, significant ground water recharge areas, etc.</p>		



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Thank you once again to all attendees of the open-houses. We appreciate your time and your feedback.

Please be aware that the on-line survey regarding Cannabis will be available until March 13, 2020 should you have additional feedback you would like to provide.

For additional information regarding Cannabis in Brock, please see www.townshipofbrock.ca/cannabis.

Should you wish to contact the Township of Brock, please call 705-432-2355 or email brock@townshipofbrock.ca.



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Please note that any personal information of individuals submitted on forms has been removed to protect privacy.

Comment	How Received
Think about amending your Brock tag line "Breathe it in"? Tee Hee Hee	www.letstalkbrock.ca
Work with DRPS to ensure enforcement measures will work. Increase separation from residences. Designated grower must be a restricted use.	www.letstalkbrock.ca
Great report, and lots of work involved, we appreciate it! For fear of getting caught on appeal for technicalities, we noted a few minor details - Report, Page 5, # 6 states: <i>"To add a new subsection "10.37 Cannabis Production" to Section 10, entitled 'General Provisions' with regulations specific to cannabis cultivation and processing including required setbacks from certain zones and sensitive land uses...."</i> - but does not mention "medical cannabis production site" . Zoning By-law preamble: AND WHEREAS the Council of the Corporation of the Township of Brock conducted a public	By email



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meeting on the <u>22nd</u> day of March, 2021, pursuant to Section 34 (12) of the <i>Planning Act</i> , R.S.O. 1990, as amended (should this be the 15th day of March?)	
TO: Brock Council and Staff RE: Cannabis in Brock I represent several families on Concession 6, Beaverton, which is a quiet, residential neighbourhood with 3rd generation residents as well as new families and many small children. I have lived here for 35 years. I applaud Brock on initiating an Interim Control By-law, and the pending Zoning By-law. We have been working with Councillor Jubb and Township staff over the past year regarding a cannabis operation on our road. My neighbours, [REDACTED] have also made written submissions today to detail our nightmare. My submission is about the challenges to the Township, and our best tool, the pending Zoning By-law. This builds on the correspondence you recently received from [REDACTED] of Norfolk County, and your recent discussions with DRPS regarding enforcement.	By email and included as Communication on March 15, 2021 Planning and Community Affairs Committee agenda



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<p>Norfolk County is in crisis with more than one hundred and thirty-one (131) Part 2 Medical Marijuana (MMR) grow operations, caused by glaring loopholes in federal cannabis legislation and regulations. The legalization of cannabis was meant to keep cannabis from our youth and to get it off the black market; however, according to law enforcement the legislation has had the opposite effect. It has allowed organized crime to gain an even stronger foothold. The revenues envisioned by the federal government have disappeared into unmonitored tax accounting and the black market. They avoid retail and commercial property taxes while adding enforcement and legal costs to the municipality. There are no economic benefits, except to the producers. In fact, there are detrimental economic effects to the Township and residents with reduced property values and assessments.</p> <p>Municipalities across Ontario, plus the representative organizations of municipalities have been asked to join together to fix this problem. Efforts are under way to amend legislation.</p> <p>Norfolk has refocused its approach to investigate cannabis grow operations with respect to violations of their Zoning By-law and to lay appropriate charges; ensuring that proper setbacks from nearby residences and site plan control issues such as parking, lighting and odour emissions are met. I understand that East Gwillimbury has had some enforcement success working in conjunction with York Regional Police. News of their progress is great, but since the growers target agricultural areas, I fear that as those municipalities get tougher and find solutions, the growers will gravitate north towards us.</p>	



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<p>Durham Regional Police have also made some progress with effective by-law provisions, and it is essential that Brock work with DRPS in this regard.</p> <p><u>Key quotations from [REDACTED] are worth repeating, and some are quite scary:</u></p> <p>"Our nightmare started... at a tomato greenhouse. It was purchased by owners from the city who are brazen and hold no respect for the well being of their new neighbours. They have disrupted the quality of life for local residents and tell residents no truths."</p> <p>"80% of the MMRs in Norfolk are owned by GTA-based numbered companies and the individuals involved are not putting down roots in the community." "They don't care about the illegalities because they are easily selling \$50,000 per week. Employees are trained on what to say during a raid and they have a lawyer on standby."</p> <p>"(residents were told)...report suspicious activity like middle of the night shipments, and call 911 if you see people on a site with a gun, but don't get involved."</p> <p>"The categorical assertion that there is no health effect from the odour is not correct and we will not fully realize this effect until the long term. As a parent and grandparent it is such a helpless feeling when you get the impression that no one really cares about your health and safety."</p> <p>"Many local residents are concerned about real estate values and she knows of one family who was reported to Children's Aid Society because their house and children's clothing carries the distinctive odour from a neighbouring MMR site."</p>	



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<p><u>Further information worth knowing:</u></p> <p>"Banks will not mortgage residential properties....or may not renew mortgages to residents living near unregulated, unmonitored facilities because of deteriorating property values. Insurance companies may or may not raise property insurance rates for residents who live near an unregulated cannabis facility or could refuse insurance." (facilities are prone to fires, explosions, thefts - we have seen this first-hand on the 6th Concession).</p> <p>We have had many discussions with many agencies and authorities. The warnings have come through clearly that any 'Health Canada Permits' were not likely properly obtained, and that violent criminal elements are common to these facilities. I was told by one DRPS officer that is familiar with our situation, specifically with this grower "They are very smooth, manipulative operators with violent tendencies as you have already witnessed - you must do everything you can to protect yourselves."</p> <p><u>What is the solution? Some suggestions:</u></p> <ul style="list-style-type: none">- Work with Regional representatives and DRPS, and connect with valuable resources such as Norfolk County and East Gwillimbury, to develop enforcement protocols- Recognize that a Health Canada 'permit' <u>does not</u> trump the Zoning By-law, regardless if it is medical use or otherwise. The Health Canada website clearly states that <u>all</u> cannabis facilities must conform to zoning and municipal by-laws.- Our Zoning By-law must clearly state that any cannabis growth/production (other than 4 plants	



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<p>for personal use) must be a site-specific zoning. Cannabis operations are more industrial than agriculture in nature and they should be located no closer than 1/2 km (minimum) to a sensitive use, even though the odour and light can be seen and smelled from much farther away. It is certainly not appropriate in a residential area with young families, and within 1/4 mile of a school!</p> <p><u>Final thoughts from the residents of this community:</u></p> <p>"Home ownership is a Canadian dream. Our property values are depreciating. We have all invested in Brock and we want our investment protected. This is a RESIDENTIAL neighbourhood and we have a right to the quiet, safe enjoyment of our homes."</p> <p>I want to thank the Township for its continued support - we are stronger if we work together. As our logo says -</p> 	
<p>Hello,</p> <p>I would like to share a short summary of the impacts of an intended grow-op in my rural residential</p>	<p>By email and included as Communication on March 15, 2021 Planning and</p>



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area. 1. Excessive odors of cannabis, both inside and outside my home at times. <ul style="list-style-type: none">• Have avoided having visitors at times• Unable to keep windows open for the breeze during a heatwave• Have been unable to sit outside and enjoy my own property many times (I have actually left to find outdoor space that I could enjoy on multiple occasion. This is a significant violation of my legal rights as a property owner!)	Community Affairs Committee agenda
2. Excessive Noise. In the spring and early summer this was daytime noise, now it is nighttime noise <ul style="list-style-type: none">• Unable to enjoy being outside (or at times inside) during the day• Loss of sleep at night. There was actually one point where I had to leave my home for a few nights to get caught up on sleep!). There are often machines running all night and large trucks in and out of there at all hours of the night	
3. Excessive light pollution at night <ul style="list-style-type: none">• In our neighborhood it is a beautiful thing to sit outside at night and see the stars,	



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<p>however, the constant bright lights shining over their house all night (I believe they generally close down between 5:30 and 6 am currently) takes away from the absolute darkness that I have always enjoyed. I live in the country because I do not like light at night, but now I never get to experience that absolute darkness.</p> <p>4. Changes to my environment</p> <ul style="list-style-type: none">• There has been clear cutting of protected lands that serve as a natural habitat for significant wildlife, including bears that have lived there for years. These bears were seen much more frequently out of that area in the spring – their home was destroyed• Although I am told there will be a replant order for the spring of 2021, I fear that it can never be the same. The amount of fill that was brought in will likely change the soil composition forever and the large pond that I am told was created in the north east corner of the property will likely have a significant impact on the drainage of the wetlands as well. <p>5. Inflammatory, retaliatory and intimidating behaviours</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	



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<p>As a property owner, I have a legal right to the enjoyment of my property which has been consistently violated over the past 6 months. This has been reported to the township, the police and to Health Canada on many occasions. Unfortunately, my rights have not been protected. We need protection for current residents in this township, of this province and of this country. Whether that comes from changes in the federal permit requirements, from municipal zoning or by law requirements (with adequate ability to enforce those), or something completely different does not matter, as long as everyone can maintain the legal right to enjoyment of their own property as stated in Bill 190, Property Rights and Responsibilities Act, 2009.</p> <p>Thank you,</p> <p>██████████</p>	
<p>To whom it may concern</p> <p>I am writing concerning the ██████████ of Beaverton. I have lived on this very quiet street for many years.</p> <p><u>Wetlands</u></p> <p>In the spring of 2020 the neighbours started to clear-cut their 10 acres which is designated conservation land. The concern was, it was the home for many of our wild life and where would</p>	<p>By email and included as Communication on March 15, 2021 Planning and Community Affairs Committee agenda</p>



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<p>they go? I had heard from a neighbour that they had a bear on their back deck because their natural habitat has been destroyed so they can no longer forage for food. With the clear-cutting comes the machinery noise from morning to late evening. This was 7 days a week at which point it was hard to enjoy being outside in your yard, or inside when your windows were open.</p> <p><u>Traffic</u></p> <p>The traffic in and out of the property was constant.</p> <p><u>Offensive Smell</u></p> <p>The smell coming from the property was offensive and at the time when they were harvesting, I could not stay outside or keep my windows open for fresh air because you could smell the odour inside my house. You should be able to enjoy your property in spring and summer or any time of year without being offended by that kind of smell.</p> <p><u>Behaviour</u></p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] I understand nothing was done but a warning. [REDACTED]</p>	



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<p>[REDACTED]</p> <p>Their dogs cornered the neighbor beside them on their deck and By-laws was called. They sent the canine control officer to talk to them. [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>I believe this is not a good place for a grow op as it was a very quiet neighbourhood. I have been on this street for many years. We can normally enjoy the outdoors and the fresh air, but this year that has been impossible. If this grow op continues to operate, the neighbours will never enjoy their yards again or feel safe.</p> <p>Thank You</p> <p>[REDACTED]</p>	

Note: Two email conversations for clarifications also took place (one also required a phone conversation). These were not comments or suggestions and have therefore not been included in this table.