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VIA EMAIL

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Jason Dykstra
Secretary/Treasurer – Committee of Adjustment
Town of Goderich
57 West Street
Goderich, ON
N7A 2K5

Dear Mr. Dykstra,

Re: 199 Anglesea Street - Minor Variance Application

On behalf of our client, Linda Liu, we are pleased to submit a Minor Variance application for the lands known municipally as 199 Anglesea Street, Goderich, ON (the “Subject Lands”).

Our client’s landlord received a letter dated March 20, 2020 from the Town of Goderich, notifying that our client is in contravention of the Town of Goderich Zoning By-law No. 124 of 2013 (“the Zoning By-law”) and requesting that the Subject Lands be brought into compliance.

The purpose of this Minor Variance application is to bring the Subject Lands into compliance with the Zoning By-law, by permitting a ‘licensed medical marihuana facility’ on the Subject Lands.

The Subject Lands

The Subject Lands are currently developed with an industrial building and associated parking. There are various uses and businesses located within the industrial building, including business offices and commercial recreational facilities.

Proposal and Requested Variance

We are seeking to permit a ‘licensed medical marihuana facility’ on the Subject Lands, whereas a ‘licensed medical marihuana facility’ is currently not permitted under Section 18.1 – Uses Permitted in the Light Industrial (M1) Zone.

Planning Rationale

It is our opinion that the requested minor variance satisfies the four tests in Section 45(1) of the *Planning Act*.

Maintain the general intent and purpose of the Official Plan

According to Schedule “B” Land Use Plan of the Town of Goderich Official Plan (the “Official Plan”), the Subject Lands are designated *Industrial*.

The *Industrial* designation “shall provide for a wide range of industrial activities: manufacturing, processing, fabrication or assembly of raw materials or goods, warehousing or bulk storage of goods, and related Ancillary Uses” (Policy 4.B). According to this definition, a licensed medical marijuana facility is considered an industrial use.

The *Industrial* designation is intended to support the development of diverse industries, which will expand employment opportunities in the Town (Policy 4.C.1).

According to Schedule “E” Special Policy Area of the Official Plan, the Subject Lands are within the Maitland Employment Area. The Maitland Employment Area is an existing industrial area that permits a range of industrial uses, offices, and commercial recreational uses. The proposed ‘licensed medical marijuana facility’ is not listed as a use that is not permitted.

There are no specific policies related to Licensed Medical Marijuana Facilities within the Official Plan.

The proposed minor variance maintains the general intent and purpose of the Official Plan.

Maintain the general intent and purpose of the Zoning By-Law

According to Zoning By-law 124 of 2013, the Subject Lands are zoned Light Industrial (M1).

The general intent and purpose of the M1 zone is to implement the *Industrial* designation in accordance with the Town of Goderich Official Plan. The M1 zone is intended to permit industrial uses that are less intensive and more business-oriented than uses permitted in the General Industrial (M2) zone. A ‘licensed medical marijuana facility’ is currently permitted in the General Industrial (M2) zone.

The proposed licensed medical marijuana facility is not an intensive use, as it is small scale, with only four personal use licenses, as authorized by Health Canada. The proposed facility is not a commercial manufacturer that produces and distributes large volumes of product, as anticipated by the Zoning By-law.

Furthermore, a ‘licensed medical marijuana facility’ is not defined in the Zoning By-law, and there are no specific use regulations, such as setbacks or GFA limits, associated with the use.

The proposed minor variance maintains the general intent and purpose of the Zoning By-law.

Desirable for the appropriate development of the land

The requested Minor Variance is desirable for the appropriate development of the land. The Minor Variance for the proposed use will bring the property into conformity with the Zoning By-law, as requested by the Town of Goderich. The requested Minor Variance relates only to the permitted use, and does not alter the built form of the existing structure on the Subject Lands.

Minor in nature

The Subject Lands are an industrial property that is intended to be utilized for industrial purposes. The Subject Lands are appropriate for the use as they are designated *Industrial* and zoned to permit industrial uses. There will be no physical impact to adjacent properties, as the built form of the building is not being altered. The proposed development would not create any negative impacts related to access, parking, traffic, or noise.

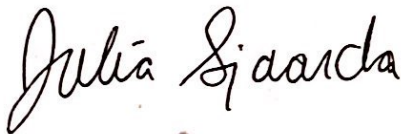
Conclusion

The requested minor variance maintains the general intent and purpose of the Official Plan and Zoning By-law 124 of 2013, is desirable for the appropriate development of the Subject Lands and is minor in nature.

I trust that the above information is sufficient to determine the appropriateness of the requested Minor Variance.

Sincerely,

Gowling WLG (Canada) LLP



Julia Sjaarda, RPP, MCIP
Land Use Planner

JS