



# Planning Justification Report

## PREPARED FOR:

Starbuck Transportation System Inc.  
Zoning By-law Amendment  
260 Waydom Drive

File no. 24383A

November 17, 2025



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

***Your Vision***

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# Contents

1.0	Introduction.....	3
1.1	Purpose of the Application .....	3
1.2	Subject Lands and Surrounding Area .....	3
2.0	Technical Reports.....	5
2.1	Emissions Assessment .....	5
2.2	Servicing Report .....	5
2.3	Geotechnical Investigation .....	5
2.4	Stormwater Mangement Report.....	5
2.5	Traffic Impact Study .....	6
3.0	Public Consultation Strategy.....	7
4.0	Overview .....	8
4.1	Proposed Development .....	8
4.2	Planning Applications .....	9
5.0	Policy Context & Analysis .....	10
5.1	Cannabis Act, 2018.....	10
5.2	Provincial Planning Statement, 2024 .....	10
5.3	Region of Waterloo Official Plan .....	14
5.4	Township of North Dumfries Official Plan .....	17
5.5	Zoning By-law No.689-83.....	20
6.0	Summary and Conclusions .....	21

## Appendices

Appendix A: Draft By-law.....	22
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# Figures

Figure 1 – Location Map

Figure 2 – Site Plan

Figure 3 – Region of Waterloo Official Plan Map 3e

Figure 4 – Region of Waterloo Official Plan road network map

Figure 5 – North Dumfries Official Plan Map 2

Figure 6 – North Dumfries Official Plan Map 2.27

Figure 7 – North Dumfries Official Plan Map 3A

Figure 8 - Zoning By-law 689-83 existing zoning

Figure 9 - Zoning By-law 689-83 proposed zoning (Z.11-XX)

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# 1.0 Introduction

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## 1.1 Purpose of the Application

MacNaughton Hermesen Britton Clarkson Planning Ltd. (hereinafter “MHBC”) has been retained by Starbuck Transportation System Inc., to coordinate the Zoning By-law Amendment application for lands municipally addressed as 260 Waydom Drive, Township of North Dumfries (the subject lands). The owner of the subject lands is proposing to establish a licensed cannabis operation on the lands. In order to facilitate the proposal, a Zoning By-law Amendment is required to add a site specific provision to the zoning, allowing commercial greenhouse as a permitted use.

The lands are designated in the Region of Waterloo Official Plan and Township of North Dumfries Official Plan as 'Highway 401/Regional Road 97 Employment Area'. The Township Zoning By-law 689-83 zones the lands as Z.11 (Industrial). The Z.11 zone does not permit a commercial greenhouse use. Therefore, a Zoning By-law Amendment is required to establish the appropriate land use permissions.

A pre-consultation request was submitted and the proposed development was circulated to departments and agencies for comment. The Township's comment package was provided on July 15<sup>th</sup>, 2024, which identified the following requirements in support of the Zoning By-law Amendment:

- Planning Justification Report
- Site Plan
- Elevations and Floor Plans
- Functional Servicing and Stormwater Management Report
- Emissions Assessment
- Health Canada License
- Traffic Impact Study

This report addresses the requirement for a Planning Justification Report. The additional requirements have been included as part of a complete application. The technical studies have been summarized in section 2.0 of this report.

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## 1.2 Subject Lands and Surrounding Area

The subject lands are legally described as Lot 51 Plan 1408 North Dumfries. The lands are on the north side of Waydom Drive, south of Roseville Road, and east of Industrial Road. The Highway 401 is located just south of Waydom Drive, with an interchange located to the west along Cedar Creek Road. The lands have an area of 0.52 hectares (1.28 acres) with approximately 30 metres of frontage on Waydom Drive. The lands are within the Regional Road 97/Highway 401 Employment Area, which is comprised of a range of industrial uses. Existing buildings on the subject lands include a 1,125.3m<sup>2</sup> warehouse, which will remain and be converted to a commercial greenhouse. There are no environmental features

on site, and the balance of the lands consists of asphalt/paved area. Refer to **Figure 1** for a location map.

The subject lands are located on Waydom Drive, which is classified as a Local Road in the Township Official Plan. Nearby to the subject lands is Regional Road 97 (Cedar Creek Road), which is considered a Regional Road. It is a major roadway intended to serve high volumes of traffic including truck traffic, with direct access to Highway 401.





**Figure 1 - Subject Lands**

 Subject Lands



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## 2.0 Technical Reports

All technical reports have been submitted with the Zoning By-law Amendment application. Below includes a brief summary of each report.

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### 2.1 Emissions Assessment

RWDI has completed an Emissions Assessment for the proposed cannabis cultivation, related to odor control, air quality, and any other emissions that could affect the surrounding property owners. The cannabis cultivation rooms operate on a closed-loop climate-control system, which regulates parameters to facilitate growth. The facility does not have any dedicated exhaust systems that can discharge air from the cannabis cultivation to the outside. The assessment concludes that there is no significant emission of cannabis odours from the facility.

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### 2.2 Servicing Report

CMT Engineering Inc., prepared an assessment of the existing septic system located on the subject lands. The building was assessed based on the usage of a factory with flow rate calculated on an employee basis, serving bathrooms and breakrooms only. There is no process water that is used. CMT considered a minimum of 5 employees, with a required flow of 375 litres. The existing septic tank was measured to be 3,825 litres, which far exceeds the 375 litre requirement. The leaching bed is designed to accept a daily sanitary sewage flow rate of 5,334 litres/day and the absorption trenches appear to be in good condition and functioning as intended. The assessment concludes that the system is currently working as intended and is considered satisfactory to remain in service.

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### 2.3 Geotechnical Investigation

CMT Engineering Inc., prepared a geotechnical investigation to assess the existing soil and groundwater conditions. This was prepared to inform the design of the stormwater management plan.

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### 2.4 Stormwater Management Report

Meritech completed a Servicing and Stormwater Management Report in support of the proposed Zoning By-law Amendment. The report provides the following conclusions:

- Storm servicing: the site does not have an existing stormwater sewer system or management infrastructure and none is proposed. All flows from the site are overland flows. There is a ditch along Waydom Drive that carries the flows. The rear yard drains towards the rear of the property, with the road and side yard draining to the neighbouring property. No new stormwater management measures are proposed on site. Instead, the existing peak flow increase is proposed to remain.
- Septic: the existing septic tank and leaching bed is considered satisfactory to service the current industrial building

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## 2.5 Traffic Impact Study

Paradigm Transportation Solutions prepared a Transportation Impact Study for the proposed greenhouse use on the subject lands. The Study forecasts an additional four trips in both the weekday AM and PM pek hours, which is acceptable. No impact on traffic conditions is proposed and no traffic mitigation measures are required.



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# 3.0 Public Consultation Strategy

The Planning Act (specifically O. Reg 544/06, amended by O. Reg. 178/16) requires that applicants submit a proposed strategy for consulting with the public with respect to an application as part of the 'complete' application requirements. This section summarizes the proposed Public Consultation Strategy.

We propose that the public consultation process for the proposed Zoning By-law Amendment application follow the Planning Act statutory requirements. Should it be deemed necessary by the Township, an informal public meeting could also be held early in the process, prior to a statutory public meeting.

The following points of public consultation are proposed:

- An informal public meeting organized by MHBC (if deemed required).
- A statutory public meeting advertised by the Township and heard by Council.
- Direct written responses to comments raised through the public consultation process will be provided to Township Staff for their review and consideration in the preparation of a Township Staff Report.
- Preparation of a Township Staff Report, with the Report to be available to the public in advance of Township Council's consideration of the applications. It is understood that Township Staff will post information on the Township's website for public review. This will include the Township Staff Report and may also include technical studies and reports prepared in support of the applications.
- A Council Meeting, at which time the Township Staff Report, all available information, and public input will be considered in Council's final decision.

The consultation strategy proposed will provide members of the public with opportunities to review understand and comment on the proposed Zoning By-law Amendment application. The consultation strategy will be coordinated with Township Staff and additional opportunities for consultation will be considered and may be warranted based on the input received.

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# 4.0 Overview

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## 4.1 Proposed Development

The subject lands contain a building with a total area of 1,125m<sup>2</sup>. The owner is proposing to convert the existing warehouse building to a commercial greenhouse for the purposes of growing cannabis. The conversion of the building will result in four growing areas, two storage areas and an office. The commercial greenhouse will support four different growers, under four licenses. It is expected that the use will provide up to four jobs.

The proposed use is for indoor cultivation only and will include the propagating and harvesting of cannabis. Processing is not proposed on-site. Once cultivated, the cannabis will be transported elsewhere for processing and distribution. Transportation will be required to facilitate and support the supply chain process.

The Cannabis Act, 2018 is the federal legislation that oversees recreational cannabis in Canada. Cannabis Regulations (SOR/2018-144) are issued under the Cannabis Act and include licensing regulations, requiring that licences be required for cultivating and processing cannabis. The proposed greenhouse will provide cultivation for four growers and therefore four licenses are required. The Health Canada license are:

1. MCR-101603
2. MCR-161973
3. MCR-101567
4. MCR-22893

Each license permits up to 365 indoor cannabis plants. The licenses are currently being renewed, however, due to Canada Post disruptions, the Government of Canada has confirmed that all expiring licenses that have filed for renewal will remain valid until the renewal occurs.

Additional requirements under the SOR/208-144 pertain to site design including visual monitoring, and security measures. There are no changes to the site, exterior alterations to the building, or parking. Driveway access will continue to be provided via the existing access to Waydrom Drive. The existing septic system and water well have been assessed and will have adequate capacity to serve the proposed facility.

The site plan (**Figure 2**) illustrates the following elements of the proposed use:

- Single storey building (6.5 metres high) with a total Gross Floor Area of 1,125m<sup>2</sup>. There is a mezzanine located at the front of the building which provides an additional 58.5m<sup>2</sup> of office space. Total growing space for cannabis is 587.7m<sup>2</sup>.
- Access to the site will remain via the driveway connection at Waydrom Drive.
- The rear of the building will have one loading space at the back. The ten (10) parking spaces are to remain as is.

- Existing septic system and water well to remain. A fire water connection is proposed at the rear of the building.
- Total lot coverage is 21%.
- As the facility is indoors, there is no specific outdoor lighting requirements. A lighting plan will be prepared as part of the Site Plan Approval application.
- An emissions assessment has been completed which confirms that the cannabis cultivation rooms operate on a closed-loop climate-control system, which regulates parameters to facilitate growth. No additional exhaust measures are required.

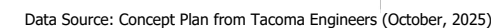
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## 4.2 Planning Applications

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### 4.2.1 Zoning By-law Amendment

The lands are zoned Z.11, which is an industrial zone. Indoor cannabis cultivation has been identified by Township Staff as a commercial greenhouse use. A commercial greenhouse is not a permitted use in the Z.11 zone. Therefore, an amendment is proposed to add commercial greenhouse as a permitted use to the existing zone. This is proposed to be achieved through a site specific Z.11 zone applicable to the subject lands.



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# 5.0 Policy Context & Analysis

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## 5.1 Cannabis Act, 2018

The Cannabis Act and its Regulations (SOR/2018-144) is a Federal legislation which establishes the guidelines and standards for the production, cultivation, packaging, research/testing and sale of cannabis in Canada.

The Cannabis Act permits the commercial growth of cannabis by licensed producers. Health Canada is the licensing authority, and prior to applying for a license to either cultivate, produce, package, retail, or test/research cannabis, the applicant is required to notify their local municipality. If the license is granted, the license holder must then notify the municipality. The holder of a license must only conduct activities that are authorized by the license at the site and/or the building, set out in the license. Growing of cannabis requires a cultivation license. The selling of cannabis to authorized retailers or medical purposes is a separate licence. Same for conducting cannabis research. The proposal is for the growing/cultivating of cannabis. There are four licenses applicable to the proposed use.

SOR/2018-144 provide the laws for the growing of cannabis. Certain regulations apply to the site design related to security and air quality. Part IV sets out that the site of the licensed operation must be designed in a manner that prevents unauthorized access. The perimeter must be monitored at all times by visual recording devices. Access to each operations area and storage area must be restricted to individuals whose presence in the area is required, and operation and storage areas are to be designed with a physical barrier to only allow access to the individuals who work there. For a grow area, only the entry and exit points of the area must be monitored by the devices. The regulations under Part V also state that there must be an air filtration system that prevents the escape of odours from any building where cannabis is produced, packaged, labelled and stored. Additionally, any system that supplies water to a site must be appropriate for any activity being conducted in respect of cannabis or anything that will be used as an ingredient. The compliance with these regulations is monitored by Health Canada.

The commercial greenhouse will have security measures in place, including surveillance monitoring. An emissions assessment was completed, which confirms that growing rooms will have adequate air filtration and no odours are expected to penetrate surrounding land uses. A servicing brief has also been completed which confirms that the use can be served by the existing on-site well. The proposal therefore conforms to the Cannabis Act requirements related to the cultivation of cannabis.

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## 5.2 Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS) outlines the land use policy for Ontario, establishing the policy foundation for regulating the development and use of land to achieve the provincial goal of meeting the

needs of a fast-growing province while enhancing the quality of life. The PPS recognizes the inter-relationships among environmental, economic, health and social factors in land use planning, supporting an integrated and long-term approach to planning. One of the key considerations of the PPS is that planning decisions *"shall be consistent with"* the Policy Statement. The PPS has 6 chapters, which establish policies for the various aspects of land use planning. Relevant policies are addressed within the context below.

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### 5.2.1 Settlement Areas

Chapter 2, policy 2.3 of the PPS states that Settlement Areas shall be the focus for growth and development. The PPS defines settlement areas as both urban and rural areas within municipalities (cities, towns, villages, hamlets) that are already built-up areas where development is concentrated or where lands have been designated in an official plan for development. Land use patterns within settlement areas are to have a range of densities and land uses that efficiently use land, optimize existing and planned infrastructure, support active transportation (where feasible), are transit supportive and are freight supportive.

The subject lands are identified in the Region of Waterloo Official Plan as 'Built-up Area' and Township Official Plan's as Highway 401/Regional Road 97 Employment Area. The subject lands are within a Settlement Area and are a focus area for concentrated employment growth. Waydom Road consists of a range of established and planned employment land uses, intended to meet the employment needs of the Region. The lands optimize their location near Highway 401 as this is well connected to the Provincial transit network, which is freight supportive.

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### 5.2.2 Employment

Chapter 2, policy 2.8 sets out the policies for employment which are directed at promoting economic development and competitiveness. This is to be achieved by providing a mix of uses to meet long-term needs, providing opportunities for a diversified economic base including maintaining suitable sites for employment uses, identifying strategic sites for investment including market ready sites, encouraging intensification of employment uses in compatible, compact, mixed-use development, and addressing land use compatibility adjacent to employment areas by providing appropriate transitions to sensitive land uses.

The policies require that municipalities plan for, protect and preserve employment areas for current and future uses to ensure necessary infrastructure is provided. Municipalities are to protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.

The subject lands are located within an identified employment area by the Region and Township and is planned for investment. The location of the lands is adjacent to both a Regional Road as well as a provincial Highway, both of which are considered to be major corridors for the transportation network. The subject lands are near the Highway 401, which is identified in the Provinces transportation plan for the Greater Golden Horseshoe as part of the Strategic Goods Movement Network (SGMN) which identifies key corridors, facilities and connections for supporting freight movement. Key to the SGMN is a connected major highway network that facilitates freight movement at all times of the day. The subject



lands are intended for employment use and are proposed to be used in accordance with their planned function.

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### 5.2.3 Energy Conservation, Air Quality and Climate Change

Chapter 2, policy 2.9 sets out the policies for reducing impacts of a changing climate. The policies encourage several approaches including compact, transit supportive communities, incorporating climate change considerations when developing infrastructure, support energy conservation and efficiency, promote green infrastructure, low impact development and active transportation.

The proposed use is intended to be state of the art and implement energy conservation as well as green principles where feasible. Cannabis grow-op facilities, by their nature, require higher than normal water and energy demands. As part of the application process, the proposed development will need to ensure that the on-site water capacity is sufficient to support the use. This has been completed in the Water Servicing Report, which provides that the on-site water well is sufficient to support the use.

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### 5.2.4 Transportation Systems

Chapter 3 of the PPS is focused on infrastructure and facilities. Policies for transportation are provided in section 3.2. Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs and support the use of zero- and low- emission vehicles. Additional transportation policies are provided in section 3.3, providing that major goods movement facilities and corridors shall be protected for the long term. Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

The proposed development will be appropriately connected to the existing road network. The subject lands are accessed from Waydrom Drive and are in close proximity to Highway 401. The surrounding road network has been planned for employment land uses and to accommodate high volumes of traffic. This corridor has been identified for employment uses largely due to its proximity to the 401 and interchange with Cedar Creek Road. The proposal supports the overall objectives for the surrounding transportation network and will ultimately maintain the use of major transit corridors for the movement of goods. Additionally, a Traffic Impact Study has been prepared, which concludes that additional traffic generated by the development is minor and will not result in impacts to vehicular movement.

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### 5.2.5 Land Use Compatibility

Chapter 3, section 3.5 sets out policies to ensure that major facilities and sensitive land uses are planned and developed to avoid or minimize adverse effects, including noise, odour, emissions, and safety risks. The policy also aims to protect the long-term viability of both existing and planned major facilities. Major facilities are those which may require separation from sensitive land uses, and sensitive land uses may include residential uses, day cares, schools, and healthcare facilities.

The Regional Employment Area is comprised of major facilities, and the proposed commercial greenhouse could produce nuisances that cause adverse effects. There are some surrounding residential uses on the periphery of the employment area.

The provincial guidelines for land use compatibility are set out in the province's *D-6 Compatibility between Industrial Facilities* (D-6 Guidelines). Cannabis grow-op facilities are not specifically identified in the D-6 Guidelines, but a review of the Guideline suggests that the use is most comparable to a Class I industrial facility, which is described as:

*"A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage."*

Class I facilities typically require a minimum separation distance of 20 metres from sensitive land uses. The proposed facility significantly exceeds this threshold, at a setback of over 200 metres is provided to the closest sensitive land use, confirming that no compatibility concerns are anticipated. Furthermore, the subject lands are located within an existing built-up area of employment uses, including Class II and III industrial uses which have much higher fugitive emissions compared to a commercial greenhouse. The proposed commercial greenhouse would not cause any more nuisances or impacts than the surrounding industrial facilities. The existing industrial development has therefore established a precedent whereby major facilities can be located in proximity to sensitive land uses. Notwithstanding, the proposal is not expected to adversely effect sensitive land uses.

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### 5.2.6 Sewage, Water and Stormwater

Chapter 3, section 3.6 establishes policies for sewage and water services. municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Where municipal services are not available, private services are permissible.

A servicing and stormwater management report, as well as a wastewater servicing report have been prepared for the proposed development. The Reports prepared in support of the proposed development assesses the feasibility of servicing the subject lands and conclude that the proposed development can be adequately serviced through private services. Water will be provided to the site via an on-site well, and wastewater will be treated on-site with a septic treatment system. Both existing services are adequate to support the use. Stormwater management is limited on-site and the stormwater management report confirms that no new stormwater management measures are proposed on site.

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### 5.2.7 Summary of PPS Policies

The 2024 PPS seeks to achieve healthy, livable and safe communities by promoting efficient development and land use patterns. The PPS provides that settlement areas are to be the focus for growth and development where land use patterns are to efficiently use land, optimize existing and planned infrastructure, support active transportation (where feasible), are transit supportive and are freight supportive.

The subject lands are within a Settlement Area and are a planned area in the Region for employment. The lands are in close proximity to transportation infrastructure to support freight transit, and within an area that efficiently utilizes lands for employment. The proposed commercial greenhouse will utilize existing infrastructure and buildings and will support economic investment in the Township. In light of these considerations, it is our opinion that the proposed development is consistent with the PPS.

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## 5.3 Region of Waterloo Official Plan

The Region of Waterloo Official Plan (the “ROP”) came into effect in June, 2015 and identifies the urban/rural structure, general land uses, as well as objectives for how the Region will accommodate future growth. It was amended by Regional Official Plan Amendment (“ROPA 6”), which establishes the planning framework for the Region to accommodate the Region’s forecasted population and employment growth to 2051, in conformity with the Growth Plan. ROPA 6 was approved, with modifications, by the Province on April 11, 2023.

As of January 1<sup>st</sup>, 2025, changes to Ontario’s land use planning framework under Bill 23, the *More Homes Built Faster Act, 2022*, came into effect for the Regional Municipality of Waterloo. As a result, certain land-use planning responsibilities were transferred from the Region to the local municipalities. The ROP was also transferred, and became the responsibility of the local municipalities as an additional local Official Plan. Until such a time as the ROP policies are repealed or amended into the various local Official Plans, the local municipalities are responsible for enforcing the ROP policies.

The ROP deals with high-level planning matters and Regional growth patterns, transportation, and infrastructure. All land-use planning decisions must “conform” to the policies of the ROP.

ROPA 6 identifies Regional Population and Employment Forecasts in Table 1, noting that North Dumfries is forecast to have a resident population of 19,600 and 12,200 jobs by 2051.

The subject lands are designated on Map 3e as ‘Built up Area’ and ‘Highway 401/Regional Road 97 Employment Area’ in the ROP.

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### 5.3.1 Urban System

Chapter 1, section 1.6 provides an overview of the Region’s planning framework, including the Regional structure. The Region is comprised of the urban system, agricultural system, and protected countryside. The subject lands are located within the urban system. The urban system is further classified into a hierarchy of urban components: urban areas, urban growth areas, regional intensification corridors and Township urban areas.

The Official Plan provides that maintaining a balanced supply of employment lands is critical to supporting future business growth and economic prosperity. There are various employment areas throughout the Region. The subject lands are within the Highway 401/Regional Road 97 employment area. Policy 2.B.1(e) of the urban area policies provides that the Region and area municipalities will direct majority of employment growth to the employment areas as shown on Map 3.

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### 5.3.2 Employment

Section 2.H sets out the policies for Regional Employment Areas. The intent of the policies is to ensure a continuous and available supply of land for a range, size and mix of employment uses. Included in the objectives is to provide a range and mix of accessible employment opportunities to build economic resilience, flexible to changing employment needs and maintain competitiveness in attracting and retaining people, jobs and investment.

Policy 2.H.1.1 provides that the employment areas identified on Map 3 are intended to be protected for employment use over the long term, for business and economic activities such as: manufacturing, warehouses, offices, research and development and associated retail and ancillary facilities.

The subject lands are designated a Regional Employment Area as identified on Map 3e. These lands are not currently utilized. The owners are proposing to establish a commercial greenhouse use within the existing building on-site. A commercial greenhouse is a large-scale cultivation facility that provides a controlled environment to optimize high yields. As noted, large-scale cannabis cultivation is regulated by the Canadian government, which sets forth specific requirements for these facilities, including security and air filtration. Given the intended large-scale production of cannabis, this facility is well suited for an employment area. Additionally, this facility will be for production/cultivation only. No research or retail is proposed. Therefore, distribution will be a component of the facility and access to major roadways, such as the 401 are beneficial to the operation.

Policy 2.H.1.7 provides that area municipalities should designate and preserve lands within Employment Areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.

Access for employees and distribution of the product for processing is a component of the operation. The proximity of Highway 401 and interchange will support distribution needs and the overall successful operation of the facility.

Policy 2.H.1.8 directs that area municipal official plans and zoning by-laws will plan for all Employment Areas designated by the ROP by:

- Prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use.
- Prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitting and prohibiting major retail that would exceed that threshold.
- Providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.
- Ensuring that development within employment areas will meet or exceed a minimum density target of 35 jobs per hectare, to be measured over the entire region-wide employment area designation.
- Service commercial uses and ancillary retail uses may be permitted, subject to the policies of the ROP and local official plans.

The Regional Employment Area comprises a dedicated area for the sole purpose of supporting industrial type land uses that generally would be incompatible with sensitive land uses for reasons such as noise, odour, lighting, or traffic. The purpose of creating an employment area is to concentrate these intensive land uses to one area where land use compatibility is less of a concern. There are limited sensitive land uses in proximity to the employment area and subject lands. Adjacent and surrounding land uses are similar industrial uses.

Policy 2.H.1.10 requires that Area municipalities plan to ensure that development of sensitive land uses, in accordance with Provincial guidelines, avoid, or where avoidance is not possible, minimize and

mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

The surrounding area is comprised of existing industrial land uses. The proposed land use is consistent with existing and planned uses of the employment area. Therefore, no sensitive land use will impact the ability to use the lands as proposed.

Section 2.H.1.11 of the ROP contains policies that are to be considered as part of any future development application within employment areas. These policies require employment areas to incorporate sustainability measures, conserve water and resources, encourage alternative energy systems and make efficient use of lands.

The subject lands contain an existing building that was used for warehousing as well as distribution. The proposal includes the retention of the building and it's re-use for cannabis cultivation. Environmental factors for the successful cultivation of commercial cannabis include specific control measures such as: lighting, temperature, humidity, and airflow. The facility will implement sustainable measures and technology to conserve energy where possible. In this regard, the facility will make efficient use of the land and existing buildings, and will utilize sustainable energy measures.

Section 2.H.3 of the Official Plan establishes specific policies for the Highway 401/Regional Road 97 Employment Area. This employment area is intended to provide additional opportunities for employment growth and business development within the Township of North Dumfries. The Township is to establish policies in its Official Plan to ensure this employment area is planned and developed to:

- a) primarily accommodate logistic and warehousing uses, and appropriate associated uses and ancillary facilities, that require close access to the Highway 401 corridor to efficiently move goods into and out of the region;
- b) be serviced by individual on-site water services and/or individual on-site sewage services;
- c) unless otherwise compromised by such considerations as design limitations associated with natural heritage features and areas, property configurations, the provision of new local roads, or existing development patterns, accommodate parcels greater than eight hectares in size; and
- d) notwithstanding Policy 2.H.1.8 (d), meet or exceed a minimum density target of 25 jobs per hectare.

The proposal is for a commercial greenhouse that will require convenient access to the Highway 401 to support its distribution. The site has existing private servicing, and will remain on private servicing. The lands have an area of 0.52 hectares and is an existing lot of record. The proposal will support employment opportunities and economic investment. Up to 4 jobs will be established by the use, contributing a density of approximately 8 jobs per hectare.

The proposed amendment is consistent with the employment policies of the Region's Official Plan, which require employment areas to be located in areas well served by major goods movement corridors, and conserve these areas over the long-term for economic investment and business opportunities. The amendment will facilitate the use of the lands for employment use, benefitting from proximity to Highway 401. The facility will not be impacted by the encroachment of sensitive land uses, and will utilize sustainable practices where feasible.

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### 5.3.3 Transportation

Transportation policies are included in Chapter 5 of the Region Official Plan. The subject lands are located on Waydom Drive, a local road, which is accessed from Regional Road 97 (Cedar Creek Road). Regional roads provide safe, direct, accessible and multi-modal transportation links for moving people and goods. Policy 5.A.30 provides that all Regional Roads are classified as truck routes, unless otherwise prohibited.

The provincial Highway 401 runs parallel to Waydom Drive, with an interchange with Cedar Creek Road to the west. Highway 401 is classified as a Major Good Movement Corridor by the province (PPS). This is a key transportation route for the movement of goods.

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### 5.3.4 Servicing

Servicing policies are contained in Chapter 5. Policy 5.B and 5.C set out policies for wastewater and water, stating that municipal infrastructure is preferred, however, new individual systems may be permitted when municipal servicing is not feasible.

A Functional Servicing Report has been prepared in support of the proposed amendment, which demonstrates that the proposed use can be sufficiently serviced through private servicing. Both the existing well and septic system have capacity to support the operation.

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### 5.3.5 Regional Official Plan Summary

The subject lands are located within the Region's urban system, specifically in the Highway 401/Regional Road 97 Employment Area, which forms part of the Regional Employment Areas. The Regional Employment Area is intended to maintain a continuous supply of land for diverse employment uses. The proposed commercial greenhouse use is consistent with the intent of the employment area policies by supporting economic development, utilizing existing infrastructure, and benefiting from proximity to Highway 401 for goods movement and distribution. The facility will be limited to production and some distribution for processing, with no processing, retail or research components. The surrounding area consists of compatible industrial uses with no land use compatibility concerns. The proposed amendment conforms with the Region's Official Plan, supports the efficient use of employment lands and economic resilience, and aligns with transportation and servicing policies.

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## 5.4 Township of North Dumfries Official Plan

The Township of North Dumfries Official Plan came into effect in 2008, with a consolidation in 2018.

The subject lands have the following land use designations:

- Map 2 Township Structure: 'Highway 401/Regional Road 97 Employment Area'
- Map 2.27 Highway 401/Regional Road 97 Employment Area: 'Dry Industrial/Commercial'
- Map 3A Transportation: Waydom Drive is 'Local Road'



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### 5.4.1 Township Structure

Chapter 2, policy 2.1 lays out the structure of the Township, which is based around 5 areas: Ayr Urban Area, Rural Settlement Areas, Rural Employment Areas, the Urban Area and the Countryside. The subject lands are within the Rural Employment Areas.

The Rural Employment Area includes clusters of industrial and commercial uses supporting the employment needs of the Township. The subject lands are within the Highway 401/Regional Road 97 Employment Area and are designated 'Dry Industrial/Commercial'. It is the intention of the Official Plan that the Township will provide additional opportunities for employment growth and business within the Highway 401 and Regional Road 97 Employment Area.

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### 5.4.2 Dry Industrial/Commercial

Policy 2.6.6 provides policies for the Dry Industrial designation, which is applicable to lands generally serviced by private wells and wastewater systems. This designation provides for a range of light industrial uses and related activities similar to the uses in the General Industrial designation.

The uses permitted in the General Industrial designation are listed under policy 2.6.5.3 and include the following (except those that would be hazardous or offensive):

- light manufacturing, assembly and processing industries;
- service uses including small equipment and business machine sales and service, printing and/or publishing establishments, rent-all establishments, landscaping and garden centre sales and service, public garages, car washes and sales of automotive parts, sales and servicing of industrial or commercial motor vehicles or motorized equipment,
- building contractors yards;
- dry cleaning plants;
- security and janitorial services;
- industrial research and development facilities;
- computer based technologies;
- training facilities relating to uses such as industrial trades, service industries, computer based technologies; and arts and crafts;
- recycling facilities; but not including the recycling of plastics and/or tires;
- indoor storage facilities;
- courier or delivery services;
- restaurants or catering establishments
- veterinary offices;
- compatible recreational facilities;
- retail sales of products manufactured on the same site; and
- offices required for the administration of an industrial activity or for the provision of technical and professional services to an industrial activity.

Uses will be restricted to those which do not require large amounts of water for the operation, and the nature of wastes generated must be demonstrated to be appropriate for private servicing to the satisfaction of the Region. Specific uses within the Dry Industrial designation will be regulated through the Township Zoning By-law.

The subject lands are within the Rural Employment Area comprising the Highway 401/Regional Road 97 Employment Area and are further identified for dry land uses. The lands are intended to be used for dry uses that provide opportunities for economic growth and employment. The proposed greenhouse will operate as a commercial greenhouse, cultivating cannabis before being transported to a different facility for processing. The proposal is expected to generate not only jobs on-site, but support the larger cannabis industry. In terms of water usage, the plants will require some water usage, which will be predominantly taken up by the plants. It is proposed that the greenhouse irrigation will re-use water. This will help manage water usage and is a more sustainable approach. As a result, the discharge of waste water from the proposed facility will not be significant.

The proposed use is not explicitly listed as permitted, however, the policy notes that specific uses will be regulated through the Zoning By-law. An amendment to the Zoning By-law is proposed in order to establish specific regulations for the proposed use.

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### 5.4.3 Highway 401/Regional Road 97 Employment Area

Special policy 2.9.3.2.1 of the Official Plan provides that the future development within the employment area will generally be limited to privately serviced logistics and warehousing uses that require close access to the Highway 401 corridor to efficiently move goods.

The subject lands will be privately serviced. While the use will consist of a commercial greenhouse (indoor grow-op) it will function as a warehouse and logistics facility as distribution of the product will be a key component of the facility. Research and retail are not proposed as part of the operation. As such, access to the Highway 401 will be important to support the overall operation and delivery of the product to other vendors for research, packaging or retail.

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### 5.4.4 Economic Development

Chapter 4 of the Official Plan outlines policies for Economic Development. The general policies provide that there should be a mix of employment uses including industrial, commercial and institutional; there should be a range of locations and suitable sites to accommodate businesses, preserving lands within the vicinity of highway interchanges and rail facilities for employment use; and promoting energy efficiency. Additional policies specific to industrial lands are also provided. The Township is to ensure there is sufficient lands designated for industrial use to accommodate new and expanding facilities. The Township will encourage industrial development and operation practices which minimize negative impacts on the surrounding environment through compliance with Provincial environmental regulations, Regional water resources protection policies, minimizing emissions of sound vibration, and air contaminants such as dust, smoke, odour, fumes and particulate; protecting and maintaining water quality and groundwater recharge areas; and controlling waste and quality of discharge.

The proposed amendment will facilitate the use of a portion of the lands for employment and industrial use. This will contribute to, and increase the mix of employment uses within the Township. The location of the lands near the Highway 401 interchange will capitalize on the transportation network for the transportation of goods. The new warehouse and truck facility will be state of the art and will implement sustainable design measures. The proposed use will not create significant air contaminants such as dust, smoke, odour or fumes and is not considered a Class III industrial use (per the Provinces D-6 Guidelines) as its use is more aligned with the Class I category. Any contaminants are required to meet

Health Canada's and the Cannabis Act requirements. An Emmissions Assessment has been completed which concludes that the proposed closed-loop ventilation is adequate and no additional measures are required to maintain odour from escaping. Additionally, a Functional Servicing Report has been completed which considers the protection of water quality and quantity.

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### 5.4.5 Transportation

Policy 3.3.10 of the transportation policies speak to truck routes. To provide for safe and efficient movement of trucks, the Township encourages heavy truck traffic to use provincial, regional and primary roadways. New development proposed along Regional roads will be subject to the Region's policies.

Waydom Drive is a local road and is not located on a provincial or regional roadway. However, Waydom Drive is located immediately north of the Highway 401 with an interchange located to the west of the lands. The close proximity of the highway access is preferred for the proposed use, which will involve some truck traffic movement for distribution.

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### 5.4.6 Infrastructure

The water and wastewater policies are the same as the Regional policies. As previously addressed, the subject lands have been identified as un-serviced employment lands. No municipal services are available, and therefore private servicing is required. A servicing report has been prepared which identifies that the existing on-site well and septic system can adequately service the use.

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### 5.4.7 Township Official Plan Summary

The subject lands located in the Rural Employment Area within the Highway 401/Regional Road 97 Employment Area, designated Dry Industrial/Commercial. This designation permits light industrial and commercial uses that rely on private wells and septic systems. The site's proximity to Highway 401 supports its logistics function, aligning with special policy 2.9.3.2.1, which encourages privately serviced logistics and warehousing uses near the highway corridor. The proposal contributes to economic development by expanding employment opportunities within this area. Servicing studies confirm that private well and septic systems are adequate, and the site's location provides efficient truck access to Highway 401 for product processing, forming part of and supporting the larger cannabis industry.

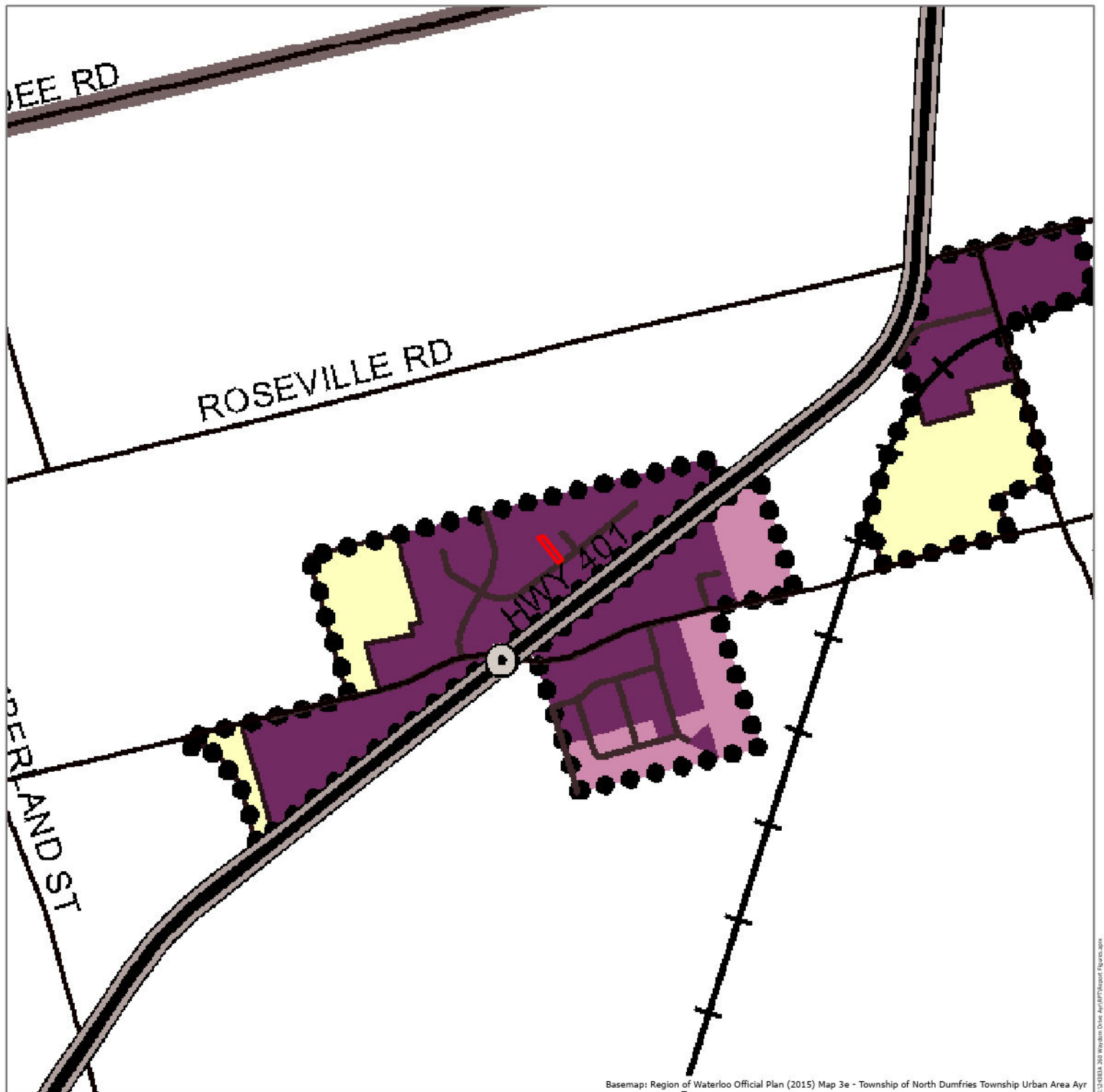
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## 5.5 Zoning By-law No.689-83

The Township Zoning By-law 689-83 came into effect in 1985 and was consolidated in 2018. It implements the overarching land use framework provided by the Official Plans.

The subject lands are currently zoned Z.11 – Industrial. The Z.11 zone permits a range of industrial type land uses, however, does not currently contemplate the growing of cannabis. A site specific Zoning By-law Amendment is proposed to permit a commercial greenhouse use on the lands. Through the site specific commercial greenhouse use, growing cannabis will be permitted. The only proposed change to the lands is to expand the permitted uses of the Z.11 zone. There are no other changes to the building footprint, or property. The proposed use will comply with all applicable regulations of the Z.11 zone.

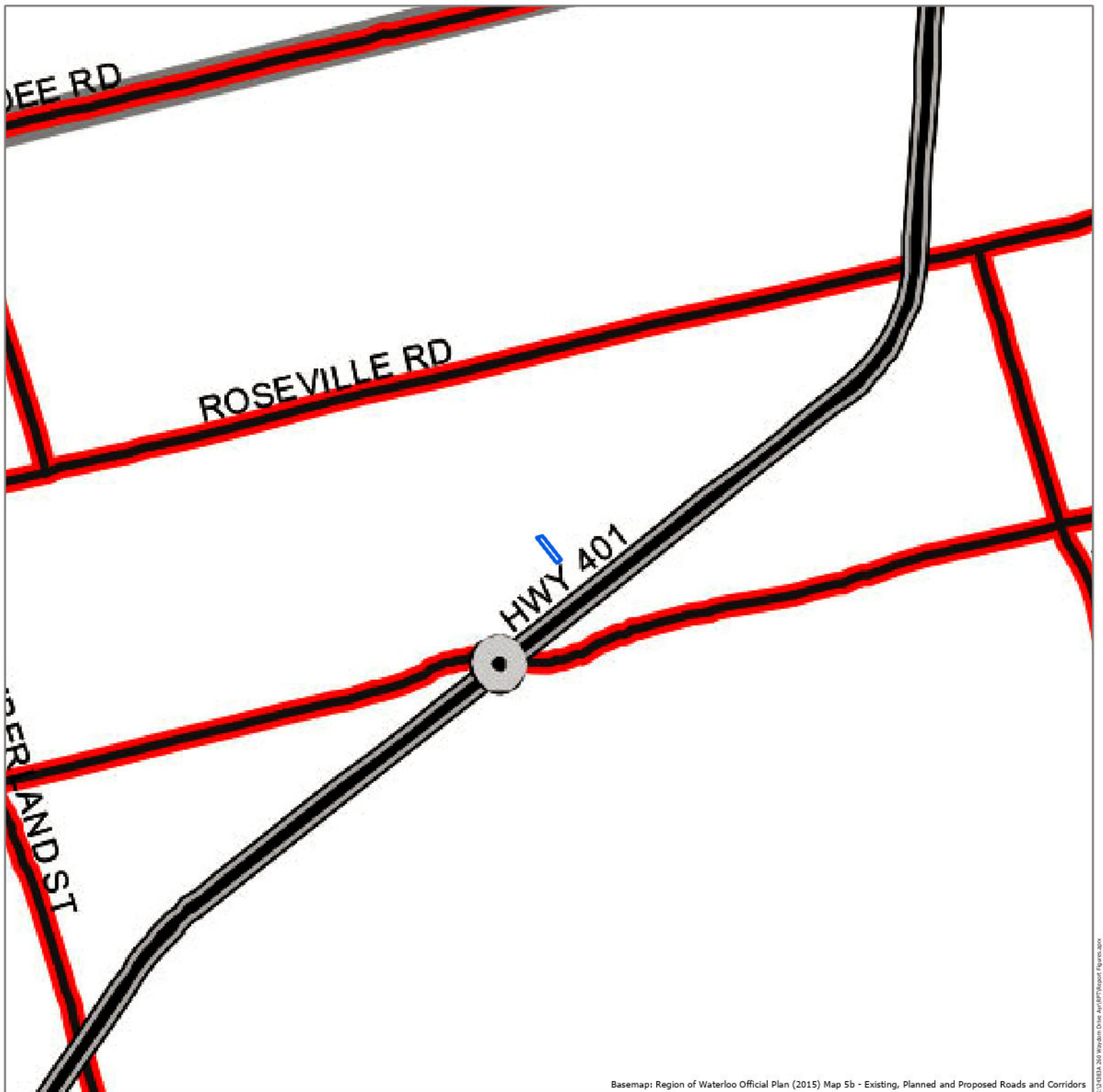
A draft By-law is included as Appendix 1 to this report.



**Figure 3 - Region of Waterloo Official Plan Map 3e**

- Subject Lands
- Built-Up Area\*
- Township Designated Greenfield Areas
- Township Urban Area Boundary
- Township Urban Growth Centre
- Highway 401/Regional Road 97 Employment Area
- Prime Industrial/Strategic Reserve (Unserviced)



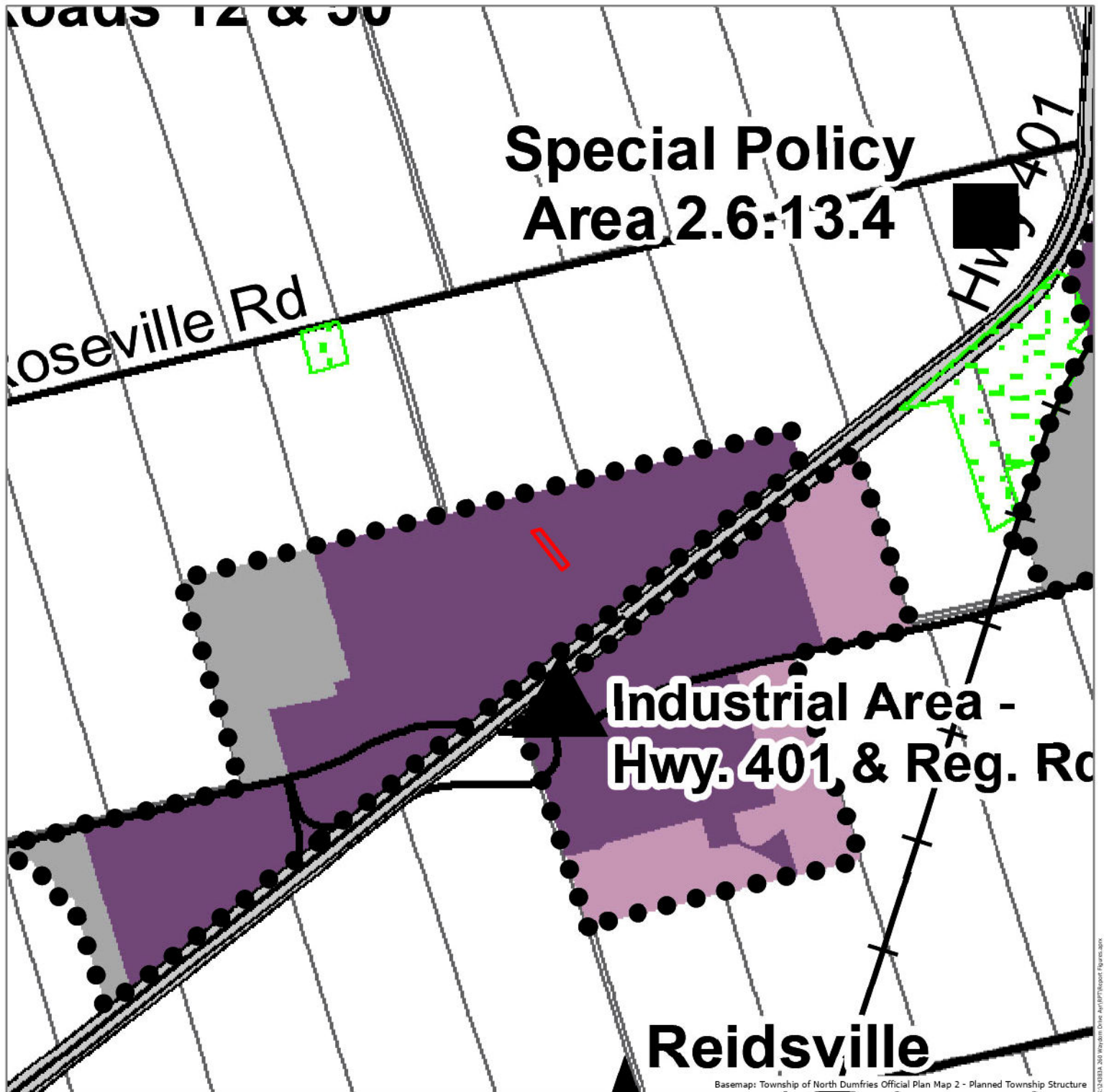


**Figure 4 - Region of Waterloo Official Plan Road Network Map**

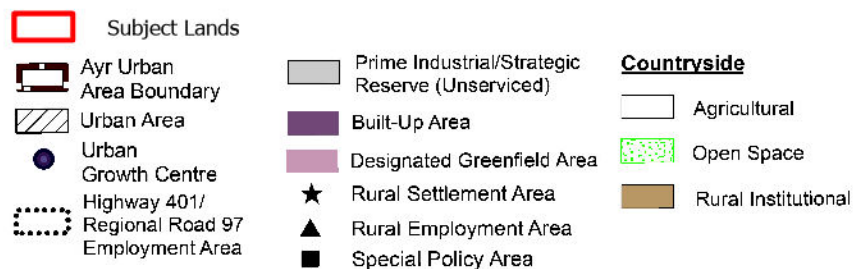
- Subject Lands
- Existing Regional Roads
- Planned Regional Roads
- Proposed Regional Corridors
- - - Planned Provincial Highway







**Figure 5 - North Dumfries Official Plan Map 2**



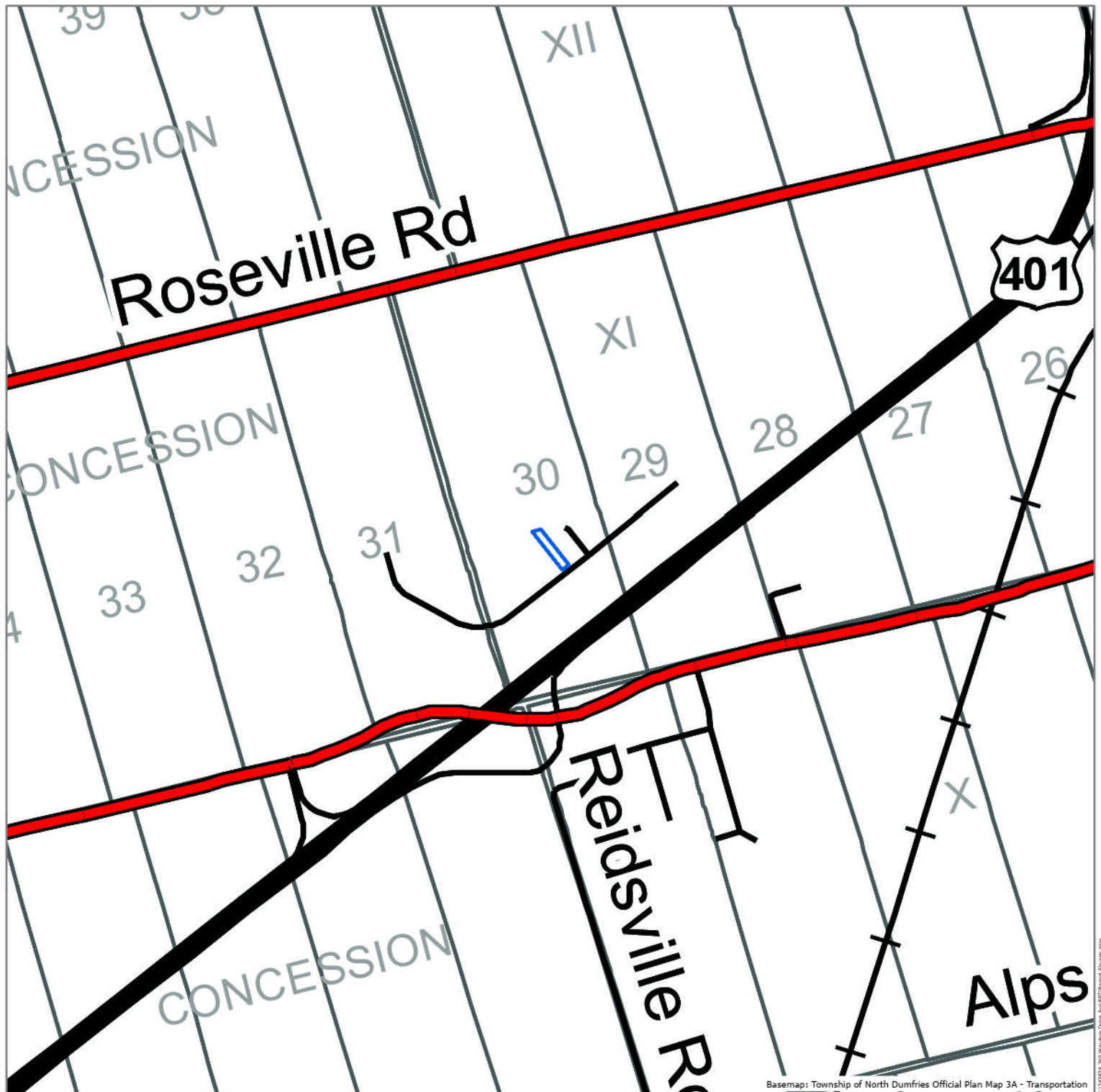




**Figure 6 - North Dumfries Official Plan Map 2.27**

-  Subject Lands
-  Dry Industrial/Commercial
-  Prime Industrial/Strategic Reserve
-  Highway 401/Regional Road 97 Employment Area
-  Special Policy Area



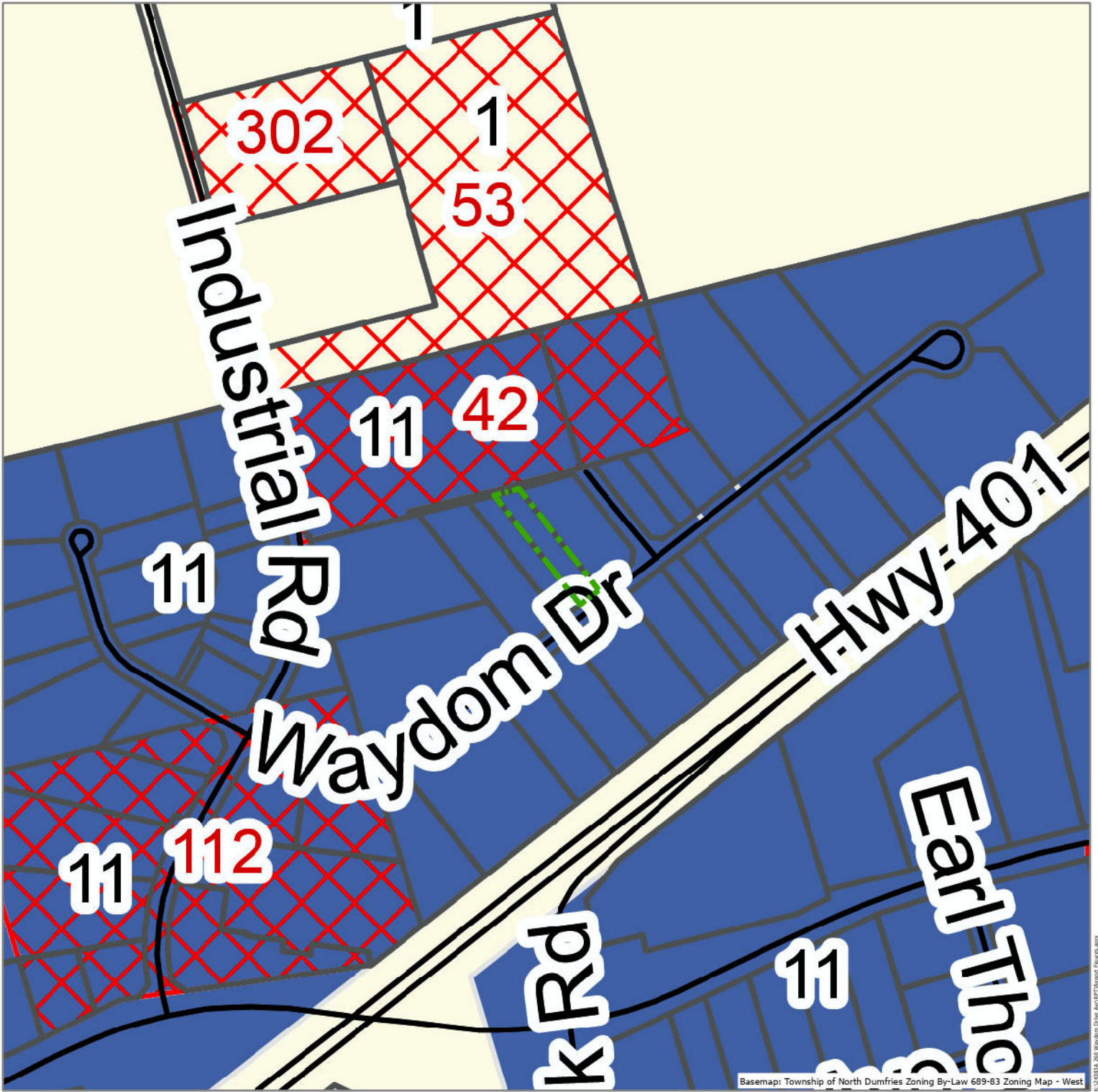


**Figure 7 - North Dumfries Official Plan Map 3A**

- Subject Lands
- Provincial Highways
- Regional Roads
- Primary Township Roads
- Secondary Township Roads
- Local Roads
- Planned Regional Roads
- Proposed Regional Corridors





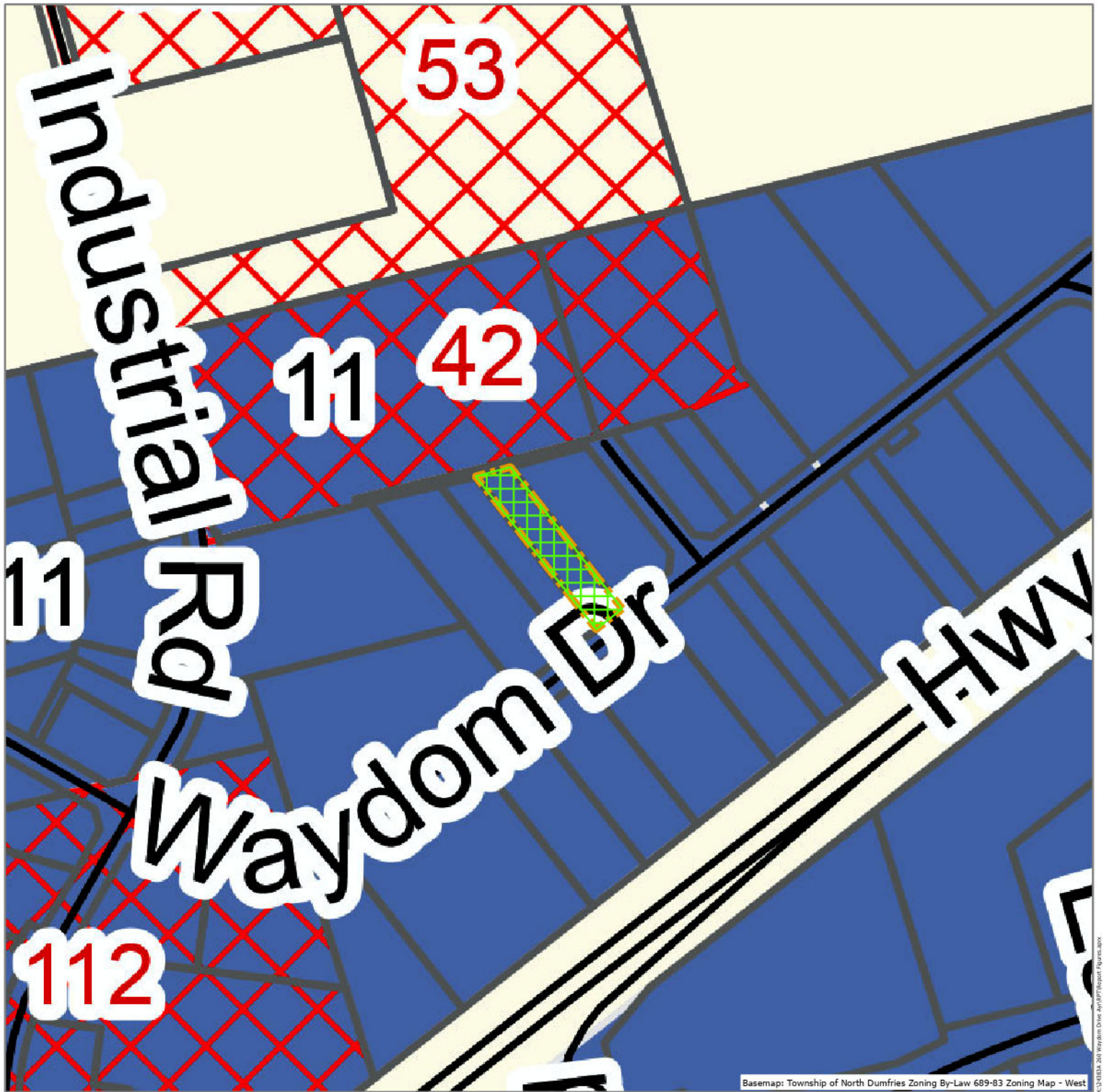


## F8 - Zoning By-law 689-83 Existing Zoning

- Subject Lands
- Site-specific Zoning Exemption
- 1 - Agriculture
- 11 - Industrial







## F9 - Zoning By-law 689-83 Proposed Zoning (Z.11-XX)

-  Subject Lands
-  Areas to be rezoned to Z.11-XX
-  Site-specific Zoning Exemption
-  1 - Agriculture
-  11 - Industrial



# 6.0 Summary and Conclusions

MHBC has prepared this Planning Justification Report in support of the Zoning By-law Amendment application. The proposed amendment will facilitate the use of the lands with a commercial greenhouse for the growing of cannabis. The applicable policy framework has been considered. In summary, the proposed Zoning By-law Amendment represents good planning for the following reasons:

- The subject lands are located within a Regional Employment area as designated by the Region and Township. The lands are intended to be used for employment uses that contribute to a diversified economy. The proposed use will support economic development and employment opportunities for the Region and Township;
- The proposed development will optimize the location of the lands being near the Highway 401 Interchange as the use will require the movement of goods related to the cultivation;
- The proposed development can continue to be adequately serviced through private servicing;
- The surrounding land uses are consistent and compatible with the proposed use. All cannabis activity will occur within an enclosed building. An emissions assessment confirms that no odour will impact neighbouring land uses.
- The proposed development is consistent with provincial policy, conforms to the Region and Township Official Plans and will maintain compliance with all other regulations of the Zoning By-law.

Based on these conclusions, it is our opinion that the application for Zoning By-law Amendment is appropriate and should be considered for approval.

Respectfully submitted,

**MHBC**



Pierre Chauvin, MA, MCIP, RPP  
Partner



Gillian Smith, MSc, MCIP, RPP  
Senior Planner

**We certify that this report was prepared jointly by the identified authors and under the supervision of a Registered Professional Planner (RPP) within the meaning of the Ontario Professional Planners Institute Act, 1994.**

# A

## Appendix A: Draft By-law



## THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES

### BY-LAW No. xxxx-25

Being a By-Law to further amend General Zoning By-law 689-83, as amended, for the Township of North Dumfries

WHEREAS an application (File No. ZC-xx-25) was received with respect to the lands legally described as Lot 30 Concession 11, Township of North Dumfries, Regional Municipality of Waterloo, known as 260 Waydom Drive, to amend General Zoning Bylaw 689-83,

AND WHEREAS, application (File No. ZC-xx-25) was received to amend General Zoning By-law 689-83 to:

- (1) Amend the existing zoning of 260 Waydom Drive from the current Z.11 –Industrial to a site specific Industrial Z.11-xx zone to permit a commercial greenhouse use.

AND WHEREAS the Planning Act empowers a Municipality to pass by-laws prohibiting the use of land and the erection, location and use of buildings or structures, except as set out in the by-law;

AND WHEREAS a Public Meeting on File No. ZC-xx-25 was convened under the authority of Section 34 of the Planning Act on \_\_\_\_\_;

AND WHEREAS the Council of The Corporation of the Township of North Dumfries under Section 34 of the Planning Act deems it to be desirable to further amend said General Zoning By-law 689-83 for the future development and use of the lands described above;

NOW THEREFORE the Council of The Corporation of the Township of North Dumfries enacts as follows:

1. THAT General Zoning By-law Number 689-83, as amended, is hereby further amended insofar as the zoning on these lands, described as Lot 30 Concession 11, Township of North Dumfries, Regional Municipality of Waterloo, be changed from Z.11 – Industrial to Zone 11 – Industrial and subject to site-specific exemption 20.1.340, as provided in Schedule "A" to this By-law.
2. THAT Section 20.1 of the General Zoning By-law Number 689-83 is hereby further amended by adding 20.1.340 in its entirety:

20.1.340 260 Waydom Drive

Notwithstanding any other provisions of this By-law, the lands located at Lot 30 Concession 11, Township of North Dumfries, Regional Municipality of Waterloo, and as shown on Schedule "A" to this By-law may be used for the following specific uses in addition to those uses permitted in the zone:

- a. A commercial greenhouse operation

3. AND THAT except as amended by this By-law the subject lands shown on Schedule 'A' Section 20.1.340 to this By-law shall be subject to all other applicable provisions and regulations of General Zoning By-law 689-83, as amended.
4. AND THAT Schedules A attached form part of By-law xxxx-25;
5. AND FURTHER THAT this By-law shall come into force on the final passing thereof by the Council of The Corporation of the Township of North Dumfries subject to compliance with the applicable provisions of the Planning Act, R.S.O, 1990. C.P.13.

READ a First and Second Time in the Council Chambers of the Township of North Dumfries this \_\_\_\_ day of \_\_\_\_\_ 202\_\_

READ a Third Time and Finally Passed in the Council Chambers of the Township of North Dumfries this \_\_\_\_ day of \_\_\_\_\_, 202\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

