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**TOWN OF TECUMSEH**  
WWW.TECUMSEH.CA

**Town of Tecumseh**  
**Public Council Meeting**  
Tuesday, December 10, 2013  
6:30 PM  
Tecumseh Town Hall

**MEETING:**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. DISCLOSURE OF PECUNIARY INTEREST**

**IV. INTRODUCTION AND PURPOSE OF MEETING**

The purpose of this meeting is to consider and receive public comment on a proposed Zoning By-law amendment under the *Planning Act*. The purpose of the proposed Zoning By-law amendment is to rezone a 0.56 hectare industrial property located on the west side of Henin Drive (5135 Henin Drive), approximately 250 metres north of its intersection with North Talbot Road from "Industrial Zone (M1)" to a site specific Industrial (M1) Zone in order to include a "*Medical Marihuana Facility*" as a permitted use, in addition to the uses currently permitted in the general M1 Zone.

**V. DELEGATIONS**

- A. Mr. Tony Azar, Azar Group of Companies
- B. Applicant, Mr. Normand Marcoux

**VI. COMMUNICATIONS**

- A. Town of Tecumseh, Notice of Public Council Meeting, November 13, 2013 - *Re: Proposed Zoning By-law Amendment, Medical Marihuana Facility*
- B. Manager, Planning Services/Senior Planner, October 28, 2013, Report No. 38/13 - *Re: Mr. Normand Marcoux (ECGreen), Proposed Medical Marihuana Facility - 5135 Hennin Drive, Zoning By-law Amendment*
- C. Essex Region Conservation Authority, November 22, 2013 *Re: Notice of Public Meeting to Consider Zoning By-law Amendment, 5135 Hennin Drive*
- D. Bylaw 2013-89 - *Being a by-law to amend By-law 85-18, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South (Medical Marihuana Production Facility - 5135 Henning Drive)*

**VII. ADJOURNMENT**

TOWN OF TECUMSEH

NOTICE OF PUBLIC MEETING  
PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting Tuesday, December 10<sup>th</sup>, 2013 at 6:30 p.m. in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider a proposed Zoning By-law amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

The purpose of the proposed Zoning By-law amendment is to rezone a 0.56 hectare (1.4 acre) industrial property located on the west side of Hennin Drive (5135 Hennin Drive), approximately 250 metres north of its intersection with North Talbot Road (see Key Map for location) from "Industrial Zone (M1)" to a site specific Industrial (M1) Zone in order to include a "Medical Marihuana Facility" as a permitted use, in addition to the uses currently permitted in the general M1 Zone. This site is currently occupied by a 26,000 square foot industrial building, 11,000 square feet of which is vacant. The applicant is proposing to use this vacant portion of the building for the proposed use. The current owner will remain as a tenant in the 15,000 square foot portion it currently occupies.

The proposed facility will be regulated by the Federal Government (diversen by Health Canada) by way of the incoming *Marihuana for Medical Purposes Regulation (MMPR)* under the *Controlled Drugs and Substances Act*. The proposed medical marihuana facility will involve the cultivation, processing, packaging, inspecting and shipping of the product. No retail or commercial activity will be conducted at this location. All prescriptions will be shipped directly to the patients by courier service and no public access will be available to the building.

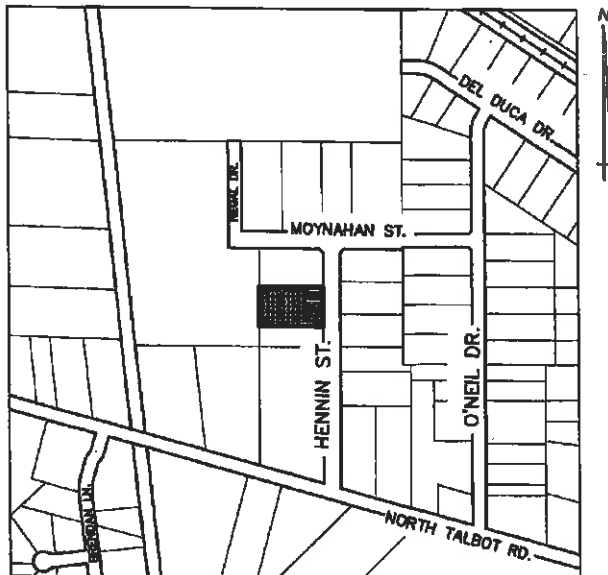
ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law amendment.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the Council of the Corporation of the Town of Tecumseh to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

ADDITIONAL INFORMATION relating to this matter is available for review during regular office hours at the Town Municipal Office on Lesperance Road.

KEY MAP



0 200 400 metres

Area Affected by the Proposed Amendment

DATED AT THE TOWN OF  
TECUMSEH THIS 13<sup>TH</sup> DAY  
OF NOVEMBER, 2013.

LAURA MOY  
CLERK  
TOWN OF TECUMSEH  
917 LESPERANCE ROAD  
TECUMSEH, ONTARIO  
N8N 1W9

16.6  
PRESENTED TO  
PUBLIC COUNCIL:  
DECEMBER 10, 2013



**THE CORPORATION OF THE  
TOWN OF TECUMSEH**

**Planning and Building Services  
Report No. 38/13**

<b>16.6</b>	<b>18.10</b>
PRESENTED TO PUBLIC COUNCIL: DECEMBER 10, 2013	PRESENTED TO REGULAR COUNCIL: NOVEMBER 12, 2013

**TO:** Mayor and Members of Council

**FROM:** Chad Jeffery, MA, MCIP, RPP  
Manager, Planning Services / Senior Planner

**DATE:** October 28, 2013

**SUBJECT:** Mr. Normand Marcoux (ECGreen)  
Proposed Medical Marihuana Facility - 5135 Hennin Drive  
Zoning By-law Amendment  
OUR FILE: D19 MEDMAR

**RECOMMENDATIONS**

It is recommended that:

1. The scheduling of a public meeting, to be held on Tuesday, December 10, 2013 at 6:30 p.m., in accordance with the *Planning Act*, for the application submitted by Mr. Normand Marcoux (ECGreen) ("the applicant") to amend the Sandwich South Zoning By-law 85-18 for a 0.56 hectare (1.4 acre) parcel of land situated on the west side of Hennin Drive (2100 Blackacre Drive), approximately 250 metres north of its intersection with North Talbot Road, from "Industrial Zone (M1)" to a site specific "Industrial Zone (M1)", in order to permit the establishment of a "Medical Marihuana Facility", be authorized;
2. A draft Zoning By-law Amendment for the lands be considered, subject to the resolution of any concerns being identified through the public consultation process and public meeting.

**BACKGROUND**

**Proposal**

An application has been filed with the Town to amend the Sandwich South Zoning By-law 85-18 for a 0.56 hectare (1.4 acre) parcel of land situated on the west side of Hennin Drive (5135 Hennin Drive), approximately 250 metres north of its intersection with North Talbot Road (see Attachment 1).

ECGreen, represented by Mr. Normand Marcoux, has an agreement of purchase and sale for the subject industrial property. This site is occupied by a 26,000 square foot industrial building, 11,000 square feet of which is vacant. The applicant is proposing to use this vacant portion of the building for the proposed use. The current owner (TCTT Investments Corporation) will remain as a tenant in the 15,000 square foot portion it currently occupies. The applicant is requesting that the subject property be placed into a site specific Industrial (M1) Zone to include a "Medical Marihuana Facility" as a permitted use, in addition to the uses currently permitted in the general M1 Zone.

### Regulatory Framework of the Proposed Use

The Federal Government is in the process of repealing the current *Marihuana Medical Access Regulations (MMAR)* and replacing it with the *Marihuana for Medical Purposes Regulation (MMPR)* under the *Controlled Drugs and Substances Act*. The incoming MMPR is a Federal Government initiative (overseen by Health Canada) to replace the current MMAR. The incoming MMPR will take effect April 1, 2014, and will authorize the following key activities:

1. The possession of dried marihuana by individuals who have the support of an authorized health care practitioner to use marihuana for medical purposes;
2. The production of dried marihuana by licensed producers only; and
3. The direct sale and distribution of dried marihuana by specific regulated parties to individuals who are eligible to possess it.

This regulation treats dried marihuana similarly to traditional medications, by creating a licensing scheme for the commercial production and distribution of dried marihuana for medical purposes.

The MMPR differs from the MMAR in that it will regulate the licensing of producers to grow and dispense the product in a controlled, regulated, inspected, secure location, with very strict guidelines and security. The new regulation has been deemed an improvement to its predecessor as it will:

1. Improve and standardize the quality of the medical product;
2. Provide laboratory testing results of the medical component of the medical marihuana the client is ingesting;
3. Provide an extremely high level of security and remove the potential for illegal activities; and
4. Help reduce illegal distribution of marihuana at the local neighbourhood level by pricing it below street value and providing a better quality, guaranteed product to the individual licensed to possess it.

In accordance with the upcoming new regulations, the applicant is in the process of officially notifying the Town of Tecumseh, the local branch of the Ontario Provincial Police and the Tecumseh Fire Department. Subsequent to this, the applicant will be submitting a formal application to Health Canada to become a Licensed Producer.

A license will be sought for the following activities, as defined by the new MMPR:

1. "possess, produce, sell, provide, ship, deliver, transport and destroy marihuana.";
2. "possess and produce cannabis, other than marihuana, solely for the purpose of conducting *in vitro* testing that is necessary to comply with the requirements of Division 4 and 5", and
3. "sell, provide, ship, deliver, transport and destroy cannabis, other than marihuana, that was obtained or produced solely for the purpose of conducting *in vitro* testing that is necessary to comply with the requirements of Division 4 & 5".

### Nature of the Proposed Use

The proposed medical marihuana facility will involve the cultivation, processing, packaging, inspecting and shipping of the product. The medical marihuana plants will be hydroponically

grown (without the use of soil), a process which takes approximately 15-weeks, and the buds will then be harvested from the mature plants, weighed to determine yield and then trimmed and dried.

The harvested batch of medical marihuana buds are tested using laboratory equipment as per regulated procedures and the results are recorded and labeled on all packaging. A sample is stored in a vault for future examination in case of customer complaints or Health Canada requests. Once this has occurred, the dried product is packaged according to required standards and stored in a vault until dispensed to registered clients as per doctor's prescriptions.

As noted above, this use is proposed to be located at 5135 Hennin in the Oldcastle Business Park. The applicant has advised that in order to meet all of the Federal requirements of the incoming MMPR, the building on site will require extensive renovations in terms of security (both inside and outside), along with the required lighting, laboratory and new vault storage for the dried cannabis. The applicant has advised that the use will operate within very strict guidelines outlined in the MMPR, similar to any other pharmaceutical operation. Some of the security measures required will include:

1. A fence around the entire perimeter of the property;
2. Secured areas within the building, with increased level of security codes to access these areas with ID cards and other security measures such as biometrics and/or pin pads;
3. 24-hour visual monitoring of all rooms and perimeter fence; and
4. The requirement that all management of the proposed facility be fingerprinted and photographed and that the information be sent to the RCMP to conduct extensive background checks in order to pass Health Canada's Security Clearance.

In addition, no retail or commercial activity will be conducted at this location. All prescriptions will be shipped to the patients by courier service and no public access will be available to the building.

Six, part-time owners/employees are anticipated for the first three to six months of the operation's commencement. Over the two years, these six owners/employees will transition to full-time status. By the end of year two, a total of 20 full-time and part-time employees are anticipated.

Additional detailed information on the nature of the medical marihuana industry, the approval process, statistics and forecasted financial investment of the proposed use can be found in the Executive Summary of EC Green that has been submitted by the applicant (see Attachment 2).

## **COMMENTS**

### **Official Plan**

The subject property is designated "Business Park" on Schedule "A-2" of the Sandwich South Official Plan (see Attachment 3). The Business Park policies encourage the development of a multi-use business park area that can provide the opportunity for a broad range of light manufacturing activities that can be appropriately integrated with the existing and proposed development pattern. The proposed use and the processes that will occur on-site are similar to

an industrial use in that processing, preparing, inspecting, treating, storing and packaging (all of which define an industrial use) are integral components of the proposed operation. The nuance to the proposed use is that cultivation (through hydroponic methods) will also occur on-site. Based on the foregoing, it is the opinion of the writer that the proposed use is in keeping with the intent of the "Business Park" designation of the Sandwich South Official Plan.

### Zoning

The subject property is currently zoned "Industrial Zone (M1)" on Map 6 of the Sandwich South Zoning By-law 85-18 (see Attachment 4). As noted, the applicant is proposing to rezone the property to a site specific "Industrial Zone (M1)", which will specifically permit the proposed use, in addition to the uses currently permitted in the general M1 Zone.

When evaluating a proposed zoning by-law amendment, Section 6.17 of the Sandwich South Official Plan provides policy guidance. Specifically, due regard shall be given to the following matters:

i) *the physical suitability of the land to be used for the proposed use;*

The nature of the proposed use requires the height, size, structural and security attributes that an industrial building possesses. In addition, the subject property has a large asphalted parking area that will be able to accommodate the projected number of employees.

ii) *the adequacy of all required services;*

The subject property is serviced by municipal water and stormwater services. Sanitary servicing is being provided by an existing private septic facility.

The applicant has advised that all wastewater generated from the processes of the proposed use will not be discharged into the on-site septic facility and is currently in the process of determining how the left-over wastewater will be dealt with. Specifically, the wastewater in question is the residual water from the hydroponic process that includes trace levels of fertilizer.

The applicant has advised that several options are available for dealing with the wastewater, including:

1. offering the wastewater to local farmers by pumping it into a water storage unit and occasionally transporting it to agricultural sites to be used on crops;
2. using the wastewater on the grass and landscaping on the subject property; and
3. re-filtering the wastewater to remove any of the trace fertilizers, then re-introducing the proper mix and ratio of the fertilizers required for the next stage of growth.

It is Administration's understanding that an *Environmental Compliance Approval*, in accordance with the *Ontario Water Resources Act*, will be required from the

Ministry of the Environment for the re-use and/or transportation of the aforementioned wastewater. The applicant has advised that he will comply with any requirements of this Act.

In addition, the applicant has advised that water consumption for the proposed use is relatively low (15,000 – 30,000 litres per month). The Tecumseh Water Department has reviewed the proposed water requirements and has no concerns. It should be noted that the proposed monthly water consumption identified is comparable to the total monthly water consumption of a single-unit dwelling.

- iii) *the adequacy of the road system to accommodate the projected traffic volume increases;*

The subject property fronts on a fully paved municipal road. The anticipated traffic associated with the proposed use is marginal and will not adversely affect the function of Hennin Drive or surrounding roadways.

- iv) *the compatibility of the proposed use with existing and potential future uses in the surrounding area;*

The lands surrounding the subject property are all industrial in nature. The proposed use will occur entirely indoors and will not cause incompatibility issues with the surrounding industrial uses or the Oldcastle Business Park as a whole. The proposed use would be compatible with the character of the area.

- v) *the need for the additional land to accommodate the proposed use/facilities.*

As noted above, the structural attributes that industrial buildings offer, along with the key attributes of the proposed use, lends itself to the establishment of the noted facility in an industrial area. Buildings located in commercial or agricultural areas do not offer these attributes.

Based on the foregoing, it is the opinion of the writer that the proposed Zoning By-law Amendment would be in keeping with the applicable policies of the Sandwich South Official Plan.

#### Police Service and Fire & Emergency Services

The Tecumseh Detachment of the Ontario Provincial Police and Tecumseh Fire & Emergency Services have advised that they have no concerns with the proposed use and that any and all of their requirements will be addressed through the Federal Government's approval process identified above.



### **Conclusion**

In summary, the use being proposed for the subject property is contemplated by the Official Plan and can be properly integrated within the existing land uses situated in the surrounding area. In addition, no servicing concerns have been identified.

Based on the foregoing, it is the opinion of the writer, along with Town Administration, that the proposal warrants further consideration. A public meeting to consider the proposed Zoning By-law Amendment in accordance with the requirements of the *Planning Act* will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

### **CONSULTATIONS**

The application was reviewed at recent Planning Staff Review meeting(s) by:

Planning and Building Services  
Public Works and Environmental Services  
Tecumseh Detachment of the Ontario Provincial Police  
Fire and Emergency Services

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **LINK TO STRATEGIC PRIORITIES**

Strategically preparing lands for diverse development opportunities and supporting increased growth in economic development have been identified as key strategic priorities for 2013-2014.

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



Enrico De Cecco, BA (Hons.), MCIP, RPP  
Junior Planner

Reviewed by:



Chad Jeffery, MA, MCIP, RPP  
Manager, Planning Services/Senior Planner

Reviewed by:



Brian Hillman, MA, MCIP, RPP  
Director, Planning and Building Services

Recommended by:

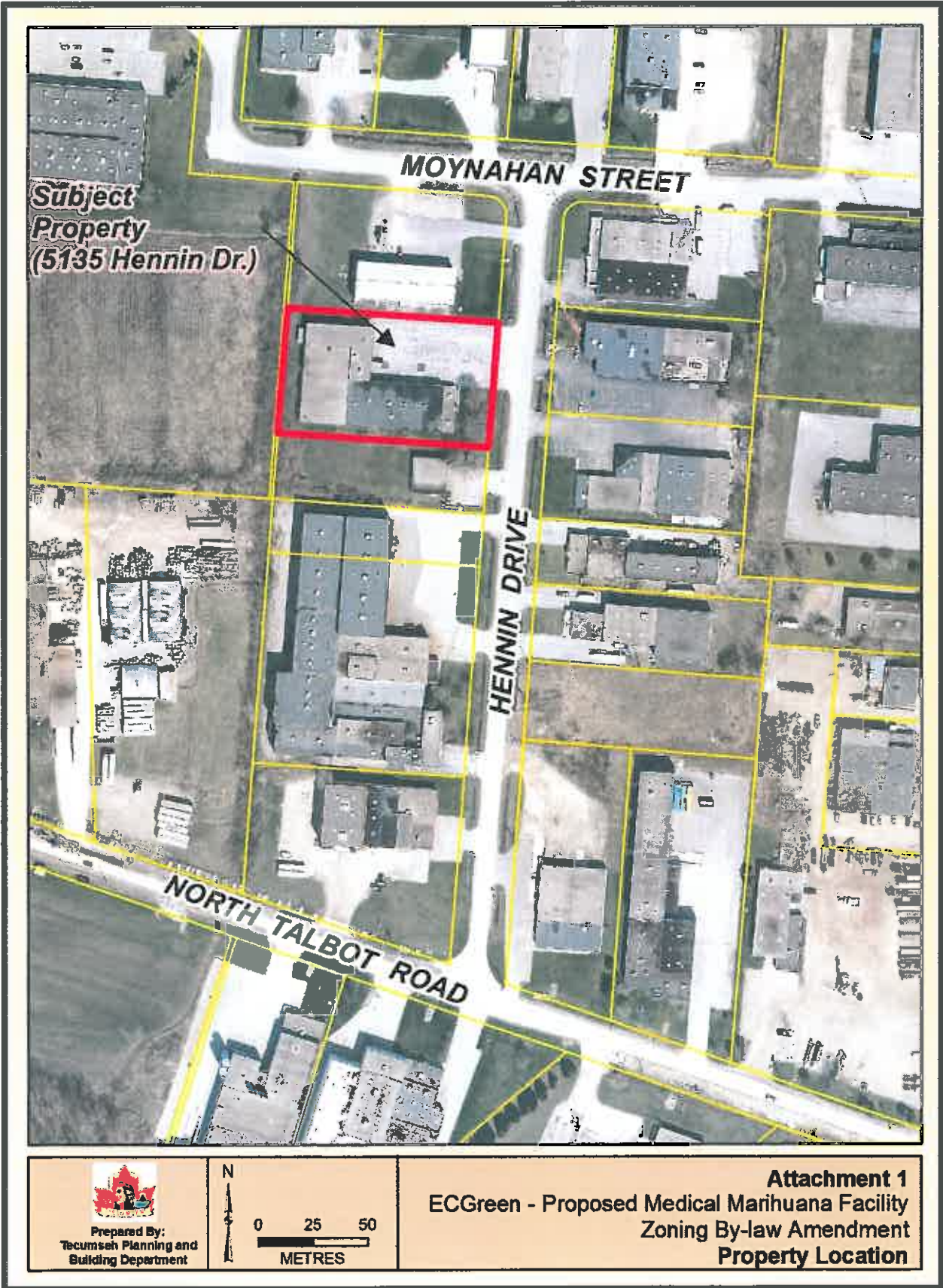


Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

ED

- Attachment(s):
1. Location Map;
  2. ECGreen Executive Summary
  2. Official Plan Map
  3. Zoning Map

File Name (R:\ZBA & OPA APPLICATIONS\D19 MEDMAR\D19 MEDMAR - Planning Report 38-13 - 5135 Hennin Drive - Zoning By-law Amendment.docx)



## **Executive Summary of ECGreen**

Health Canada's Marijuana for Medical Purpose Regulation, taking effect April 1, 2014, authorizes the following key activities:

- the possession of dried marihuana by individuals who have the support of an authorized health care practitioner to use marihuana for medical purposes;
- the production of dried marihuana by licensed producers only; and
- the direct sale and distribution of dried marihuana by specific regulated parties to individuals who are eligible to possess it.

ECGreen is a newly formed company, applying to become a Licensed Producer (LP) of Medical Marihuana (MMJ) under the proposed Health Canada: Marihuana for Medical Purposes Regulations (MMPR).

Health Canada estimates that by 2014, more than 50,000 individuals will be authorized to possess marihuana for medical purposes, at which time, they will only be legally authorized to purchase their prescriptions directly from a Licensed Producer. The number of patients is expected to continue to grow by at least 2,000 – 3,000 per month, especially as the rules are relaxed under the MMPR.

In order to comply with the stringent details of the MMPR, an LP applicant must provide a detailed application to Health Canada, providing among the following:

- proof of notifying the local Municipality, Fire and Police authorities of that area
- meet zoning and building code requirements
- provide a detailed building security and site plans for HC approval
- install fencing around perimeter of property, including intrusion detection and 24 hr monitoring
- secured areas within the building for authorized personnel only, with two levels of security ID
- 24 hour video monitoring of every room, with immediate response to tampering and intrusion
- RCMP Security Clearance for all "Persons in Charge" and other key personnel
- An extensive software program for tracking product from "seedling to dispensing", with detailed tracking and reporting for all dispensing transactions, Drs and clients
- Provide a sophisticated laboratory to test each batch of MMJ to assure product quality and provide chemical composition of product to clients
- Have an experienced Quality Person on staff, in charge of testing all product, approving product for sale and handling complaints or recalls if required

To receive a prescription under the new MMPR, a patient meets with a Doctor or Nurse Practitioner for a consultation. The Doctor or Nurse Practitioner issues the prescription. The patient then completes a few more questions on the one page prescription/application form, then mails the completed form to an LP of his or her choice ... no more requirement to see a specialist or having to fill out a complex application form to submit to Health Canada for permission to possess MMJ.

When the original form is received by the LP, the patient is registered as a "client" of that LP, given a unique client ID number for all transactions. For the duration of that prescription, the registered client may purchase Medical Marijuana from that LP only, which is generally one year.

There are currently 6 Doctors in the Windsor area that are actively prescribing MMJ as an effective pain management option. Health Canada is providing a detailed section on its website for patients and Doctors to refer to when deciding which strains of MMJ are best to treat certain ailments.

ECGreen will use social media and other marketing initiatives to attract clients by promoting to, and educating Doctors and Nurse Practitioners about the evidence in support of MMJ for specific uses and the benefits of registering with ECGreen. We will provide Healthcare practitioners and their assistants with easy to understand promotional material, along with Prescription/Application pads and pre-addressed envelopes for easy and quick client registration. This same strategy will be used to promote to Healthcare Practitioners in areas where no LPs are located.

The first 6 months of operation is planned for construction, client recruitment and to grow/harvest 100 plants to dispense in months 7 & 8. We will register 100 clients (or sales of 5,000 grams) for month 7 and register 25 additional clients per month for the balance of the first year. We conservatively project growth at only 40 new clients per month in Yr 2 & 3, resulting in about 1,200 registered clients by end of YR 3. By YR 5 we aim to have 3,000 registered clients with ECGreen.

***To put this into perspective, Health Canada states that there are currently 30,000 patients with medical marijuana prescriptions and that the numbers are growing at a rate of 2,000 new patients per month. If it continues to grow at that rate ONLY for the following three years after the MMJR comes into law, then the projected market size will be 122,000 by April 2017. ECGreen's market share then will only be about 1% of the total available patients! The Globe and Mail recently predicted there will be more than 400,000 patients by 2024.***

Health Canada states that the normal prescription size is 3 grams per day. However, ECGreen pro forma are based on a conservative 1-1/2 grams per day. Our average selling price in the Pro Forma is only \$6/gram, not the \$8/gram that Health Canada projects or the \$7.15/gram illegal street price.

ECGreen is led by an excellent, experienced management team. It has negotiated to purchase a 26,000 sq. ft. manufacturing building in Oldcastle that has 11,000 square feet of empty space, which can be quickly converted to accommodate the first phase of its plan. The current owner will remain a tenant in the 15,000 feet that he currently occupies, for up to two years or until we need the space.

<u>Financial results:</u>	<u>Sales</u>	<u>Clients</u>	<u>Emp</u>	<u>Profit/(Loss)</u>
End of Year 2	\$	700	20	\$
Year 3	\$	1,185	30	\$
Year 5	\$	3,000	50	\$

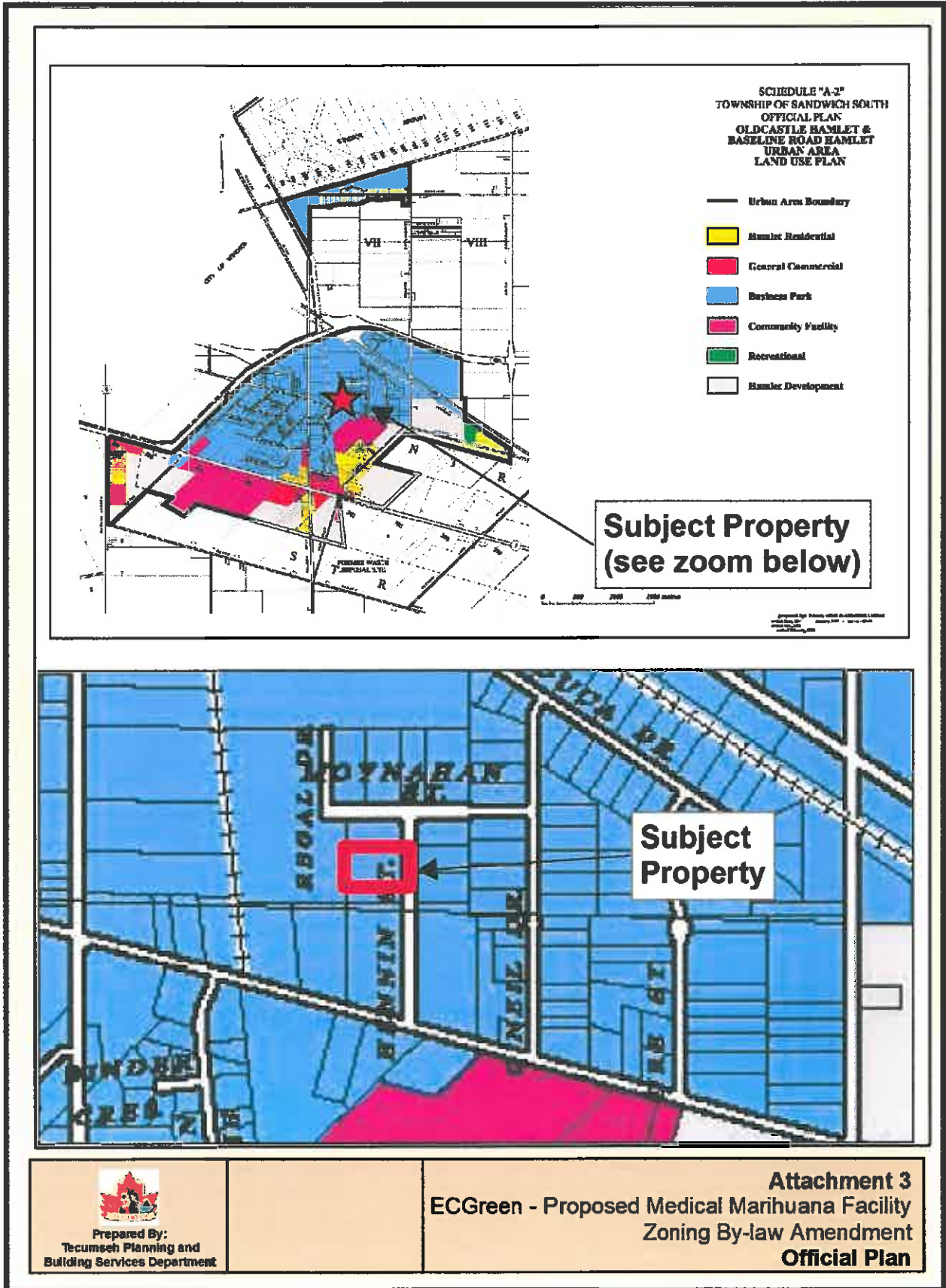
Traditional banking instruments are not available to fund this new venture. ECGreen is considering offering a three year bond type of investment to attract 10 investors at \$150,000 each, receiving a very attractive interest rate for their 3-year investment, including a bonus when debt is retired.

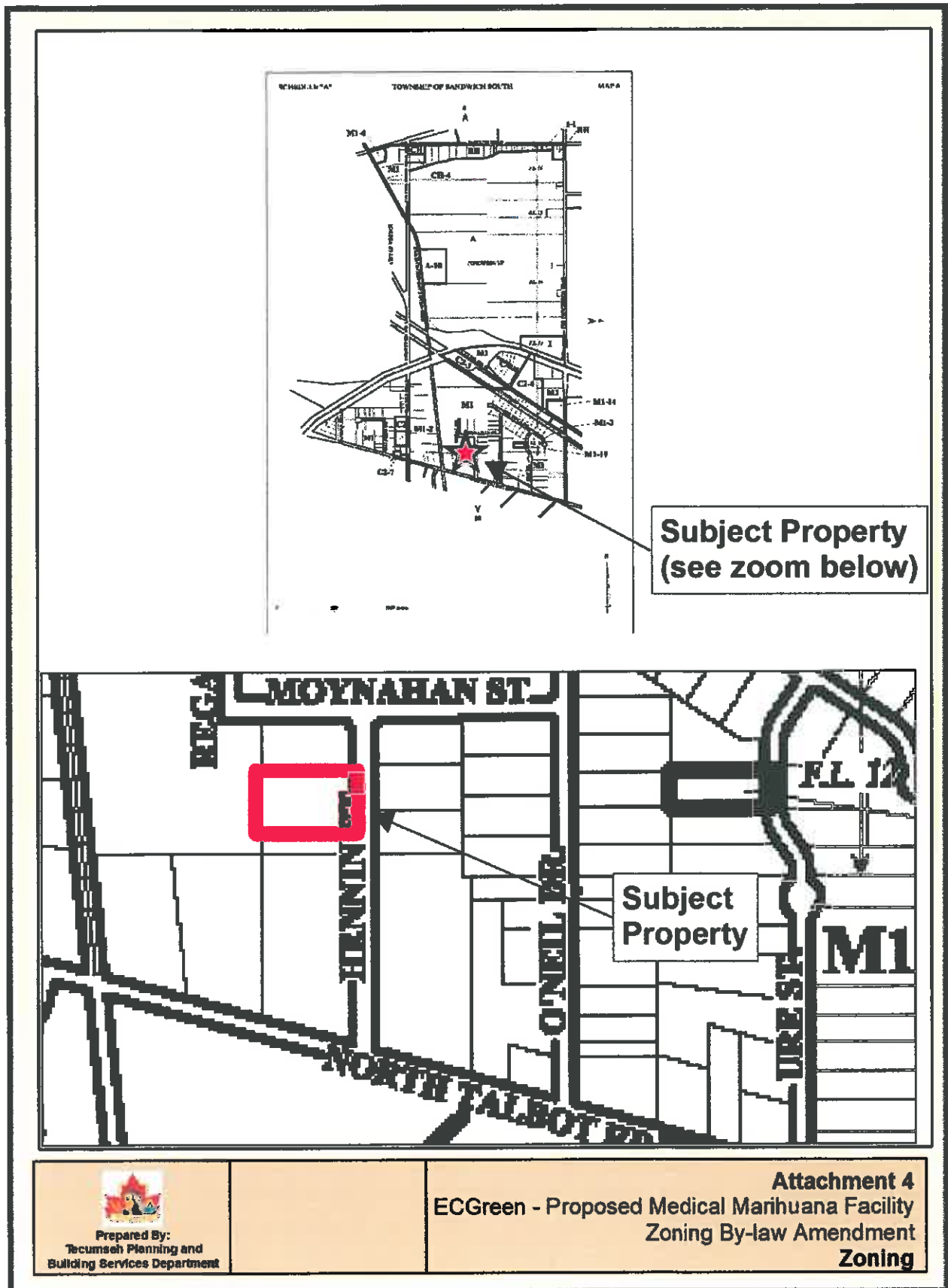
The \$1.5M raised from this offer will be required for the followings:

- \$300K - \$350K for down payment on \$800K, 26,000 square foot building in Oldcastle
- \$550K for Leasehold improvements in first year, approximately in this manner;
  - Demolition, construct rooms (including vault), hydro, plumbing, etc. \$140K
  - Laboratory set up, including equipment \$ 90K
  - Fencing, security doors, cameras, etc \$ 75K
  - Lights/ballasts, additional HVACs, CO2 equipment, timers & sensors, etc. \$ 200K
  - Computers, server and network \$ 50K
- \$205K for direct costs and initial set up in first year
- Balance used for operating expenses in first year and preparing for YR 2 demand

Breakeven point from operations is expected to be about month 15 and all debt will be repaid before the end of Year 3.







16.6

PRESENTED TO  
PUBLIC COUNCIL:  
DECEMBER 10, 2013



360 Fairview Avenue West, Suite 311, Essex, ON, Canada, N8M 1Y6 | P 519-776-5209 | F 519-776-8688 | erca.org | ourgreenlegacy.org

2013 Board of Directors November 22, 2013

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Ms. Laura Moy, Clerk  
Town of Tecumseh  
917 Lesperance Road  
Tecumseh, ON N8N 1W9

Dear Ms. Moy:

RE: Notice of Public Meeting to Consider Zoning By-Law Amendment (Z) - Lot 12, Concession 7 (Former Township of Sandwich); 5135 Hennin Drive; ARN: 374455000002401; PIN: 752340114; Regulated Area: 7th Concession Drain.

The following is provided for your information and consideration as a result of our review of the above referenced Notice of Public Meeting to Consider a Proposed Zoning By-Law Amendment (Z).

For the owner's information, we note that the above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). Prior to any construction or site alteration, or other activities affected by the regulations, the property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority.

We note that we have reviewed the proposal and have no concerns relating to stormwater management. We note that the subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS).

**Based on our review, we have no objections to the application.**

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA office by phone at (519) 776-5209 or by fax at (519) 776-8688. Thank you.

Member of

Sincerely,



*Mike Nelson*  
Mike Nelson  
Watershed Planner





**16.6**  
PRESENTED TO  
PUBLIC COUNCIL:  
DECEMBER 10, 2013

**20.11**  
PRESENTED TO  
REGULAR COUNCIL:  
DECEMBER 10, 2013

**THE CORPORATION OF THE TOWN OF TECUMSEH  
BY-LAW NUMBER 2013-89**

Being a by-law to amend By-law 85-18,  
the Town's Comprehensive Zoning By-law  
for those lands in the former Township of Sandwich South.  
(D19 MEDMAR – Medical Marihuana Production Facility – 5135 Henning Drive)

**WHEREAS** By-law No. 85-18 is the Town's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Tecumseh, for lands situated within the former Township of Sandwich South;

**AND WHEREAS** the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to further amend By-law No. 85-18;

**AND WHEREAS** this By-law conforms to the Official Plan in effect for the Town of Tecumseh for lands in the former Township of Sandwich South, as amended;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TECUMSEH ENACTS AS FOLLOWS:**

1. That Schedule "A", Map 6, to By-law 85-18, as amended, is hereby further amended by changing the zoning classification for those lands as depicted on Schedule "A" attached hereto and forming part of this by-law from "Industrial Zone (M1)" to "Industrial Zone (M1-22)".
2. That By-law 85-18, Section 14, Industrial Zone (M1) Regulations, as amended, is hereby further amended by the addition of a new subsection 14.3.22 to immediately follow subsection 14.3.21 and to read as follows:

"14.3.22     Defined Area M1-22 as shown on Schedule "A", Map 6, of this By-Law.

  - a)     Permitted Uses
    - i)     All uses permitted in the Industrial Zone (M1);
    - ii)    A medical marihuana production facility, as regulated by Federal and/or Provincial regulations.
  - b)     Permitted Building and Structures
    - i)     Buildings and structures for the uses permitted in subsection 14.3.22 a) of this By-law;
    - ii)    Accessory buildings and structures for the uses permitted in subsection 14.3.22 a) of this By-law."
3. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990*.

**READ** a first, second, third time and finally passed this 10<sup>th</sup> day of December, 2013.

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Gary McNamara, Mayor

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Laura Moy, Clerk

SCHEDULE "A"  
PT LOT 12, CONCESSION 7  
5135 HENNIN DRIVE  
TOWN OF TECUMSEH



 Change from "M1" to "M1-22"

This is Schedule "A" to By-law No. 2013-89  
Passed the 10th day of December, 2013.  
Signed

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk