



## Planning Advisory Committee Report

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**To:** To the Chair and Members of the Planning Advisory Committee  
**From:** Jessica Kitchen, Zoning By-Law Administrator  
**Date:** July 4, 2017  
**Subject:** PA-17-17b- Proposed Revised Housekeeping Amendment to the Comprehensive Zoning By-Law 61-16-Marijuana Retail Sales and/or Dispensaries (ZBA8/17/JK)  
**Purpose:** For Recommendation and Approval

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### Recommendation

THAT, the minor revision to Application ZBA8/17/JK initiated by the County of Brant, to amend By-law 61-16 BE APPROVED, as per the attached By-Law.

### Key Strategic Priority

To undertake specific actions that elevate the effectiveness of the working relationship between Council, Staff and the customers we serve.

### Financial Considerations

None, as this is a recommendation report concerning the maintenance and updating of a municipal document undertaken by the County of Brant.

### Executive Summary

Staff undertook a housekeeping amendment to the Comprehensive Zoning By-Law 61-16 which was approved by Planning Advisory Committee at a previous meeting on June 6<sup>th</sup>, 2017. Staff is proposing that an additional amendment be made to the By-Law specifically pertaining to the retail sale and dispensing of marijuana.

Staff proposes the additional wording of "...or marijuana dispensary and/or sales." be added to the existing definition of retail store within the By-Law to prohibit the sale and/or dispensing of marijuana on any property within the County of Brant. The proposed revised definition of retail store is as follows;

*Means a building where goods, wares, merchandise, articles or things are stored, offered or kept for retail sale or for rental to the public, but does not include any wholesale establishment, an automotive use or marijuana dispensary and/or sales.*

The proposed minor change would require a Planning Act Application to Committee and Council in order to request that this use be permitted for any proposals. This process would allow for Public involvement as well. Currently the wording of the existing definition is permissive with respects to this type of use. This report recommends approval from Committee on the proposed revision to the previously approved Draft By-Law (Attachment 1) based on the minor change outlined above.

## **Background**

The County of Brant Comprehensive Zoning By-Law 61-16 was originally approved by Council of the County of Brant on May 24, 2016 and subsequently approved by the Ontario Municipal Board on January 25<sup>th</sup>, 2017. The Housekeeping Amendment was undertaken to amend the newly approved document to correct mapping and textual errors identified by Staff through working with this newly adopted document.

## **Report**

The County of Brant Zoning By-Law is a living document and therefore requires Housekeeping Amendments to be undertaken on an ongoing basis. Staff intends on performing Housekeeping Amendments on an annual basis in order to properly maintain the document between the mandatory five year reviews, as per Section 34 of the Planning Act.

## **Interdepartmental Considerations**

Staff has not received any additional comments at this time regarding the minor amendment to the previously approved Housekeeping By-Law.

## **Public Considerations**

Circulation of the proposed amendment to the Housekeeping By-Law has been included within the necessary newspapers (Brantford Expositor, Brant News, and the Caledonia Sachem) to ensure all residents within the County were aware of the minor addition and had opportunity to comment on the revision of the by-law. Staff has not received any comments at this time.

## **Recommendation**

Staff is recommending that the proposed revision to the Housekeeping Amendment be approved as it is consistent with the County of Brant Official Plan and would allow for Council, Committee, and Public involvement for any future proposals of a marijuana retail sale and/or dispensary use on any property in the County.

Respectfully submitted,

A handwritten signature in black ink that reads "Kitchen." The signature is written in a cursive, flowing style.

Jessica Kitchen, Zoning Administrator

Jessica Kitchen  
Zoning By-Law Administrator

Rob Trotter  
Director of Planning

### **Attachments**

1. Proposed Draft Amending By-Law

### **Copy to**

1. Mark Pomponi, General Manager of Development Services

### **File # ZBA8/17/JK**

### **In adopting this report, is a bylaw or agreement required?**

By-law required (Yes)

Agreement(s) or other documents to be signed by Mayor and /or Clerk (No)

Is the necessary by-law or agreement being sent concurrently to Council? (Yes)