



**ECONOMIC DEVELOPMENT  
ADVISORY COMMITTEE  
MEETING AGENDA**

**THURSDAY, MAY 14, 2015**

**7 P.M.**

**LEKSAND ROOM  
AURORA TOWN HALL**

PUBLIC RELEASE  
May 7, 2015



**TOWN OF AURORA  
ECONOMIC DEVELOPMENT ADVISORY COMMITTEE  
MEETING AGENDA**

**DATE:** Thursday, May 14, 2015

**TIME AND LOCATION:** 7 p.m., Leksand Room, Aurora Town Hall

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**1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

**2. APPROVAL OF THE AGENDA**

RECOMMENDED:

THAT the agenda as circulated by Legal and Legislative Services be approved.

**3. ADOPTION OF THE MINUTES**

**Economic Development Advisory Committee Meeting Minutes of** pg. 1  
**April 9, 2015**

THAT the Economic Development Advisory Committee meeting minutes of April 9, 2015, be adopted as printed and circulated.

**4. DELEGATIONS**

**5. MATTERS FOR CONSIDERATION**

**6. INFORMATIONAL ITEMS**

- 1. Economic Development Flow Charts** pg. 5

RECOMMENDED:

THAT the Economic Development Flow Charts be received for information.

- 2. Memorandum from Manager of Long Range and Strategic Planning** pg. 7  
**Re: Economic Development Action Plan Update**

RECOMMENDED:

THAT the memorandum regarding Economic Development Action Plan Update be received for information.

- 3. Business Retention & Expansion Action Plan: Progress Update** pg. 10

RECOMMENDED:

THAT the Business Retention & Expansion Action Plan: Progress Update be received for information.

- 4. Memorandum from Manager of Long Range and Strategic Planning** pg. 14  
**Re: Activity Report**

RECOMMENDED:

THAT the memorandum regarding Activity Report be received for information.

- 5. Memorandum from Manager of Special Projects** pg. 16  
**Re: Establishment of a Business Improvement Area (BIA)**

RECOMMENDED:

THAT the memorandum regarding Establishment of a Business Improvement Area (BIA) be received for information.

- 6. Memorandum from Manager of Long Range & Strategic Planning** pg. 19  
**Re: Medical Marihuana Production Facilities Study/By-law**

RECOMMENDED:

THAT the memorandum regarding Medical Marihuana Production Facilities Study/By-law be received for information.

**7. NEW BUSINESS**

**8. ADJOURNMENT**



**TOWN OF AURORA**  
**ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**  
**MEETING MINUTES**

**Date:** Thursday, April 9, 2015

**Time and Location:** 7 p.m., Leksand Room, Aurora Town Hall

**Committee Members:** Councillor Paul Pirri (Chair), Don Constable (arrived 7:38 p.m.), Rosalyn Gonsalves, Marilee Harris, Paul Smith, Bruce Walkinshaw

**Member(s) Absent:** Councillor John Abel (Vice Chair)

**Other Attendees:** Councillor Tom Mrakas (arrived 7:38 p.m.), Councillor Michael Thompson (arrived 7:38 p.m.), Anthony Ierullo, Manager of Long Range and Strategic Planning, Michael Logue, Program Manager, Economic Development, Stephen Huycke, Town Clerk, and Linda Bottos, Council/Committee Secretary

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The Chair called the meeting to order at 7:02 p.m.

**1. DECLARATION OF PECUNIARY INTEREST**

There were no declarations of pecuniary interest under *the Municipal Conflict of Interest Act*.

**2. APPROVAL OF THE AGENDA**

**Moved by Bruce Walkinshaw**  
**Seconded by Rosalyn Gonsalves**

THAT the agenda as circulated by Legal and Legislative Services be approved.

**CARRIED**

**3. RECEIPT OF THE MINUTES**

None

**4. DELEGATIONS**

- (a) **Stephen M. A. Huycke, Town Clerk**  
**Re: Advisory Committee Member Education and Training**

Mr. Huycke provided a PowerPoint presentation and handout entitled "Advisory Committee Orientation 2014-2018", and highlighted the roles and responsibilities of advisory committees, committee members, and staff. He also reviewed the political decision-making process and relationships, including procedural matters, within the framework of civic engagement between the public and Council. Each Committee Member received a copy of the "Corporate Policies, Programs and Procedures Policy for Ad Hoc/Advisory Committees and Local Boards" dated December 16, 2014, the Town's Procedural By-law Number 5330-11, as amended, and the Terms of Reference for the Economic Development Advisory Committee (EDAC) 2014-2018 term.

**Moved by Don Constable**  
**Seconded by Paul Smith**

THAT the delegation by Stephen Huycke be received for information.

**CARRIED**

- (b) **Anthony Ierullo, Manager of Long Range and Strategic Planning**  
**Re: Item 1 – Memorandum from Manager of Long Range and Strategic Planning; Re: Economic Development Program Overview**

Mr. Ierullo provided a brief overview of the current economic development programs and highlighted the strategies and services delivered by the Town in the key areas of investment attraction, business retention and expansion, and tourism. He indicated that staff would be providing a status report to the Committee regarding the areas identified as economic development priorities in the "Economic Development Action Plan 2012-2014".

**Moved by Don Constable**  
**Seconded by Marilee Harris**

THAT the delegation by Anthony Ierullo be received for information.

**CARRIED**

**5. MATTERS FOR CONSIDERATION**

None

**6. INFORMATIONAL ITEMS**

**1. Memorandum from Manager of Long Range and Strategic Planning**  
**Re: Economic Development Program Overview**

The Committee inquired about the number of active businesses in Town, business visit reports, and the type of information collected. Staff advised that physical business locations numbered in the range of 1,300 to 1,400 as of mid-2014. He stated that core business information such as the number of businesses, the number of people employed, and sectors is collected in partnership with York Region each summer and an update would be available in September 2015. Staff added that information such as the type of business, its location, and number of employees is available through the employment survey published on the Town's website. He further advised that business visits are documented, but recently they are more about specific issues and building relationships rather than a survey with standardized questions.

The Committee inquired about the objective for further business retention and expansion surveys. Staff noted that 156 surveys, using a standardized form, were conducted in 2012, and that a condensed version was being considered for 2015.

The Committee inquired about the Economic Development Action Plan, with reference to Item 4 of the June 2014 Pending List, and expressed a desire to maintain continuity with the achievements of the previous four years. It was requested that a progress report on various elements of the Plan, and the flow chart requested in June 2014 itemizing the different projects that fall within the purview of EDAC as they relate to the Official Plan and Strategic Plan, be provided prior to the next meeting.

The Committee discussed the direction to establish a Business Improvement Area (BIA) and inquired whether this matter would be part of EDAC's mandate. Staff provided background information, including the process and requirements of establishing a BIA, and advised that Jim Kyle of the CAO's office is leading the project. It was noted that an update report had been provided to Council and it was requested that this information also be shared with the Committee prior to the next meeting.

**Moved by Bruce Walkinshaw**  
**Seconded by Rosalyn Gonsalves**

THAT the memorandum regarding Economic Development Program Overview be received for information.

**CARRIED**

**2. Pending List**

Committee Members suggested that the Committee would benefit from reviewing the Pending List provided to EDAC in June 2014 to maintain continuity from the previous term. Staff indicated that continuity would be achieved and that an updated, consolidated economic development activities flow chart and other requested updates would be sent to the Members prior to the next meeting.

**Moved by Paul Smith**  
**Seconded by Bruce Walkinshaw**

THAT the Pending List be received for information.

**CARRIED**

**7. NEW BUSINESS**

The Committee expressed an interest in holding monthly meetings rather than the currently scheduled bi-monthly meetings. The Chair committed to calling a meeting during each of the non-scheduled months, with the exception of July and August, beginning with May 14, 2015.

The Committee inquired about the availability of a broadband gap analysis map and the status of the broadband strategy in Aurora. Staff advised that a study had been conducted by York Region and the Chair noted that this matter would be investigated for further information.

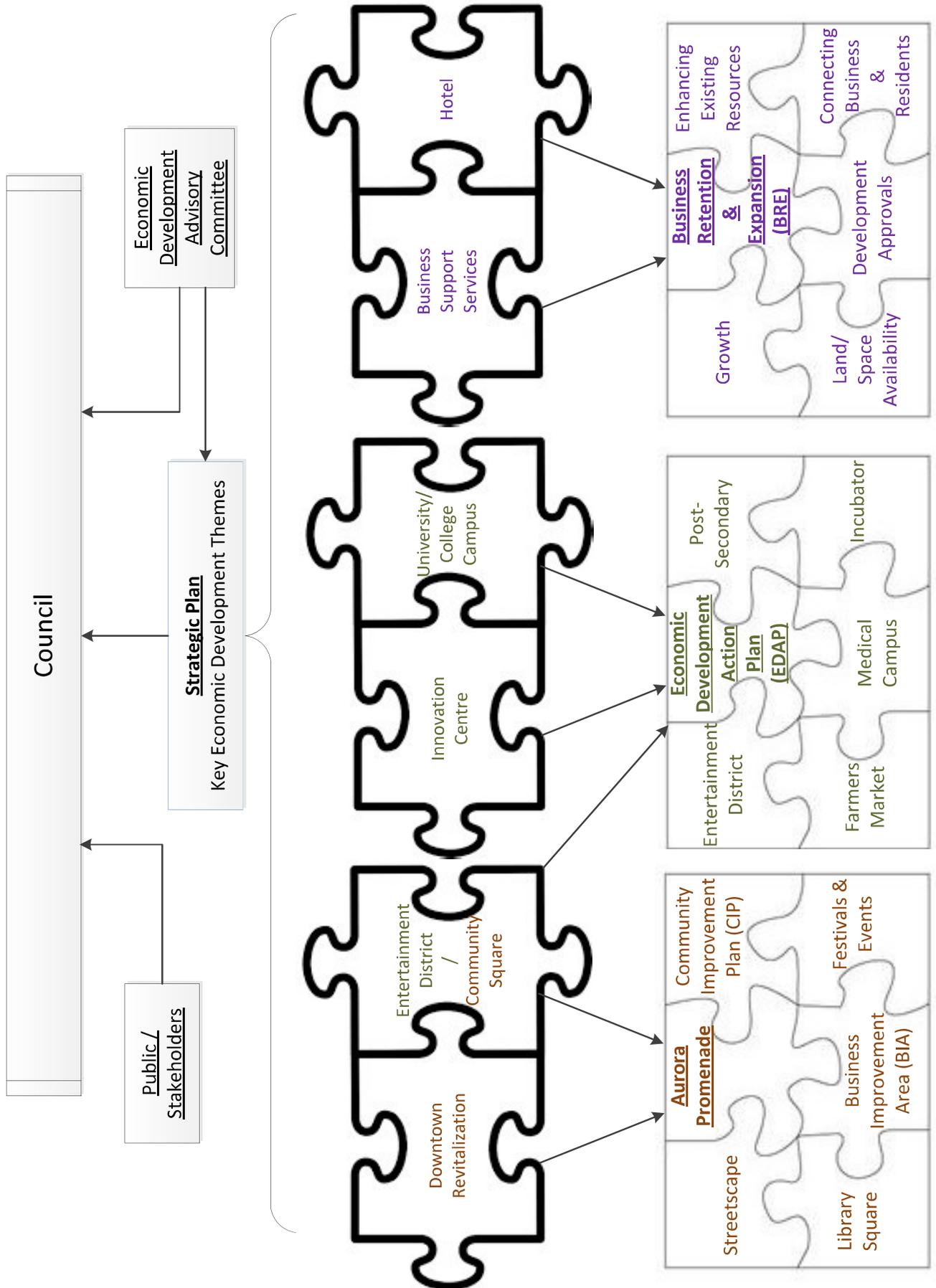
**8. ADJOURNMENT**

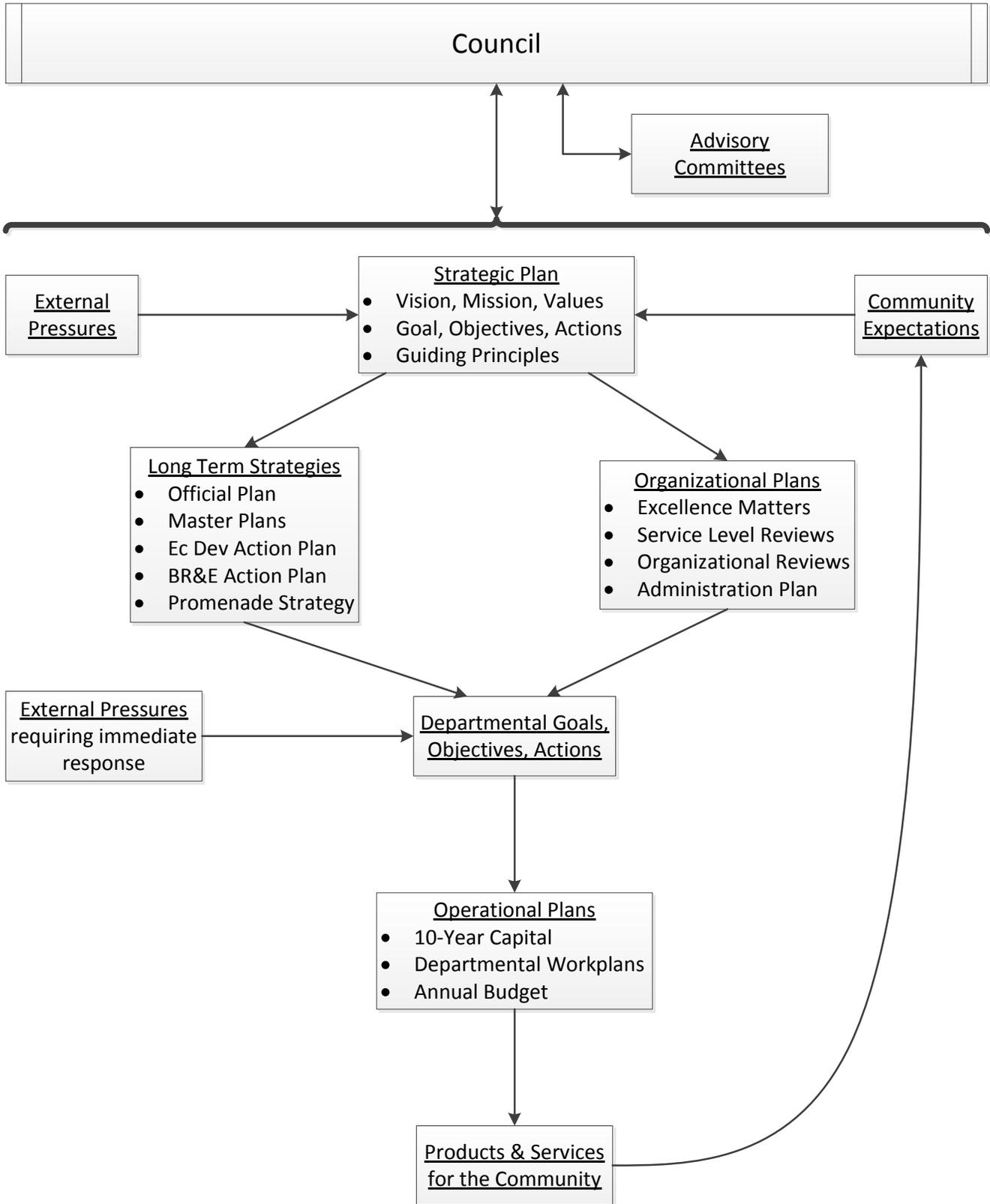
**Moved by Marilee Harris**  
**Seconded by Paul Smith**

THAT the meeting be adjourned at 8:40 p.m.

**CARRIED**

COMMITTEE RECOMMENDATIONS ARE NOT BINDING ON THE TOWN UNLESS ADOPTED BY COUNCIL AT A LATER MEETING.







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**Town of Aurora**  
**Planning & Development Services**

**MEMORANDUM**

**DATE:** May 14, 2015  
**TO:** Economic Development Advisory Committee Members  
**FROM:** Anthony Ierullo, Manager of Long Range and Strategic Planning  
**RE:** Economic Development Action Plan Update

**RECOMMENDATIONS**

*THAT the memorandum be received for information.*

**BACKGROUND**

A major focus for the Economic Development Advisory Committee during the 2010 – 2014 term was the development of an Economic Development Action Plan. The Plan identified 5 priority actions that guided economic development activities in Aurora. As requested, staff have prepared the update below outlining the status of each activity highlighted within the Action Plan:

	Lead	Actions Complete	Major Actions To-Do	Anticipated completion	Proposed Funding
<b>Activity</b>					
Entertainment District	LRSP	Project deferred by Council and removed from 2015 Budget.	Reintroduce project and funding for consideration as part of the 2016 Budget.	2016	70,000 as part of Tertiary Plan
Permanent Farmers' Market	Special Projects /LRSP	Secured Aurora Armory. Pilot project underway to allow the Aurora Farmers Market to operate in location during winter months.	N/A	Complete	

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Economic Development  
 Action Plan Update

	Lead	Actions Complete	Major Actions To-Do	Anticipated completion	Proposed Funding
<b>Activity</b>					
Implement the BR&E Action Plan	LRSP	BR&E Action Plan approved and implemented (detailed update provided independently). Business visitations limited to 50 per year due to budget restrictions.	Continue to implement Action Plan. Seek additional resources to expand business visitation program.	Ongoing	Staffing request (PTE)
Administer the Town's Business Concierge Program	LRSP	Program launched, marketing materials prepared, staff education completed.	Continue to implement program.	Ongoing	N/A
Bio-medical campus	LRSP	Planning Study completed. Several key development sites sold, rezoned and redeveloped. Staff considering alternative options for project due to the lack of viable redevelopment sites within the study area.	Completion of follow up report outlining potential project options.	2015	TBD
Innovation Incubator	LRSP	Supported SeneMAC concept in partnership with Seneca College. Explored potential partnership with confidential alternative partner.	Continue to discuss partnership options. Prepare and present project business case when appropriate.	2015	TBD
Post Secondary Presence	Special Projects	The town, in partnership with the Town of Newmarket, prepared a submission to partner with York University on their proposed York Region Campus. Campus was awarded to the City of Markham.	N/A	N/A	TBD

\*PTE = part-time equivalent employee

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Economic Development  
Action Plan Update

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**CONCLUSIONS**

As directed by Council through EDAC, staff are committed to continuing to advance the initiatives outlined in the Economic Development Action Plan. The focus of these activities has been summarized in this memorandum for both EDAC and Council. EDAC may also want to consider reviewing the Economic Development Action Plan and recommending modifications to Council if appropriate.

**ATTACHMENTS**

None

**Town of Aurora  
Planning and Development Services  
Business Retention & Expansion  
Action Plan: Progress Update**

**How We Grow:**  
Continued Smart & Sustainable Growth, Availability of Appropriate Space or Land, Retaining & Attracting Businesses

Action	Accountability	Timelines	Indicators	Progress
Regularly monitor & report on population and employment growth, including by industry sector	Economic Development	Annually, beginning 2014	Bi-annual Report to Council outlining trends	Report to Council in 2014 completed. Latest employment data required for 2015 update just received.
Investigate opportunities to pre-install high capacity broadband in new development areas	Economic Development / Planning	Q1 2014	Explore with potential providers & developers	2C development under way.
Evaluate opportunities to further strengthen employment protection policies in Official Plan	Economic Development / Policy Planning	Q3 2014	Research completed to contribute to planned Official Plan review in 2016	Review of Official Plan policies completed. Proposed changes to be considered as part of planned 2016 Official Plan update.
Expand Business Retention & Expansion program and business visitations	Economic Development	2015	Completion of 200 Business Visitations Annually (Conditional on the hiring of a BR&E Specialist)	BR&E Specialist removed from budget deliberations. Reduced number of shorter visits targeted by existing staff (50)
Better promotion of available space and land in Town, through businessaurora.ca	Economic Development / GIS mapping	Q2 2014	Creation of revised/new web mapping tool to promote available property	Postponed until website has been refreshed. Phase 1, content review of businessaurora.ca has been completed. Investigating costing of web map software/tools.
Work with partners to attract an innovation incubator / post-secondary presence / skills centre to support local businesses and attract new start-ups	Economic Development	Ongoing	Approval of a new facility by 2020	Discussions with Seneca College proved unsuccessful in 2014. New discussions initiated and planning meeting to be scheduled with potential local partner, Q2 2015.

**Services for Business:**

Making Sense of Development Approvals, Connecting Businesses with Residents, Business Networking & Joint Marketing

Action	Accountability	Timelines	Indicators	Progress
Work across departments to streamline development approval process and resolve conflicts	Economic Development, with Planning & Building	Q1 2014	Formal launch of Business Concierge Program in 2013	Business Concierge program launched, promotional materials prepared.
Conduct information sessions for businesses & land owners on development approval process	Planning & Building	Q2 2014	The delivery of at least two workshop by 2014	Sessions planned for Q3 2015
Promote 'How To' guides on the development approval process via businessaurora.ca	Economic Development / Planning	Q1 2014	Materials posted prominently on businessaurora.ca and aurora.ca	How to guide completed. Refresh of businessaurora.ca planned for 2015
Investigate opportunities to monitor and host, link to, or consolidate local job opportunities through businessaurora.ca	Economic Development / GIS mapping	Q2 2014	Creation of revised/new web mapping tool to promote local job opportunities	Postponed until website has been refreshed. Phase 1, content review of businessaurora.ca has been completed. Investigating costing of web map software/tools.
Investigate holding a joint job fair in coordination with local service providers	Economic Development	Q2 2014	Report outlining opportunities to partner with local service providers on hosting a job fair	Partnered with RNC Employment Services to offer job fair at Aurora Cultural Centre Sept 2014, featuring Town of Aurora, State Farm, Transcontinental Printing, Cube Plastics, Bulk Barn
Encourage & assist with business-driven initiatives such as shop tours & 'shop local' promotions	Economic Development / Chamber of Commerce	As required	At least one business-driven initiative per year	Prepared materials to encourage sport tourism visitors to shop locally, Q1 2015
Explore opportunities to work with York Region on sectoral cluster mapping analysis, to help inform networking and local supply chain opportunities	Economic Development	Q3-Q4 2014	Report to Council, dissemination of results	Sectoral analysis included in Employment Area Analysis report PL 14-006, upcoming report on Housing & Economy. Sector-specific targeting to be considered as part of website refresh, further report to Council Q2-Q3 2015.
Promote Chamber events on networking and joint marketing initiatives, and support making them available to non-members	Economic Development, Chamber of Commerce	Ongoing	Promotion of at least 12 events per year	Events continue to be promoted on businessaurora.ca calendar, and in BrightLights economic development newsletter

**Enhancing Existing Resources:**  
 Revitalizing Downtown Aurora, Improving Public Transit, Increased Communications & Support Programs

Action	Accountability	Timelines	Indicators	Progress
Ensure coordination of downtown revitalization efforts explored through various processes via work plan and regular reporting	Economic Development / Planning	Annually, beginning 2013/14	Preparation of annual Aurora Promenade workplan to clarify and coordinate works related to downtown revitalization	Promenade door-to-door visits planned for 2015 with an emphasis on promoting the Streetscape Plan, Community Improvement Plan, BIA and Outdoor Patio Policy
Review Economic Development e-newsletter for reach (subscriptions) and content	Economic Development	Q1 2014	Deliver revised economic development newsletter quarterly	Back-end access to subscriptions received. First newsletter planned for Q3 2015.
Offer & promote support services provided in partnership with York Region, Aurora Chamber of Commerce, local service providers	Economic Development / external	Ongoing	Track inquiries & support service referrals	Internal tracking system set up & maintained
Advocate York Region for improved east-west transit service and service to employment areas	Economic Development / Infrastructure & Env.	Q1 2014	Increased transit routes/frequency/ridership	Letter written to YRT 2014, reiterated concerns at meeting Q1 2015. Awaiting response.
Advocate the Province for regular two-way and weekend GO train service	Economic Development / Infrastructure & Env.	Q1 2014	Report to Council recommending formal request to the Province	Two way service between Aurora and Union Station to begin in 2016.
Investigate opportunities to improve downtown accessibility for all modes of transportation	Economic Development / Infrastructure & Env.	Q4 2014	Preparation of a Transportation Strategy for the Aurora Promenade	Streetscape Plan approved by Council in 2014.
<b>Support measures to attract pedestrian activity downtown in support of local businesses:</b>				
Self-guided walking tours, with potentially multiple themes	Economic Development / Heritage Planning	Q4 2014	At least one business-focused tour created	Delayed to 2015, partly due to heritage planning staff resources
Temporary sidewalk patio policy or pilot program	Policy Planning / Economic Development	Q1 2014	Program/pilot in place for 2014 patio season	Program launched in 2014.
Improving public access to digital infrastructure in the downtown core	Economic Development	Q2-Q3 2014	Report outlining options and partners	Project implementation led by York Region. Delayed to 2015.



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**Town of Aurora**  
**Planning & Development Services**

## **MEMORANDUM**

**DATE:** May 14, 2015  
**TO:** Economic Development Advisory Committee Members  
**FROM:** Anthony Ierullo, Manager of Long Range and Strategic Planning  
**RE:** **Activity Report**

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### **RECOMMENDATIONS**

***THAT the memorandum be received for information.***

### **BACKGROUND**

#### **Inquiries**

The Economic Development Office received seven investor inquiries between April 1, 2015 and May 1, 2015. The natures of these inquiries were related to:

- Proposed commercial uses
- Proposed manufacturing uses

#### **Business Openings**

The Town of Aurora's Economic Development Office was advised of ten new business openings between April 1, 2015 and June 1, 2015. Please join me in welcoming the following businesses to Aurora:

- SYMPOSIUM CAFE  
444 HOLLANDVIEW TRAIL  
905-503-8899
- N2N CONSULTING SERVICES  
83 AUTUMN WAY  
416-660-2586
- DIGITAL MARKETING EXPERTS  
159 AURORA HEIGHTS DR  
416-629-9876

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Activity Report

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- CUBE PLASTICS  
200 INDUSTRIAL PKWY N  
905-750-2823
- NATURE BALANCE WELLNESS  
225 INDUSTRIAL PKWY S  
905-841-7997
- GOL TEA  
159 AURORA HEIGHTS DR  
416-333-2887
- AUROPOL  
235 INDUSTRIAL PARKWAY S  
905-503-1739
- INNER LIGHT  
15263 YONGE ST  
905-727-8883
- ULTRAMAR  
15255 LESLIE ST  
905-726-3784
- GLOBAL GYMNASTICS  
6 VATA CRT  
416-503-5225

**Upcoming Events**

- Aurora Chamber 33<sup>rd</sup> annual Golf Classic – June 25, 2015



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## **MEMORANDUM**

**Special Projects**  
**Office of the Chief Administrative Officer**

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**Date:** May 14, 2015  
**To:** Economic Development Advisory Committee  
**From:** Jim Kyle, Manager of Special Projects  
**Re:** Establishment of a Business Improvement Area (BIA)

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### **RECOMMENDATIONS**

***THAT the memorandum regarding Establishment of a Business Improvement Area (BIA) be received for information.***

### **BACKGROUND**

On September 28, 2010, Council adopted "The Aurora Promenade Concept Plan – Urban Design Strategy" for the Yonge and Wellington Corridors.

#### ***Goals for the study include:***

- ***Stimulate economic development and make it a more profitable location to do business;***
- ***Intensification along the Yonge and Wellington Corridors;***
- ***Return Downtown to being a focal point for retail/service and special events in the community;***
- ***Create a vibrant street life and maximize use of upper floors;***
- ***Improve the appearance of downtown through restoration of heritage resources/façade improvements; and***
- ***Create a positive image of the downtown as a desirable place to work, live, shop and invest.***

The Implementation section of the Promenade Plan indicates that the Town should work with the business owners to establish a BIA.

### **COMMENTS**

A Business Improvement Area (BIA) is an innovation that allows local business people and commercial property owners and tenants to join together and, with the support of

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Establishment of a BIA

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the municipality, to organize, finance, and carry out physical improvements and promote economic development in their district.

Traditionally, a BIA is a body established by a municipality using the specific business improvement area provisions in the *Municipal Act*, 2001. It is governed by a board of management.

Business Improvement Areas are a means for a commercial district to invest in promoting and improvements so as to enhance the area's appeal for shoppers and ultimately to generate more business. Once a BIA has been established, money is raised through a tax levy which is then used to promote and improve the area. Streetscape improvements, decorative lighting, planting, banners, festivals and special events are some of the ways in which BIAs invest in their communities. In general, BIAs focus on beautification, as well as general upkeep and maintenance of streets and open spaces; promoting and marketing the area; programming and events to attract traffic; and advocacy for the interests of business in the area.

#### **Key Steps to establish a BIA**

The request to designate an area as a BIA usually originates with the local business community affected and is developed in consultation with municipal staff. A request to the municipal council to designate an area identifies the need for a BIA and sets out the boundaries for the proposed area. Some customary important steps in establishing a BIA are outlined below:

- Step 1: Establish the Need – Business Case
- Step 2: Communicate with all Interested Parties
- Step 3: Establish a Steering Committee
- Step 4: Establish Goals and Objectives
- Step 5: Prepare Preliminary Budget Proposals
- Step 6: Establish Proposed Boundaries
- Step 7: Formalize a Request to the Municipality
- Step 8: Notification of a Proposed BIA Designation
- Step 9: Pass a Municipal Bylaw

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Establishment of a BIA

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### **Progress to date**

Staff developed a BIA information package and met with approximately 15 business owners in the Downtown area. Each business owner was provided ten copies of the information package and asked to help promote the idea of the creation of the BIA to other businesses in the downtown area. Staff has also met with representatives of the Chamber of Commerce to discuss the implementation of the BIA.

On October 16, 2014, the Town hosted a BIA information session at Aw Shucks Restaurant. Representatives from the Bloor-Yorkville, Georgina and Newmarket BIA's presented at the session and answered questions pertaining to BIAs. The session was very well-attended and well-received by business owners in the Downtown area.

### **Next Steps**

Staff is currently working with business owners to establish a BIA steering committee which will be made up of approximately ten business owners within the Downtown area. This is not a Committee of Council but will receive staff support and may include members of Council.

A steering committee has several roles, including:

- Establishing a set of preliminary goals and objectives;
- Establishing proposed boundaries;
- Preparing preliminary budget proposals;
- Communicating the proposals to all interested parties; and
- Formalizing a request to the municipality.

It is anticipated that the BIA Steering Committee will be established within one month. Once the Committee is established, a memorandum will be presented to EDAC to outline a work plan and timeframes.

Jim Kyle  
Project Manager  
Special Projects  
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**Town of Aurora**  
**Planning & Development Services**

## **MEMORANDUM**

**DATE:** May 14, 2015  
**TO:** Economic Development Advisory Committee  
**FROM:** Anthony Ierullo, Manager of Long Range & Strategic Planning  
**RE:** Medical Marihuana Production Facilities Study/By-law

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### **RECOMMENDATIONS**

***THAT the memorandum regarding the Town's Medical Marihuana Production Facilities Study/By-law be received for information.***

### **BACKGROUND**

Council passed an Interim Control By-law to prohibit the use of the Town's Employment Lands for medical marihuana production on May 27, 2014 for a period of one year. This was in response to a request from a licensed medical marihuana producer inquiring as to whether medical marihuana production was permitted on a specific property that is zoned for industrial uses. The response from Town staff was that medical marihuana production was not listed as a permitted use and that the Town intends to complete a study to determine the appropriate location and zoning for such a use.

Staff have completed the study and the results of the study, as well as proposed zoning provisions, were presented to Council at a Statutory Public Planning Meeting which was held on April 8, 2015. At this meeting, staff were directed to draft an implementing by-law to be considered at an upcoming General Committee meeting. The draft implementing by-law has therefore been scheduled for discussion at the May 19, 2015 General Committee meeting.

### **ATTACHMENTS**

Attachment 1 – Public Planning Report No. PL15-028; dated April 8, 2015

Attachment 1



**TOWN OF AURORA**  
**PUBLIC PLANNING REPORT**

**No. PL15-028**

**SUBJECT:** *Interim Control & Proposed Zoning By-law  
Medical Marihuana Production Facilities (MMPFs) Study  
File No. ZBA-2014-02*

**FROM:** *Marco Ramunno, Director of Planning & Development Services*

**DATE:** *April 8, 2015*

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**RECOMMENDATIONS**

*THAT Report No. PL15-028 be received; and*

*THAT staff be directed to draft an implementing Zoning By-law amendment pertaining to Medical Marihuana Production Facilities (MMPFs) for review and discussion at an upcoming General Committee Meeting.*

**PURPOSE OF THE REPORT**

The purpose of this report is to present to Council and the public the findings of the Town's Medical Marihuana Production Facilities (MMPFs) study and to fulfill the Town's Statutory Public Planning Meeting requirements under the *Planning Act*.

**BACKGROUND**

**History of Interim Control By-law No. 5626-14**

Council passed ICBL No. 5626-14 to prohibit the use of Employment Lands for MMPFs on May 27, 2014 for a period of one year. This was in response to a request from a licensed medical marihuana producer inquiring as to whether MMPFs were permitted on a specific property that is zoned for industrial uses on employment lands. The response from Town staff was that MMPFs are not listed as a permitted use and that the Town intends to complete a study to determine the appropriate location and zoning for such a use.

**History of the Marihuana for Medical Purposes Regulations (MMPR)**

In response to a court case that required reasonable access to a legal source of marihuana when authorized by a physician, the federal government introduced the "Marihuana Medical Access Program" and the "Marihuana Medical Access Regulations" which allowed individuals to produce medical marihuana in their homes in 2001.

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**Report No. PL15-028**

Under these original regulations, qualified individuals were licensed to grow marihuana in their homes or purchase it from Health Canada for medical purposes. Concern was expressed by various stakeholders including police, fire officials, and municipalities regarding public health, safety and security.

As a result of enormous growth in the program (less than 100 authorized users at the start of the program to almost 40,000 currently), the regulations were recently revised and renamed "Marihuana for Medical Purposes Regulations" (MMPR). These new regulations came into force on April 1, 2014. Under these new regulations, licenses to produce marihuana are only given to commercial producers, and include permission to grow marihuana plants as well as permission for the processing, selling, and shipping of marihuana. The new regulations allow health care practitioners to sign a document enabling patients to purchase marihuana from licensed producers. Health Canada licenses the commercial producers, who are required to comply with regulations regarding product quality, personnel, record-keeping, safety, security, disposal, and reporting.

## **COMMENTS**

### **Best Practices**

The location of MMPFs in industrial zones has been a challenge for numerous municipalities since the new regulations came into effect. Several municipalities have passed zoning by-law amendments to regulate MMPFs by restricting them to certain zones and requiring appropriate setbacks to residential zones or sensitive uses. Attachment 1 provides a summary of the approach used in a number of municipalities to plan for MMPFs.

#### *Within York Region*

Within York Region, The Towns of Newmarket and East Gwillimbury are also studying MMPFs. Newmarket intends on bringing a zoning by-law to Council in the future. Furthermore, Richmond Hill has already passed a by-law to regulate MMPFs which contain the following provisions:

- MMPFs are only permitted in industrial zones;
- MMPFs are not permitted on lots that abut an arterial road;
- MMPFs are required to have a minimum distance separation of 70 metres (229.6 feet) from any sensitive land use (dwelling units, long term care facilities, public schools, private schools, day nurseries, community centres, parks, places of worship and hospitals);

**April 8, 2015**

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**Report No. PL15-028**

- a lot containing an MMPF is not permitted to be used for any other purpose;
- on-site retail is prohibited;
- all activities associated with the MMPF are required to be carried out in a wholly enclosed building;
- outdoor storage is prohibited; and
- loading spaces are required to be located in a wholly enclosed building.

The City of Markham is currently undergoing a comprehensive zoning by-law review and will examine if any special provisions, such as distance separations, are necessary as they relate to MMPFs. Currently Markham interprets MMPFs as a commercial manufacturing facility and permits them in their industrial areas/zones.

#### *Other Ontario Municipalities*

Through this study, staff found that all municipalities which have zoning by-laws specifically regulating MMPFs also regulate their distance to residential and other sensitive uses. Typically municipalities use a distance separation of either 70 metres (229.6 feet) or 150 metres (492 feet). The 70 metre distance separation is consistent with the MOE Guidelines for Separation between Industrial and Sensitive Land Uses. The industry representatives who were consulted through this study recommended a distance separation of 150 metres; in order to mitigate against any potential odor emissions.

Furthermore, staff also found that MMPFs are typically only permitted in rural/agricultural zones and industrial zones. Other zoning provisions used to regulate MMPFs include those listed above being used by Richmond Hill, as well as the prohibition of retail uses, advertising type signage and minimum distance separation between MMPFs.

#### **Security Requirements**

One of the primary concerns regarding medical marihuana production is security. The MMPR introduced stringent security measures which were not required under the old regulations. Under these new regulations, the perimeter of a MMPF site must be visually monitored at all times by visual recording devices. Furthermore, the perimeter of the site must also be secured by an intrusion detection system that operates and is monitored at all times. If any occurrence is detected, the personnel must make a record of the date, time of the occurrence and the measures taken in response to it; including the date and time when they were taken.

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There are also stringent regulations with respect to access. The MMPF site must be designed in a manner that prevents unauthorized access. Access to each area where cannabis is present must be restricted to persons whose presence is required by their work responsibilities. A responsible person in charge or their alternate must be physically present while other persons are in the areas where cannabis is present. A record must also be made of the identity of every person entering or exiting those areas.

### **Air Filtration**

The new regulations also contain provisions with respect to air filtration, and requires MMPFs to be equipped with a system that filters air to prevent the escape of odours; and if present, pollen or other particles.

### **License requirements relevant to local municipalities**

In addition to the above noted security and filtration requirements, there are other MMPR licence requirements which are relevant to local municipalities. The applicant must now make a declaration in writing verifying that they have provided notice to local authorities (municipality, police and fire department) of the application and location of where the applicant proposes to locate the MMPF. Furthermore, any production must be indoors and not in a private dwelling; however production can occur in a greenhouse provided the required security measures are in place. Finally, retail is not permitted as part of any licensed operation; product is required to be shipped through secured shipping methods only.

### **Proposed Implementing Zoning By-law**

Although an implementing zoning by-law has not yet been drafted, some of the provisions which staff intend to include are:

- MMPFs will be only be permitted in the business park area located along the Highway 404 corridor;
- 150 metre (492 foot) distance separation between MMPFs;
- 150 metre (492 foot) distance separation to a sensitive land use;
- a lot containing an MMPF is not permitted to be used for any other purpose;
- on-site retail is prohibited;
- all activities are required to be carried out in a wholly enclosed building;

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- outdoor storage is prohibited; and
- advertising is prohibited.

The above zoning provisions are based on best practices as described in this report. With the application of the 150 metre (492 foot) distance separation to sensitive land uses, the only viable location for MMPFs within an employment area is the business park located between Leslie Street and Highway 404. The exception to this is the Industrial Parkway South and Engelhard Drive area. However, staff are recommending the business park area located along the Highway 404 corridor for MMPFs due to its location and because it is a greenfield development area.

### **LINK TO STRATEGIC PLAN**

Assuring the appropriate location for MMPFs will support the Strategic Plan goal of *supporting an exceptional quality of life for all*.

### **ALTERNATIVE(S) TO THE RECOMMENDATIONS**

1. Council can direct staff to implement the regulation of MMPFs through the new zoning by-law consolidation process. If council chooses this option, they may wish to extend the ICBL to ensure protection against private zoning by-law amendment applications.
2. Council can also direct staff to report back to a future public planning meeting identifying how any unresolved issues have been addressed.

### **FINANCIAL IMPLICATIONS**

Not applicable; the MMPFs study is being conducted by Town staff.

### **PREVIOUS REPORTS**

Report No. PL14-040 dated May 27, 2014.

### **CONCLUSIONS**

Council passed Interim Control By-law No. 5626-14 to prohibit the use of Employment Lands for MMPFs on May 27, 2014. This was in response to a request from a licensed medical marihuana producer inquiring as to whether MMPFs were permitted on a specific property that is zoned for industrial uses. Since that time, staff have been studying MMPFs, including best practices being used by other municipalities, so that they can be properly regulated through the Town's zoning by-law.

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It is therefore recommended that Council direct staff to draft an implementing zoning by-law for their consideration; subject to the resolution of any outstanding issues.

**ATTACHMENTS**

Attachment 1: Municipal Land Use Approaches to Regulating MMPFs  
Attachment 2: Location Map – Employment Lands Suitable for MMPFs

**PRE-SUBMISSION REVIEW:**

Executive Leadership Team - March 26, 2015

*Prepared by: Fausto Filipetto, Senior Policy Planner, Ext. 4342*



**Marcò Ramunno, M.C.I.P., R.P.P.**  
**Director of Planning & Development**  
**Services**

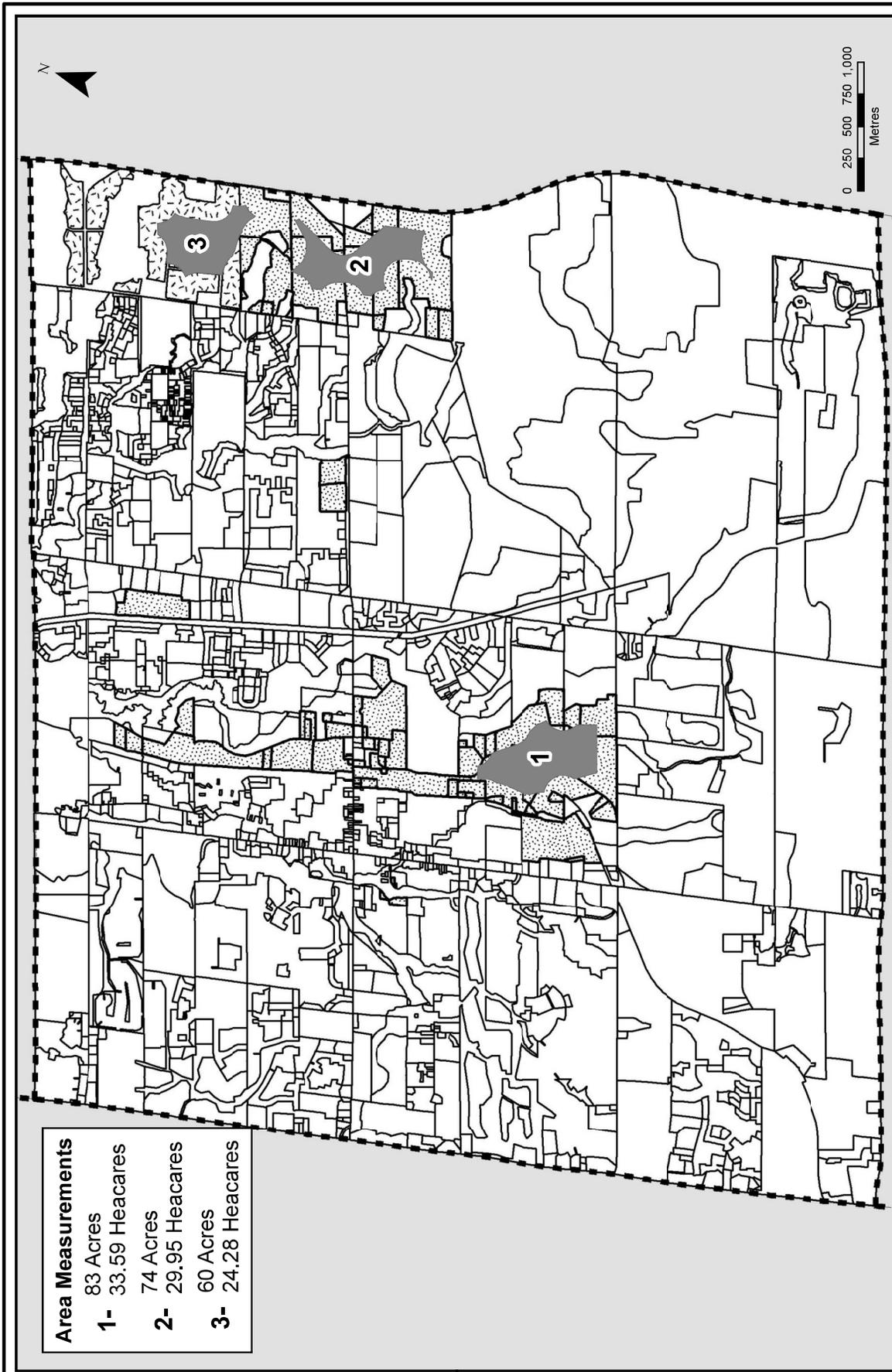


**Neil Garbe**  
**Chief Administrative Officer**

**Table 1. Municipal Land Use Approaches to Regulating MMPFs (Select By-laws)**

	Permitted As of Right		Defined Use, Specific Zones					Requires Site Specific ZBLA	
	Smiths Falls	Windsor	Fort Erie	Milton	Ottawa	Port Colborne	Toronto	Chatham-Kent	West Lincoln
<b>Zoning By-law Status</b>	N/A	N/A	By-law 07-2014 passed 20 January 2014; in force	Part of new comprehensive zoning by-law passed 24 Feb 2014; appealed to OMB	By-law 2014-74 passed 26 Feb 2014; appealed to OMB	By-law 6059/25/14 passed 14 April 2014; appeal period pending	Council adopted recommendations for by-law 2 April 2014; by-law enactment forthcoming (date to be determined)	By-law 1-2014 passed Jan 2014; in force	By-law 2014-17 passed 24 March 2014; in force
<b>Agricultural Zones</b>	No	No	Yes; 70 m setback to residential zones and sensitive uses	No	No	Yes; 150 m setback to sensitive uses (defined term)	N/A	Yes (subject to site-specific zoning by-law amendment); 75 m setback to various zones in primary urban area (100 m in other areas)	Yes (subject to site specific zoning by-law amendment); 150 m setback to neighbouring lot lines
<b>Industrial Zones</b>	Yes	Yes	Yes; 70 m setback to residential zones and sensitive uses	Yes; 70 m setback to various zones and sensitive uses	Yes; 150 m setback to residential and institutional zones	No	Yes; 70 m setback to various zones and sensitive uses	Yes (subject to site-specific zoning by-law amendment); 75 m setback to various zones in primary urban area (100 m in other areas)	Yes (subject to site specific zoning by-law amendment); 45 m setback to residential or institutional uses on adjacent lot
<b>Rural Zones</b>	No	No	Yes; 70 m setback to residential zones and sensitive uses	No	Yes; 150 m setback to residential and institutional zones	Yes; 150 m setback to sensitive uses (defined term)	N/A	Yes (subject to site-specific zoning by-law amendment); 75 m setback to various zones in primary urban area (100 m in other areas)	No
<b>Other Zones</b>	No	No	Existing Open Space Zone 70 m setback to residential zones and sensitive uses	No	No	No	No	No	No

Note: This table has been prepared by Wood Bull LLP for information only. Please consult the by-laws for the exact language and references.



Area Measurements	
1-	83 Acres
2-	33.59 Heacares
3-	74 Acres
	29.95 Heacares
	60 Acres
	24.28 Heacares

**LOCATION MAP - EMPLOYMENT LANDS SUITABLE FOR MMPF'S**  
**(APPLYING A 150M BUFFER)**



Employment Lands
  Future Employment Lands
  Potential Location of MMPF's

\*\* Does not account for legal non-conforming uses  
 \*\* Does not account for sensitive land uses in the employment lands

Map created by the Town of Aurora Planning & Development Services Department, March 26, 2015. Base data provided by York Region & Aurora - GIS.