



The Corporation of the Town of Milton

Report To: Committee of Adjustment and Consent

From: Taylor Wellings, MSc (PI), MCIP, RPP

Date: April 30, 2026

File No: A26-005M

Subject: 11324 Second Line Nassagaweya

Recommendation: THAT the application for minor variance **BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the development shall be constructed in accordance with the site plan prepared by Belinda Hart and dated and stamped by Town Zoning on January 30, 2026.
2. That the Owner obtains Site Plan (SP-02/26) approval and the associated Health Canada License.
3. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested:

- To allow a cannabis production and processing facility to be setback from an open space zone in accordance with the following:
 - Outdoor production area: 26 metres, a difference of - 124 metres; and
 - Enclosed drying/storage building: 103 metres, a difference of - 47 metres.
- To allow a cannabis production and processing facility to be located a minimum of 111 metres from a residential use on a separate lot, a difference of - 39 metres

The subject property is known municipally as 11324 Second Line Nassagaweya and located north of 15 Side Road and on the east side of Second Line. The surrounding uses are primarily agricultural and rural residential. The subject property contains a single-detached dwelling, a detached garage, and an accessory structure.

The owner of the property currently farms a small portion of the lands with various fruit and vegetables and have applied for Site Plan approval (SP-02/26) to seek permission to transition a portion of this farmed area into outdoor cannabis production. In addition, an existing accessory structure on the subject property will be converted into a drying room to process the cannabis that

General Description of Application

is farmed on the property. As a result of the proposed development, it has been identified that relief from the Town's Zoning By-law 144-2003, as amended will be required. At this time, the site plan application is currently under review and staff felt that the timing was appropriate for the minor variance application to be heard at Committee.

Official Plan Designation (including any applicable Secondary Plan designations)

The subject property is designated as Rural Area on Schedule 3 (Municipal Structure) as well as identified as Prime Agricultural Area on Schedule 5 (Rural Structure) and included within the Greenbelt Natural Heritage System on Schedule 6 (Green System).

Section 9.2.2.1 of the Town's Official Plan states that the predominant use of land in Prime Agricultural Area designation is for agricultural purposes. Further, Section 9.2.2.1b) provides permission for Cannabis Production and Processing Facilities, in accordance with Section 9.1.1.20 of this Plan.

Section 9.1.1.20b) of this Plan states that where a Cannabis Production and Processing Facility is permitted in the Rural System Area Land Use designations, provided a minimum setback between a Cannabis Production and Processing Facility and a sensitive land use of 150 metres is maintained. A reduced setback of less than 150 metres may be considered by the Town, without an amendment of this plan, where impacts are mitigated.

Section 9.1.1.20e) of this Plan states that a Cannabis Production and Processing Facility shall be subject to Site Plan Control. Planning staff can confirm that this proposed development is being concurrently reviewed under Site Plan Application (SP-02/26) and staff agree that it is at an appropriate time for the minor variance to be processed and heard by the Committee.

Section 9.1.1.20f) of this Plan also states in addition to Section 5.3.4, the following studies shall be submitted as part of any development application for a Cannabis Production and Processing Facility.

- i) Odour and Dust Impact Assessment;
- ii) Light Impact Assessment;
- iii) Transportation Impact Study;
- iv) Hydrogeological Studies;
- v) Agricultural Impact Assessment; and
- vi) Any other appropriate studies identified as part of the complete application and pre-consultation process.

Planning staff can confirm that studies to evaluate and satisfy the above-noted requirements were provided as part of the related Site Plan Application and staff can confirm that they are satisfied that there are no negative impacts are part of this proposed development.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan.

Official Plan Designation (including any applicable Secondary Plan designations)

The lands are designated as Greenbelt Protected Countryside and Greenbelt Natural Heritage System in the Greenbelt Plan. Section 3.2.2.1 of the Greenbelt Plan states that the full range of existing and new agricultural uses are permitted provided that the use does not expand into a key natural heritage feature or key hydrologic feature. Staff can confirm that the proposed outdoor cannabis area will not expand closer or impact any key feature on the property and further, Conservation Halton approval was obtained. The accessory structure which will be utilized as an indoor drying room exists and has no impact on the subject property.

It is Staff's opinion that the proposal is in conformity with the Greenbelt Plan.

Zoning

The subject lands are zoned Rural (A2) Zone under the Town of Milton Zoning By-law 144-2003, as amended. The A2 zone permits a Cannabis Production and Processing Facility however, it states that it must comply with the regulations set out in Section 4.1.2.9 and notwithstanding, any provisions of the by-law to the contrary, cannabis processing shall only be permitted as an accessory use to cannabis production.

Variance One: Cannabis Production and Processing Facility Setback

Section 4.1.2.9 iv) a) of the Town's Zoning By-law requires that a cannabis production and processing facility be located a minimum of 150 metres from a residential, institutional, or open space zone.

The applicant is requesting permission to allow a cannabis production and processing facility to be setback from an open space zone in accordance with the following:

- Outdoor production area: 26 metres, a difference of - 124 metres; and
- Enclosed drying/storage building: 103 metres, a difference of - 47 metres.

Variance Two: Cannabis Production and Processing Facility Setback from a Residential Use

Section 4.1.2.9 iv) b) of the Town's Zoning By-law requires that a cannabis production and processing facility be located a minimum of 150 metres from a residential use on a separate lot or an institutional use.

The applicant is requesting permission to allow a cannabis production and processing facility to be located a minimum of 111 metres from a residential use on a separate lot, a difference of - 39 metres, to facilitate the proposed development.

Consultation

Public Consultation



Consultation

Notice for the hearing was provided pursuant to the Planning Act on April 20, 2026. As of the writing of this report on April 22, 2026, staff have not received any comments from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies.

Development Services Comments

The applicant has requested a minor variance to facilitate the development of outdoor cannabis production and processing facility on the subject property. As noted above, the proposed development includes dedicating a small portion of already farmed area to allow for cannabis cultivation and converting an existing accessory structure to a drying/storage building to allow for the processing component to take place on the subject property.

This proposed development is being reviewed as well under Site Plan (SP-02/26) and the Site Planner has confirmed that the application is at a satisfactory stage for review and to be heard at the Committee of Adjustment.

Section 4.1.2.9 of the Town's Zoning By-law 144-2003, as amended, provides the requirements for cannabis production and processing facilities. The applicant is requesting permission to allow a cannabis production and processing facility to be setback from an open space zone which will be 26 metres from the outdoor production area and 103 metres from the enclosed drying/storage building. It should be noted that the property beside the subject property is mapped as an open space zone and is a regional forest tract.

The applicant is also requesting permission to allow a cannabis production and processing facility to be located a minimum of 111 metres from a residential use on a separate lot. It should be noted that the accessory structure currently exists and will be converted into a drying/storage building.

As part of the related Site Plan application, the applicant has satisfied the policies of Section 9.1.1.20f) which identified a number of technical requirements to be completed and provided for Planning staff to review and confirm that there would be no negative impact to the surrounding properties and area.

An Odour Emissions Letter (stamped by a P. Eng) was provided and reviewed by Town Engineering Staff which confirmed that given the small scale of the operation, it's location as well as the estimated odour emissions, it's unlikely that the proposed cannabis production will negative impact the surrounding area. Planning staff can also confirm there are no changes from a lighting or transportation perspective. Further, Town staff have confirmed with the assistance of Regional



Consultation

hydrogeological staff that there are no impacts from a private servicing and ground water perspective.

Planning staff note that there is an existing agricultural barn that is located in between the proposed cannabis production area and the nearest dwelling which will provide a buffer and eliminates impact. The current plot of land being used to grow other fruits and vegetables will be utilized and exists as of today and the existing accessory structure will be converted, so there are no new development or changes proposed to the property which will impact any surrounding neighbours or properties.

It should be noted that the applicant is required to obtain a Health Canada License for establishing this cannabis operation and will be required to provide a copy of this License to the Town. As part of the Health Canada Licensed Cultivators process, Town staff are satisfied that there will be no negative impacts to the surrounding properties given the stringent requirements from a physical security measurement perspective. Further, Planning staff are of the understanding that all activities on the subject property will be limited to the approved Health Canada License and if there is, any complaints or impacts to surrounding properties, Health Canada regulations will require these issues to be dealt with proactively.

A condition of the related Site Plan will be to ensure that a Health Canada License is obtained, and proof is provided to the Town of our records.

Planning Staff are of the opinion that the requested variances are minor in nature, conform to the general intent of both the Official Plan and Zoning By-law and are desirable for the development and use of the subject property. As such, Planning Staff have reviewed the requested variances and offer no objection and feel confident the Site Plan application has ensured that Official Plan policies and requirements for cannabis production and processing facilities have been met.

Respectfully submitted,

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For questions, please contact:

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Attachments

Figure 1 - Site Plan
