

## **CITY OF HAMILTON**

### **BY-LAW NO. 14-**

#### **To Amend By-law 03-294, as amended by By-law 08-298, to require aquaponics and medical marihuana growing and harvesting facilities be subject to Site Plan control**

**WHEREAS**, under the provisions of Section 41 of the Planning Act, a Council of a Municipality may by by-law designate the whole or any part of the Municipality as a Site Plan Control Area:

**AND WHEREAS** there are Official Plans in effect for the City of Hamilton that contain policies related to Site Plan Control;

**AND WHEREAS** the City of Hamilton passed Site Plan Control By-law No. 03-294 on the 15<sup>th</sup> day of October, 2003; as amended

**AND WHEREAS** the Council of the City of Hamilton desires to further amend the Site Plan Control By-law to deal with aquaponics facilities and marihuana growing and harvesting facilities;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1.0 That Section 1.0 be amended by adding a new definition of medical marihuana growing and harvesting facility as Section 1.16a:

“1.16a Medical Marihuana Growing and Harvesting Facility shall mean a wholly enclosed building or structure used for growing, harvesting, testing, destroying, packaging and shipping of marihuana, for medical purposes as permitted under the Marihuana for Medical Purposes Regulations (MMPR) SOR/2013-119 made under the Controlled Substances Act as the MMPR read on March 31, 2014;

2.0 That Section 9.5 be amended by adding “, aquaponics facility and medical marihuana growing and harvesting facility to the end of the clause. So the clause reads as follows:

9.5 commercial and agricultural greenhouses, aquaponics facility and medical marihuana growing and harvesting facility.

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The Clerk be hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED** this 17<sup>th</sup> day of December, 2014.

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Fred Eisenberger  
Mayor

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Rose Caterini  
City Clerk