

July 7th, 2015

081-15

Via Email & Delivered

Ms. Rose Caterini
City Clerk

City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Dear Ms. Caterini

**RE: City Initiative – CI-15-B
Proposed Official Plan Amendment to the Rural Hamilton Official Plan
Proposed Rural Zoning By-law Amendment to Zoning By-law No. 05-200
780 8th Concession Road Weest, Flamborough**

Further to our March 31st, 2015 submission regarding the subject property and City Initiative C1-15-B, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of the owner of the property municipally known as 780 8th Concession Road West in Flamborough.

Through the proposed amendments to the Rural Hamilton Official Plan and the proposed amendments to Zoning By-law No. 05-200, City Initiative – C1-15-B proposes to locate the subject property in a draft Rural “A2” Zone, as identified on draft Maps 35 and 36 of Schedule “A”. Aquaponics Facilities and Medical Marihuana Growing and Harvesting is a permitted use.

As you know, the subject lands are being developed with an aquaponics facility with the intent on facilitating a medical marihuana use in the future, subject to Federal licenses and approvals being granted. Through City Initiative – C1-15-B, the City is proposing to limit new medical marihuana buildings to 2,000 m² as outlined in Section 12.1.3.1(m)(i) of the draft By-law.

To-date, a 2,125 square metre aquaponics facility has been constructed on the subject property with the intent to pursue a Federal license to grow and harvest medical marihuana. Construction is nearing completion. Later, on October 24th, 2014, Building Permit No. 14-116985-01 was submitted to the City for a second building on the subject lands also in excess of 2,000 square metres. The processing of the permit was delayed wherein the Ontario Building Code (OBC) Commission ruled the building is subject to the Farm classification of the Code on March 12th, 2015. This permit is now being reviewed in the normal process.

The Draft By-law permits farm buildings in excess of 2,000 square metres. It is not appropriate to limit the size of farm buildings utilized for medical marihuana simply because of the crop being grown.

Based on the above, on behalf of the owner of the subject property, please respectfully consider deleting the maximum floor area for medical marihuana growing and harvesting facilities.

In keeping with the provisions of the *Planning Act*, please provide notification of Council for the City of Hamilton's decision and/or adoption of the proposed Rural Official Plan Amendment and Zoning By-law No. 05-200 Amendment.

Please feel free to contact me with any questions.

Regards,

UrbanSolutions

A handwritten signature in blue ink, appearing to read 'Matt Johnston', with a stylized, flowing script.

Matt Johnston, MCIP, RPP
Principal

cc: Councillor Robert Pasuta, Ward 14, City of Hamilton (via email)
Ms. Heather Travis, MCIP, RPP, City of Hamilton (via email)
Ms. Diana Yakhni, MCIP, RPP, City of Hamilton (via email)
Mr. Warren Bravo (via email)
Mr. Hank Huitema, Kalos Engineering Inc. (via email)
Mr. Henry Schilthuis, Schilthuis Group of Companies (via email)