

October 11, 2017

**BY EMAIL**

Mayor and Members of Council  
City of Hamilton  
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file # 49694-2

Dear Mayor and Members of Council:

**Re: Motion by Councillor L. Ferguson, Regulatory and Land Use Planning Framework for the Marijuana Industry**

We are the solicitors for The Green Organic Dutchman ("TGOD"), the owners of lands at 1915 Jerseyville Road West, upon which it operates a licensed medical marihuana facility. With over 1,000 Hamilton shareholders, TGOD grows high quality organic cannabis in small batches using craft growing, all natural and organic principles.

We have reviewed the motion moved by Councillor L. Ferguson requesting consultation with Federal and Provincial departments and ministries regarding the regulatory and land use planning framework for the marijuana industry. While we take no issue with, and in fact encourage, such consultation, our client strongly objects to resolution (c), that provides that until the review is complete the City "considers any applications for relief or deviation from the zoning by-law regulations within the rural area to be premature." The City has no legal authority to refuse to receive complete applications under the *Planning Act*, and is required to review such applications in accordance with provincial plans, provincial policies, and the City's in force official plan.

TGOD is in the process of undertaking an expansion of its facilities using green house structures that are no different than those used throughout the rural area. These green houses are visually indistinguishable, and have no greater land use or servicing impact, from any other green house. Rather, these green houses are eco friendly and LEED certified, reusing over 90% of the water used, and represent an additional 250 jobs in the City of Hamilton.



No reasonable planning basis has been put forward in support of the recommendations. We therefore request that resolution (c) be refused, and that the City respect its legal obligation to duly consider any complete applications that come before it.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read "Signe Leisk". The signature is fluid and cursive, with a large loop at the end.

Signe Leisk  
SL/dj