

WELCOME TO THE CITY OF HAMILTON

# Cannabis Growing and Harvesting Facilities Official Plans and Zoning By-law 05-200 Proposed Changes

September 4, 2018 – Planning Committee Meeting

# Context and Background

## Planning Committee Report – June 2019

- Staff presented 3 options to Planning committee for changes to the definition and regulations for medical marihuana growing and harvesting facility in both the Official Plans and Zoning By-law No. 05-200
- Committee/Council took no action on the report

## Context and Background (cont'd)

October 2018

- The consumption and sale of cannabis will become legal in Canada
- Regulations are required to ensure the planning regulations that apply to medical marihuana growing and harvesting facility extend to the cannabis growing and harvesting (definition used by senior level of governments)

# Existing Federal Requirements

## *Cannabis Act*

- Allows for the growing and harvesting of cannabis
- Sales are to be controlled by the Provinces

## *Access to Cannabis for Medical Purposes Regulations (ACMPR)*

- Regulations still exist

## Provincial Regulations

- Ontario has decided the initial sale of cannabis will be on-line only through the Ontario Cannabis Store
- April 2019 – a new model for the sale of cannabis will take effect once public consultations are completed

## Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200

- Definitions – replace *medical marihuana* growing and harvesting facility with *cannabis* growing and harvesting facility and to include reference to licence, permit or authorization that has been issued under applicable federal law. (RHOP, UHOP, By-law)

## Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200

- Use permitted in following zones:

Urban Zone	Rural Zone
General Business Park (M2)	Agriculture (A1) Zone,
Prestige Business Park (M3)	Rural (A2)
General Industrial (M5)	Conservation /Hazard Lands (P6) (existing buildings only)
Light Industrial (M6)	Extractive Industrial (M12).

## Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200 (cont'd)

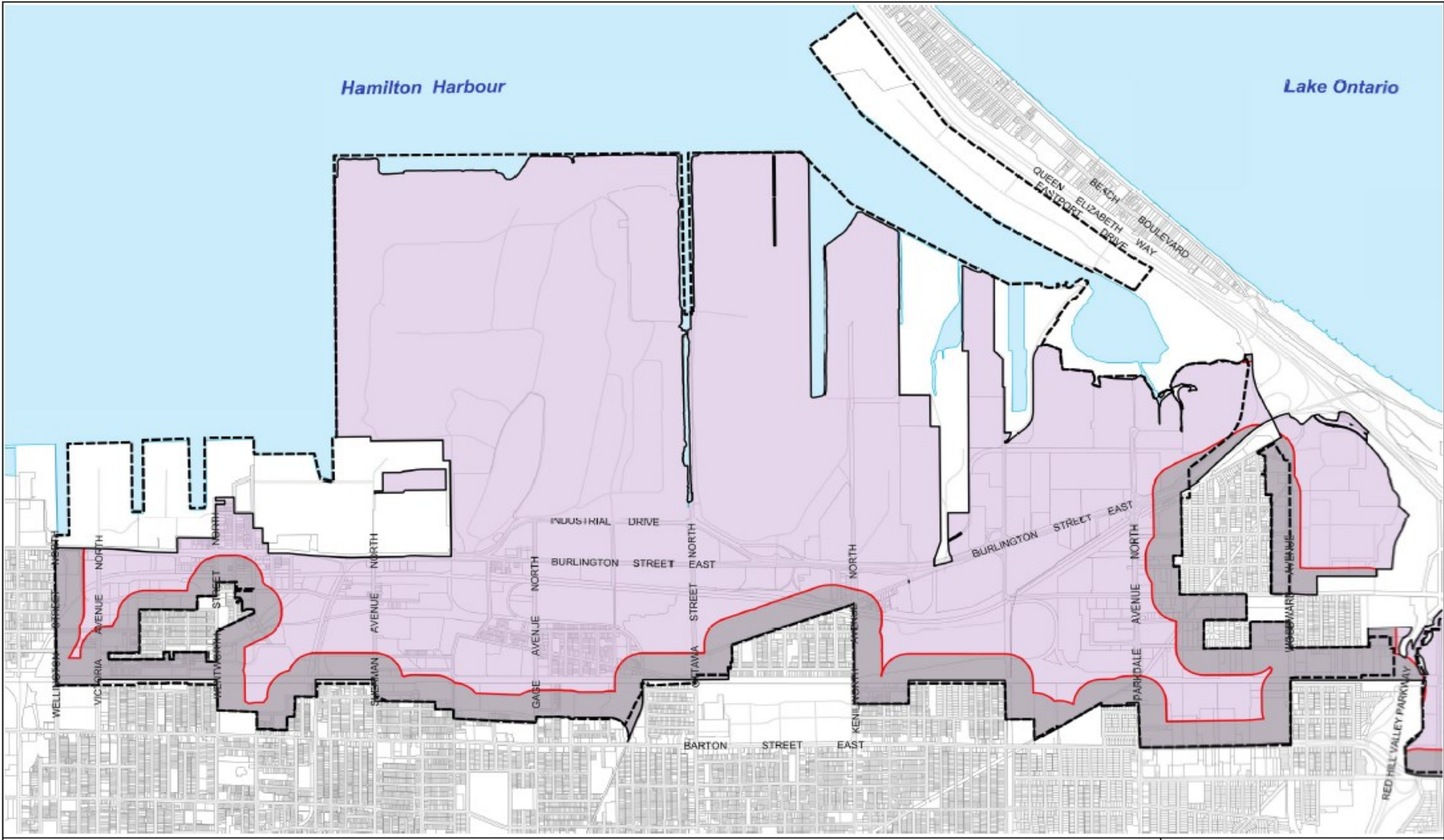
- Add policy to require appropriate setbacks from a sensitive land use (RHOP, UHOP)
- Require a 150 metre setback from a cannabis growing and harvesting facility to an existing sensitive land use or a specific zone boundary (By-law)

Note small correction to by-law, attached as Appendix “C”, is required to ensure this regulation applies to new and existing buildings.



Hamilton Harbour

Lake Ontario



## Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200 (cont'd)

- Add a new policy to require an odour/dust, light transportation studies as part of an OPA, Zoning By-law amendment and site plan application, as appropriate (RHOP, UHOP)
- Housekeeping Changes – term cannabis, consistent side yard setbacks

# Questions?