



Vibrant • Creative • Caring

Public Meeting for Proposed Cannabis Regulations

Official Plan Amendment Application OP-AM-01-19
Zoning Amendment Application AM-07-19
September 10, 2019



20 Pelham Town Square P.O. Box 400 • Fonthill, ON L0S 1E0 p: 905.892.2607 f: 905.892.5055
pelham.ca

Background

- Interim Control By-law 4046 (2018) approved by Council on October 15, 2018 for a period of one year.
- Prohibits the use of land, buildings or structures for cannabis purposes while the Town reviews it's policies and regulations.
- Since that time, Town staff have been conducting research on best practices, attending regular Cannabis Control Committee meetings in an effort to prepare draft regulations for public review and comment.



Proposed Cannabis Regulations

- draft Official Plan Amendment
- draft Zoning By-law Amendment
- draft amended Fence By-law
- draft Fortification By-law
- draft Cannabis Nuisance By-law
- draft Odour By-law



Draft Official Plan Amendment

Existing Policies	Proposed Policies
Outdoor & Indoor Cannabis Production permitted in the Good General Agricultural, Specialty Agricultural and Niagara Escarpment Plan Area.	Outdoor Cannabis Production requires approval of a Zoning By-law amendment and is prohibited in the Niagara Escarpment Plan Area. Indoor Cannabis Production permitted in the Good General Agricultural, Specialty Agricultural, Industrial and Niagara Escarpment Plan Area.
Greenhouses with: <ul style="list-style-type: none">• Lot are less than 3 hectares;• Lot coverage greater than 30%;• Retail component (accessory);• >10,000 L/water/day require approval of a Zoning By-law amendment.	No change. This would apply to greenhouses for cannabis production.



Draft Official Plan Amendment

Existing Policies	Proposed Policies
<p>Greenhouses and Hoophouses require Site Plan Control addressing lighting, traffic, landscaping and other planning and design matters.</p>	<p>No change. In addition, Greenhouses and Hoophouses for cannabis production would also require:</p> <ul style="list-style-type: none">• Installation and operation of odour and light mitigation systems;• Preparation of odour and light control, maintenance and monitoring plans;• Maintaining appropriate setbacks from sensitive receptors as detailed in the Zoning By-law;• Preparation of a Waste Management Plan.



Draft Official Plan Amendment

Existing Policies	Proposed Policies
<p>Complete Application Requirements – <i>Planning Act</i> applications require at the time of application submission information to rationalize the proposal including:</p> <ul style="list-style-type: none">• Traffic impact studies• Servicing and stormwater reports• Tree preservation plans• Hydrogeological assessments• Geotechnical assessments• Environmental site assessment• Planning justification report• Archaeological assessment• Contaminant management plan• Noise and vibration study• Any other technical study deemed necessary	<p>No change. Qualified professional to peer review such studies at the applicant's expense - no change.</p>



Draft Zoning By-law Amendment

Existing Regulations	Proposed Regulations
Cannabis production is an “agricultural use”.	Cannabis production is a separate use.
Indoor and outdoor cannabis production is permitted in the Agricultural zone.	Indoor cannabis production is permitted in the Agricultural and Light Industrial zones. Outdoor cannabis production is prohibited.
Regulations for Greenhouses: Minimum lot area of 2 hectares Maximum Lot Coverage Greenhouses 60% Greenhouses and other uses 70%	Regulations for Greenhouses: Minimum lot area of 3 hectares Maximum Lot Coverage Greenhouses 30% Greenhouses and other uses 40% No retail store accessory to a greenhouse. Greenhouses requiring >10,000 L/day not permitted.



Draft Zoning By-law Amendment

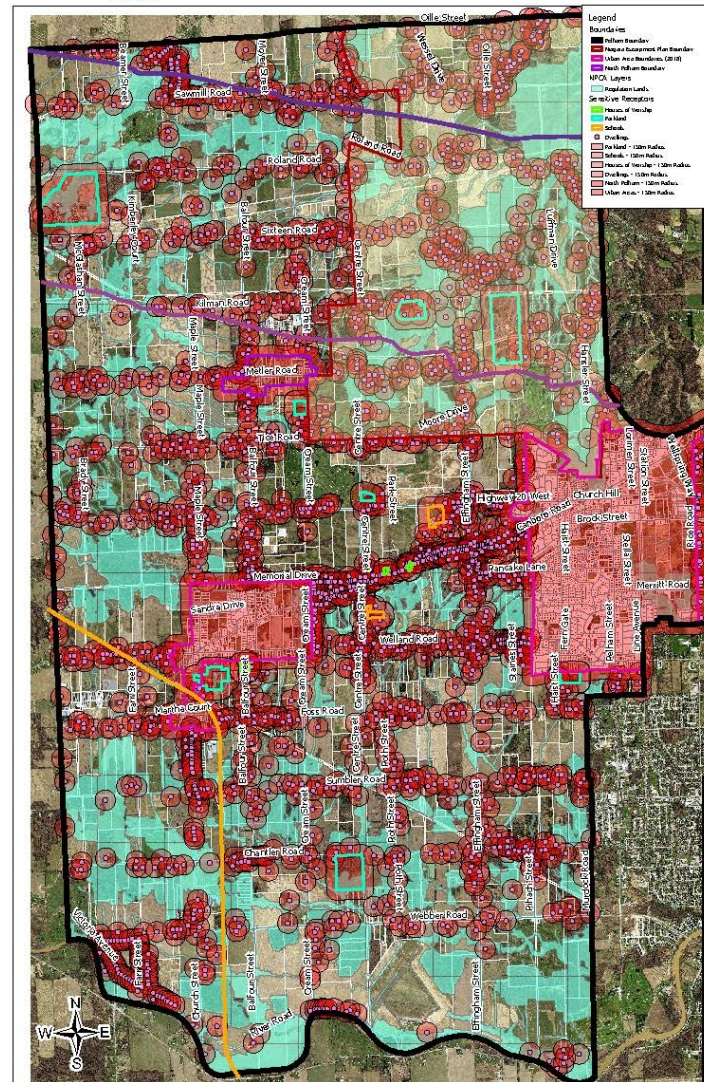
Existing Regulations	Proposed Regulations
No specific regulations for greenhouses or structures for cannabis production.	<p>Minimum setback to a sensitive land use of the greater of 150 metres or the distance recommended by an odour impact analysis.</p> <p>Sensitive land use includes a grade school, secondary school, playground, daycare, sporting venue, residential use, place of worship or community centre.</p> <p>Minimum planting strip of 3.0 metres</p> <p>Maximum parking area coverage 25%</p> <p>Minimum separation distance between cannabis production greenhouse operations of 500 metres.</p> <p>Parking requirement of 1 space per employee on the largest shift.</p>



A word on setbacks...



Sensitive Receptors - 150m Radius (Dwellings, Schools, Parks, Houses of Worship)

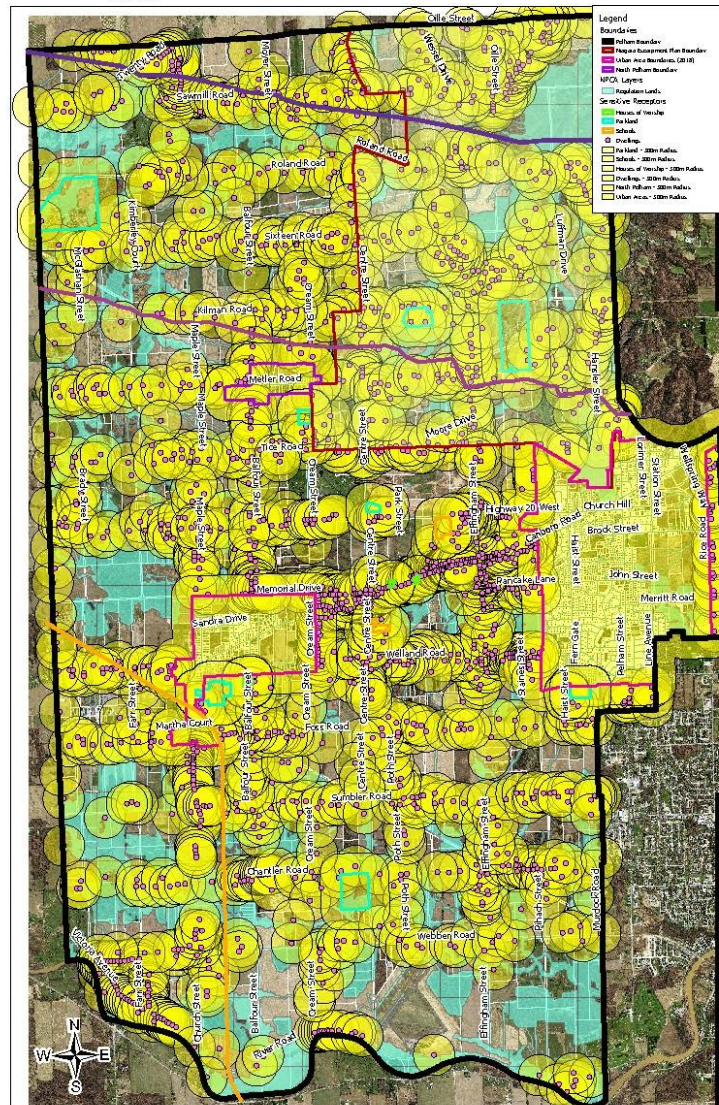


Community Planning & Development

A word on setbacks...



Sensitive Receptors - 300m Radius (Dwellings, Schools, Parks, Houses of Worship)



Community Planning & Development

Draft Amended Fence By-law

- Prohibits barbed and razor wire fencing where abutting residential properties except where required by provincial or federal regulations.
- Prohibits electrified fences except for containment of livestock and where required by provincial or federal regulations and requires warning signs at specified intervals.
- Housekeeping items including updated definitions (i.e. exterior side to corner side) and modifications to ensure the by-law is consistent with approved urban design guidelines.



Draft Fortification By-law

- Town currently does not have a Fortification By-law.
- Prohibits excessive protection of land and buildings in an effort to address the safety of emergency personnel, occupants of buildings and nearby properties.
- Examples include electric fencing, bullet-proof glass, armored doors and masonry over windows and doorways.



Draft Cannabis Nuisance By-law

- By-law is in response to Council direction on April 15, 2019 to prepare an amendment to the Town's nuisance by-law or a standalone cannabis by-law which would allow the Town to issue fines and take legal action against licensed cannabis producers relating to odour and light.
- By-law would apply to existing and future cannabis producers who produce obnoxious odours and light trespass which impacts neighbouring properties.



Draft Odour By-law

- Permits the Town to generally deal with excessive and obnoxious odours in the Town and take legal action where required.
- Not specific to cannabis.



Site Plan Control

- Required for all greenhouses, farm-related commercial and industrial uses as of May 21, 2019.
- Legal agreement with the Town that controls how a property develops and allows the Town to hold financial security to ensure that development takes place as outlined in the agreement.
- Requires Council approval.
- Town may take legal action if the agreement is contravened.



Development Charges By-law

- An amendment to the Development Charges By-law was considered by Council on September 3, 2019
- New cannabis production facilities to be subject to payment of development charges



Comments



Conclusion

- This presentation has provided information on the draft Cannabis regulations.
- The purpose of this meeting and the release of draft regulations is to receive information from the public. The regulations may be revised after receiving comments from the public and commenting agencies.
- No recommendations or decisions concerning these applications have been or will be made at this meeting.



Questions and Comments

Thank-you for attending
this evening's meeting.

Following tonight's meeting, questions and
comments on these files may be directed
to:

Shannon Larocque, Senior Planner
905-892-2607 ext. 319
slarocque@pelham.ca

