



**CANNABIS
PRODUCTION
REVIEW STUDY –
INITIAL FINDINGS**



August 24, 2020

Agenda

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1. Purpose of Meeting
 2. Introduction
 3. Legislative Context
 4. Existing Tools
 5. Options for Consideration
 6. Best Practices
 7. Survey
 8. Next Steps

Cannabis Production Review Study

Purpose of Meeting

- To present Council with the Study's initial findings
- To provide an opportunity for Council to provide input on the Study's progress thus far and overall direction
- To discuss some questions for consideration
 - This will inform the approach to proposing recommendations for the Township with respect to cannabis production in the Township

Cannabis Production Review Study

Introduction

- On June 3, 2020, the Township of Springwater Council adopted an Interim Control By-law to place a one-year freeze on the establishment of new cannabis facilities within the Industrial and Agricultural zones
- During this time, a Cannabis Production Review Study is being completed to review:
 - Existing local context
 - Federal and Provincial policy framework
 - Best practices
- This will inform new policy and zoning recommendations

Cannabis Production Review Study

Legislative Context

Cannabis Act, 2018

- Established Federal regulations for the production, possession and sale of cannabis across Canada
 - Permits provinces the authority to regulate the use, distribution, and sale of recreational cannabis
- Federal and provincial requirements related to *licenced* facilities are intended to ensure no adverse effects on surrounding land uses

Cannabis Production Review Study

Legislative Context

Cannabis Act, 2018

- Regulates matters such as required notice to local authorities (government, fire authority and police or RCMP), physical and personnel security, and good production practices
 - Prohibits any licenced activity in a dwelling
 - Permits both indoor and outdoor cultivation, but permit only indoor storage and processing
 - Requires reasonable measures to prevent the escape of odours and pollen from indoor areas
 - Requires physical and personnel security measures, such as securing the perimeter to prevent unauthorized access with physical barriers and restricting access to areas where cannabis is present

Cannabis Production Review Study

Legislative Context

Provincial Policy Statement, 2020

- PPS does not contain specific reference to cannabis
- Agricultural Uses
 - Includes the growing of crops and horticultural crops, which can be interpreted to include the growing of cannabis
- On-Farm Diversified Uses
 - In cases where a cannabis production facility is located on a property where the cannabis is grown and cultivated, and is limited in size, could be considered on-farm diversified use

Cannabis Production Review Study

Legislative Context

Growth Plan for the Greater Golden Horseshoe, 2019

- Growth Plan does not contain specific reference to cannabis
- Agricultural Uses
 - Cannabis production is considered an agricultural use under the definition of agricultural uses
 - Policy 4.2.6.3 requires that where agricultural and non-agricultural uses interface outside of settlement areas, land use compatibility will be achieved by avoidance, or where avoidance is not possible, minimizing and mitigating adverse impacts on the agricultural system

Cannabis Production Review Study

Legislative Context

Municipal Guide to Cannabis Legalization, 2018

- Document to help guide municipalities adapt and develop by-laws related to cannabis, including land use management
- Limits individual licensing to up to four cannabis plants within a dwelling house:
 - Includes growing plants outdoors in adjacent yards or gardens
 - No federal permit or license required for this scale of growth
 - Large-scale production of non-medical cannabis is prohibited on residential premises under the Cannabis Act

Cannabis Production Review Study

Legislative Context

Municipal Guide to Cannabis Legalization, 2018

- Policy options for municipalities include:
 - Allow activities to occur within existing land use regulations, as agricultural or industrial activities in the case of production and industrial or manufacturing activities in the case of processing
 - Explicitly identify activities within existing permitted use categories, to be permitted only at locations specified in the regulations or under the authority of a special use permit
 - Explicitly identify activities within existing permitted use categories, with an exception for existing cannabis production operations that were established under the medical cannabis regime

Cannabis Production Review Study

Legislative Context

County of Simcoe Official Plan

- Does not speak to the production of cannabis
- Cannabis can be considered an agricultural use under the existing definition

Cannabis Production Review Study

Existing Tools

Existing Official Plan and Zoning By-law

- Do not have policies or regulations that deal with development associated with cannabis (cultivation or processing)
 - The cultivation of cannabis may be considered an agricultural land use
 - The processing and packaging of cannabis products may be considered an industrial land use

Cannabis Production Review Study

Existing Tools

Clean, Safe Properties By-law (Property Standards)

- Establishes minimum requirements for residential properties
- Prohibits property conditions which pose or constitute an undue or unreasonable hazard or risk to the life or health of any person on or about a property

Cannabis Production Review Study

Existing Tools

Site Plan Control By-law 2015-027

- Prohibits building permits from being issued until the required Site Plans have been approved
- Site Plan Control Area within the Township includes:
 - Commercial, employment, institutional, open space and industrial uses and multi-residential uses
 - Does not apply to lands designated for agricultural use
- Can regulate a number of areas:
 - Lighting
 - Fencing and Security
 - Ventilation locations
 - Parking

Cannabis Production Review Study

Options for Consideration

- It is important to recognize that the Official Plan and Zoning By-law are only able to guide the use of land and require additional studies to be undertaken
 - Cultivation and production of cannabis is considered by OMAFRA to be a normal farm practice and warrant provisions to ensure compatibility
- Additional tools such as municipal licencing, Property Standards and Site Plan Control can provide assurances that certain requirements can be met
 - Have to be enabled in the Official Plan and Zoning By-law
- Important that the regulation of cannabis production facilities strike a balance between over-regulation and mitigation of impacts
- Existing operations will not be subject to the requirements of any new zoning or official plan items unless they are expanded or revised to prompt conformity

Cannabis Production Review Study

Options for Consideration

Official Plan

- Consider, on a case-by-case basis, cannabis cultivation and production within Agricultural designations
- Require Site Plan Approval for cannabis production facilities
- Require cannabis production facilities to demonstrate how certain matters can be mitigated:
 - Air quality
 - Noise
 - Lighting
 - Setbacks and separation distances
 - Fencing
 - Waste management
 - Traffic
 - Outdoor Storage

Cannabis Production Review Study

Options for Consideration

Zoning By-law

- Add a definition for “Cannabis Production Facility” (or similar term)
- Permit legal cannabis production within Agricultural (A) Zones, subject to review and adherence to specific provisions
- Introduce setbacks and minimum parcel sizes based on the size and location of the production facility, including those with and without air treatment control systems
- Include provisions for:
 - Outdoor storage
 - Screening/fencing
 - Parking
 - Signage and lighting

Cannabis Production Review Study

Options for Consideration

Other Tools and Initiatives

- Clean, Safe Properties By-law
 - Introduce standards for cannabis production facilities related to odour, lighting, noise, waste disposal, etc.
- Site Plan Control By-law 2015-027
 - Introduce provisions that would be specific to all new cannabis production facilities including, but not limited to, lighting, screening, landscaping, access, parking, and location of certain infrastructure associated with these facilities
- Odour Control By-law
- Municipal Licencing
- Public Outreach Campaign
 - Develop FAQs and other supporting materials

Cannabis Production Review Study

Best Practices

The following municipalities will be reviewed:

- Township of Oro-Medonte
- City of Barrie
- Town of Bradford West Gwillimbury
- Town of Lincoln
- Township of West Lincoln
- Town of Halton Hills
- Norfolk County
- Halifax Regional Municipality
- City of Edmonton
- Town of Onoway

They have implemented the following approaches:

- Zoning By-law Definitions
- Use-Specific Lot & Building
- Use-Specific Provisions
- Licensing Framework
- Official Plan Amendment

Cannabis Production Review Study

Public Survey

Questions

1. Are you a resident of the Township of Springwater?
2. What area of the Township do you live in?
3. Do you support cannabis production facilities in Springwater?
4. What concerns do you have regarding cannabis production facilities in Springwater?
5. Which use should cannabis production facilities be considered under?
6. Should cannabis production be regulated more than a traditional agricultural use?
7. Should cannabis production be regulated more than a traditional industrial use?

Cannabis Production Review Study

Public Survey

Questions

8. Should cannabis production facilities be permitted “as of right” within specific zones or be required to undertake a site specific rezoning?
9. Which activities should be permitted within an agricultural cannabis use?
10. Which activities should be permitted with an industrial cannabis use?
11. What are the regulations you feel the Township of Springwater should put in place regarding cannabis production facilities?
12. Please share any additional comments or concerns you have regarding cannabis production facilities.

Cannabis Production Review Study

Next Steps

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1. Obtain input from Council
 2. Obtain input through online survey
 3. Complete Report including options and recommendations
 4. Present to Council



THANK YOU



August 24, 2020

Cannabis Production Review Study

Best Practices

Approaches	Township of Oro-Medonte	City of Barrie	Town of Bradford West Gwillimbury	Town of Halton Hills	Town of Lincoln	Norfolk County	Halifax Regional Municipality	City of Edmonton	Township of West Lincoln	Town of Onaway
Zoning By-law Definitions	X	X	X	X	X	X	X		X	
Use-Specific Lot & Building Requirements	X	X	X	X	X	X	X		X	X
Use-Specific Provisions	X	X	X	X	X	X	X	X	X	X
Licensing Framework					X					X
Official Plan Amendment				X	X		X			