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Cannabis Production Facilities Draft Zoning By-law Amendment

Report DS-2019-0149

Pages 50-75 in the Council Agenda

December 11, 2019



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Purpose of the By-law

- To regulate the establishment of **licensed cannabis production facilities** and **designated cannabis production facilities**, as defined by the by-law
- Not intended to regulate:
 - Registered person growing for their own medical need
 - Growing of up to 4 plants for recreational purposes



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New Definitions

- **Cannabis Production Facility, Designated**
- **Cannabis Production Facility, Licensed**



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New Definitions

- **Cannabis Production Facility, Designated:** means the use of land, buildings or structures for cultivating, propagating, harvesting, drying, storing, destroying, packaging and shipping of cannabis which is authorized by a valid registration certificate of a designated person issued by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, as amended, under the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor.



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New Definitions

- **Cannabis Production Facility, Licensed:** means the use of land, buildings or structures for cultivating, propagating, producing, harvesting, drying, processing, research, testing, storing, destroying, packaging, sale for medical purposes, and shipping of cannabis which is authorized by a valid licence issued by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, as amended, under the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor.



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Proposed Zones

Zone	Designated Cannabis Production Facility	Licensed Cannabis Production Facility
Restricted Industrial (M1)		✓
General Industrial (M2)		✓
Business Park 3 (BP-3)		✓
Rural (RU)	✓	✓

- **Designated Cannabis Production Facility** – Similar to an Agricultural use
- **Licensed Cannabis Production Facility** – Hybrid of an Agricultural and Industrial use



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Parking Requirements

- By their nature, licensed facilities will generate a greater demand for parking than designated facilities

Use	Required Spaces	Other uses that have similar parking requirements
Cannabis production facility, licensed	2 spaces per 95 sq. metres of non-residential floor area	Research and development facility and all industrial uses other than a warehouse or public storage building
Cannabis production facility, designated	1 space per 95 sq. metres of non-residential floor area	Warehouse or public storage building



Requirements by Zone Category

- Cannabis Production Facilities are generally subject to the requirements of the zone they are permitted within
- Additional requirements are proposed for each zone to mitigate potential land use conflicts and ensure compliance with provincial land use policy



Restricted Industrial (M1) and General Industrial (M2) Zones

- Only Licensed Cannabis Production Facility permitted
- Standard requirements imposed:
 - Lot frontage and area
 - Setbacks
 - Lot coverage
 - Height



Restricted Industrial (M1) and General Industrial (M2) Zones

- Specific requirements imposed:
 - **Gatehouse:** Permitted
 - **Open Storage:** Not permitted
 - **Use must be wholly contained:** No outdoor growing of cannabis
 - **Distance from sensitive land uses:** Buildings or structures containing cannabis must be a minimum of 70 metres from:
 - Residential, Institutional or Transitional Zones
 - RU zoned lot which has a lot area of 8,000 sq. m or less



Business Park 3 (BP-3) Zone

- Only Licensed Cannabis Production Facility permitted
- Standard requirements imposed:
 - Lot frontage and area
 - Setbacks
 - Lot coverage
 - Height



Business Park 3 (BP-3) Zone

- Specific requirements imposed:
 - **Gatehouse:** Permitted
 - **Open Storage:** Not permitted
 - **Use must be wholly contained:** No outdoor growing of cannabis
 - **Distance from sensitive land uses:** Buildings or structures containing cannabis must be a minimum of 70 metres from:
 - Residential, Institutional or Transitional Zones
 - RU zoned lot which has a lot area of 8,000 sq. m or less



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Rural (RU) Zone

- Licensed and Designated Cannabis Production Facilities permitted
- Standard requirements imposed:
 - Lot frontage and area
 - Setbacks



Rural (RU) Zone

- Specific requirements imposed:
 - **Lot coverage:** Maximum 30%
 - **Height:** Maximum 11 metres
 - **Open storage:** Not permitted
 - **Loading spaces:** In accordance with the requirements for a commercial/industrial/business park use pursuant to Sec. 5.25
 - **Gatehouse:** Permitted



Rural (RU) Zone

- Specific requirements imposed, continued:
 - **Distance from sensitive land uses:** Buildings or structures containing cannabis and cannabis grown as a field crop, must be a minimum of 70 metres from:
 - Residential, Institutional or Transitional Zones
 - RU zoned lot which has a lot area of 8,000 sq. m or less



Rural (RU) Zone

- Specific requirements imposed, continued:
 - **Restrictions on Licensed Facilities:**
 - Processing, research, testing, and sale for medical purposes only permitted if cannabis used is grown on the property
 - Maximum floor area devoted to processing, research, testing, and sale for medical purposes shall be 2% of the overall lot area of the property, to a maximum of 10,000 sq. m.



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Next Steps

Item	Task	Timeline
1	Make any necessary changes to the by-law resulting from Council comments.	Following the Dec 11, 2019 Council mtg.
2	Provide the draft ZBA to the Agricultural Advisory Committee and the Economic Development Committee for review and comment.	Ag: Jan 30, 2019 <u>EcDev</u> : Feb 3, 2020
3	Statutory Public Meeting to receive comments from Council and the public.	March 4, 2020
4	Second Public Meeting and possible approval/passing of the ZBA.	Possibly May 6, 2020
5	Repeal Interim Control By-law	Once ZBA and new SPC By-laws are in force and effect.