

Regulating Cannabis in the Township of Cavan Monaghan



Purpose of Background Report

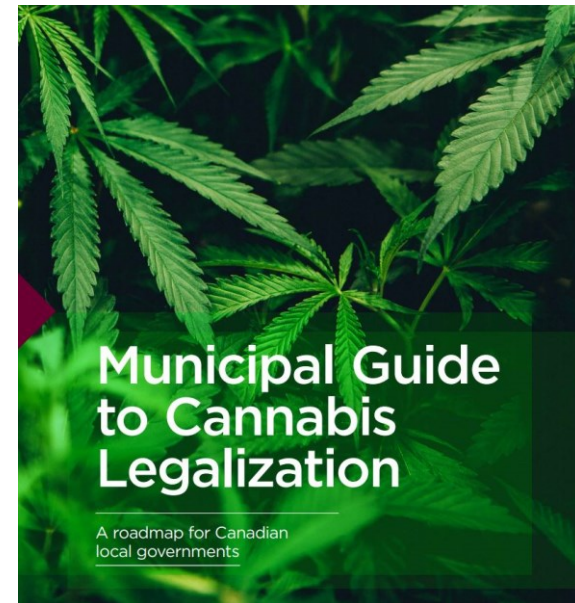
The purpose of the background Report dated December 14, 2020 is to:

- Review and assess recent federal legislation on cannabis cultivation and processing and the impacts on land use planning; and
- Identify options for regulating this activity in the Township of Cavan Monaghan.



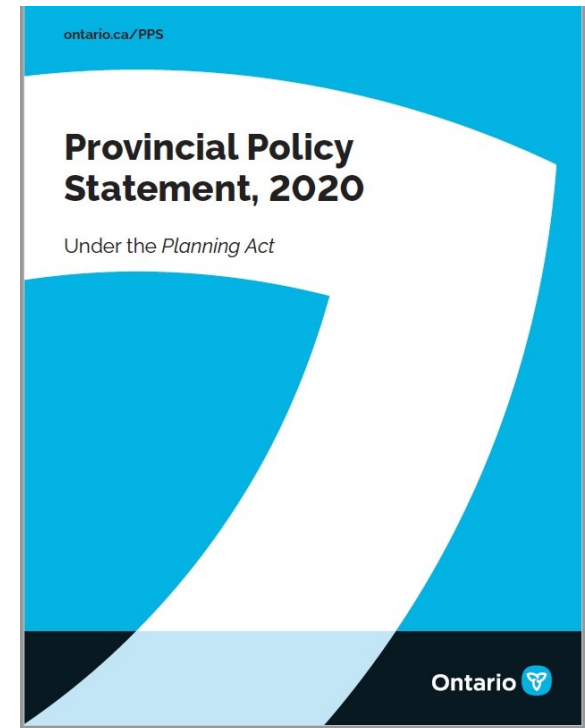
Federal Act and Regulation

- New Federal Cannabis Act came into effect on October 17, 2018
- One of the goals of the Act is to provide for the oversight and licensing of a legal cannabis supply chain and establish the basis for the issuance of licenses that will set parameters for the operation of a legal cannabis industry;
- Federal Cannabis Regulation came onto effect on the same day and it established a number of license classes that apply to commercial producers
- There is no requirement for confirmation of zoning before license can be issued, however the land use is subject to Official Plans and zoning by-laws



Provincial Policy

- The cultivation of cannabis is an agricultural use and is permitted wherever agricultural uses are permitted
- The processing of cannabis may be an agriculture-related use under certain conditions
 1. Is directly related to farm operations in the area;
 2. Supports agriculture;
 3. Benefits from being in close proximity to farm operations; and,
 4. Provides direct products and/or services to farm operations as a primary activity.



Land Use Considerations

Depending on the scale and location of a cannabis greenhouse, the following concerns have been expressed about this type of and use:

- Odour impacts, which have been noticed up to 2 kilometres away
- Light impacts, as a result of the specific lighting used in these types of greenhouses;
- Traffic impacts, because the uses can be labour intensive;
- Water and wastewater impacts



Odour Impacts - Variables

1. Whether the facility is a greenhouse or an industrial-type building and if a greenhouse is proposed, whether the proposed greenhouse is purpose built for cannabis or industrial hemp or already exists;
2. The size and scale of the proposed use;
3. The proximity and number of sensitive uses in the area including the potential for additional sensitive uses on vacant lots that are zoned to permit a sensitive use;
4. The location of the proposed use in relation to prevailing winds;
5. The nature of the adverse effects that exist at the time in relation to existing indoor cannabis and industrial hemp cultivation facilities; and,
6. The impact of topography on the dispersion of odour.

Option A

OPTION A	Planning Approvals Required		
	Zoning By-law Amendment	Site Plan Approval	Compliance with Setbacks
Agricultural/Rural	X	X	X
Industrial (Millbrook)	X	X	X
Industrial (Rural Employment)	X	X	X

In order to implement this option, the Township would be required to:

- Amend the OP to include definitions, require a zoning by-law amendment to permit cannabis uses and establish any other relevant criteria for consideration; and,
- Amend the Zoning By-law to define cannabis uses, establish setbacks and prohibit indoor cannabis cultivation.
- Outdoor cultivation would be permitted and subject to setbacks

Option B

OPTION B	Planning Approvals Required		
	Zoning By-law Amendment	Site Plan Approval	Compliance with Setbacks
Agricultural/Rural	X	X	X
Industrial (Millbrook)		X	X
Industrial (Rural Employment)	X	X	X

In order to implement this option, the Township would be required to:

- Amend the OP to include definitions, require a zoning by-law amendment to permit cannabis uses and establish any other relevant criteria for consideration; and,
- Amend the Zoning By-law to define cannabis uses, establish setbacks and prohibit indoor cannabis cultivation, except within MI Zone in Millbrook.
- Outdoor cultivation would be permitted and subject to setbacks

Option C

OPTION C	Planning Approvals Required		
Area	Zoning By-law Amendment	Site Plan Approval	Compliance with Setbacks
Agricultural/Rural	X	X	X
Industrial (Millbrook)		X	X
Industrial (Rural Employment)		X	X

In order to implement this option, the Township would be required to:

- Amend the OP to include definitions, require a zoning by-law amendment to permit cannabis uses and establish any other relevant criteria for consideration; and,
- Amend the Zoning By-law to define cannabis uses, establish setbacks and prohibit indoor cannabis cultivation, except within MI Zone in Millbrook and appropriate Rural Employment Zones.
- Outdoor cultivation would be permitted and subject to setbacks

Discussion

