

## **REPORT**

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** Keith Hamilton, Planner - Policy

**DATE:** April 15, 2019

**REPORT NO.:** PLS-2019-0029

**RE:** Cannabis Cultivation and Processing in Halton Hills – Statutory Public Meeting Report

### **RECOMMENDATION:**

THAT REPORT NO. PLS-2019-0029 dated April 15, 2019 regarding cannabis cultivation and processing be received;

AND FURTHER THAT all comments received from agencies and the public be referred to staff for a further report to be considered by Council regarding the final disposition of the cannabis cultivation and processing Official Plan and Zoning By-law Amendments.

### **BACKGROUND:**

Through the approval of recommendations made in Report No. PLS-2019-0022, Council authorized the holding of a statutory public meeting to obtain public comments on the cannabis cultivation and processing in Halton Hills land use study and accompanying draft amendments to the Official Plan, Zoning By-law 2010-0050, Zoning By-law 2000-0138, and By-law 2013-0070 (Site Plan Control).

The purpose of this report is to provide background information in preparation for the statutory public meeting.

## **1. Study to Date**

### **1.1 Timeline**

A timeline of the study to date is as follows:

- March/April 2018: Town Planning staff research medical cannabis production and complete of policy scan of municipalities who had already introduced it into their Official Plans and Zoning By-laws;
- May/June 2018: with the Cannabis Act set to be enacted in the fall of 2018, the study was broadened to include all production-related activities to be regulated under this legislation;

- July/August 2018: Meridian Planning Consultants develop a background report on cannabis production and processing in Halton Hills, approved by Council on September 10<sup>th</sup>, 2018;
- September 24<sup>th</sup>, 2018: an Interim Control By-law is passed prohibiting cannabis production-related activities from developing in the Agricultural/Rural Area for one year; put in place to ensure no operations developed while the study is ongoing;
- November 2018: Planning staff begin consultation with public agencies and stakeholder groups with a circulation of the background report for comments;
- December 2018/January 2019: a 'Let's Talk Halton Hills' cannabis webpage is created with a survey attached which included questions on retail and production operations;
- February/March 2019: Planning staff and Meridian Planning Consultants develop policy options and draft Official Plan and Zoning By-law Amendments for cannabis cultivation and processing in Halton Hills;
- April 9<sup>th</sup>, 2019: Cannabis Cultivation and Processing in Halton Hills – Directions Report brought to Planning, Public Works and Transportation Committee along with a presentation from Planning staff outlining the policy options and preferred approach; and,
- April 2019: Council endorses preferred regulatory approach outlined in Directions Report and authorizes a Statutory Public Meeting to take place in May.

## **1.2 Summary of Policy Options**

In developing policy options for cannabis cultivation and processing, three primary requirements were identified for building a preferred regulatory approach:

- Site specific rezoning: using prescribed Official Plan criteria where proposals go through a Zoning By-law Amendment process requiring public consultation and Council approval;
- Site Plan Approval: this planning approvals process requires proposals submit a Site Plan Application for evaluation and approval by Town staff and applicable public agencies; and,
- Setbacks from sensitive land uses: the directions report proposes a 150m setback from the following uses:
  - An arena;
  - A community centre;
  - A day nursery;
  - A dwelling unit;
  - A long term care facility;
  - A park, public;
  - A park, private;
  - A place of worship;
  - A retirement home;
  - A school, public;
  - A school, private; and,
  - A trade and convention centre.

These requirements were considered separately for cultivation and processing in the Employment (General, Rural and Prestige Industrial) and Agricultural/Rural areas of Halton Hills. The following table summarizes the options for each:

<b>OPTION A</b>			
<b>Area</b>	<b>Rezoning</b>	<b>Site Plan Approval</b>	<b>Setbacks</b>
Agricultural/Rural	X	X	X
Employment	X	X	X
<b>OPTION B</b>			
Agricultural/Rural	X	X	X
Employment		X	X
<b>OPTION C</b>			
Agricultural/Rural		X	X
Employment		X	X

Staff selected Option B as the preferred approach based on research, agency/stakeholder comments and public input. More described rationale for selecting this option is provided in COMMENTS Section 4 of the Directions Report.

## **COMMENTS:**

### **1. Public Consultation**

#### **1.1 Online Survey**

The Let's Talk Halton Hills Cannabis Survey was open from December 19<sup>th</sup> to January 16<sup>th</sup> and yielded 493 respondents. Seven of the survey's eleven questions were directly related to cannabis cultivation and processing. The following is a summary of the questions and responses:

Where do you think cannabis growing should locate?	Responses*	Percentage
Agricultural areas	114	23.9
Industrial areas	54	11.3
Both are acceptable	309	64.8

\*16 respondents skipped this question

Where do you think cannabis processing should locate?	Responses*	Percentage
Agricultural areas	75	15.8
Industrial areas	84	17.7
Both are acceptable	315	66.5

\*19 respondents skipped this question

Should cannabis growing and processing operations be:	Responses*	Percentage
Clearly identifiable from the road	91	18.9
Discreet, positioned further back from roads	200	41.5
No opinion	191	39.6

\*11 respondents skipped this question

Where do you think establishing setbacks from sensitive land uses is important? Select all that apply:	Responses*	Percentage
Residences	231	48.6
Daycare centres	330	69.5
Schools	382	80.4
Health facilities	158	33.2
Youth-oriented facilities	334	70.3
Other	27	5.7
None	73	15.4

\*18 respondents skipped this question

Those who answered 'Other' for this question were given the opportunity to clarify through written response. The most common responses were green spaces/environmentally sensitive areas and commercial areas, while other responses included churches, other agricultural operations and addiction/mental health services. Also of note is that several responses advocated for outright prohibition.

Do you have any concerns about the Town allowing growing and processing in Halton Hills?	Responses*	Percentage
Yes	145	29.6
No	345	70.4

\*3 respondents skipped this question

Those who answered 'Yes' to this question were given the opportunity to clarify through written response. Of the 107 written responses provided, the most common advocated for outright prohibition, cited crime-related concerns, or cited concerns over odour from production. Other, less frequent responses included concerns related to surrounding property values, substance abuse, and youth access to cannabis.

On a scale of 1= most important to 4= least important, please rank the following:	Average Rank*
Potential economic benefit	2.23
Impact on surrounding property values	2.38
Odour from growing and processing	2.57
Threat to public safety	2.72

\*Lower value indicates greater importance

Do you think that attracting commercial cannabis growing operations should be part of the Town's economic development efforts?	Responses*	Percentage
Yes	314	64.2
No	175	35.8

\*4 respondents skipped this question

All those who answered this question were given the opportunity to provide more information through written response. For all those who answered 'Yes', 200 chose to provide a written response. General economic benefit was the most common theme among these responses, followed by job creation, tax revenue, and business attraction. Tourism and the potential expansion/diversification of existing businesses were also noted.

For all those who answered 'No', 86 chose to provide a written response. Most common among these responses was the belief that the Town should pursue the expansion of other businesses, while some saw no economic benefit, and others noted concern over perception of Halton Hills. Some noted concerns related to substance abuse while others were concerned over potential impacts on other uses.

## **2. Public Agency/Stakeholder Group Consultation**

Following the approval of the Directions Report, a circulation of the report and draft amendments went out to public agencies and stakeholder groups. Groups consulted for this circulation included; Halton Region, Halton Catholic District School Board, Halton District School Board, Conservation Halton, Credit Valley Conservation, Niagara Escarpment Commission, Ontario Federation of Agriculture and Halton Hills Chamber of Commerce. At the time of the writing of this report, the Town has yet to receive and comments from circulated agencies and stakeholder groups. Any comments received will be addressed in the recommendation report.

## **3. Next Steps for the Cannabis Cultivation and Processing in Halton Hills Study**

### **3.1 Public Input and Agency/Stakeholder Group Consultation**

All staff and consultant reports related to the study have been made available for review on the Let's Talk Halton Hills webpage. In addition to the survey, which closed in January of this year, residents have been able to leave feedback through a question and answer tool clearly marked on the webpage. Staff have also circulated the Background and Directions Reports to a number of public agencies and stakeholder groups as part of the study. Staff will prepare a subsequent report to Council responding to comments received and make recommendations regarding the disposition of the Cannabis Cultivation and Processing Official Plan, Zoning By-law 2010-0050, Zoning By-law 2000-0138, and By-law 2013-0070 Amendments.

### **3.2 Revision of Proposed Amendments**

Following the approval of this report, staff will gather all input received from the public, public agencies and stakeholder groups and decide whether revisions to the proposed Amendments to the Town's Official Plan, Zoning By-law 2010-0050, Zoning By-law 2000-0138, and By-law 2013-0070 are necessary. All revisions will be noted and explained in the subsequent report to Council regarding their disposition.

## **RELATIONSHIP TO STRATEGIC PLAN:**

This report relates directly to the implementation of the Town Strategic Plan. Under Section I – Provide Responsive, Effective Government, this report supports Objective I.4 - To encourage and support community participation in municipal decision-making. Through responsive online engagement and a public meeting before Council, the Town is ensuring public participation has been part of the study and played a role in the development of local policy for cannabis cultivation and processing.

## **FINANCIAL IMPACT:**

There is no direct financial impact associated with this report.

## **CONSULTATION:**

As part of an ongoing Town study on cannabis production, staff across multiple departments were consulted along with external agencies listed in section 2 under COMMENTS.

Meridian Planning Consultants have continued to be consulted throughout the study and contributed in the preparation of this report.

## **PUBLIC ENGAGEMENT:**

It has been established previous Background and Directions reports that Official Plan and Zoning By-law Plan Amendments are required to define and regulate cannabis production in the Town of Halton Hills. Therefore a Statutory Public Meeting shall take place on May 6, 2019 to solicit public input.

As part of the Cannabis Cultivation and Processing in Halton Hills land use study, an online public survey was conducted consisting of questions directly related to cannabis production in Halton Hills. The survey was available publicly through 'Let's Talk Halton Hills' from December 19, 2018 to January 16, 2019. Input gathered from this survey has been summarized as part of this report. Through this engagement, staff have been able to inform and consult with the public, consistent with the Town's Public Engagement Matrix.

## **SUSTAINABILITY IMPLICATIONS:**

The Sustainability Implications of defining and regulating cannabis production in Halton Hills will be addressed in the final report.

## **COMMUNICATIONS:**

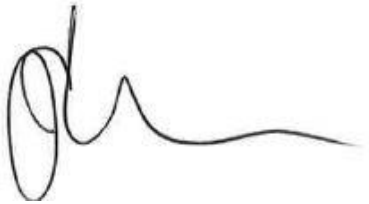
Notice of the Statutory Public Meeting was published in the Independent and Free Press on April 11<sup>th</sup> and 25<sup>th</sup>, 2019, and in the Tanner on April 18<sup>th</sup> and 25<sup>th</sup>, 2019. The notice stated the purpose of the meeting, summarized the study to date, and advised on where to find additional information.

Once ratified by Council, this report will be made available on the Let's Talk Halton Hills cannabis webpage, and the Town website as part of the cannabis information page created in response to legalization of recreational cannabis last fall.

**CONCLUSION:**

This report on cannabis cultivation and processing in Halton Hills has been prepared for the purpose of the Statutory Public Meeting on May 6, 2019. Input has previously been gathered from an online public survey and two agency/stakeholder circulations and considered in the development of the draft amendments prepared for the Directions Report. In addition to input already gathered, comments from this meeting will be gathered and addressed in a subsequent staff report regarding the disposition of the Cannabis Cultivation and Processing Official Plan, Zoning By-law 2010-0050, Zoning By-law 2000-0138, and By-law 2013-0070 Amendments.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read 'John Linhardt', with a stylized, flowing script.

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to read 'Brent Marshall', with a stylized, flowing script.

**Brent Marshall, Chief Administrative Officer**