



# A Review of Cannabis Production and Processing As a Land Use: Background Report

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Prepared for the Township of Wellington North

County of Wellington  
Planning and Development Department

April 11, 2022

# Purpose of the Presentation

- To provide an overview of the Township's review of cannabis production and processing uses to date.
- To present the details of the background report: "A Review of Cannabis Production and Processing as a Land Use"
- To review next steps in the study.



# Interim Control By-law 092-21: Cannabis Related Uses

- Council Resolution: 2021-263

Staff directed to “...undertake a study in respect of land use planning policies relating to Cannabis Operations within the municipality with respect to noise, odour, water usage, security, traffic etc.”

- An Interim Control By-law (ICBL) was passed on September 27, 2021 prohibiting the use of land, buildings, or structures for “Cannabis Production Related Uses” for a one year period in the Township.
- The ICBL does not apply to the growing of personal recreational cannabis plants at a residence (4 plants or fewer)



# Cannabis Production and Related Uses Study

The study includes four main phases:

1. Background Review – report completed
2. Review of Policy Options – policy options will be prepared for consideration
3. Public Consultation – input welcomed at public meeting
4. Final Recommendations – final report and policy recommendations prepared for Township Council's consideration.



# Background Report

Background Report includes:

- Review of cannabis regulations and licensing
- Provincial land use policy review
- Local land use policy review (County and Township)
- Identification and review of land use impacts
- Review of other municipal approaches and best practices
- Future considerations and next steps



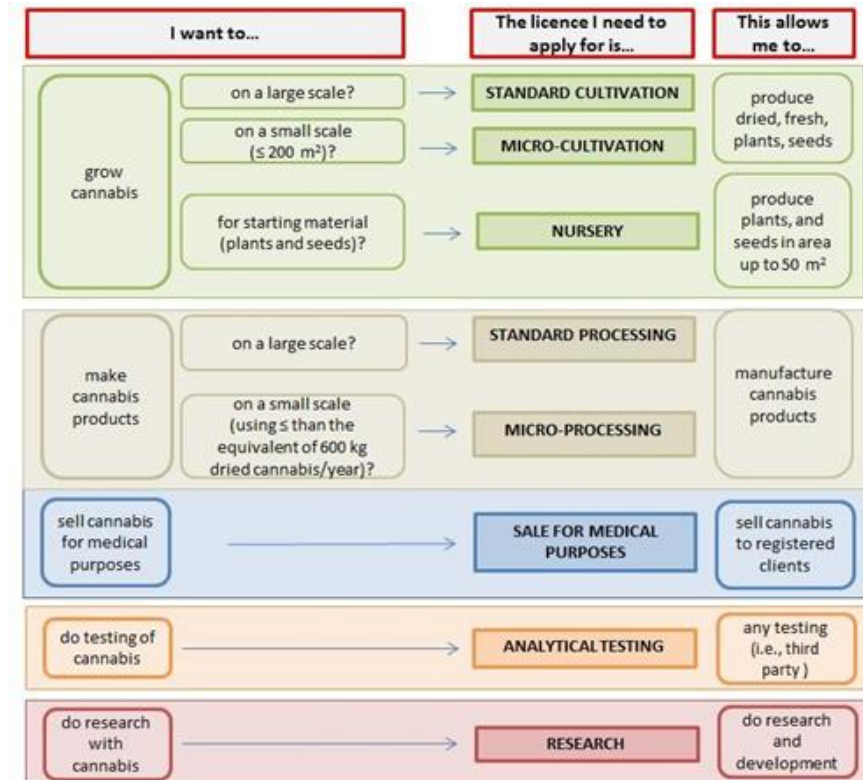
# Cannabis Regulations and Licensing

- Legalized for recreational purposes in October 2018
- Previously illegal since the 1920s
- In 2001 the Marihuana Medical Access Program was created establishing regulations for medical use.



# Commercial Licensing

- Various production and processing licenses available from Health Canada
- Available for medical and recreational cannabis purposes
- Application Guide:  
<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#foreword>





# Growing Cannabis

Can be grown indoors and outdoors.

## Indoor production:

- greenhouse or industrial type buildings
- inputs controlled such as temperature, lighting, ventilation, irrigation
- Year round production with multiple crops
- Several thousand ft<sup>2</sup> to hundreds of thousands of ft<sup>2</sup> in size





# Growing Cannabis



## Outdoor production:

- Seasonal in Ontario
- At mercy of weather but can irrigate
- Less cost to grow crop
- Outdoor production is becoming more popular – 110 licenses issued across Canada
- Small or large operations many acres in size.

## Industrial Hemp License

- Does not contain THC
- Food, animal feed, fibre, oils, textiles etc.
- 1300 ha grown in Ontario in 2020
- Typically grown outdoors

# Cannabis Processing



## Processing Facilities:

- Processing license required for use
- Extraction of oils
- Manufacturing of cannabis products

# Site License Requirements

Health Canada requirements for production and processing facilities must be met and are reviewed at application stage.

- Site plan and building details must be provided. Must be in accordance with regulations.
- Must notify local municipality, fire dept, and police service of an application.
- Applicants are responsible to comply with all applicable provincial and territorial laws as well as municipal by-laws.
- Security and odour controls must be provided.
- Owners and Operators of facilities required to complete police checks.
- Facility must be constructed and inspected by Health Canada before a license will be issued.



# Personal Medical Licenses

- Cannabis can be legally produced by (or for) an individual who has authorization and is registered with Health Canada for medical use.
- Patients may be permitted to grow several hundred plants.
- Can be grown indoors, outdoors and/or within a dwelling.
- A security system and odour controls are not required.
- Safety and security bulletin: <https://www.canada.ca/en/health-canada/services/information-bulletin-safety-security-considerations-producing-cannabis-for-own-medical-purposes.html>



# OMAFRA Comments on Cannabis

*“The production of cannabis is considered an agricultural use in prime agricultural areas and on rural lands.”*

OMAFRA is also supporting research at the University of Guelph on cannabis production and land use planning.

- *“This study will analyse land use planning policies within Ontario and other jurisdictions related to cannabis production. The outcome of the study will be best practices for land use planning tools that limit nuisance impacts on adjacent land uses, support the continued growth of the cannabis sector and improve the consistency of municipal decision making.”*
- Link to the study web page: <https://www.saraepp.com/cannabis>





# County Official Plan

## County of Wellington Official Plan:

- The production or growing of cannabis is an agricultural use and can be permitted in the Prime Agricultural area.
- The processing and manufacturing of cannabis products is an industrial use and can be permitted in industrial areas subject to compatibility being addressed.
- The production or growing of cannabis can be permitted in specific circumstances in industrial areas where the proposed use is deemed compatible and includes related industrial components.



# Township Zoning By-law

## Township Of Wellington North Zoning By-law (66-01)

- The production or growing of cannabis can be considered an agricultural use.
- The processing and manufacturing of cannabis products can be considered an industrial use.
- Two cannabis facilities have been permitted in Riverstown through site specific amendments. They include both growing and processing components.



# Land Use Compatibility

Commonly identified land use impacts:

- Odour
  - The most common land use compatibility concern identified
  - “Skunky” smell
  - Odour generated may depend on size of facility, growing method (indoor/outdoors), stage of plant growth, use of air filters
  - Some municipalities require an odour study for a new facility
  - Odour control by-laws have been implemented by some municipalities
  - Municipalities have requested odour control guidelines from OMAFRA similar to MDS for livestock uses.



# Land Use Compatibility

- Lighting and Noise
  - Fans and equipment noises
  - Lighting impacts at night from greenhouses
  - Noise studies and light curtains can be used to limit impacts
- Traffic and Loading Areas
  - Deliveries, staff
  - Loading and unloading



# Municipal Best Practices

Conducted a review of municipal approaches and common practices.

- Minimum setbacks to sensitive uses: 70 m to 300 m
- Building setbacks and minimum lot sizes for cannabis uses
- Permitted in industrial areas and agricultural areas
- A ZBA is required for new uses (site specific review)





# Municipal Best Practices

- Prohibition of outdoor storage
- Nuisance lighting considerations
- Site plan approval commonly required for cannabis uses
- Specific application requirements – noise study, odour study
- Introduced Official Plan polices for cannabis uses



# Next Steps: Policy Options

Policy options will be developed and presented to the Township for consideration. Examples include:

- Where is cannabis production and processing most appropriately located?
- Should cannabis production be listed as of right or considered through a ZBA?
- Should setbacks be introduced for cannabis uses to sensitive land uses (eg. residential uses)?
- Should other zoning standards and requirements be introduced:
  - Minimum lot areas
  - Building setbacks
  - Fencing requirements
  - Outdoor storage restrictions
  - Lighting and odour controls
  - Etc.

