

## **A/H Proposed CZB Amendment – Cannabis – Setbacks and Buffer Zones**

Legalization of Cannabis has and will have long-lasting and far-reaching impacts on many aspects of society. Whether the consumer, the provider, legislator, law enforcement or the general public ..... a good chance is that sooner or later it will effect us all in one way or another.

In the case of legislators, whether at a Federal, Provincial or Municipal level, each contribute the necessary layer of laws, regulations, rules, etc. to ensure that the process is carried out in such a way that it has the best desired outcomes.

In particular, municipal governments carry the weighted responsibility to oversee that cannabis is produced in the appropriate environments and locations, with the least negative impacts on society as a whole. A primary consideration is that of location. It is essential to get it right from the beginning as undoing bad decisions is much more difficult.

Alnwick/Harldimand, like numerous other municipalities, is taking the pro-active step to amend its' Comprehensive Zoning By-law to address where Cannabis Production Facilities can be located, including set-backs, buffers and other pertinent requirements. A/H is already limiting CPF/MMPFs to Industrial Zones, which is a good thing. However, of particular concern is the minimal distance of setbacks proposed in the A/H Planning Report:

b) No building or structure or a cannabis production facility shall be located less than:

- I. 30 metres from a property line
- II. 60 metres from any property within a Residential Zone
- III. 60 metres from a residential use on an abutting property

**Examination** of numerous other municipalities (see attached chart) and jurisdictions demonstrates that the above setbacks are among the lowest, causing great concern that CPFs will be allowed to locate too close to other properties, especially within residential zones.

A/H does not have sanitary sewers, and therefore concerns over effluent containing harmful nutrients and chemicals must be considered as well. The risk of contaminating source water is a critical concern. In fact, Council should consider if CPF/MMPFs even belong in townships that do not have full municipal water & sewer services.

At the very least, Council is asked to consider increasing the proposed setbacks, as well as adding a green buffer zone. Recommendation:

	<b>Setbacks</b>	<b>Buffer Zone</b>
With Odour Control	70 – 150 m	9 m

(Odour Control is a requirement of the Cannabis Act for CPF/MMPFs)

**We respectfully request that Council direct these setbacks be included on the proposed amendment to the CZB re CPFs in time for the Public Open House on Wed, Oct 30, 2019.**

Thank you for listening and addressing these concerns.

Femma Norton & Gritt Koehl  
Defend Lakeport

## CPF/MMPF SETBACKS & BUFFER ZONES

The following chart illustrates what a number of municipalities/cities have enacted, or are proposing, as reasonable setbacks and buffer zones from sensitive land uses.

Land Uses defined as: residential, institutional, open space, public/private school, place of worship, daycare/nursery, future development, commercial, community facility, agricultural, sensitive rural, village, hamlet, hospital.

Buffer Zones are to be continuous berms and/or vegetation to screen CPF/MMPF from abutting properties.

<b>Municipality/City</b>	<b>Setbacks</b>	<b>Buffer Zones</b>
Brighton	70 m	9 m
Cobourg	See Note	
Hamilton Twp	See Note	
Port Hope	70 m	
Trent Hills	N/A	N/A
Erin	70 m	
Burlington	70 m	
Toronto	70 m	
Wainfleet	150 m	
Hamilton	150 m	
Manitoba – Municipal Guidelines	150 to 300 m	15 to 90 m
Port Colborne	150 m	
Fort Erie	70 m	
Sudbury	150 m	
Ottawa	150 m	
Chatham-Kent	75 to 100 m	
Caledon	150 m	
Milton	70 m	
Innisfil	70 m	
King Township	150 m	
Owen Sound	70 m	
Meaford	70 m	
Timmins (odour control)	75 m	
(no odour control)	150 m	
Niagara-on-the-Lake (with odour control)	70 to 150 m	
(no odour control)	300 m	

## **Cobourg Manager of Planning Rob Franklin wrote:**

“We have incorporated Cannabis Production directly into our General Industrial (GM) zoning without requiring a specific Zoning By-law amendment. We feel that this kind of industry works from raw materials (seeds or cuttings) up through processing and a finished product finally being shipped out. The security, trucks, odour, etc. also best fits into that category of our Zoning By-law. We had looked at medical marihuana a few years ago as a definition change requiring a re-zoning but did not go that route based on planning and legal advice at that time.”

**Hamilton Twp** - Planning Department said they are in the process of getting a consultant and just starting to deal with the issue. They will most likely restrict them to industrial zones.