

**HALIFAX**

**Amendments to the  
Regional Plan and All  
Land Use By-laws for  
Cannabis-Related Land  
Uses (Case 21331)**

Public Hearing  
Regional Council  
September 18, 2018

# Background

- Cannabis production facilities, retail sales and consumption venues are new land uses that are not addressed in HRM's Regional Municipal Planning Strategy, Secondary Municipal Planning Strategies or Land Use By-laws
- The federal *Cannabis Act* will:
  - come into effect on October 17, 2018
  - regulate the production, distribution, sale and possession of recreational and medical cannabis
- The provincial *Cannabis Control Act* will:
  - regulate public smoking of cannabis through the *Smoke-free Places Act*
  - permit the retail sales of cannabis and cannabis products through the Nova Scotia Liquor Corporation (NSLC) when the federal *Cannabis Act* comes into effect

# Current Planning Context

- Cannabis production facilities have been considered under other land use definitions in the Municipality's 22 Land Use By-laws
  - similar to manufacturing or agricultural processing
  - have been considered in zones that permit industrial uses and/or intensive agricultural uses
- Retail sale of cannabis is currently illegal, and not permitted under the Land Use By-laws

# Cannabis Production Facilities

- Cannabis production is a new and rapidly growing industry
- Federal legislation currently permits and strictly regulates cannabis production for medical purposes
- *Cannabis Act* regulations will include licensing requirements for cultivation and processing of both medical and recreational cannabis
- Three permits have been issued in HRM for cannabis production facilities to date

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# Cannabis Production Facilities



## Sackville Business Park

Source: Staff Photo, June 2018

# Cannabis Production Facilities



Wentworth Valley (converted military building)

Source: Paul Palmater, CBC - <http://www.cbc.ca/news/canada/nova-scotia/three-ns-cannabis-producers-now-legal>

# Cannabis Production Facilities



Example: Hybrid greenhouse

Source: <https://www.thecannabist.co/2017/07/27/canada-greenhouse-cannabis-cultivation-massachusetts/82609/>

# Proposed Amendments for Cannabis Production Facilities

- Primary concern is the location and scale of cannabis production facilities within existing communities and their relationship to other uses
- Proposed amendments provide a consistent approach across HRM through amendments to the Regional Plan and each community Land Use By-law

# Proposed Amendments for Cannabis Production Facilities

- Definition of a “cannabis production facility”:
  - Requires a federal license
  - Exempts industrial hemp (considered an agricultural use) and personal production permitted by federal legislation
- Set out which zones would permit facilities as-of-right, and includes additional regulations within those zones
- Larger cannabis production facilities than permitted by zoning may be considered by development agreement

# Proposed Amendments for Cannabis Production Facilities

Type of Zone	Type of cannabis production facility		
	Standard license	Micro	Industrial Hemp
Industrial zones	✓	✓	X
Rural mixed-use zones that allow industrial (including commercial manufacturing) and/or intensive agricultural uses	✓ (subject to existing size limits established in the zones)	✓	✓ (where agriculture is permitted)
Rural mixed-use (resource) zones that allow intensive agricultural uses, but don't allow industrial uses	X	✓	✓ (where agriculture is permitted)
✓ Permitted X Not permitted			

# Proposed Amendments for Cannabis Production Facilities

## Example: Industrial Zone

### Dartmouth Land Use By-law

Proposed Zone	Existing zone requirements for similar uses (selected)	Proposed additional requirements
<b>I-2 Zone (General Industrial)</b>	<ul style="list-style-type: none"><li>• No maximum size</li><li>• Requirements for landscaping and screening</li></ul>	<ul style="list-style-type: none"><li>• 70 m (230 ft.) separation distance from residential and other sensitive uses</li></ul>

# Proposed Amendments for Cannabis Production Facilities

Example: Rural Mixed Use Zone (industrial + agricultural)

## Eastern Shore (West) Land Use By-law

Proposed Zone	Existing zone requirements for similar uses (selected)	Proposed additional requirements
<b>MU Zone (Mixed Use)</b>	<ul style="list-style-type: none"><li>• Max. 464.5 m<sup>2</sup> (5000 sq. ft.)</li><li>• Requirements for outdoor storage, screening and landscaping</li></ul>	<ul style="list-style-type: none"><li>• 70 m (230 ft.) separation distance from residential and other sensitive uses</li></ul>

# Proposed Amendments for Cannabis Production Facilities

**Example: Rural Resource Zone (intensive agricultural only)**

## Planning Districts 8 & 9 (Lake Echo/ Porters Lake) Land Use By-law

<b>Proposed Zone</b>	<b>Existing zone requirements for similar uses (selected)</b>	<b>Proposed additional requirements</b>
<b>MR Zone (Mixed Resource)</b>	<ul style="list-style-type: none"><li>• Zone permits intensive agricultural uses but not industrial uses</li></ul>	<ul style="list-style-type: none"><li>• Max. 464.5 m<sup>2</sup> (5000 sq. ft.)</li><li>• 70 m (230 ft.) separation distance from residential and other sensitive uses</li></ul>

# Proposed Amendments for Cannabis Retail Sales and Consumption Venues

- If the Provincial legislation were to change in the future, existing Land Use By-laws could allow cannabis retail sales anywhere general retail is permitted
- The proposed Regional Plan and LUB amendments:
  - specifically limit cannabis retail sales and consumption lounges to those operated by the NSLC
  - would allow HRM to undertake a thorough planning process to determine where these uses may be appropriate, if federal and/or provincial legislation changes

# Staff Recommendation

It is recommended that Regional Council approve the proposed amendments to the Regional Municipal Planning Strategy and all Land Use By-laws, as set out in Attachments A and B, to enact policies and regulations for cannabis-related land uses.