

**THE CORPORATION OF THE
TOWNSHIP OF CRAMAHE**

BY-LAW NO. 2020-27

Being a By-law under the provisions of Sections 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to amend By-law No. 08-18, as amended, being the Township of Cramahe Comprehensive Zoning By-law, with respect to Cannabis Production and Processing.

Whereas By-law No. 08-18 was passed under the authority of Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Cramahe; and

Whereas the Council of the Township of Cramahe conducted a public meeting as required by Section 34(12) of the Planning Act, R.S.O. 1990, as amended; and

Whereas Section 34 of the Planning Act, R.S.O. 1990, as amended, permits Council to pass an amending Zoning By-law, and the Council of the Township of Cramahe deems it advisable to amend By-law No. 08-18 with respect to Cannabis Production and Processing; and

Whereas the matters herein are in conformity with the provisions of the Official Plan of the Township of Cramahe,

Now therefore be it resolved that the Council of the Township of Cramahe hereby enacts as follows:

That By-law No. 08-18, as amended, is hereby amended as follows:

1. Section 3 of By-law No. 08-18, as amended, entitled "Definitions" is hereby amended with the addition of the following terms, which shall be arranged alphabetically and re-numbered appropriately:

"AIR TREATMENT CONTROL shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust, and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person."

"CANNABIS shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels)."

“CANNABIS PRODUCTION AND PROCESSING means lands, buildings or structures used for producing, growing, cultivating, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

2. Section 3.6 of By-law No. 08-18, as amended, entitled “AGRICULTURE/AGRICULTURAL USE” is hereby amended by adding text following “*on-farm buildings and structures*” which shall read as follows:

“, but shall not include cannabis production and processing, except in accordance with the provisions of Section 4.38 of this By-law.”

3. Section 3.74 of By-law No. 08-18, as amended, entitled “FARM” is hereby amended by adding text following “*the operation of the farm*” as follows:

“, but shall not include cannabis production and processing except in accordance with the provisions of Section 4.38 of this By-law.”

4. Section 3.91 of By-law No. 08-18, as amended, entitled “GREENHOUSE, COMMERCIAL” is hereby amended by adding text following “*from such lot at wholesale or retail*”, which shall read as follows:

“, but shall not include cannabis production and processing, except in accordance with the provisions of Section 4.38 of this By-law.”

5. Section 3.99 of By-law No. 08-18, as amended, entitled “HOME INDUSTRY” is hereby amended by adding the text, follows the words “*and maintenance facility,*” as follows:

“, but shall not include cannabis production and processing.”

6. Section 3.103 of By-law No. 08-18, as amended, entitled “INDUSTRIAL FACILITY” is hereby amended by adding text following the words “*and shipping of finished products*” as follows:

“, but shall not include cannabis production and processing, except in accordance with the provisions of Section 4.38 of this By-law.”

7. Section 3.129 of By-law No. 08-18, as amended, entitled “MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT” is hereby amended by adding text following the words “*systematically with division of labour*” as follows:

“, but shall not include Cannabis Production and Processing, except in accordance with the provisions of Section 4.38 of this By-law.”

8. Section 3.227 of By-law No. 08-18, as amended, entitled "WAREHOUSE" is hereby amended by adding text following the words "cartage or transport depot", as follows:

"A warehouse shall not be used for the storage or distribution of cannabis except in accordance with the provisions of Section 4.38 of this By-law."

9. Section 3B.4 of By-law No. 08-18, as amended, entitled "Agricultural Uses" is hereby further amended by adding text to item (a) following the words "and horticultural crops", as follows:

", including cannabis production in accordance with the provisions of Section 4.38 of this By-law."

10. Section 3B.5 of By-law No. 08-18, as amended, entitled "Agriculture-Related Uses" is hereby further amended by adding item (d) as follows:

", including cannabis processing within a accordance with the provisions of Section 4.38 of this By-law."

11. Section 3B.27 of By-law No. 08-18, as amended, entitled "Home Industry" is hereby amended by adding subsection (e) which shall read as follows:

"(e) but shall not include cannabis production and processing.

12. Section 3B.67 of By-law No. 08-18, as amended, entitled "Small-Scale Commercial, Industrial and Institutional Uses" is hereby amended by adding subsection (d), which shall read as follows:

"(d) but shall not include cannabis production and processing.

13. Section 4 of By-law No. 08-18, as amended, entitled "General Zone Provisions" is hereby amended by adding Subsection "4.38 Cannabis Production and Processing", which shall read as follows:

"4.38 Cannabis Production and Processing

Notwithstanding any other provision of this By-law, Cannabis Production and Processing, shall be subject to the following provisions:

- a) Cannabis Production and Processing shall only be permitted within the zones explicitly indicated in this Zoning By-law
- b) Within the General Industrial (MG) Zone, a cannabis production or processing facility shall only be located within a wholly enclosed building. No building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with Air Treatment Control may be located closer than 150 metres to any Residential Zone, Community Facility (CF) Zone or Open

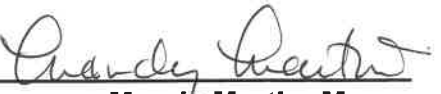
Space (OS) Zone, or any Sensitive Land Use, regardless of the zoning of the property on which the Sensitive Land Use is located.

- c) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with Air Treatment Control situated in the Agricultural (A), Rural (RU) Zone or the Oak Ridges Moraine Countryside (ORMCO) Zone may be located closer than 150 metres to any Residential Zone, Community Facility (CF) Zone or Open Space (OS) Zone or to any Sensitive Land Use, regardless of the zoning of the property on which the Sensitive Land Use is located.
 - d) No lands, building or structure, including a temporary greenhouse, or portion thereof used for Cannabis Production and Processing purposes that is not equipped with Air Treatment Control situated in the Agricultural (A), Rural (RU) Zone, Oak Ridges Moraine Countryside (ORMCO) Zone or General Industrial (MG) Zone may be located closer than 300 metres to any Residential Zone, Community Facility (CF) Zone, Open Space (OS) Zone or to any Sensitive Land Use, regardless of the zoning on the property on which the Sensitive Land Use is located.
 - e) No lands used in the cultivation of cannabis as a field crop, situated in the Agricultural (A), Rural (RU) Zone, or Oak Ridges Moraine Countryside (ORMCO) Zone, may be located closer than 300 metres to any Residential Zone, Community Facility (CF) Zone, Open Space (OS) Zone, or to any Sensitive Land Use, regardless of the zoning on the property on which the Sensitive Land Use is located.
 - f) A building or structure used for security purposes for Cannabis Production and Processing may be located in the required front yard and does not have to comply with the required minimum front yard, side yard, and rear yard setbacks
 - g) An Open Storage Area is prohibited on the property in which the Cannabis Production and Processing is located.
 - h) All development, in relation to the establishment of or expansion to Cannabis Production and Processing, including agricultural fields or temporary greenhouses used for the cultivation of cannabis, shall be subject to Site Plan Control.
14. Section 6 Agricultural (A) Zone, Subsection 6.1 – Permitted Uses of By-law No. 08-18, as amended, is hereby amended with the addition of Subsection 6.1.21 which shall read as follows:

- “6.1.21 Agricultural or farm buildings used for the production of cannabis where the area for cultivation does not exceed 200 square metres (the area in which all plants and parts of plants must be contained).
15. Section 14 General Commercial (GC) Subsection 14.1.7 is hereby amended with the addition of text following the word ‘greenhouse’, which shall read as follows:
- “, but shall not include a greenhouse for the purposes of cannabis production and processing.
16. Section 16 Recreation Commercial (RC) Subsection 16.1.5 is hereby amended with the addition of text following the word ‘greenhouse’, which shall read as follows:
- “, but shall not include a greenhouse for the purposes of cannabis production and processing.
17. Section 17 General Industrial (MG) Subsection 17.1 Permitted Uses of By-law No. 08-18, as amended, is hereby further amended with the addition of a new subsection being Subsection 17.1.21, which shall read as follows:
- “17.1.21 Cannabis Production and Processing within a wholly enclosed building, in accordance with the provisions of Section 4.38 of this By-law.”
18. Section 22 Development (D) Zone, Subsection 22.1.2 of By-law 08-18 is hereby amended by the addition of text following the words ‘agricultural use’, which shall read as follows:
- “, including cannabis processing in accordance with the provisions of Section 4.38 of this By-law.”
19. Section 27 Oak Ridges Moraine Countryside (ORMCO) Zone, Subsection 27.1 Permitted Uses of By-law No. 08-18, as amended, is hereby further amended with the addition of a new Subsection xiv) which shall read as follows:
- “xiv) Cannabis Production and Processing, in accordance with the provisions of Sections 4.38 and 6.1.21 of this By-law”.
20. All other provisions of By-law No. 08-18, as amended, shall apply.
21. This By-law shall become effective on the date that it is passed by the Council of the Township of Cramahe, subject to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended.
22. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 34(18) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this _____ day of _____, 2020.

READ a third time and finally passed this _____ day of _____, 2020.



Mandy Martin, Mayor



Joanne Hyde, Municipal Clerk