

**OFFICIAL PLAN AMENDMENT NO. 14
OFFICIAL PLAN OF THE
TOWNSHIP OF CRAMAHE**

CANNABIS PRODUCTION AND PROCESSING

The Corporation of the
Township of Cramahe

April 7, 2020

THE CORPORATION OF THE
TOWNSHIP OF CRAMAHE

BY-LAW NO. 2020-37

Being a By-law passed pursuant to the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as amended.

The Council of the Corporation of the Township of Cramahe, in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as amended, hereby enacts as follows:

1. Amendment No.14 to the Official Plan of the Township of Cramahe, consisting of the attached explanatory text, is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the County of Northumberland for approval of Amendment No. 14 to the Official Plan of the Township of Cramahe.
3. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the *Planning Act*.
4. This By-law shall come into force and take effect on the day of final passing thereof.

Enacted and passed this 7 day of April, 2020.


Signed: Mandy Martin
Mayor, Mandy Martin

Signed: Joanne Hyde
Municipal Clerk, Joanne Hyde

CORPORATE SEAL OF
MUNICIPALITY

CERTIFICATE
AMENDMENT NO. 14
OFFICIAL PLAN OF THE
TOWNSHIP OF CRAMAHE

The attached explanatory text, constituting Amendment No. 14 to the Official Plan of the Township of Cramahe, was prepared by the Council of the Township of Cramahe and was adopted by the Council of the Township of Cramahe by By-law No. 2020-37 in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, on the 7 day of April, 2020.


Signed: 
Mayor, Mandy Martin

CORPORATE SEAL OF
MUNICIPALITY

Signed: 
Municipal Clerk, Joanne Hyde

This Amendment to the Official Plan of the Township of Cramahe, which has been adopted by the Council of the Township of Cramahe, is hereby approved in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as Amendment No. 14 to the Official Plan of the Township of Cramahe.

June 22, 2020
Date


Nancy MacDonald
Clerk
County of Northumberland

**AMENDMENT NO. 14
TO THE
OFFICIAL PLAN OF THE
TOWNSHIP OF CRAMAHE**

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OFFICIAL PLAN AMENDMENT NO. 14

PART "A" – THE PREAMBLE does not constitute part of this Amendment.

PART "B" – THE AMENDMENT consisting of the following text constitutes Amendment No. 14 to the Official Plan for the Township of Cramahe.

Also attached is **PART "C" – APPENDICES** which do not form part of this amendment. The appendices contain copies of the Cannabis Land Use Impact Study from EcoVue Consulting Services, which provides the basis and recommendations relating to the amendment, a copy of a Report to Council dated August 6, 2019 regarding the land use study, as well as a Planning Report (EcoVue) dated on November 26, 2019.

PART A – THE PREAMBLE

PURPOSE

The purpose of the Official Plan Amendment (OPA) is: (1) to add a new subsection to Section 5.1 (General Development Policies) for **Cannabis Production and Processing** to be enforced through the implementing Zoning By-law or Site Plan Control By-law in order to minimize negative impacts including nuisance impacts on adjacent properties; and (2) to specifically permit or prohibit “**Cannabis Production and Processing**” (as necessary) in the appropriate land use designations of the Official Plan. The amendment applies to the entirety of the Township of Cramahe. The OPA is required to permit **Cannabis Production and Processing** within the Township in a responsible manner.

BASIS

On April 17, 2018, Council for the Township of Cramahe passed an Interim Control By-law (ICBL) to temporarily prohibit the establishment of medical marijuana facilities for a period of twelve months in order to allow staff to develop internal policies to properly manage these facilities from a land use planning perspective. In April of 2019, the ICBL was extended (as per s. 38(2) of the *Planning Act*) for another year to permit additional research, a public open house, a presentation to Council, and the resultant amendments. A public Open House was held on June 24, 2019 to share background research and preliminary policy recommendations, as well as to receive comments from the public. A Cannabis Land Use Impact Study was completed by EcoVue Consulting Services Inc. and presented to Council on August 6, 2019. On the basis of the background research completed, as well as public comments, the study recommended changes to land use planning documents including the Township’s Official Plan, Zoning By-law and Site Plan Control By-law in order to mitigate the potential land use impacts of **Cannabis Production and Processing**. The report is included as **Part C – Appendix**.

Currently, the Official Plan does not contemplate **Cannabis Production and Processing**. Consequently, many of the policies governing land use within various land use designations indirectly permit **Cannabis Production and Processing**. The Official Plan Amendment, contained herein, will provide clarity to municipal planners, prospective developers and the public regarding the appropriate location, as well as site development requirements for **Cannabis Production and Processing** in the Township.

PART B – THE AMENDMENT

1. INTRODUCTORY STATEMENT

All of this Part of the document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. “14” to the Official Plan of the Township of Cramahe.

2. DETAILS OF THE AMENDMENT

The Official Plan of the Township of Cramahe is hereby amended as follows:

1. Section **5.1 General Development Policies** is hereby amended by the addition of a new subsection “**5.1.35 Cannabis Production and Processing**”, which shall read as follows:

“5.1.35 Cannabis Production and Processing”

The following policies apply to the establishment and operation of Cannabis Production and Processing within the Township of Cramahe.

5.1.35.1 Definition of Terms

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, processing, growing, cultivating, 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.

5.1.35.2 Development of Cannabis Production and Processing

An application for the development of a new Cannabis Production and Processing shall be subject to the following requirements.

5.1.35.3 Mandatory Pre-Consultation

Applicants are required to meet with the Manager of Planning and Development or other designated official, and any other relevant agencies to undertake pre-consultation to review the proposal for **Cannabis Production and Processing** prior to making an application to the Township of Cramahe.

Each application submitted to the Township must:

- (a) Be designed to meet the requirements of all levels of government, including the Municipality with respect to building and site design to ensure the preservation of human health and safety for any facility with indoor production/cultivation, micro-processing or standard processing licenses;
- (b) Include detailed hydrogeological and site servicing studies, to demonstrate to the satisfaction of the Municipality, that the proposed development can be adequately serviced without negatively impacting municipal water servicing capacity, surface or ground water supply, municipal wastewater facilities, or watershed health and fish habitat;

Cannabis Production and Processing Facilities will not be permitted if adequate water or wastewater servicing cannot be provided;

- (c) Where ecological and hydrologic features are present, include an assessment of the potential impacts of servicing the development (water use & wastewater) on the ecological and hydrological integrity of the watershed including but not limited to, fish habitat.

Where potential adverse impacts are identified, the application must include appropriate measures to mitigate these impacts, to the greatest extent possible;

- (d) Complete odour screening studies and, where required, propose mitigation measures to address identified impacts through recommended odour control measures, to the satisfaction of the Municipality. Where HVAC and/or ventilation systems are proposed, undertake noise impact studies to assess potential impacts on adjacent sensitive receptors and mitigate as appropriate.
- (e) The Site Plan incorporates Dark Sky Friendly lighting and building design;

5.1.35.4 Zoning

Cannabis Production and Processing is permitted only in those zone classifications within the Township's Zoning By-law which expressly permit these uses.

5.1.35.5 Site Plan Control

Cannabis Production and Processing is subject to the Township's Site Plan Control By-law."

2. Section 5.2. *Agricultural* is hereby amended to add a new subsection "5.2.1.1 to include "Cannabis Production and Processing" as a permitted use under Section 5.2.1 and shall read as follows:

“5.2.1.1 Cannabis Production and Processing

Cannabis Production and Processing may be permitted, subject to the General Development Policies in Section 5.1.35, and all other relevant policies of the Official Plan, the Township of Cramahe Comprehensive Zoning By-law 08-18, as amended by Zoning By-law 2020-27 and the Site Plan Control By-law”.

3. Section 5.3. *Rural* is hereby amended to include to add a new subsection “5.3.1.1 Cannabis Production and Processing” as a permitted use under Section 5.3.1 Permitted Uses and shall read as follows:

“5.3.1.1 Cannabis Production and Processing

On lands designated *Rural*, the use of agricultural lands, buildings and structures (including greenhouses) for cannabis production may be permitted, subject to the policies of Section 5.1.35 of this Plan. Facilities and structures for the processing of cannabis produced on the same property may be permitted subject to the policies of Section 5.1.35. Processing of cannabis produced off-site is not permitted.

4. Section 5.9. *Employment Areas* is hereby amended to add a new subsection “5.9.1.1 to include Cannabis Production and Processing as a permitted use under Section 5.9.1 (Permitted Uses) and shall read as follows:

5.9.1.1 Cannabis Production and Processing

Cannabis Production and Processing may be permitted within a wholly enclosed building, subject to Section 5.1.35 and all other relevant policies of the Official Plan, the Township of Cramahe Comprehensive Zoning By-law, and Site Plan Control By-law”.

5. Section 5.13. Environmental Protection is hereby amended to add a new subsection 5.13.1.1 to include Cannabis Production and Processing under Section 5.13.1 and shall read as follows:

“5.13.1.1 Cannabis Production and Processing

Where lands are designated Environmental Protection, Cannabis Production and Processing shall not be permitted”.

6. Section 9.1.3.1 Services is hereby amended to add a new paragraph to follow the third paragraph which shall read as follows:

Cannabis Production and Processing on lands designated Employment Areas, may be permitted only within a wholly enclosed building, on municipal water services and municipal sewage disposal systems, subject to the policies of Section 5.1.35. of this Plan, approval by the Municipality and the appropriate approval authority”.

3. IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of Official Plan Amendment No. 14 shall be in accordance with the respective policies of the Official Plan of the Township of Cramahe.

PART C – THE APPENDICES

The following appendices do not constitute part of Official Plan Amendment No. 14, but are included as information supporting the Amendment.

- **Appendix No. 1 Cannabis Land Use Impact Study**
- **Appendix No. 2 Report to Council dated August 6, 2019**
- **Appendix No. 3 Planning Report (EcoVue) November 26, 2019**
- **Appendix No. 4 Public Submissions**

Appendix 1
EcoVue Consulting Services Inc.
Cannabis Land Use Impact Study

Appendix 2
EcoVue Consulting Services Inc.
Report to Council (August 6, 2019)

Appendix 3
EcoVue Consulting Services Inc.
Report to Council (November 25, 2019)

Appendix 4

Public Submissions