



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2018 – XX

A BY-LAW TO AMEND ZONING BY-LAWS NUMBER 74-53, AS AMENDED

**WHEREAS** Zoning By-law Number 74-53, being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Township of King, passed on the 7<sup>th</sup> day of October 1974;

**AND WHEREAS** it is deemed necessary to further amend By-laws Number 74-53, as amended, the matters herein set out are in conformity with the Official Plan of the Township of King, as amended, which is approved and in force and at this time;

**AND WHEREAS** authority is granted pursuant of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13, to the Council of the Corporation of the Township of King to exercise such powers;

**NOW THEREFORE** the Council of the Corporation of the Township of King **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** By-law Number 74-53 as amended, is further amended by adding thereto in alphabetical sequence the following definitions to Section 3, and renumbering all subsequent definitions accordingly:

**“INDUSTRIAL CANNABIS PRODUCTION FACILITY”** means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis which is authorized by a license issued by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

**“AGRICULTURAL CANNABIS PRODUCTION FACILITY”** means lands, buildings or structures used for producing and destroying of cannabis which is authorized by a license issued by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto. *Agricultural cannabis production facility* may include the minimum amount of processing, testing, packaging and/or shipping necessary to make the product available for sale and use in accordance with the license. Any processing, testing, and packaging beyond the minimum shall constitute an *Industrial Cannabis Production Facility*.

**“MEDICAL CANNABIS PRODUCTION SITE”** means the use of any land, buildings or structures for the purpose of producing, processing, testing, destroying, packaging and/or shipping of cannabis which is authorized by registration of a designated person by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

“**SENSITIVE LAND USE**” means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges, fumes, odours, vibrations, noise, or air pollutants generated by a nearby facility. Sensitive land uses may be a part of the natural or built environment and may include but are not limited to: residences, child care centres, places of worship, educational and health facilities, community uses, parks and playgrounds.

“**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.

2. **THAT** Section 22 (Rural General (RU1) Zone) of By-law Number 74-53, as amended, is hereby further amended by adding *Agricultural Cannabis Production Facility* and *Medical Cannabis Production Site*, subject to special provisions under Section 22.XX” as a permitted use under Section 22.1 (Agricultural Uses Permitted);
3. **THAT** Section 22 (Rural General (RU1)) of By-law Number 74-53, as amended, is hereby further amended by adding the following subsection:

**“22.XX Special Provisions for Agricultural Cannabis Production Facilities and Medical Cannabis Production Sites:**

Notwithstanding any other provision of this By-law, for an *Agricultural Cannabis Production Facility* and *Medical Cannabis Production Site* the following provisions shall apply:

- i) Minimum Lot Area: 10 ha;
  - ii) An *agricultural cannabis production facility* or *medical cannabis production site* that is equipped with *air treatment control* shall be setback a minimum of 150 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
  - iii) A *medical cannabis production site* that is not equipped with *air treatment control* shall be setback a minimum of 300 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
  - iv) Open/outside storage of goods, materials, or supplies shall be prohibited;
  - v) Outdoor signage and advertising shall be prohibited;
  - vi) A building or structure used for security purposes for an *agricultural cannabis production facility* may be located in the required front yard and shall be located a minimum of 2.0 metres from any property line; and
  - vii) All development in relation to the establishment of or expansion to an *agricultural cannabis production facility* or *medical cannabis production site* shall be subject to site plan control.
4. **THAT** Section 17 (General Industrial (M2) Zone) of By-law Number 74-53, as amended, is hereby further amended by adding *Industrial Cannabis Production Facility* and *Medical*

*Cannabis Production Site*, subject to special provisions under Section 17.XX” as a permitted use under Section 17.1 (Uses Permitted);

- 5. **THAT** Section 17 (General Industrial (M2) Zone) of By-law Number 74-53, as amended, is hereby further amended by adding the following subsection:

**“17.XX Special Provisions for Industrial Cannabis Production Facilities and Medical Cannabis Production Sites:**

Notwithstanding any other provision of this By-law, for an *industrial cannabis production facility* and *medical cannabis production site* the following provisions shall apply:

- i) An *industrial cannabis production facility* or *medical cannabis production site* that is equipped with *air treatment control* shall be setback a minimum of 150 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
- ii) A *medical cannabis production site* that is not equipped with *air treatment control* shall be setback a minimum of 300 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
- iii) Open/outside storage of goods, materials, or supplies shall be prohibited;
- iv) A building or structure used for security purposes for an *industrial cannabis production facility* may be located in the required front yard and shall be located a minimum of 2.0 metres from any property line; and
- v) All development in relation to the establishment of or expansion to an *industrial cannabis production facility* or *medical cannabis production site* shall be subject to site plan control.

- 6. **THAT** By-law Number 74-53, as amended, is hereby further amended by adding thereto in numerical order the following parking space requirement to Section 3:

Type of Building:

Parking Required:

*Industrial Cannabis Production Facilities* and  
*Medical Cannabis Production Site*

1.0 spaces for every 37 m<sup>2</sup> of gross floor area up to 3000m<sup>2</sup>, plus 1.0 for each additional 100m<sup>2</sup> of gross floor area up to 6000m<sup>2</sup>, and 1.0 spaces for each 200m<sup>2</sup> over 6000m<sup>2</sup>

*Agricultural Cannabis Production Facility*

1.0 spaces for every 37 m<sup>2</sup> of gross floor area

- 7. **THAT** this By-law shall come into force on the day it was passed where no notice of appeal has been filed with the Township Clerk in accordance with the requirements and with the time prescribed under Section 34(19) of the Planning Act.

**READ** a **FIRST** and **SECOND** time this XX<sup>TH</sup> day of \_\_\_\_\_, 2018.

**READ** a **THIRD** time and **FINALLY PASSED** this XX<sup>TH</sup> day of \_\_\_\_\_, 2018.

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Steve Pellegrini, Mayor

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Kathryn Moyle, Clerk