



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2018 – 62

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 PROCESSING 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 growing 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 be subjected to 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”** means the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, particulate and odours expelled from a facility and sized accordingly in relation 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 22.202” 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:

**“22.202 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* shall be:
    - a. located in a detached and enclosed building or structure which contains no other uses;
    - b. equipped with *air treatment control*;
    - c. setback a minimum of 150 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
  - iii) An indoor *medical cannabis production site* shall be:
    - a. located in a detached and enclosed building or structure which contains no other uses;
    - b. equipped with *air treatment control*;
    - c. setback a minimum of 150 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
  - iv) An outdoor *medical cannabis production site* shall be setback a minimum of 500 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
  - v) Open/outside storage of goods, materials, or supplies shall be prohibited;
  - vi) Outdoor signage and advertising shall be prohibited;
  - vii) A building or structure used for security purposes for an *agricultural cannabis production facility* or *medical cannabis production site* may be located in the required front yard and shall be located a minimum of 2.0 metres from any property line;
  - viii) 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; and
  - ix) No minor variance to the Special Provisions for Agricultural Cannabis Production Facilities and Medical Cannabis Production Sites shall be permitted by Committee of Adjustment and shall only be considered by way of a Zoning By-law Amendment.
4. **THAT** Section 17 (General Industrial (M2) Zone) of By-law Number 74-53, as amended, is hereby further amended by adding *Industrial Cannabis Processing Facility – (H) Holding* and *Medical Cannabis Production Site- (H) Holding*, subject to special provisions under Section 17.15” 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:

**“17.15 Special Provisions for Industrial Cannabis Processing Facilities and Medical Cannabis Production Sites:**

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

- i) An *industrial cannabis processing facility* or *medical cannabis production site* shall be:
  - a. located in a detached and enclosed building or structure which contains no other uses;
  - b. equipped with *air treatment control*;
  - c. setback a minimum of 150 metres from a *sensitive land use* or any residential zone, institutional zone or open space zone;
- ii) Open/outside storage of goods, materials, or supplies shall be prohibited;
- iii) A building or structure used for security purposes for an *industrial cannabis processing facility* or *medical cannabis production site* may be located in the required front yard and shall be located a minimum of 2.0 metres from any property line;

- iv) All development in relation to the establishment of or expansion to an *industrial cannabis processing facility* or *medical cannabis production site* shall be subject to site plan control; and
- v) No minor variance to the Special Provisions for Industrial Cannabis Processing Facilities and Medical Cannabis Production Sites shall be permitted by Committee of Adjustment and shall only be dealt with by a Zoning By-law Amendment.

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:
<i>Industrial Cannabis Processing Facilities and Medical Cannabis Production Site</i>	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 additional 200m <sup>2</sup> over 6000m <sup>2</sup>
<i>Agricultural Cannabis Production Facility</i>	1.0 spaces for every 37 m <sup>2</sup> of gross floor area

7. **THAT** the following holding provisions shall apply:

- i) Notwithstanding any other provisions of this By-law, where a “H” – Holding symbol is attached to Industrial Cannabis Processing Facility and Medical Cannabis Production Site above, no person shall use any land, erect, alter or use any buildings or structures for such purposes until such time as the “H” – Holding symbol is removed by an amendment to this By-law passed pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended, in accordance with the following:
  - a. Council for the Municipality may amend this By-law to remove the Holding – “H” symbol to permit the Industrial Cannabis Processing Facility or Medical Cannabis Production Site in the M2 zone at such time as the Municipality has confirmed that the proponent has satisfactorily demonstrated compliance with the Environmental Protection Act and regulations.

8. **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 25th day of June 2018.

**READ a THIRD** time and **FINALLY PASSED** this 25th day of June 2018.

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Steve Pellegrini  
Mayor

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Kathryn Moyle  
Director of Clerks/By-law Enforcement  
Township Clerk

(Ref. Planning Dept. Report No.: P-2018-26,  
C.O.W. June 25/16)