



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2018 – 63

A BY-LAW TO AMEND ZONING BY-LAW NUMBER 2016-71, AS AMENDED

WHEREAS Zoning By-law Number 2016-71, being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Nobleton Urban Area, passed on the 11th day of July, 2016;

AND WHEREAS it is deemed necessary to further amend By-law Number 2016-71, 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 2016-71 as amended, is further amended by adding thereto in alphabetical sequence the following definitions to Part 2, 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.

“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** Part 8 (Employment Zones) of By-law Number 2016-71, as amended, is hereby further amended by adding in alphabetical order *Industrial Cannabis Processing Facility –(H) Holding* and *Medical Cannabis Production Site –(H) Holding* to Table 8.2 (Uses Permitted in the Employment Zones) and denoting the *use* as permitted, subject to holding provisions and special provisions, with the symbol “●” in the column applicable to the Employment-General (E2) zone and that a numbered special provision be included in the *use* row identifying this *use* is subject to special provisions under Part 3;
3. **THAT** Part 3 (Special Provisions) of By-law Number 2016-71, as amended, is hereby further amended by adding the following subsection:

“3.42 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 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** Part 4 (Parking and Loading Requirements) of By-law Number 2016-71, as amended, is hereby further amended by adding to Table 4.1 (Parking Space Requirements) in alphabetical order under the heading Employment Uses, the following parking space requirements:

Employment Uses	Minimum Number of Parking Spaces Required:
<i>Industrial Cannabis Processing Facilities</i>	1.0 spaces for every 37 m ² of gross floor area up to 3000m ² , plus 1.0 for each additional 100m ² of gross floor area up to 6000m ² , and 1.0 spaces for each 200m ² over 6000m ²
<i>Medical Cannabis Production Site</i>	1.0 spaces for every 37 m ² of gross floor area up to 3000m ² , plus 1.0 for each additional 100m ² of gross floor area up to 6000m ² , and 1.0 spaces for each 200m ² over 6000m ²

5. **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 E2 zone at such time as the Municipality has confirmed that the proponent has satisfactorily demonstrated compliance with the Environmental Protection Act and regulations.

6. **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.

Steve Pellegrini
Mayor

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

*(Ref. Planning Dept. Report No.: P-2018-26,
C.O.W. June 25/18)*