

THE CORPORATION OF THE TOWNSHIP OF RAMARA
BY-LAW NUMBER 2020.89
BEING A BY-LAW TO AMEND ZONING BY-LAW #2005.85
(Cannabis Production and Processing)

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provides for the enactment of zoning by-laws and amendments thereto;

AND WHEREAS the Council of the Corporation of the Township of Ramara deems it advisable to amend By-law No. 2005.85 with respect to regulating the cultivation and processing of cannabis

AND WHEREAS the matters herein are in conformity with the provisions of the Official Plan of the Township of Ramara;

NOW THEREFORE the Council of the Corporation of the Township of Ramara enacts as follows:

1. THAT Section 2 of By-law No. 2005-85, as amended, entitled "General Provisions" is hereby amended by adding the following Subsection **2.(6) Cannabis Production and Processing** and renumbering all existing subsections that follow:

"2.(6) Cannabis Production and Processing

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

- (a) 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 Industrial (IND) Zone or Village Industrial (VID) Zone may be located closer to any Hamlet (H) Zone, Residential Zone, Village Institutional (VIN) Zone, Active Recreation (AR) Zone or Passive Recreation (PR) Zone than 70 metres.
- (b) 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 Agriculture (AG) Zone, or the Rural (RU) Zone, may be located closer to any Hamlet (H) Zone, Residential Zone, Village Institutional (VIN) Zone, Active Recreation (AR) Zone or Passive Recreation (PR) Zone than 150 metres.
- (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 Industrial (IND) Zone or Village Industrial (VID) Zone may be located closer to any Sensitive Land Use than 150 metres

- (d) 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 Agriculture (AG) Zone or the Rural (RU) Zone, may be located closer to any Sensitive Land Use than 150 metres.
- (e) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is not equipped with Air Treatment Control situated in the Agriculture (AG) Zone, Rural (RU) Zone, Industrial (IND) Zone, or the Village Industrial (VID) Zone may be located closer to any Sensitive Land Use than 300 metres.
- (f) No building or structure with a cement-based foundation used for Cannabis Production and Processing purposes situated in the Agricultural (AG) Zone shall have a ground floor area larger than 200 square metres. A maximum of one building or structure with a cement-based foundation used for Cannabis Production and Processing purposes is permitted on a lot within the Agricultural (AG) Zone.
- (g) Within any Natural Area Protection (NAP) Zone, no lands, buildings or structures and enlargements or expansions of existing lands, buildings or structures shall be permitted for the purposes of Cannabis Production and Processing.
- (h) 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.
- (i) Outdoor Storage is prohibited on the property in which the Cannabis Production and Processing is located.
- (j) Cannabis Production and Processing shall only be permitted within the zones explicitly indicated in this Zoning By-law.
- (k) All development in relation to the establishment of or expansion of Cannabis Production and Processing shall be subject to Site Plan Control”.

2. THAT Section 5 of By-law No. 2005.85, as amended, entitled “Definitions” is hereby amended with the addition of the following terms, which shall read as follows:

“**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, 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.

SENSITIVE LAND USE means a building, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effect(s) such as noise, vibration, odours and other air emissions, litter, dust and other particulates, and other contaminants, generated by a nearby industrial facility or land use. The sensitive land use may be a part of the natural or built environment. Depending upon the particular facility or land use involved, a sensitive land use and associated activities may include, but are not limited to, one or a combination of:

- (a) residences, uses or facilities where people sleep, for example, dwellings, nursing homes, hospitals, trailer parks, camp grounds, mobile home parks, etc. These uses are considered to be sensitive 24 hours/day;
- (b) permanent institutional uses such as schools, churches, municipal offices, libraries, community centres, and day care centres); and
- (c) community and neighbourhood parks and playgrounds.”

3. THAT Section 5 of By-law No. 2005.85, as amended, entitled “Definitions” is hereby amended by adding the text “**but shall not include Cannabis Production and Processing**” to the following terms, as follows:

“**COMMERCIAL NURSERY AND/OR GREENHOUSE** means a building and land used for the growing, cultivation, storage and sale of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation as well as the sale of garden tools and similar accessory and ancillary products to the public, but shall not include Cannabis Production and Processing.

HOME OCCUPATION means the use of part of a dwelling unit for an occupation that provides financial gain or support for at least one of the permanent occupants of the dwelling unit and that is secondary to the main or principal use of the dwelling unit, but shall not include Cannabis Production and Processing.

WHOLESALE ESTABLISHMENT means the use of land or the occupancy of a building or structure, for the purposes of selling, or offering for sale, goods ware or merchandise on a wholesale bases, and includes the storage or warehousing of those goods, wares or merchandise and may include an accessory retail commercial establishment, but shall not include Cannabis Production and Processing”.

4. THAT Section 5 of By-law No. 2005.85, as amended, entitled “Definitions” is hereby amended by deleting the definition of “WAREHOUSE” and replacing it with the following text:

“**WAREHOUSE** means a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial establishment, but shall not include Cannabis Production and Processing, a truck or transport terminal or yard, or a fuel storage tank, except as an accessory use”.

5. THAT Section 7.(1) (Agricultural (AG) Zone) of By-law No. 2005.85, as amended, entitled "Permitted Uses" is hereby amended with the addition of the following text:
"Cannabis Production and Processing subject to Section 2.(6) of this Bylaw."
6. Section 8.(1) (Rural (RU) Zone) of By-law No. 2005.85, as amended, entitled "Permitted Uses" is hereby amended with the addition of the following text:
"Cannabis Production and Processing, subject to Section 2.(6) of this Bylaw."
7. THAT Section 12.(1) (Village Industrial (VID) Zone) of By-law No. 2005.85, as amended, entitled "Permitted Uses" is hereby amended with the addition of the following text:
"Cannabis Production and Processing, subject to Section 2.(6) of this Bylaw."
8. THAT Section 16.(1) (Industrial (IND) Zone) of By-law No. 2005.85, as amended, entitled "Permitted Uses" is hereby amended with the addition of the following text:
"Cannabis Production and Processing, subject to Section 2.(6) of this Bylaw."
9. THAT all other provisions of By-law No. 2005.85, as amended, shall apply.
10. THAT this By-law shall come into force and take effect on the date of passing thereto, subject to the provisions of Section 34 of the Planning Act, as amended.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23RD DAY OF NOVEMBER 2020



JOE GOUGH, DEPUTY MAYOR



JENNIFER CONNOR, CLERK