

## REQUEST TO APPEAR BEFORE COUNCIL FOR THE TOWN OF PELHAM

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The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs:

 Laptop     Speaker     Internet Connection

PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:

Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)

DATE: Monday June 15, 2020

Please identify the desired action of Council that you are seeking on this issue:

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 To receive update from the Cannabis Control Committee for information.

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 To receive revised draft OPA/ZBA for information

I have never spoken on this issue before. Key points of my deputation are as follows:

**(Written presentation must accompany the request)**

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 1. I will provide an update on where the CCC is relative to schedule

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 2. Nick McDonald (Meridian Planning Consultants) and I will speak to the proposed draft OPA/ZBA following the public consultation process.

In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.

**All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.**

I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website.

I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to [NJBozzato@pelham.ca](mailto:NJBozzato@pelham.ca) in accordance with the deadlines outlined above.

*Tim J. Nohara*  
 \_\_\_\_\_  
 Signature

June 7, 2020

 \_\_\_\_\_  
 Date

**AMENDMENT NO. XX**  
**TO THE OFFICIAL PLAN (2014)**  
**FOR THE**  
**CORPORATION FOR THE TOWN OF PELHAM**

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## **PART “A” – THE PREAMBLE**

### **SECTION 1 – TITLE AND COMPONENTS**

This document was approved in accordance with Section 17 and 21 of the Planning Act, R.S.O. 1990, as amended and shall be known as Amendment No. \_\_\_\_\_ to the Official Plan adopted by By-law No. 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Town of Pelham Planning Area.

Part “A”, the Preamble does not constitute part of this Amendment.

Part “B”, the Amendment, consisting of the following text constitutes Amendment No. \_\_\_\_\_ to the Official Plan adopted by By-law 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014 for the Town of Pelham Planning Area.

### **SECTION 2 – PURPOSE OF THIS AMENDMENT**

The purpose of the Official Plan Amendment is to establish policies in the Town of Pelham Official Plan to control the location of indoor cannabis and industrial hemp cultivation and processing and set out the factors to be considered when establishing these uses in the Town.

### **SECTION 3 – LOCATION OF THE AMENDMENT**

This Amendment applies to the Good General Agricultural, Specialty Agricultural and Industrial designations and the Niagara Escarpment Plan Area as identified on Schedule A: Town of Pelham Land Use Plan.

### **SECTION 4 – BASIS OF THE AMENDMENT**

On April 13, 2017, the Government of Canada introduced Bill C-45 (the Cannabis Act) in the House of Commons. Based in large part on the advice provided by the Task Force on Cannabis Legalization and Regulation, the Cannabis Act created the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation, and possession. Following parliamentary review, the Cannabis Act received royal assent on June 21, 2018 and it became law on October 17, 2018.

The Federal Cannabis Regulation SOR-2018-144 and the Federal Industrial Hemp Regulation SOR-2018-145 also came into effect on October 17, 2018. These two Regulations are part of a series of regulations that are intended to implement the Cannabis Act.

The indoor cultivation and processing of cannabis and industrial hemp is anticipated to occur within greenhouse or industrial type buildings that can be larger than other similar buildings used for other purposes. As a consequence of the type of product being grown and processed in indoor facilities, the character of the odour and the sizes of these facilities, the potential for adverse effects primarily from odour is significant.

As a first principle the avoidance of adverse effects is preferred, however, if avoidance is not possible, adverse effects shall be minimized and appropriately mitigated. In order to minimize and mitigate adverse effects, it is anticipated that new indoor cannabis and industrial hemp cultivation and processing uses will be required to be set back an appropriate distance from sensitive uses and from each other to minimize and mitigate against potential adverse effects. In this regard, appropriate setbacks will be dictated by process specific odour emission rates and the effectiveness of the proposed odour controls.

This Amendment recognizes that the cultivation of cannabis is an agricultural use and is permitted in agricultural areas by the Provincial Policy Statement (2020). However, this Amendment also recognizes that there is a need to control the siting of such uses in relation to sensitive uses as a result of the known adverse effects from the cultivation of cannabis.

There is already a precedent for the establishment of setbacks from sensitive uses for odour reasons in agricultural areas in the form of the Minimum Distance Separation (MDS) guidelines established by the Province. The MDS guidelines are intended to provide the minimum distance separation between proposed new development and any existing livestock barns, manure storages and/or anaerobic digesters (MDS1) and provide the minimum distance separation between proposed new, expanding or remodelled livestock barns, manure storages and/or anaerobic digesters and existing or approved development (MDS2).

The application of the MDS2 guidelines result in the establishment of setbacks that are intended to minimize the impacts of odour from livestock operations and have the effect of restricting the location of livestock facilities. However, the MDS2 guidelines do not apply to cannabis and in the absence of Provincial guidance on this matter, it is up to local municipalities to establish a policy framework to regulate such uses in order to minimize adverse effects in a similar fashion.

In this regard, the purpose of this Amendment is to establish the study requirements to determine whether the avoidance of adverse effects is possible and if not, how adverse effects can be minimized and appropriately mitigated through the use of setbacks and other measures on a case-by-case basis.

In the absence of Provincial guidance on this issue, establishing the policy basis for avoidance and if avoidance is not possible, the minimization and mitigation of adverse effects through setbacks for indoor cannabis and industrial hemp cultivation and processing uses from sensitive uses is consistent with Section 1.2.6.1 of the Provincial Policy Statement (2020), which states the following:

*"Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures."*

By virtue of the use of the word 'shall' in the above policy, this requirement to avoid any potential adverse effects is mandatory. An indoor cannabis and industrial hemp cultivation and processing use may be considered a major facility as defined by the Provincial Policy Statement (2020) if adverse effects are caused since any use which may require separation from sensitive land uses is considered to be a major facility. In addition to the above, the separation of incompatible uses and requiring the submission of appropriate studies to determine the impacts of one land use on another represents good planning.

Given the above, this Amendment does the following:

1. This Amendment identifies the studies that are required to support the establishment of an indoor cannabis and industrial hemp cultivation and processing use to ensure that all potential adverse effects are studied in advance.

In this regard, required studies include an Emission Summary and Dispersion Modelling Report, Contingency Odour Mitigation Plan, Light Mitigation Plan, Contingency Light Mitigation Plan, Agricultural Impact Assessment and Traffic Impact Study. These studies would be in addition to all other required studies typically submitted as part of an application for re-zoning. The results of these studies are intended to establish the minimum setback from sensitive land uses to be included, if necessary, in the required site-specific zoning by-law amendment and may establish a maximum facility size for the use, if it has been determined that the siting of the use can be supported. These studies may also establish minimum separation distances between a proposed use and any existing indoor cannabis or industrial hemp cultivation and/or processing uses, as required, to mitigate adverse effects.

2. This Amendment also sets out guidelines on the range of setbacks that will be considered if an indoor cannabis and/or industrial hemp cultivation and/or processing use is proposed through a zoning by-law amendment. These setbacks are based on best practices and knowledge of the adverse effects currently experienced by residents in the Town. Given that these setbacks are guidelines, they can be increased or decreased based on the merits of an individual application.

A supporting zoning by-law amendment has been prepared to implement this Amendment.

## **PART B – THE AMENDMENT**

All of this Part of the document entitled Part B - The Amendment consisting of the following text constitutes Amendment No. \_\_\_\_ to the Official Plan of the Town of Pelham.

### **Details of the Amendment**

The Town of Pelham Official Plan is hereby amended as follows:

1. That Section B2.1.2 (Permitted Uses - Good General Agricultural Designation) be amended to include a new sub-section l) as follows:
  - l) Indoor cannabis and industrial hemp cultivation and processing uses in accordance with Policy B2.1.5.
2. That Section B2.1 – (Good General Agricultural Designation), be amended by including a new Section B2.1.5 and re-numbering the remaining sections accordingly:

### **B2.1.5 Indoor Cannabis and Industrial Hemp Cultivation and Processing**

#### **B2.1.5.1 Development Criteria**

- a) Indoor cannabis and industrial hemp cultivation and processing uses that are authorized by the Federal Cannabis Regulation SOR-2018-144 and/or by the Federal Industrial Hemp Regulation SOR-2018-145 may be permitted in the Good General Agricultural designation subject to the passage of an amendment to the implementing zoning by-law and will, if approved through such a process, be subject to Site Plan Control in accordance with Section E1.4 of this Plan. Prior to considering the approval of a zoning by-law amendment, Council shall be satisfied that:
  - i) The proposed use will be designed and sited to blend in with surrounding land uses such that the agricultural and rural character of the area is maintained, and where necessary the proposed use will be appropriately setback from sensitive uses;
  - ii) The proposed use will not have an adverse effect on other agricultural uses in the general area and will not have an impact on normal farm practices as demonstrated by the required studies in Section B2.1.5.2



of this Plan;

- iii) The adverse effects of the noise, dust, odour and light from the proposed use on sensitive land uses in the area can be avoided and if avoidance is not possible, minimized and appropriately mitigated, as demonstrated by the required studies identified in Section B2.1.5.2 of this Plan;
  - iv) Sensitive surface water features and sensitive ground water features in the area will be protected, improved or restored with consideration given to the taking of water and the generation of effluent;
  - v) Adequate parking facilities are available on the lot for the proposed use and the traffic generated by the proposed use can be accommodated on area roads;
  - vi) The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
  - vii) Stormwater management needs can be met on site;
  - viii) The waste generated from the use can be appropriately managed; and,
  - ix) The proposed setback, as determined by the required studies in Section B2.1.5.2 of this Plan, from sensitive land uses in the area is appropriate to avoid, and if avoidance is not possible, minimize and appropriately mitigate any adverse effects.
- b) In addition to sub-section a), and if the processing of cannabis or industrial hemp is proposed in conjunction with the cultivation of cannabis or industrial hemp, it must be demonstrated that this component of the use can be considered an agriculture-related use in accordance with the Guidelines on Permitted Uses in Ontario's Prime Agricultural Area by satisfying all of the criteria below:
- i) Is directly related to farm operations in the area;
  - ii) Supports agriculture;
  - iii) Benefits from being in close proximity to farm operations; and,

- iv) Provides direct products and/or services to farm operations as a primary activity.

#### **B2.1.5.2 Specific Required Studies**

The studies listed in this Section shall be required to satisfy the study requirements of Section B2.1.5.1 a) of this Plan and peer reviews of these studies may be carried out by the municipality at no cost to the municipality. Certain studies are required to be carried out by a Licensed Engineering Practitioner, which means that they must be licensed by Professional Engineers Ontario. The studies listed in this section would be in addition to any of the other studies required by Section E3 of this Plan.

- a) Emission Summary and Dispersion Modelling (ESDM) Report
  - i) At no cost to the municipality, the proponent will submit an Emission Summary and Dispersion Modelling (ESDM) Report that is prepared by a Licensed Engineering Practitioner in accordance with Ministry of Environment, Conservation & Parks guidance. This Report will deal with contaminants including odour, chemicals and particulate matter constituents.
  - ii) The ESDM Report shall include a detailed odour inventory and mitigation plan fully describing the proposed air filtration systems and other mitigation measures as well as off-property odour impact predictions that include a review of the impacts of other cannabis and industrial hemp facilities within the area to determine the extent of the potential cumulative adverse effects. In this regard, it would be the role of the Licensed Engineering Practitioner to demonstrate that the impact of the proposed use and other cannabis and industrial hemp facilities within the area will not, or is not likely to, cause adverse effects.
  - iii) In addition to sub-section ii) above, the ESDM Report must demonstrate that the proposed use achieves a standard of compliance and that two odour units will only be exceeded at any given sensitive use up to 0.5% of the time on an annual basis as per the MECP Technical Bulletin 'Methodology for Modeling Assessment of Contaminants with 10-Minute Standards and Guidelines, September 2016'.
  - iv) The ESDM Report must consider co-existence adverse effects

associated with drift of cannabis emissions on existing farming operations in the area and provide recommendations on an appropriate greenspace separation distance to ensure that spray drift is minimized.

- v) In addition to the above, the proponent of the proposed use will submit a Contingency Odour Mitigation Plan, prepared by a Licensed Engineering Practitioner that considers additional air filtration systems or other mitigation measures for use in the event of substantiated future complaints after the use has been established. Agreement on the appropriate triggers for additional mitigation will be made in advance.

b) Light Mitigation Plan

- i) At no cost to the municipality, the proponent will submit a Light Mitigation Plan, prepared by a Licensed Engineering Practitioner that fully describes the proposed light mitigation measures and demonstrates that the proposed use will not cause light pollution, including sky glow or light trespass, onto neighbouring properties.
- ii) In addition to sub-section i), the proponent will also submit a Contingency Light Pollution Mitigation Plan, prepared by a Licensed Engineering Practitioner that considers additional mitigation measures and implementation timelines for use in the event of substantiated future complaints after the use has been established. Agreement on the appropriate triggers for additional mitigation will be made in advance.

c) Agricultural Impact Assessment

- i) At no cost to the municipality, the proponent will submit an Agricultural Impact Assessment, to the satisfaction of the Town and/or the Region, that demonstrates that the proposed use will not have a negative impact on other agricultural uses in the area and is compatible with normal farm practices. This assessment may be a stand-alone study or incorporated in a Planning Justification Report.

d) Traffic Impact Study

- i) At no cost to the municipality, the proponent will submit a Traffic

Impact Study, to the satisfaction of the Town and/or the Region that demonstrates that the proposed use will not cause any traffic hazards or an unacceptable level of congestion on roads in the area.

### **B2.1.5.3 Scope of Required Studies**

In accordance with Section E3.1 of this Plan, the Town will determine what supporting information (i.e. reports and studies) are required as part of the complete application submission and inform the proponent of these requirements, following the holding of a pre-consultation meeting.

### **B2.1.5.4 Need for Setbacks**

- a) In recognition of the known adverse effects of odour, the avoidance of adverse effects shall be a first principle. If adverse effects cannot be avoided, the minimization and mitigation of adverse effects has to be considered. One of the ways to avoid, minimize and mitigate adverse effects is through the separation of incompatible uses through the use of setbacks. In this regard, the following setback guidelines will be considered when an application for a new indoor cannabis and/or industrial hemp cultivation and/or processing use is proposed:
  - i) Minimum setback to a sensitive use - 300 to 500 metres with the setback being measured from the edge of the cultivation/processing area to the sensitive use.
  - ii) Minimum separation distance between separate indoor cannabis standard cultivation and/or standard processing facilities and/or indoor industrial hemp facilities from each other - 4,000 metres.
  - iii) Minimum separation distance between separate indoor cannabis standard cultivation and/or standard processing facilities and/or indoor industrial hemp facilities from indoor micro processing/micro cultivation facilities - 3,000 metres.
  - iv) Minimum separation distance between separate indoor cannabis micro cultivation/micro processing facilities from indoor cannabis micro/processing/micro cultivation facilities - 2,000 metres.
- b) The setback guidelines established in sub-section a) will be considered during the review of an application and can be lower or higher, depending on:
  - i) Whether the proposed greenhouse is purpose built for cannabis or

- industrial hemp or already exists;
- ii) The size and scale of the proposed use;
- ii) The proximity and number of sensitive uses in the area including the potential for additional sensitive uses on vacant lots that are zoned to permit a sensitive use;
- iii) The location of the proposed use in relation to prevailing winds;
- iv) The nature of the adverse effects that exist at the time in relation to existing indoor cannabis cultivation and processing operations; and,
- v) The impact of topography on the dispersion of odour.

#### **B2.1.5.5 Implementing Zoning By-law**

Only lands that have satisfied the requirements of this Section of the Plan shall be placed in a zone that permits indoor cannabis and industrial hemp cultivation and processing uses in the implementing Zoning By-law.

3. That Section B2.2.2 (Permitted Uses - Specialty Agricultural Designation) be amended to include a new sub-section k) as follows:

- k) Indoor cannabis and industrial hemp cultivation and processing uses in accordance with Policy B2.2.9.

4. That Section B2.2 – (Specialty Agricultural Designation), be amended by including a new Section B2.2.9 and re-numbering the remaining sections accordingly:

#### **B2.2.9 Indoor Cannabis and Industrial Hemp Cultivation and Processing**

Indoor cannabis and industrial hemp cultivation and processing uses that are authorized by the Federal Cannabis Regulation SOR-2018-144 and/or by the Federal Industrial Hemp Regulation SOR-2018-145 are discouraged from locating in the Specialty Agricultural designation because of a combination of topography that is unique to the Greenbelt Plan and its relationship to odour concerns. In other words, the adverse effects from odour from these uses would be very difficult to avoid, minimize and mitigate as a consequence.

If such a use were proposed, it would be subject to Policy B2.1.5 of this Plan.

Given the unique topography of the area, it is anticipated that required setbacks from sensitive uses will be greater in the Specialty Agricultural designation than in the

Good General Agricultural designation.

5. That Section B2.3.2 (Permitted Uses - Industrial Designation) be amended to include a new sub-section k) as follows:

k) Indoor cannabis and industrial hemp cultivation and processing uses in accordance with Policy B2.1.5.

6. That Section B3.1.1 (Conflict and Conformity - Niagara Escarpment Plan Area) be amended to include a new fourth paragraph as follows:

Policy B2.1.5 of this Plan shall apply to the consideration of a Development Permit application to establish a new indoor cannabis or industrial hemp cultivation and/or processing use.

7. That Section E1.4 – Site Plan Control, be amended by including a new paragraph at the end of the section as follows:

It is the intent of this Plan that Site Plan Approval will be required for all proposed indoor cannabis and industrial hemp cultivation and processing uses that may be permitted in accordance with Policies B2.1.5, B2.2.9 or B2.3.2 k) to the maximum extent afforded under the Planning Act, in order to proactively mitigate adverse effects where possible and to maximize compatibility with land uses in the area.

Any construction of a building or structure associated with a proposed cannabis-related use or industrial hemp-related use is subject to the Ontario Building Code and will require the submission of Mechanical and Electrical Design Specifications and Drawings for review prior to the issuance of a building permit. Final as-built drawings will also be required. These specifications and drawings include those associated with air/odour filtration systems and equipment for light pollution mitigation.

**THE CORPORATION OF THE  
TOWN OF PELHAM  
By-law Number XXXX (2020)**

**Being a By-law passed pursuant to the provisions of  
Section 34 of *The Planning Act*, R.S.O. 1990, as amended to amend  
the Town of Pelham Zoning By-law No. 1136 (1987), as otherwise  
amended.**

**Whereas** the Council of the Corporation of the Town of Pelham has initiated an application to amend By-Law No. 1136 (1987) otherwise known as the Zoning By-Law, insofar as is necessary to establish provisions that apply to cannabis-related uses and industrial hemp-related uses in the Town of Pelham;

**And Whereas** the Council of the Corporation of the Town of Pelham conducted a public hearing in regard to this application, as required by Section 34(12) of the Planning Act, R.S. O. 1990, Chap. P. 13, as amended;

**And Whereas** the Council of the Corporation of the Town of Pelham deems it advisable to amend Zoning By-law 1136 (1987), as otherwise amended, with respect to the above described lands, and under the provisions of the Planning Act has the authority to do so;

**Now therefore** the Council of the Corporation of the Town of Pelham enacts as follows:

1. **That** Section 3.0 of this By-law No. 1136 (1987), as amended, is further amended to add the new zones and symbols as follows:

<b>Zone</b>	<b>Symbol</b>
Agricultural - Cannabis	A – CAN
General Industrial - Cannabis	M2 – CAN

2. **THAT** By-law 1136 (1987), as amended, is hereby amended by the addition of definitions in Section 5.0, as follows:

- i) "Cannabis-related use - indoor" means those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-144 as amended that are carried out within an enclosed building or structure.
- ii) "Cannabis-related use - outdoor" means those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-144 as amended that only involve the growing and harvesting of cannabis outdoors.
- iii) "Industrial hemp-related use - indoor" means those activities authorized in accordance with the Federal Industrial Hemp Regulation SOR-2018-145 as amended that are carried out within an enclosed building or structure.
- iv) "Industrial hemp-related use - outdoor" means those activities authorized in accordance with the Federal Industrial Hemp Regulation SOR-2018-145 as amended that only involve the growing and harvesting of hemp outdoors.
- v) "Sensitive land use" means school, day care, playground, sporting venue, park, recreational area, residence, place of worship, community centre or any other place where people regularly gather or sleep.

3. **THAT** By-law 1136 (1987), as amended, is amended by the addition of parking requirements in Section 6.16 (a), as follows:

Cannabis-related uses - indoor and industrial hemp-related uses - indoor - 1 parking space per 100 m<sup>2</sup> (1076.39 ft<sup>2</sup>) of gross floor area



4. **THAT** By-law 1136 (1987), as amended, is hereby amended by the addition of a new Section 7A - Agricultural - Cannabis A-CAN Zone:

## **SECTION 7A – AGRICULTURAL CANNABIS - A-CAN ZONE**

Subject to the general provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply throughout the Agricultural Cannabis Zone.

### **7A.1 PERMITTED USES**

- (a) Cannabis-related Use - indoor
- (b) Industrial Hemp-related Use - indoor

### **7A.2 REGULATIONS FOR PERMITTED USES IN SUBSECTION 7A.1**

- (a) A retail store is not permitted as an accessory use to any of the permitted uses listed in Subsection 7A.1.
- (b) Minimum Lot Frontage for micro-processing and micro-cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 100 m
- (c) Minimum Lot Frontage for standard processing and standard cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 200 m
- (d) Minimum Lot Frontage for industrial hemp-related uses as defined and set out by the Federal Industrial Hemp Regulation SOR-2018-145 - 200 m
- (e) Minimum Lot Area for micro-processing and micro-cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 3 hectares
- (f) Minimum Lot Area for standard processing and standard cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 10 hectares

- (g) Minimum Lot Area for industrial hemp-related uses as defined and set out by the Federal Industrial Hemp Regulation SOR-2018-145 - 10 hectares
- (h) Maximum Lot Coverage - 30 percent
- (i) Minimum Front Yard for micro-processing and micro-cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 20 metres
- (j) Minimum Front Yard for standard processing and standard cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 80 metres
- (k) Minimum Front Yard for industrial hemp-related uses as defined and set out by the Federal Industrial Hemp Regulation SOR-2018-145 - 80 metres
- (l) Minimum Side Yard or Rear Yard for micro-processing and micro cultivation uses as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 15 metres, except where ventilating fans in a wall exhaust into the respective side or rear yard, the minimum yards shall be 25 metres
- (m) Minimum Side Yard or Rear Yard for standard processing and standard cultivation uses as defined and set out by the Federal Cannabis Regulation SOR-2018-144 and industrial hemp-related uses as defined and set out by the Federal Industrial Hemp Regulation SOR-2018-145 - 40 metres, except where ventilating fans in a wall exhaust into the respective side or rear yard, the minimum yards shall be 60 metres
- (n) Minimum Exterior Side Yard for micro-processing and micro-cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 20.5 metres

- (o) Minimum Exterior Side Yard for standard processing and standard cultivation as defined and set out by the Federal Cannabis Regulation SOR-2018-144 - 80 metres
  - (p) Minimum Exterior Side Yard for industrial hemp-related uses as defined and set out by the Federal Industrial Hemp Regulation SOR-2018-145 - 80 metres
  - (q) No storage area shall be permitted within 30 metres of a street or the lot line of an adjacent lot with a residential use
5. **THAT** By-law 1136 (1987), as amended, is hereby amended by the addition of a new Section 23A - General Industrial - Cannabis M2-CAN Zone

### **SECTION 23A – GENERAL INDUSTRIAL - M2-CAN ZONE**

Subject to the general provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply throughout the General Industrial Cannabis Zone.

#### **23A.1 PERMITTED USES**

- (a) Cannabis-related Use - Indoor
- (b) Industrial Hemp-related Use - Indoor

#### **23A.2 REGULATIONS FOR PERMITTED USES IN SUBSECTION 23A.1**

- (a) A retail store is not permitted as an accessory use to any of the permitted uses listed in Subsection 23A.1.
- (b) The provisions of Subsection 22.2 shall apply to all permitted uses within the General Industrial Cannabis M2-CAN Zone

Read a first, second, and third time and finally passed this XX<sup>th</sup> day of XX, 2020.

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Marvin Junkin, Mayor

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Nancy J. Bozzato, Clerk

Corporate Seal