

ZONING BY-LAW NO. 32-2018

A BY-LAW TO AMEND

ZONING BY-LAW NO. 27-95 as amended

(Cannabis Provisions)

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

Box 533
Burk's Falls, Ontario
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Planning Consultant:

Robert J. Miller
Professional Land Use Planner

EXPLANATORY NOTE

To Zoning By-law No. 32-2018

Passed by the Council of The Municipal Corporation of the Township of Armour

- Lands Affected: This By-law applies to all private land in Armour Township.
- By-Law Purpose: The purpose of this By-law is to add provisions to the Armour Township Zoning By-law addressing **Canada Bill C-45: An Act Respecting Cannabis**.
- Official Plan: The proposed Zoning By-law amendment conforms with the regulations of the Armour Township Official Plan.

ZONING BY-LAW NO. 32-2018

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

Being a By-law under the provisions of Sections 34 of the **Planning Act, R.S.O. 1990**, to amend Zoning By-law No. 27-95, as amended, of the Municipal Corporation of the Township of Armour with respect to **Canada Bill C-45: An Act Respecting Cannabis**.

WHEREAS THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR has reviewed Zoning By-law No. 27-95, as amended, and deems it advisable to amend same:

NOW THEREFORE THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR ENACTS as follows:

1. **THAT** a new Section **5.36 “Cannabis”** is hereby added to **SECTION 5: GENERAL PROVISIONS APPLICABLE IN ALL ZONES** as follows:
 - “(a) For the purposes of this By-law, a licensed medical marijuana facility, a licensed cannabis production facility, and any kind of cannabis retail store, or any cannabis retail dispensary or clinic or commercial greenhouse or home industry or home occupation or accessory building/structure or agricultural use or farm or institutional use or light industrial use or recreational use or resort or lodge or tourist commercial use or warehouse involved in cannabis dispensing or sales are prohibited uses in all zones except as otherwise permitted through a Zoning By-law Amendment; and
 - (b) No person, other than a person who is authorized to do so under Part 2 of the **Access to Cannabis for Medical Purposes Regulations** (SOR/2016-230) under the **Controlled Drugs and Substances Act** (Canada), shall use any residential premises, indoors or outdoors, including accessory secondary dwelling units or apartments, for the growing of more than four (4) cannabis plants.
 - (c) For the purposes of this By-law, the Health Canada application #10-MM0630 in process for a Medical Marijuana Facility at 59 North Pickerel Lake Road shall be subject only to an amendment to remove the holding symbol "H" as required under Section 36 of the Planning Act."
2. **THAT SECTION 2: DEFINITIONS** is hereby amended by adding thereto the following subsections:
 - “2.34(a) **“Cannabis”** means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marijuana shall have the same definition.”

- “2.34(b) **“Cannabis Retail Store or Dispensary”** means any use of land, building, structure or part thereof for the retail sale, use or distribution of cannabis or any product or substance produced in whole or part from cannabis, and shall be deemed to include a licensed Ontario Cannabis Retailer under the **Ontario Cannabis Retail Corporation Act, 2017.**”
- “2.104(e) **“Licensed Cannabis Production Facility”** means the use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging and shipping of marijuana used for medical purposes as approved and regulated by Health Canada.”
- “2.124(a) **“Medical Marijuana Facility”** means a premise approved and regulated under the **Access to Cannabis for Medical Purposes Regulations (SOR/2016-230).**”

3. **THAT** this By-law shall come into force on the date it is passed by the Council of the Municipal Corporation of the Township of Armour subject to the provisions of the **Planning Act, R.S.O. 1990.**

Read a **FIRST TIME** this 10th day of July, 2018.

Read a **SECOND TIME** this 10th day of July, 2018.

Read a **THIRD TIME** and **FINALLY PASSED** this 10th day of July, 2018.

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

Original signed by Bob MacPhail
Robert MacPhail, Reeve

Original signed by John Theriault
John Theriault, Clerk