

ZONING BY-LAW NO. 22-2019

A BY-LAW TO AMEND

ZONING BY-LAW NO. 27-95 as amended

(Retail Cannabis Sales)

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

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Planning Consultant:

Robert J. Miller
Professional Land Use Planner

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

ZONING BY-LAW NO. 22-2019

Being a By-law under the provisions of *Section 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 Ontario Bill 36 and the *Cannabis License Act, 2018*.

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 SECTION 2: DEFINITIONS is hereby amended by deleting subsection 2.34(b) "Cannabis Retail Store or Dispensary" in its entirety; and
2. That SECTION 5: GENERAL PROVISIONS APPLICABLE IN ALL ZONES is hereby amended by deleting the wording of subsection 5.36(a) "Cannabis" in its entirety and replacing it with the following:

“(a) For the purposes of this By-law, a licensed medical marijuana facility, or a licensed cannabis production facility are prohibited uses in all zones except as otherwise permitted through a Zoning By-law Amendment.”;
3. That the Clerk of the Township of Armour is hereby authorized to make any minor modifications or corrections of an administrative, numeric, grammatic, semantic or descriptive nature or kind to the by-law and schedule(s) as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
4. 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 in its entirety, approved, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 26th day of March, 2019.

Original signed by Bob MacPhail
Robert MacPhail, Reeve

Original signed by John Theriault
John Theriault, Clerk

EXPLANATORY NOTE

To Zoning By-law No. 22-2019

**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:

On October 17, 2018 Canada enacted The Cannabis Act to become the second country in the world to legalize the use of recreational cannabis. On the same day the Ontario government passed Bill 36 which embodies the Ontario Cannabis License Act, 2018 setting out a licensing system for private cannabis retail stores to be administered by the Alcohol and Gaming Commission of Ontario (AGCO). In other words, an Ontario municipality can no longer enact by-laws under the Planning Act to permit or prohibit the retail/commercial sale of recreational cannabis.

Municipal zoning continues to apply to all applications for new cannabis production facilities (federal jurisdiction Bill C-45) but retail cannabis stores will all be subject to licensing under the Ontario Cannabis License Act, 2018.

The purpose of this By-law is therefore to amend the Armour Township Zoning By-law to bring it into conformity with changes to the Planning Act contained within Ontario Bill 36 and the Cannabis License Act, 2018.

Official Plan:

The proposed Zoning By-law amendment conforms with the regulations of the Armour Township Official Plan.