NOTICE OF PASSING OF A ZONING BY-LAW BY THE TOWNSHIP OF MELANCTHON

TAKE NOTICE that the Council of the Township of Melancthon passed By-law No. **47-2019** on the 21st day of November, 2019 under Section 34 of the Planning Act;

The purpose and effect of the By-law is to establish a new definition for "Cannabis Facilities" as well as corresponding zone regulations regarding the establishment of Cannabis Facilities in the General Agricultural (A1) Zone of the Township of Melancthon. No key map has been provided as the amendment is general in nature and applies to the entire Township.

In accordance with Section 34 (18.1) of the Planning Act, Council received three written submissions on the proposed amendment and one of the submissions resulted in a minor change to the amendment to address compliance where a dwelling is constructed within 300 metres of an existing lawful facility.

AND TAKE NOTICE that only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal by filing a notice of appeal with the Clerk of the Township of Melancthon not later than the **16th day of December, 2019.** A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party. The notice of appeal must set out the reasons for the appeal and must be accompanied by the fee required by the Local Planning Appeal Tribunal. Further information on preparing and filing an appeal can be found at https://elto.gov.on.ca/tribunals/lpat/about-lpat/

The complete by-law is available for inspection in the Township office located at 157101 Highway 10, during regular office hours or by contacting the Township office at (519) 925-5525.

Dated at the Township of Melancthon this 27th day of November, 2019.

Denise B. Holmes

Denise B. Holmes
CAO/Clerk
Township of Melancthon
157101 Highway 10
Melancthon, Ontario, L9V 2E6

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
BY-LAW NO. 47-2019

(Cannabis Facility Definition and Regulation – November 12, 2019)

Being a By-law to amend By-law No. 12-79, as amended, the Zoning By-law for the Township of Melancthon to define and regulate cannabis facilities

WHEREAS the Council of the Corporation of the Township of Melancthon is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990;

AND WHEREAS Council of the Corporation of the Township of Melancthon wishes to update the definitions and regulations governing cannabis facilities;

AND WHEREAS the Council of the Corporation of the Township of Melancthon deems it advisable to amend By-Law 12-79, as amended;

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

1. Zoning By-law 12-79 as amended, is further amended in the following manner:

   a) Sub-section 2.50a is deleted.

   b) Section 2 is amended by adding the following new definitions after sub-section 2.10:

      2.10a Cannabis means:

      i. A Cannabis plant including hemp or industrial hemp;
      ii. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
      iii. any substance or mixture of substances that contains or has on it any part of such a plant; and
      iv. any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

      2.10b Cannabis Plant means a plant that belongs to the genus "Cannabis".

      2.10c Cannabis Facility means a building or buildings, designed, used, or intended to be used in an accessory manner to the outdoor growing of cannabis for one or more of the following: cultivation, growing, cloning, propagation, production, processing, harvesting, testing, alteration, destruction, storage, research packaging, shipment or distribution of cannabis in accordance with applicable federal law and regulation but does not include a building or part thereof solely designed, used, or intended to be used for the retail sale of cannabis.

   c) Section 3 is amended by adding the following new sub-section after sub-section 3.23:

      3.24 <u>Cannabis Facilities</u>

      Notwithstanding the permitted uses and regulations of the Agricultural (A1) Zone, a Cannabis Facility shall be a permitted use in the A1 Zone

provided the lot on which the Cannabis Facility is constructed is utilized for outdoor cultivation of Cannabis and the following regulations shall apply:

i.	*Minimum Lot Area:*	*40 ha*
ii.	*Minimum Lot Frontage:*	*150 metres*
iii.	*Minimum Setback from any Lot Line:*	*15 metres*
iv.	*Minimum Separation from any dwelling on a separate parcel:*	*300 metres*
v.	*Minimum Separation from a vacant lot with a lot area of 4.1 ha or less:*	*300 metres*
vi.	*Minimum Separation from another Cannabis Facility (separate lot):*	*2,000 metres*
vii.	*Minimum Separation from a settlement area boundary:*	*2,000 metres*
viii.	*Maximum Lot Coverage of all buildings and structures:*	*5%*
ix.	*Minimum Lot Area required to be used for outdoor cultivation of Cannabis each calendar year:*	*20 ha*
x.	*Minimum Parking Requirement:*	*1 space/250 m²*

Any lands utilized for the outdoor growing of Cannabis and/or a Cannabis Facility shall be subject to site plan control. For the purpose of item iv), where a dwelling is lawfully constructed within 300 metres of an existing, lawful Cannabis Facility, the existing Cannabis Facility shall be deemed to comply with item iv) of this By-law. For the purpose of item vii) the settlement area boundaries shall be as established by the Township of Melancthon Official Plan.

2. In all other respects, the provisions of By-law 12-79, as amended shall apply.

This By-law shall come into effect upon the date of passage hereof, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST AND SECOND TIME on the 21st day of November 2019.

READ A THIRD TIME and finally passed this 21st day of November 2019.

Mayor

Clerk