

**THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE
THOUSAND ISLANDS**

BY-LAW NO. 20-0XX

**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 07-079, AS
AMENDED**

General Amendment to Zoning By-law No. 07-079

WHEREAS Zoning By-Law No. 07-079, as amended, was passed under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Leeds and the Thousand Islands;

AND WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, as amended, permits Council to pass an amending by-law, and the Council of the Township of Leeds and the Thousand Islands deems it advisable to amend Zoning By-Law No. 07-079 with respect to the provisions described in this By-Law;

AND WHEREAS the matters herein are in conformity with the provisions of the Official Plan for the Township of Leeds and the Thousand Islands, the Provincial Policy Statement and the Planning Act;

NOW THEREFORE the Council for the Corporation of the Township of Leeds and the Thousand Islands ENACTS AS FOLLOWS:

1. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.27 “CANNABIS” and renumbering the balance of the Section accordingly:

2.27 “**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).

2. That Section 2 – Definitions is hereby amended by adding the following and renumbering the balance of the Section accordingly:

2.28 “**CANNABIS PRODUCTION AND/OR 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 Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act*, SC 1996, c 19, as amended from time to time, or any successors thereto.”

3. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.7 “AIR TREATMENT CONTROL” and renumbering the balance of the Section accordingly:

2.7 “**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.

4. That Section 2 – Definitions is hereby amended by adding the following new subsection (k) to the end of existing Subsection 2.6 “Agricultural Use”:
(k) but does not include *Cannabis Production and Processing*
5. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.77 “Garden Centre”:
, but does not include *Cannabis Production and Processing*.
6. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.81 “Greenhouse/Nursery, Commercial”:
or for *Cannabis Production and Processing*.
7. That Section 2 – Definitions is hereby amended by adding the following as an additional bullet point to the end of existing Subsection 2.126 “On-farm Agriculture-Related Use”:
 - but does not include Cannabis Production and Processing.
8. That Section 2 – Definitions is hereby amended by adding the following as an additional bullet point to the end of existing Subsection 2.127 “On-farm Diversified Use”:
 - but does not include Cannabis Production and Processing.
9. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.197 “Warehouse”:
or for *Cannabis Production and Processing*.
10. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.203 “Wholesale Establishment”:
, but does not include *Cannabis Production and Processing*.
11. That Section 3 – General Provisions is hereby amended by adding the following, Subsection 3.5 *Cannabis Production and Processing* and renumber the balance of the Section accordingly:

3.5 *Cannabis Production and Processing*

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

Separation Distances

a) Air Treatment Control

- i) Any lands, *building* or *structure* or portion thereof used for *Cannabis Production and/or Processing* purposes that is equipped with *air treatment control* situated in the *Agricultural Zone (A)*, *Rural Zone (RU)*, or *Rural Industrial Zone (MR)* shall be setback a minimum of 150 metres from any *Residential Zone*, *Institutional Zone*, *Open Space Zone* or boundary of a *Settlement Area* as designated in the *Official Plan*.

- ii) Any lands, *building* or *structure* or portion thereof used for *Cannabis Production and/or Processing* purposes that is equipped with *air treatment control* shall be setback a minimum of 150 metres from any dwelling, school, place of worship or daycare facility. The setback shall be measured to the nearest wall of any building or structure used for cannabis production or processing or to the licensed outdoor area, as applicable.

b) No Air Treatment Control

- i) Any 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 Agricultural Zone (A), Rural Zone (RU), or Rural Industrial Zone (MR) shall be setback a minimum of 300 metres from any Residential Zone, Institutional Zone, Open Space Zone or boundary of a Settlement Area as designated in the Official Plan.
 - ii) Any lands, *building* or *structure* or portion thereof used for *Cannabis Production and/or Processing* purposes that is not equipped with *air treatment control* shall be setback a minimum of 300 metres from any dwelling, school, place of worship or daycare facility. The setback shall be measured to the nearest wall of any building or structure used for cannabis production or processing or to the licensed outdoor growing area, as applicable.
 - c) A *building* or *structure* used for solely 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.
 - d) *Cannabis Production and Processing* shall only be permitted in the zones as explicitly indicated in this Zoning By-law.
 - e) *Cannabis Production and Processing* facilities shall be subject to Site Plan Control.
12. That Section 7.2(a) – Rural Industrial Zone is amended by adding “Cannabis Production and/or Processing” as a permitted use.
13. That Section 10.1(a) – Agricultural Zone is amended by adding “Cannabis Production and/or Processing” as a permitted use.
14. That Section 11.1(a) – Rural Industrial Zone is amended by adding “Cannabis Production and Processing” as a permitted use.

That this By-Law shall come into effect and force on the date of passing thereof, subject to the appeal provisions of the *Planning Act*.

READ A FIRST AND SECOND TIME THIS ____ DAY OF _____ 2020.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____ 2020.

DRAFT