

**The Corporation of the
Township of Selwyn**

By-law Number 2020-002

**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 Township
of Selwyn Comprehensive Zoning By-law No. 2009-021, as
otherwise amended**

Whereas the Council of the Corporation of the Township of Selwyn has initiated an application to amend By-Law No. 2009-021, otherwise known as the Comprehensive Zoning By-Law, insofar as is necessary to establish provisions that apply to cannabis cultivation and processing within the Township.

And Whereas the Council of the Corporation of the Township of Selwyn 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 Township of Selwyn deems it advisable to amend Zoning By-law 2009-021, 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 Township of Selwyn enacts as follows:

1. **That** Section 2.0 of this By-law No. 2009-21, as amended, is further amended with the addition of the following definitions, which shall read as follows:
 - i) "Cannabis analytical testing facility" means a facility where the alteration of the chemical or physical properties of cannabis by any means is carried out, subject to regulations under the Cannabis Act, as amended.
 - ii) "Cannabis cultivation - indoor" means the growing of cannabis within a wholly enclosed building or structure, for medical or recreational purposes, subject to regulations under the Cannabis Act, as amended.
 - iii) "Cannabis cultivation - outdoor" means the growing of cannabis in an open air setting, for medical or recreational purposes, subject to regulations under the Cannabis Act, as amended.
 - iv) "Cannabis drug production facility" means a facility where the production or manufacturing of a drug containing cannabis is carried out, subject to regulations made under the Cannabis Act, as amended; and the food and drugs act, as amended.
 - v) "Cannabis processing facility" means a facility where the extraction of cannabis oil for the purpose of producing or manufacturing cannabis oils, gels or other edibles is carried out, subject to regulations under the Cannabis Act, as amended.
 - vi) "Cannabis research facility" means a facility used for activities in accordance with a licence for research, subject to regulations under the Cannabis Act, as amended.

2. **That** Section 3.0 of this By-law No. 2009-21, as amended, is further amended to a new subsection 3.49: Regulations for Cannabis Cultivation – Indoor and Processing Facilities as follows:

Cannabis cultivation – indoor and cannabis processing facilities are required to be setback a minimum of 150 metres from a lot that is the site of:

- i) An arena;
 - ii) A community centre;
 - iii) A day nursery;
 - iv) A dwelling unit;
 - v) A long term care facility;
 - vi) A park, public;
 - vii) A park, private;
 - viii) A place of worship;
 - ix) A retirement home;
 - x) A school, public;
 - xi) A school, private; and,
 - xii) A trade and convention centre.
3. **That** Section 4.7.1.2 of this By-law No. 2009-21, as amended, is further amended to add ‘cannabis cultivation – outdoor’ as a permitted use.
4. **That** Section 4.7.4 of this By-law No. 2009-21, as amended, is further amended to a new subsection 4.7.4.2: Regulations for Cannabis Cultivation – Outdoor’ as follows:
- a) Cannabis Cultivation – Outdoor shall be set back a minimum of 50 metres from lot lines.
 - b) Notwithstanding any other provision in this By-law, an accessory building that is required to support a cannabis cultivation – outdoor use shall be set back a minimum of 50 metres from lot lines.
5. **That** Section 4.8.1.2 of this By-law No. 2009-21, as amended, is further amended to add ‘cannabis cultivation – outdoor’ as a permitted use.
6. **That** Section 4.8.4 of this By-law No. 2009-21, as amended, is further amended to a new subsection 4.8.4.2: Regulations for Cannabis Cultivation – Outdoor’ as follows:
- a) Cannabis Cultivation – Outdoor shall be set back a minimum of 50 metres from lot lines.
 - b) Notwithstanding any other provision in this By-law, an accessory building that is required to support a cannabis cultivation – outdoor use shall be set back a minimum of 50 metres from lot lines.
7. **That** Section 3.24 of this By-law No. 2009-21, as amended, is further amended with the addition of a new subsection g), which shall read as follows:

Loading spaces for cannabis analytical testing facilities, cannabis cultivation – indoor, cannabis drug production facilities, cannabis processing facilities and cannabis research facilities shall be located entirely within the main building on the lot.

8. **That** Section 3.29 of this By-law No. 2009-21, as amended, is further amended by adding the following row:

Use	Required Parking Space (per square metres (sm) of Gross Floor Area, unless otherwise noted).
Cannabis Analytical Testing Facility, Cannabis Cultivation – Indoor, Cannabis Drug Production Facility, Cannabis Processing Facility and Cannabis Research Facility	1/00 sm

9. **That** this By-law shall come into effect upon the approval of Official Plan Amendment No. 58.
10. **That** subject to notice of the passing of this By-law in accordance with the provisions of Section 34(18) of the Planning Act, this By-law shall come into force and effect on the date of passing by the Council of the Corporation of the Township of Selwyn where no notice of appeal or objection is received pursuant to the provisions of Section 34(21) of *The Planning Act*, R.S.O.1990, as amended.

Read a first, second, and third time and finally passed this 28th day of January, 2020.

Mayor, Andy Mitchell

Angela Chittick, Clerk

Corporate Seal