CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 105-2019

Being a by-law to amend by-law 45-2014 of the Municipality of Morris-Turnberry.

WHEREAS the Municipal Council of the Corporation of the Municipality of Morris-Turnberry considers it advisable to amend Morris-Turnberry Zoning By-law 45-2014, as amended, of the Corporation of the Municipality of Morris-Turnberry; and

NOW THEREFORE the Council of the Corporation of the Municipality of Morris-Turnberry ENACTS as follows:

1. This by-law shall apply to all lands within the Municipality of Morris-Turnberry.

2. Section 2 (Definitions) is hereby amended by the addition of the following:

"AIR TREATMENT CONTROL" shall mean the functional use of properly maintained 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.

"CANNABIS" shall mean the plants hemp and marijuana in the family Cannabaceae.

"CANNABIS PRODUCTION FACILITY" 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. Section 2 (Definitions) is hereby amended by the deletion and replacement of the definitions of 'Agricultural Industrial Establishment', 'Agricultural Use, General', 'Agricultural Use, Limited', and 'Greenhouse, Commercial' with the following:

AGRICULTURAL INDUSTRIAL ESTABLISHMENT shall mean the use of land and/or buildings or structures for the manufacturing and wholesale and/or retail sales of goods that are necessary to support agricultural uses, as defined in this by-law. These include such goods as farm machinery and equipment used for tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of livestock, poultry and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure and the manufacture of sub-surface drainage materials and equipment.

AGRICULTURAL USE, GENERAL - means general farming and without limiting the generality of the foregoing shall include such uses as: the general cultivation of land and the associated production, conditioning, processing and storage of field crops, vegetables, fruit, horticultural crops and nursery stock and the selling of such produced on the premises, the breeding and care of livestock, fowl, fur-bearing animals and bees, and the selling of such stock or the product of such stock raised on the premises, and the management of forest, and the sale of forest products, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a farm dwelling and accessory buildings and uses but does not include a cannabis production facility.

AGRICULTURAL USE, LIMITED - means the planting and harvesting of field, bush, vine, forest, or tree crops and grazing not including an accessory residence, livestock building or cannabis production facility.

GREENHOUSE, COMMERCIAL means a building or structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such building or structure, but are sold directly from such lot at wholesale or retail but does not include a cannabis production facility.
4. Section 3 (General Provisions) is hereby amended by the addition of the following:

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

a) Lands, buildings or structures or portion(s) thereof used for Cannabis Production Facility purposes that are equipped with air treatment control shall not be located any closer than 150m to a Residential Zone, Community Facility Zone, park or similar recreational use, dwelling, public school, private school, place of worship, or a day care.

b) Lands, buildings or structures or portion(s) thereof used for Cannabis Production Facility purposes that are not equipped with air treatment control shall not be located any closer than 300m to a Residential Zone, Community Facility Zone, park or similar recreational use, dwelling, public school, private school, place of worship, or a day care.

c) Accessory buildings or structures used for security purposes for Cannabis Production Facility may be located in any yard. The minimum setback for an accessory building used for security purposes from a front, side, or rear lot line shall be one metre, but it shall not be located in the sight triangle.

d) Outdoor storage is prohibited on the property in which the Cannabis Production Facility is located.

e) Cannabis Production Facility shall only be permitted within the zones as explicitly indicated in this Zoning By-law.

f) Setback requirements do not apply to dwellings located on the same parcel as the cannabis production facility.

g) All development in relation to the establishment of or expansion to a Cannabis Production Facility shall be subject to Site Plan Control.

5. Section 4.1 is hereby amended by the addition of the following: 'cannabis production facility subject to the provisions of Sections 4 and 3.51'.

6. Section 5.1 is hereby amended by the addition of the following: 'cannabis production facility subject to the provisions of Sections 5 and 3.51'.

7. Section 6.1 is hereby amended by the addition of the following: 'cannabis production facility subject to the provisions of Sections 6 and 3.51'.

8. Section 17.1 is hereby amended by the addition of the following: 'cannabis production facility subject to the provisions of Sections 17 and 3.51'.

9. All other provisions of By-law 45-2014 shall apply.

10. This by-law shall come into force upon final passing, pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

Read a FIRST and SECOND time this 17th day of December 2019

Read a THIRD time and FINALLY PASSED this 17th day of December 2019

[Signature] Mayor, Jamie Heffer

[Signature] Clerk, Trevor Hallam
1. By-law 105 - 2019 has the following purpose and effect:
   The purpose of this housekeeping amendment is to introduce zoning provisions for cannabis production facilities.

2. This by-law affects all lands within the Municipality of Morris-Turnberry and amends the Comprehensive Zoning By-law (By-law 45-2014) of the Municipality of Morris-Turnberry.