



CLEARVIEW

AMENDMENT TO ZONING BY-LAW 06-54 NOTICE OF PUBLIC MEETING

Township of Clearview Council will be holding a public meeting to amend Comprehensive Zoning By-law 06-54. The amendment to the Zoning By-law is being considered under the requirements of the *Planning Act RSO 1990 c.P.13 as outlined in O.Reg 140/20* and applicable regulations. The purpose of this notice is to invite you to engage in the public process if you wish.

Public Meeting Information:

When: Monday August 23, 2021 at 6:30 pm

Where: **Online via the Zoom online platform during the Covid-19 Emergency.** You can watch the Public Meeting live on YouTube. The site link can be found on the Township's website at www.clearview.ca/YouTube. If you wish to participate in the Zoom meeting please complete the request form on the website www.clearview.ca/Public-Meeting-Participation by **Friday, August 20th, 2021 at 12:00 pm**. Written comments will be accepted and must be received by **Friday, August 20th, 2021 at 12:00 pm**.

Project No.: 2021-060-ZB

Proposed Amendment to the Zoning By-law 06-54

The purpose of the meeting is to provide notice that the Council for The Corporation of the Township of Clearview will be holding a public meeting under Section 34 of the Planning Act, R.S.O. 1990, C.P. 13 as amended, to inform the public and provide opportunity for public comments on the proposed update to Comprehensive Zoning By-law 06-54 for the Municipality of the Township of Clearview as it **relates to cannabis within the whole of the Township**. As such a key map for the general provisions is not provided with this notice.

The Zoning By-law is a statutory document that sets out the specific permitted land uses and development standards that apply to properties in the Township of Clearview.

The amendment proposes to amend Section 2 "General Provisions" by adding the following:

2.36 CANNABIS CULTIVATION AND CANNABIS PRODUCTION FACILITIES

Where cannabis cultivation and/or cannabis production facilities are a permitted use, the following regulations shall apply:

- 2.36.1 Cannabis cultivation shall not be permitted on undersized lots, and a minimum lot area shall be 10 hectares and a minimum lot frontage of 200 metres is required.
- 2.36.2 Lot coverage provisions:
 - a) Maximum 10% on a lot 10 hectares or less
 - b) Maximum 5% on a lot over 10 hectares
- 2.36.3 Unless zoned an Agriculturally Related Industrial Zone that permits cannabis cultivation, all buildings and facilities associated with cultivation shall be limited in area to a maximum of 200 square metres per lot, other than cultivation within a greenhouse.
- 2.36.4 All cultivation, associated buildings, parking areas and security fencing shall be setback a minimum distance of 300 metres to the lot line of any sensitive land uses except where a dwelling is part of a farm and not subject to MDS, the setback shall be 300 metres to the dwelling.
- 2.36.5 Where a dwelling is located on the same lot, cannabis cultivation and/or production facilities must be setback 150 metres from the dwelling.
- 2.36.6 Buildings and parking areas shall be setback a minimum of 70 metres to a property line.
- 2.36.7 Any outdoor growing and any security fencing shall be setback a minimum of 30 metres to a property line.
- 2.36.8 Any cannabis cultivation and/or cannabis production facility shall have a separation distance of 1000 metres from any other cannabis cultivation and/or cannabis production facility.
- 2.36.9 Cannabis is not permitted to be cultivated, dried or processed in a hoop house.
- 2.36.10 All drying, processing and packaging, where permitted, must be done within a fully enclosed building and cannot take place in a greenhouse or hoop house.
- 2.36.11 The outside storage of waste soils, plant material, organics or fertilizers is prohibited.
- 2.36.12 No lighting of cannabis shall take place between the hours of 8:00 pm to 6:00 am.



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- 2.36.13 No part of any cannabis cultivation and/or cannabis production facility can be located within a dwelling unit.
- 2.36.14 Cannabis cultivation and/or cannabis production facilities are subject to site plan control.
- 2.36.15 Other than existing cannabis production facilities permitted on lands zoned Agriculturally Related Industrial, cannabis production facilities shall require a zoning amendment within the General Industrial Zone.

The By-law also proposes to change the zoning on two properties in the Township to an Agriculturally Related Industrial Zone. Those properties are located **at 4491 Concession 12 Sunnidale (Peace Naturals) being proposed to go to a AGI-7 Zone and 6954 County Road 9 (Agri-Farm) proposed to go to a AGI-8 Zone as shown on the key maps provided.** The following are the provisions proposed for those Zones:

AGI-7

Permitted Uses:

Notwithstanding the permitted uses of Subsection 3.2 "Agriculturally Related Industrial (AGI)" Zone the following are permitted uses on properties zoned AGI-7:

- a) Cannabis cultivation
- b) Cannabis production facility
- c) All the permitted uses of Subsection 3.1 "Agricultural (AG)" Zone.

Zone Provisions:

Notwithstanding the zone provisions of the AGI Zone, the following Provisions apply to the AGI-7 Zone:

- a) The zone provisions of Subsection 3.1.2 of the "Agricultural (AG)" Zone apply to lands zoned AGI-7.
- b) The provisions of Section 2.36 shall apply.
- c) The maximum area dedicated to processing research, analytical testing and sales is 2% of the lot area to a max of 10,000 sq m.

AGI-8

Permitted Uses:

Notwithstanding the permitted uses of Subsection 3.2 "Agriculturally Related Industrial (AGI)" Zone the following are permitted uses on properties zoned AGI-8:

- a) Cannabis cultivation
- b) Cannabis production facility
- c) All the permitted uses of Subsection 3.1 "Agricultural (AG)" Zone.

Zone Provisions:

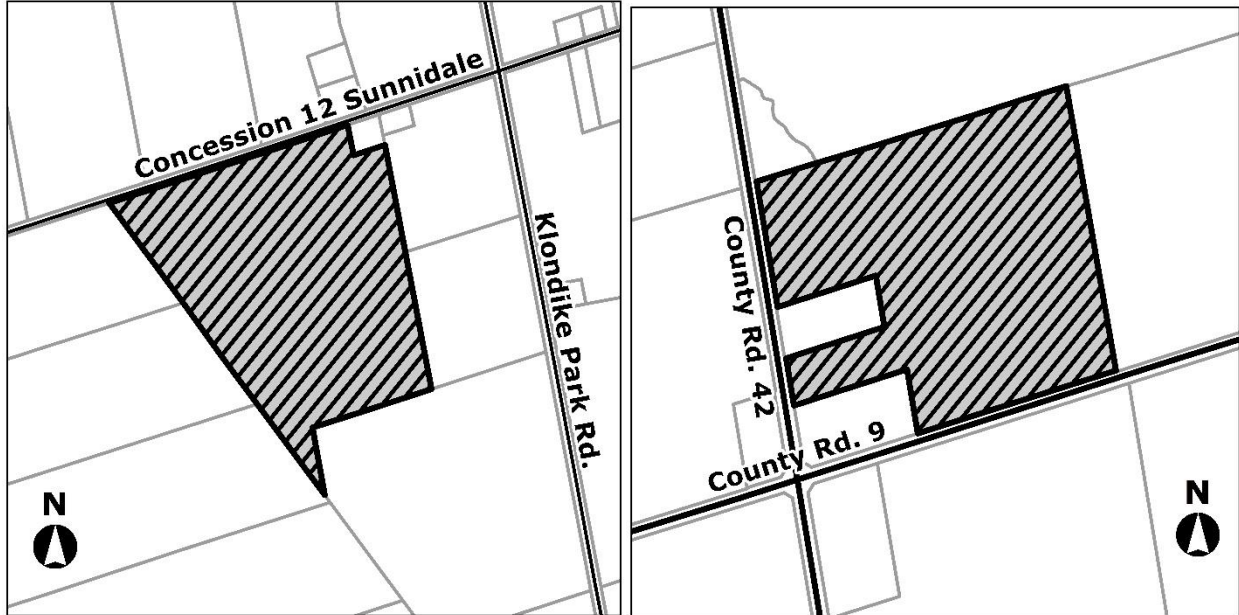
Notwithstanding the zone provisions of the AGI Zone, the following Provisions apply to the AGI-7 Zone:

- a) The zone provisions of Subsection 3.1.2 of the "Agricultural (AG)" Zone apply to lands zoned AGI-8.
- b) The minimum lot area shall be 34.5 ha.
- c) The provisions of Section 2.36 shall apply.
- d) The maximum area dedicated to processing research, analytical testing and sales is 2% of the lot area to a max of 10,000 sq m."



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Further, **the By-law proposed new definitions** that are proposed to be added to the Zoning By-law being the following:

CANNABIS:

Means a genus of flowering plants in the family Cannabaceae, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has in it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marihuana shall have the same definition. 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).

CANNABIS CULTIVATION:

Means the cultivation or growing of cannabis.

CANNABIS PRODUCTION FACILITY:

Means lands, building or structures used for the cultivation, processing, testing, packaging, shipping and or destruction 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, and the Cannabis Act, S.C. 2018, c. 16, as amended from time to time, or any successors thereto and can be for the production of medical or recreational cannabis.

GREENHOUSE:

Means a building having metal, wood or similar framing enclosed with glass walls used for the cultivation, drying or processing of plants and designed such that the building can be ventilated to the open air.

HOOP HOUSE:

Means a building or structure having a metal, wood or similar framing covered with plastic, polyurethane or similar material used for the cultivation, drying and/or processing of plants.

SENSATIVE LAND USES:

Means residential uses, parks, community centres, day care centres, medical facilities, churches and schools.



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Your Rights to Appeal:

Opportunity for Appeal only applies to the Zoning By-law Amendment. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Township of Clearview before the by-law is passed, the person or public body:

- i) is not entitled to appeal the decision of the Township of Clearview Council to the Local Planning Appeal Tribunal; and
- ii) may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For More Information:

There are several ways to find more information about this application.

Visit our website:

www.clearview.ca

Contact the Planner assigned to this file:

Mara Burton, Director Community Services
mburton@clearview.ca
705-428-6230 ext. 264

We invite you to comment on this application and to engage in the process with us. If you wish to receive future notices concerning this file, please submit your request in writing to the Planner assigned to this file using the information above. Please be advised that your comment or request to be notified will form part of the public record; your communication and any personal information therein will be made available to the public (i.e. e-mail address), unless you expressly request its removal.

If you have specific accessibility needs and would like another format or other accommodations the Township of Clearview will work to meet your needs. Please contact Human Resources at 705-428-6230 ext. 255.

Notice dated: 29 July 2021

BY-LAW NUMBER 21-78

OF

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

A By-law to amend the Comprehensive Zoning By-law 06-54 that regulates the use of land and the character, location and use of buildings and structures on lands within the Township of Clearview with respect to cannabis cultivation and cannabis production facilities.

WHEREAS pursuant to Section 34 of the Planning Act R.S.O., 1990, c.P.13, as amended, the Council of the Township of Clearview has passed By-law 06-54 being the comprehensive Zoning By-law for the Township of Clearview;

AND WHEREAS pursuant to Section 34(17) of the Planning Act, R.S.O., 1990, c. P.13, as amended, Council determines that no further notice is required in respect of the proposed By-law;

AND WHEREAS the amendment is in conformity with the Township of Clearview Official Plan;

AND WHEREAS the Council of the Corporation of the Township of Clearview, wishes to amend By-law 06-54;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW HEREBY ENACTS AS FOLLOWS:

1. That Section 2 "General Provisions" be amended by adding the following:

"2.36 CANNABIS CULTIVATION AND CANNABIS PRODUCTION FACILITIES

Where cannabis cultivation and/or cannabis production facilities are a permitted use, the following regulations shall apply:

2.36.1 Cannabis cultivation shall not be permitted on undersized lots, and a minimum lot area shall be 10 hectares and a minimum lot frontage of 200 metres is required.

2.36.2 Lot coverage provisions:

- a) Maximum 10% on a lot 10 hectares or less
- b) Maximum 5% on a lot over 10 hectares

2.36.3 Unless zoned an Agriculturally Related Industrial Zone that permits cannabis cultivation, all buildings and facilities associated with cultivation shall be limited in area to a maximum of 200 square metres per lot, other than cultivation within a greenhouse.

- 2.36.4 All cultivation, associated buildings, parking areas and security fencing shall be setback a minimum distance of 300 metres to the lot line of any sensitive land uses except where a dwelling is part of a farm and not subject to MDS, the setback shall be 300 metres to the dwelling.
 - 2.36.5 Where a dwelling is located on the same lot, cannabis cultivation and/or production facilities must be setback 150 metres from the dwelling.
 - 2.36.6 Buildings and parking areas, shall be setback a minimum of 70 metres to a property line.
 - 2.36.7 Any outdoor growing and any security fencing shall be setback a minimum of 30 metres to a property line.
 - 2.36.8 Any cannabis cultivation and/or cannabis production facility shall have a separation distance of 1000 metres from any other cannabis cultivation and/or cannabis production facility.
 - 2.36.9 Cannabis is not permitted to be cultivated, dried or processed in a hoop house.
 - 2.36.10 All drying, processing and packaging, where permitted, must be done within a fully enclosed building and cannot take place in a greenhouse or hoop house.
 - 2.36.11 The outside storage of waste soils, plant material, organics or fertilizers is prohibited.
 - 2.36.12 No lighting of cannabis shall take place between the hours of 8:00 pm to 6:00 am.
 - 2.36.13 No part of any cannabis cultivation and/or cannabis production facility can be located within a dwelling unit.
 - 2.36.14 Cannabis cultivation and/or cannabis production facilities are subject to site plan control.
 - 2.36.15 Other than existing cannabis production facilities permitted on lands zoned Agriculturally Related Industrial, cannabis production facilities shall require a zoning amendment within the General Industrial Zone.
2. That Section 3.2.3 "Agriculturally Related Industrial Zone Exceptions" be amended by the addition of the following:

"AGI-7

Permitted Uses:

Notwithstanding the permitted uses of Subsection 3.2 "Agriculturally Related Industrial (AGI)" Zone the following are permitted uses on properties zoned AGI-7:

- a) Cannabis cultivation
- b) Cannabis production facility
- c) All the permitted uses of Subsection 3.1 "Agricultural (AG)" Zone.

Zone Provisions:

Notwithstanding the zone provisions of the AGI Zone, the following Provisions apply to the AGI-7 Zone:

- a) The zone provisions of Subsection 3.1.2 of the "Agricultural (AG)" Zone apply to lands zoned AGI-7.
- b) The provisions of Section 2.36 shall apply.
- c) The maximum area dedicated to processing research, analytical testing and sales is 2% of the lot area to a max of 10,000 sq m.

AGI-8

Permitted Uses:

Notwithstanding the permitted uses of Subsection 3.2 "Agriculturally Related Industrial (AGI)" Zone the following are permitted uses on properties zoned AGI-8:

- a) Cannabis cultivation
- b) Cannabis production facility
- c) All the permitted uses of Subsection 3.1 "Agricultural (AG)" Zone.

Zone Provisions:

Notwithstanding the zone provisions of the AGI Zone, the following Provisions apply to the AGI-7 Zone:

- a) The zone provisions of Subsection 3.1.2 of the "Agricultural (AG)" Zone apply to lands zoned AGI-8.
- b) The minimum lot area shall be 34.5 ha.
- c) The provisions of Section 2.36 shall apply.

- d) The maximum area dedicated to processing research, analytical testing and sales is 2% of the lot area to a max of 10,000 sq m.”
3. That Schedule “A2” is hereby amended by changing the zoning located at 4491 Concession 12 Sunnidale, from the Agricultural Zone (AG) Zone to the Agriculturally Related Industrial Exception Seven (AGI-7) Zone as shown on Schedule “1” attached hereto and forming part of this By-law.
 4. That Schedule “A2” is hereby amended by changing the zoning located at 6954 County Road 9, from the Agricultural Exception Fifteen Zone (AG-15) Zone to the Agriculturally Related Industrial Exception Seven (AGI-8) Zone as shown on Schedule “2” attached hereto and forming part of this By-law.
 5. That Section 4 “Definitions” be amended by adding the following

“CANNABIS:

Means a genus of flowering plants in the family Cannabaceae, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has in it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marijuana shall have the same definition. 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).

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HOOP HOUSE:

Means a building or structure having a metal, wood or similar framing covered with plastic, polyurethane or similar material used for the cultivation, drying and/or processing of plants.

SENSATIVE LAND USES:

Means residential uses, parks, community centres, day care centres, medical facilities, churches and schools.

6. That all other provisions of By-law 06-54, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply when the By-law comes into effect.
7. This By-law shall come into force and take effect in accordance with the provisions of the Planning Act R.S.O, 1990 c.P.13, as amended.

By-law Number 21-__ read a first, second and third time and finally passed this __ day of ____, 2021.

MAYOR

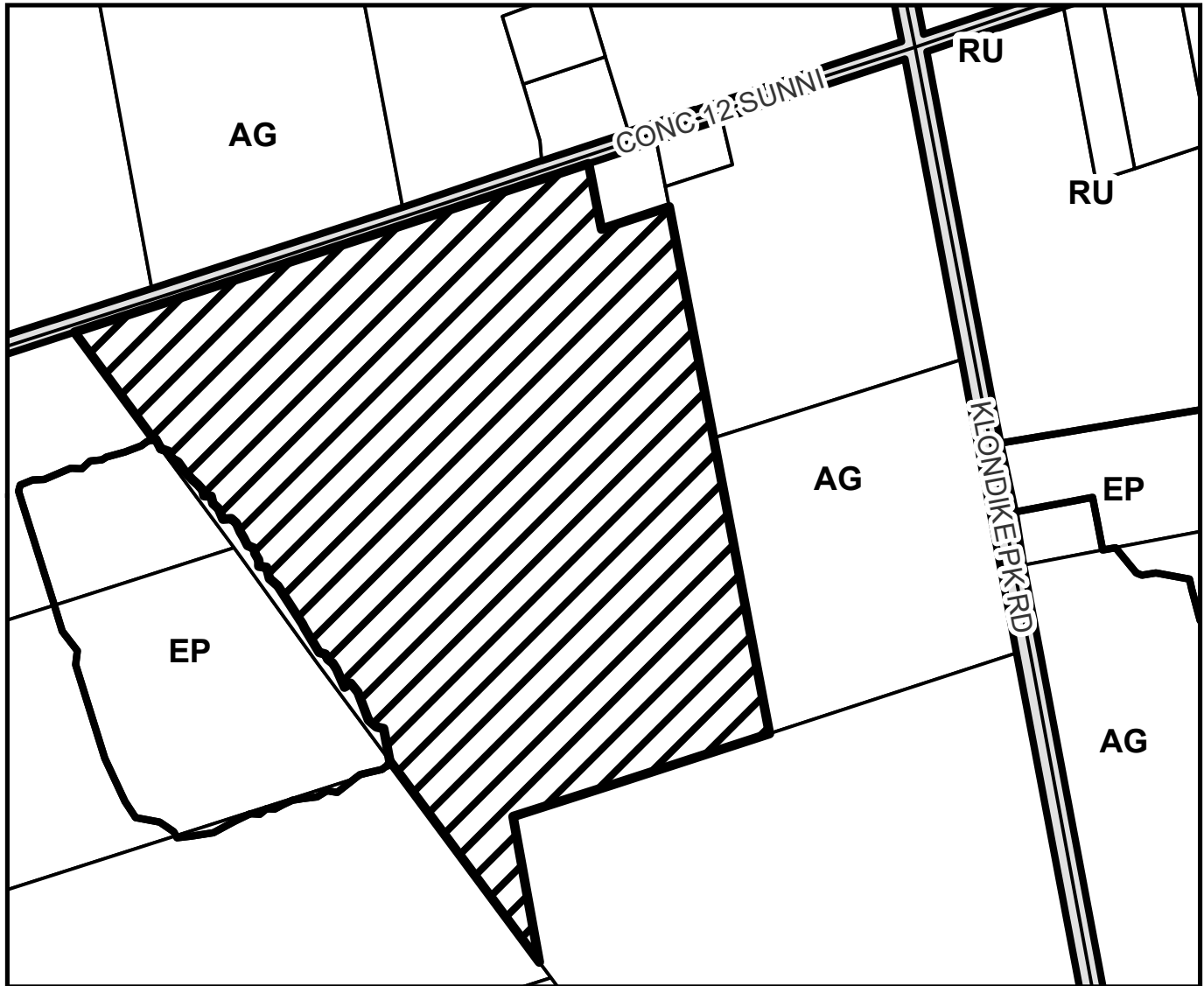
DIRECTOR OF LEGISLATIVE SERVICES/CLERK

Township of Clearview Schedule '1'

This is Schedule '1' to Zoning By-law No. 21-78,
passed this _____ day of _____, 2021.

MAYOR

DIRECTOR OF LEGISLATIVE SERVICES/CLERK






Area to be rezoned from Agricultural (AG) Zone to Agriculturally Related Industrial Exception Seven (AGI-7) Zone.



1:7,500



-  Road Centerline
-  Assessment Parcels
-  Zone Boundary

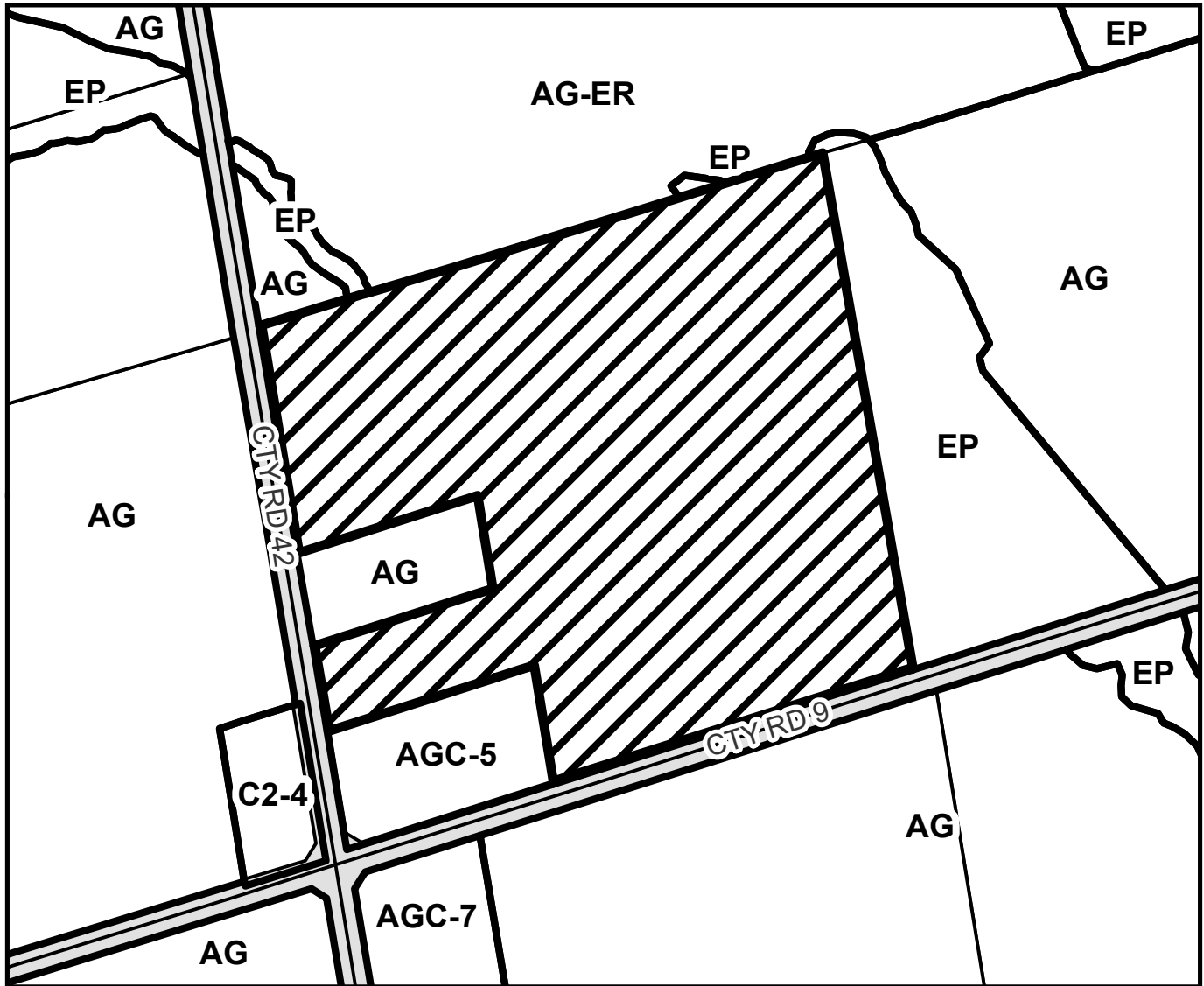
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Township of Clearview Schedule '1'

This is Schedule '1' to Zoning By-law No. 21-78,
passed this _____ day of _____, 2021.

MAYOR

DIRECTOR OF LEGISLATIVE SERVICES/CLERK



Area to be rezoned from Agricultural Exception (AG-15) Zone to Agriculturally Related Industrial Exception Eight (AGI-8) Zone.



1:7,500



- Road Centerline
- Assessment Parcels
- Zone Boundary

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