

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. -2019

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS WITHIN THE TOWN OF MILTON, FILE: X-XX/XX

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, as amended;

AND WHEREAS the Town of Milton Official Plan will provide for the lands affected by this by-law to be zoned as set forth in this by-law upon the approval of OPA XX;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1.0 THAT Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the new defined term 'Cannabis Production and Processing Facility' as follows:

"Cannabis Production and Processing Facility

Means a premises used for the growing, production, processing, testing, destroying, packaging and/or shipping of cannabis where a license, permit or authorization has been issued under federal applicable law. For the purposes of this definition, cannabis production refers to the production or manufacturing of a drug containing cannabis and cannabis processing refers to the extraction of cannabis oil"

2.0 THAT Section 4 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new section, "Section 4.1.2.9", as follows:

"4.1.2.9 Cannabis Production and Processing Facility Uses

The following provisions apply to *Cannabis Production and Processing Facility Uses*

- i) The facility shall be the only principal use permitted on the lot on which it is located;
- ii) The facility operations, including loading spaces, must be located within a wholly enclosed building;
- iii) Outdoor storage is not permitted;
- iv) Outdoor cultivation of cannabis is permitted;
- v) The minimum setbacks for a *Cannabis Production and Processing Facility* located within an Industrial (M1, M2, MX) Zone shall be in accordance with the following:
 - a. From a Residential, Institutional or Open Space Zone: 70 m;
 - b. From a lot containing a Residential or Institutional use: 70 m
- vi) The minimum setbacks for a *Cannabis Production and Processing Facility* located within an Agricultural (A1, A2) Zone shall be in accordance with the following:
 - a. From a Residential, Institutional or Open Space Zone: 150 m;

- b. From a Residential use on a separate lot or a lot containing an institutional use: 150 m;
- vii) A building or structure used for security purposes for a *Cannabis Production and Processing Facility* is permitted in any yard and shall not be subject to the required setbacks.”

3.0 THAT Section 8 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying Table 8A as follows:

- *Cannabis Production and Processing Facility* is added to the table under the Other Uses Column;
- A bullet point (•) and asterisk (*9) is added to the table under the columns ‘M1’, ‘M2’, and ‘MX’ in the row containing *Cannabis Production and Processing Facility*;
- An asterisk (*10) is added to the table under the column ‘MX’ in the row containing *Cannabis Production and Processing Facility*;
- The following footnote (*9) is added to the Footnote(s) for Table 8A:

A Cannabis Production and Processing Facility must comply with the regulations set out in Section 4.1.2.9. A Standalone Cannabis Processing Facility shall also be permitted and must comply with the regulations set out in Section 4.1.2.9. Parking Ratios shall be in accordance with the Industrial Use provisions set out in Table 5E.

- The following footnote (*10) is added to the Footnote(s) for Table 8A:

Zone standards for a *Cannabis Production and Processing Facility* shall be in accordance with the M2 Standards contained in Table 8B

4.0 THAT Section 10 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying Table 10A as follows:

- *Cannabis Production and Processing Facility* is added to the table under the Permitted Uses Column;
- A bullet point (•) and asterisk (*2) is added to the table under the columns ‘A1’, and ‘A2’ in the row containing *Cannabis Production and Processing Facility*;
- The following footnote (*2) is added to the Footnote(s) for Table 10A:

A Cannabis Production and Processing Facility must comply with the regulations set out in Section 4.1.2.9. Parking Ratios shall be in accordance with the Industrial Use provisions set out in Table 5E. A standalone processing facility is not permitted.

5.0 THAT the Table of Contents of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding '4.1.2.9 Cannabis Production and Processing Facilities' .

6.0 THAT if no appeal is filed pursuant to Section 34 (19) of the Planning Act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Land Use Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which OPA XX comes into effect. If the Land Use Planning Appeal Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of the Tribunal's Order is issued directing the amendment or amendments.

PASSED this XX day of XX, 2019.

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