

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2021-34

A by-law to amend Comprehensive Zoning By-law 2006-50, as amended to reflect changes to the Cannabis Act, permit cannabis-related uses and hemp-related uses in industrial areas and repeal By-law No. 2019-27.

WHEREAS Section 34 of the Planning Act, as amended, permits the councils of local municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law;

AND WHEREAS the Council of The Corporation of the Town of Caledon considers it desirable to pass a zoning by-law to repeal By-law No. 2019-27, amend definitions and provisions relating to cannabis-related uses and hemp-related uses within the Town of Caledon, Regional Municipality of Peel;

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts that By-law 2006-50 as amended, being the Comprehensive Zoning By-law for the Town of Caledon, shall be and is hereby amended as follows:

1. By-law No. 2019-27 is hereby repealed.
2. The following definitions are deleted from Section 3, Definitions:
Cannabis
Marihuana
Medical Marihuana Production Facility
3. The following definitions are added to Section 3, Definitions in alphabetical order:

Cannabis or Industrial Hemp Use means a *cannabis-related use – indoor* and/or *industrial hemp-related use – indoor*.

Cannabis-Related Use – Indoor means those activities that are carried out within an enclosed *building* or structure that are authorized in accordance with the Federal Cannabis Regulation SOR-2018-144, as amended from time to time or any regulations enacted in substitution therefor.

Industrial Hemp-Related Use – Indoor means those activities that are carried out within an enclosed *building* or *structure* that are authorized in accordance with the Federal Industrial Hemp Regulation SOR-2018-145, as amended from time to time or any regulations enacted in substitution therefor.
4. The following definitions in Section 3, Definitions are amended by adding “, but does not include any *cannabis or industrial hemp use* defined in this By-law.” to the end of the definition:

Artisan Operation
Artist Studio and Gallery
Bakery
Bulk Storage Facility
Business Office
Cold Storage Warehouse
Composting Facility
Contractor’s Facility
Custom Workshop
Equipment Storage Building
Factory Outlet
Grocery Store
Home Industry (ORM)
Home Occupation
Industrial Supply Outlet
Industrial Use
Laboratory, Industrial
Maintenance Building
Merchandise Service Shop
Night Club
Non-Food Store Retail
Nursery, Commercial
Open Storage Use
Open Storage Area, Accessory
Outdoor Seasonal Garden Centre, Accessory
Outside Display or Sales Area, Accessory

Patio, Outdoor
 Personal Service Shop
 Place of Assembly
 Place of Entertainment
 Printing and Processing Service Shop
 Private Club
 Recreation Intensive
 Research Establishment
 Resort Complex
 Restaurant
 Sales, Service and Repair Shop
 Service Building
 Specialty Food Store
 Supermarket
 Training Facility
 Transportation Depot
 Warehouse
 Warehouse, Public Self-Storage
 Warehouse, Retail
 Warehouse, Wholesale
 Wellness Centre

5. The title of Section 4.20 *Medical Marihuana Production Facility* is renamed to be "Cannabis or Industrial Hemp Uses".
6. In Section 4.20 Cannabis or Industrial Hemp Uses, the following language is deleted "One *cannabis production facility* is permitted on a *lot* zoned for Prestige Industrial or Serviced Industrial use provided that all of the following criteria have been met:".
7. Section 4.20 Cannabis or Industrial Hemp Uses is amended to insert a new Section 4.20.1 which states that "Only one business of a *cannabis or industrial hemp use* shall be permitted per *lot* in the Prestige Industrial (MP) or Serviced Industrial (MS) zones", and all other sections are renumbered accordingly.
8. The existing Section 4.20.1 is amended by deleting the word "production".
9. The existing Section 4.20.2 is amended by replacing all references to "*medical marihuana production facility*" with "*cannabis or industrial hemp use*".
10. The existing Section 4.20.2 is amended by replacing all references to "150m" within "300m".
11. The existing Section 4.20.2 is amended to replace "erection of a residential or institution use" with "erection of a residential or institutional use."
12. The existing Section 4.20.3 is deleted in its entirety.
13. The existing Sections 4.20.4, 4.20.6 and 4.20.8 are amended by deleting reference to a "*medical marihuana production facility*" and replacing it with "*cannabis or industrial hemp use*".
14. The existing Section 4.20.7 is amended by deleting the section and replacing it as follows:

Section 4.20.7	Any proposal to permit a <i>cannabis or industrial hemp use</i> in a zone other than where the use is permitted, shall require approval of a zoning by-law amendment under Section 34 of the <i>Planning Act</i> , R.S.O. 1990, c. P. 13, as amended, and the <i>Cannabis Act</i> , S.C. 2018, c. 16, as amended.
----------------	---
15. The following is added to Section 4 – General Provisions:

Section 4.20.9	Whereas the Committee of Adjustment of the Town of Caledon has authorized Minor Variance application 'A' 010-18 and the decision of which has become final and binding, the provisions of this By-law, as they apply to such land, <i>building or structure</i> , shall be deemed to be modified to the extent necessary to give effect to such Minor Variance and the land, <i>building or structure</i> shall be deemed to comply with this By-law in so far as it relates to the approved variance.
----------------	--
16. Table 5.2 Non-Residential *Parking* Requirements is amended by deleting reference to the existing *Medical Marihuana Production Facility*.

17. Table 5.2 Non-Residential *Parking* Requirements is amended by adding a new row between the row for “Warehouse, Wholesale” and the row for “Uses permitted by this By-law other than those listed in the Table” as follows:

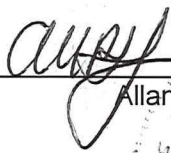
Type or Nature of Use	Minimum Off-Street Parking Requirements
- Cannabis-Related Use – Indoor - Industrial Hemp-Related Use - Indoor	1 parking space per 100 m ² of gross floor area or portion thereof

18. Table 5.3 *Loading Space* Requirements is amended by deleting reference to “Medical Marihuana Production Facility”.
19. Table 5.3 *Loading Space* Requirements is amended by adding the following uses in alphabetical order:
- Cannabis-Related Use – Indoor*
Industrial Hemp-Related Use – Indoor
20. The following rows are added to Table 8.1 Uses for *Industrial Zones* in alphabetical order:

USE	ZONES					
	MP	MS	MU	MA	MX	MD
<i>Cannabis-Related Use – Indoor</i>	√ (3)	√ (3)				
<i>Industrial Hemp-Related Use – Indoor</i>	√ (3)	√ (3)				

21. The following text is added as Footnote (3) in Table 8.1 *Uses for Industrial Zones*:
- (3) Must comply with Section 4.20 Cannabis or Industrial Hemp Uses.
22. All references to “Medical Marihuana Production Facility” throughout Section 13.1 of the By-law are deleted and hereby replaced with “*Cannabis or Industrial Hemp Use*”.
23. In Section 13.1, for the A2-595 zone in the Special Standards column, the following text shall be added: “Section 4.20.2 shall not apply”.
24. The entirety of Section 4.20 Cannabis or Industrial Hemp Uses, including all subsections, is relocated within Section 4 to be in alphabetical order and all other sections and references to this section are renumbered accordingly.

Enacted by the Town of Caledon Council this 27th day of April, 2021.


Allan Thompson, Mayor


Laura Hall, Town Clerk

