

The Corporation of the Town of Grimsby
By-law No. 22-63
A By-law to Amend By-Law 14-45 (as amended)
(Cannabis Facilities)

Whereas the Council of The Corporation of the Town of Grimsby deems it expedient to amend Sections 3.0 and 6.0 of By-law 14-45, as amended:

Now Therefore the Council of the Corporation of the Town of Grimsby enacts as follows:

- 1. Add to Section 3 of the Zoning By-law, at the end of the definition of "Agricultural Use", the wording as follows:

"but does not include a licenced cannabis cultivation facility or medical cannabis growth."

- 2. Add to Section 3 of the Zoning By-law, following the definition of Landscaping Strip, the definition of Licenced Cannabis Cultivation Facility as follows:

"Licenced Cannabis Cultivation Facility
means any lands, *building or structure*, a including *commercial greenhouse*, licenced by Health Canada in accordance with the applicable Federal Regulations, as amended from time to time, for the cultivation, processing, packaging, testing, destruction, research and/or shipping of cannabis.."

- 3. Replace in Section 3 of the Zoning By-law, the definition of "Medical Marihuana Facility" with "Medical Cannabis Growth" as follows:

"Medical Cannabis Growth
means any lands, *building or structure*, including a *commercial greenhouse*, which is used for the cultivation, processing or storing of cannabis for medical purposes on a single *lot* under the permission of two or more registration certificates provided by Health Canada, where one or more of the registration certificates permits cannabis growth by someone other than the person for whom the prescription is for except a person designated to grow for another person both living in the same dwelling does not constitute designated medical growth of cannabis.

- 4. Add new section 4.37 to the General Provision section of the Zoning By-law.

"4.37 Licenced Cannabis Cultivation Facilities and Medical Cannabis Growth

- a) *Licenced Cannabis Cultivation Facilities and Medical Cannabis Growth* must be wholly enclosed in a *building*;
- b) *Licenced Cannabis Cultivation Facilities and Medical Cannabis Growth* must be located a minimum 450 metres from any residential or institutional zone and from any school, daycare, public park or *existing dwelling*, except where the *existing dwelling* is on the same *lot* as the *Licenced Cannabis Cultivation Facility* or *Medical Cannabis Growth*;
- c) Any *sign* identifying a *Licenced Cannabis Cultivation Facility* or *Medical Cannabis Growth* is prohibited;
- d) Outdoor storage for *Licenced Cannabis Cultivation Facilities* or *Medical Cannabis Growth* is prohibited;

- e) *Licensed Cannabis Cultivation Facilities* cannot be contained, either in whole or in part, within a *dwelling*;
 - f) No *Licensed Cannabis Cultivation Facilities* or *Medical Cannabis Growth* shall emit any odour outside of a building;
 - g) Where *Licensed Cannabis Cultivation Facilities* or *Medical Cannabis Growth* are permitted, any nuisance as defined under the Municipal Act, 2001 will be subject to Administrative Monetary Penalties, within By-law 18-86 or a successor thereto;
 - h) In the Agricultural Zone (A), Specialty Crop Areas Zone (SC) and Rural Zone (RU), the processing, packaging, testing, destruction, research and/or shipping of cannabis are not permitted unless the cultivation of cannabis is occurring on the same lot; and
 - i) Where *Licensed Cannabis Cultivation Facilities* or *Medical Cannabis Growth* occur within a *commercial greenhouse*, the provisions of this section still apply.”
5. In “Table 3: Parking Requirements”, add the term “*Licensed Cannabis Cultivation Facilities*” under “Industrial Use”, in the same table row.
 6. In “Table 6: Permitted Uses in Rural and Agricultural Areas”, replace “Medical Marihuana Facility” with “*Medical Cannabis Growth*” and “*Licensed Cannabis Cultivation Facilities*”.
 7. In “Table 7: Regulations applying to Rural and Agricultural Zones”, replace “Medical Marihuana Facility” with “*Medical Cannabis Growth*” and “*Licensed Cannabis Cultivation Facilities*”.
 8. Section 6.2.2.7 of the zoning by law is deleted in its entirety.
 9. In “Table 10: Uses in the Employment Zones”, add a row for “*Licensed Cannabis Cultivation Facilities*” and “*Medical Cannabis Growth*” below “Industrial” use and the checkmark symbol “✓” under the columns “General Employment Zone (GE) and Prestige Employment (PE) Zone.”

Read a first time this 6th day of September, 2022.

Read a second and third time and finally passed this 6th day of September, 2022.



J.A. Jordan, Mayor



S. Kim, Town Clerk