

By-law 2019-118Z

A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury

Whereas Council of the City of Greater Sudbury deems it desirable to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

1. That By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, Schedule "A" attached thereto, be and the same is hereby amended by:

- (1) In Part 3: Definitions, definition of "Agricultural Use", by deleting the word "or" at the end of item "g";
- (2) In Part 3: Definitions, definition of "Agricultural Use" by adding the word "or" to the end of item "h";
- (3) In Part 3: Definitions, by adding the following to the definition of "Agricultural Use": "(i) *agriculture-related uses and on-farm diversified uses*";
- (4) In Part 3, Definitions, by adding the definition "Agriculture-related uses" as follows: "those farm-related commercial and farm-related industrial uses that are directly related to the farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct services to farm operations as a primary activity.";
- (5) In Part 3, Definitions, by adding the definition "On-farm diversified uses" as follows: "small scale uses, that are limited in area, that are secondary to the principal use of the property and help support the farm. These include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products from the farm operation.";
- (6) In Part 3, Definitions, by deleting the term and definition of "Medical Marihuana Production Facility";

- (7) In Part 3, Definitions, by adding the following term and definition: "Cannabis Production Facility: A building or structure or part thereof that is used for growing, producing, processing, testing, destroying, storing, packaging or shipping of marihuana or cannabis authorized by a license issued by the Federal Minister of Health under the Cannabis License Act, S.O. 2018 C.12, as amended but shall not include any other establishment or use as may be defined or classified in the By-law.";
- (8) In Table 5.4: Non-Residential Parking Requirements For All Zones, Except the C6 Zone, by deleting the term "Medical Marihuana Production Facility" and replacing it with the "Cannabis Production Facility".
- (9) In Table 8.1: Permitted Uses for Industrial Zones, by deleting the term "Medical Marihuana Production Facility" and replacing it with the term "Cannabis Production Facility";
- (10) In Special Provision For Table 8.1, deleting special provision 5 and replacing it with the following: "No Cannabis Production Facility, shall be established or erected on a lot where any portion of the Cannabis Production Facility is closer than 70 metres to any lot line that abuts a zone where any residential use is permitted";
- (11) In Table 9.2 – Permitted Non-Residential Uses, adding "Cannabis Production Facility" and adding an "X"(10) in the 'Agricultural (A)' and 'Rural (RU)' columns; and
- (12) In Special Provisions for Tables 9.1 and 9.2, adding the following special provision:
 "No Cannabis Production Facility, shall be established or erected on a lot where any portion of the Cannabis Production Facility is closer than 70 metres to any lot line that abuts a zone where any residential use is permitted".

2. The applicant, a person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council, or the Minister may appeal the passage of this By-law to the Local Planning Appeal Tribunal by filing with the City Clerk, within 20 days of the giving of notice of passage of the By-law by the City Clerk:

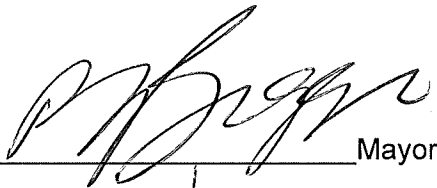
- (a) a Notice of Appeal;
- (b) an explanation of how the by-law is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan; and
- (c) the fee prescribed under the *Local Planning Appeal Tribunal Act, 2017*.

If these materials and fees have not been filed with the City Clerk within this period, this By-law shall be deemed to have come into force on the day it was passed.

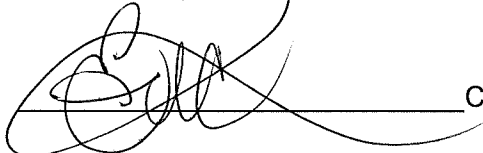
If these materials have been received within that time, this By-law shall not come into force until all appeals have been withdrawn or finally disposed of and except for those parts repealed or amended, and in such case it shall be deemed to have come into force on the day it was passed.

3. This By-law is in conformity with the City of Greater Sudbury Official Plan as amended.

Read and Passed in Open Council this 9th day of July, 2019



Mayor



Clerk