

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 84-2018

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 7.1.62 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-62 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

2. That Subsection 7.1.63 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-63 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

3. That Subsection 7.1.64 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-64 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

4. That Subsection 7.1.65 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-65 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used, as part of an Air Treatment Control system, must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

5. That Subsection 7.1.67 AGRICULTURE ZONE 1 A1 EXCEPTION 62 is amended by adding the following to subsection d) Zone Provisions:

Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-67 a medical marihuana production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed MMPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible marihuana odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

6. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
9th DAY OF JULY, 2018.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo