



The Corporation of the Town of Pelham

By-law No. 47-2024

Being a By-law to amend Town of Pelham Zoning By-law No. 4481(2022) to regulate cannabis-related uses and industrial hemp-related uses in the Town of Pelham.

File No. AM-05-2024

WHEREAS on August 30, 2022, the Council of the Corporation of the Town of Pelham approved Town of Pelham Comprehensive Zoning By-law No. 4481 (2022) to regulate the use of land, buildings and structures within the Town of Pelham (“the Zoning By-law”);

AND WHEREAS the Council of the Corporation of the Town of Pelham has initiated an application to amend the Zoning By-law to regulate cannabis-related uses and industrial hemp-related uses in the Town of Pelham;

AND WHEREAS the Council of the Corporation of the Town of Pelham has conducted a public hearing in regard to this application, as required by sub-section 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 (“the *Planning Act*”);

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it desirable to amend the Zoning By-law as set out herein and has authority to do so under the provisions of the *Planning Act*;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** Section 1.4 d) of the Zoning By-law is hereby amended to add the following zones and symbols to the chart for Rural/Agricultural Zones:

Zone	Symbol
Agricultural Zone – Cannabis	A-CAN
Specialty Agriculture Zone – Cannabis	SA-CAN
Rural Employment Zone – Cannabis	RE-CAN

2. **THAT** Section 2 of the Zoning By-law is hereby amended to add the following definitions, which shall be interspersed alphabetically:

CANNABIS-RELATED USE – INDOOR means those activities authorized in accordance with the Federal cannabis Regulation SOR-2018-144 as amended that are carried out within an enclosed building or structure.

CANNABIS-RELATED USE - OUTDOOR means those activities authorized in accordance with the Federal cannabis Regulation SOR-2018-144 as amended that only involve the growing and harvesting of cannabis outdoors.

INDUSTRIAL HEMP-RELATED USE - INDOOR means those activities authorized in accordance with the Federal cannabis Regulation SOR-2018-145 as amended that are carried out within an enclosed building or structure.

INDUSTRIAL HEMP-RELATED USE – OUTDOOR means those activities authorized in accordance with the Federal cannabis Regulation SOR-2018-145 as amended that only involve the growing and harvesting of hemp outdoors.

SENSITIVE LAND USE means school, day care, playground, sporting venue, park, recreational area, residence, place of worship, community centre or any other place where people regularly gather or sleep.

3. **THAT** Section 4.1.1 a) is hereby amended by adding the following minimum parking requirements to the chart for Other Uses:

Cannabis-Related Use – Indoor	1 space per 100m ² (1976.39 ft ²) Gross Floor Area (GFA)
Industrial Hemp-related Use – Indoor	1 space per 100m ² (1976.39 ft ²) GFA

4. **THAT** Section 5 is hereby amended by adding the following zoning categories and their permitted uses:

Zone	Permitted Uses
Agricultural Zone – Cannabis (A-CAN)	<ul style="list-style-type: none">• Cannabis-Related Use – Indoor; and• Industrial Hemp-Related Use – Indoor.
Specialty Agriculture Zone – Cannabis (SA-CAN)	<ul style="list-style-type: none">• Cannabis-Related Use – Indoor; and• Industrial Hemp-Related Use – Indoor.
Rural Employment Zone – Cannabis (RE-CAN)	<ul style="list-style-type: none">• Cannabis-Related Use – Indoor; and• Industrial Hemp-Related Use – Indoor.

5. **THAT** Section 5.1.2 is amended the following Zone Requirements for Agricultural Uses:

Minimum Setback for Cannabis-Related Use – Outdoor from a Sensitive Land Use	300.0m
Minimum Setback for Industrial Hemp-Related Use – Outdoor from a Sensitive Land Use	300.0m

6. **THAT** Section 5 is amended to add Section 5.1.A: Agricultural Zone – Cannabis (A-CAN), the full text of which is appended hereto as Schedule “A” and forms part of this By-law.

7. **THAT** Section 5.2.2 is amended the following Zone Requirements for Specialty Agricultural Uses:

Minimum Setback for Cannabis-Related Use – Outdoor from a Sensitive Land Use	300.0m
Minimum Setback for Industrial Hemp-Related Use – Outdoor from a Sensitive Land Use	300.0m

8. **THAT** Section 5 is amended to add Section 5.2.A: Specialty Agricultural Zone – Cannabis (SA-CAN), the full text of which is appended hereto as Schedule “B” and forms part of this By-law.

9. **THAT** Section 5 is amended to add Section 5.3.A: Rural Employment Zone – Cannabis (RE-CAN), the full text of which is appended hereto as Schedule “C” and forms part of this By-law.
10. **THAT** all other provisions of the Zoning By-law remain in full force and effect and continue to apply.
11. **THAT** this By-law shall come into force and take effect on the date of final passing by the Council of the Corporation of the Town of Pelham, subject to the provisions of the *Planning Act*.

Read, enacted, signed and sealed on this 10th day of July, 2024.

Marvin Junkin, Mayor

Holly Willford, Town Clerk