

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1085**

**A Bylaw to amend the Zoning Bylaw No. 1027, 2016.**

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts the following:

**Citation**

1. This Bylaw shall be cited as the “Zoning Amendment Bylaw No. 1085, 2018”.

**Definitions**

2. In this bylaw:

<b>CANNABIS</b>	Means cannabis as defined in the Federal <i>Controlled Drugs and Substances Act</i> or <i>Cannabis Act</i> and includes any products containing cannabis.
<b>CANNABIS RETAIL</b>	Means the use of land, buildings or other structure for dispensing, selling or distributing cannabis, or related controlled substances and derivatives, other than a medical marijuana facility.
<b>RECREATIONAL CANNABIS FACILITY</b>	Means the use of buildings and other structures for the purpose of growing, processing, packaging, testing, destroying, storing or shipping of cannabis or its derivatives for recreational purpose, as lawfully permitted and authorized under the Federal <i>Cannabis Act</i> .
<b>MEDICAL MARIJUANA FACILITY</b>	Means the use of buildings and other structures for the purpose of growing, processing, packaging, testing, destroying, storing or shipping of marijuana for medical purposes as lawfully permitted and authorized under the Federal <i>Access to Cannabis for Medical Purposes Regulations (ACMPR)</i> or any subsequent legislation which may be enacted in substitution thereof.

**Text Amendments**

3. The Zoning Bylaw No. 1027, 2016 is amended by **deleting** the definition for Marijuana Dispensary in Section 2.2 Definitions.

4. The Zoning Bylaw No. 1027, 2016 is amended by **adding** new definitions, as detailed above, for

- (a) Cannabis
- (b) Cannabis Retail
- (c) Recreational Cannabis Facility

in Section 2.2 Definitions.

5. The Zoning Bylaw No. 1027, 2016 is amended by **deleting** the definition for Medical Marihuana Facility in Section 2.2 Definitions and substituting the definition for Medical Marijuana Facility , as detailed above.

6. The Zoning Bylaw No. 1027, 2016 is amended by **adding** a new subsection e) to Section 3.1 General Compliance:

In accordance with Section 492 of the Local Government Act, the following zone in the Village of Cumberland is a designated area for consideration of Temporary Use Permits for Cannabis Retail use subject to an application:

- i) Commercial and Mix Use Zones (C1, C2, C3, VCMU-1)
- ii) Interchange Zones (IMU-1, IMU-2, IMU-4, IMU-5, IMU-6)

7. The Zoning Bylaw No. 1027, 2016 is amended in Section 3.3 Uses Prohibited in Zones subsection d) by deleting the “and” at the end of subsection iii), by replacing the period at the end of subsection (iv) with a semi-colon, by deleting subsection v) and by substituting the following:

- v) Cannabis retail use

8. The Zoning Bylaw No. 1027, 2016 is amended by **amending** subsection b) of 4.14 Market Gardens by deleting subsection v) and substituting:

- v) include medical marijuana facilities, recreation cannabis facility, cannabis retail use, or any portion thereof, or be used for the growing of cannabis, marijuana or other similar substances.

9. The Zoning Bylaw No. 1027, 2016 is amended by **inserting** Recreational Cannabis Facility as a Principal Use in:

- i) 10.1 I-1 Light Industrial Zone
- ii) 10.2 I-2 Heavy Industrial Zone
- iii) 10.5 IGR Industrial Greenways Reserve Zone:

**Severability**

10. If any section or subsection of this bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the bylaw.

<b>READ A FIRST TIME THIS</b>	<b>23<sup>RD</sup></b>	<b>DAY OF</b>	<b>JULY</b>	<b>2018.</b>
<b>READ A SECOND TIME THIS</b>	<b>23<sup>RD</sup></b>	<b>DAY OF</b>	<b>JULY</b>	<b>2018.</b>
<b>PUBLIC HEARING HELD THIS</b>		<b>DAY OF</b>		<b>2018.</b>
<b>READ A THIRD TIME THIS</b>		<b>DAY OF</b>		<b>2018.</b>
<b>MINISTER OF TRANSPORTATION AND INFRASTRUCTURE</b>				
<b>APPROVAL RECEIVED THIS</b>		<b>DAY OF</b>		<b>2018.</b>
<b>ADOPTED THIS</b>		<b>DAY OF</b>		<b>2018.</b>

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Mayor

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Corporate Officer