

RURAL MUNICIPALITY OF SHERWOOD No. 159

BYLAW NO. 09/19

A Bylaw to amend the RM of Sherwood Zoning Bylaw No. 18/17

The Council of the Rural Municipality of Sherwood No. 159, in the Province of Saskatchewan enacts:

(1) To amend Bylaw No. 18/17 as follows:

1) Amend Section 11.0 – Definitions, as follows:

- a. Amend the definition “**Horticulture**” by replacing the words “licensed medical marijuana production facility” with “cannabis production facility”.
- b. Amend the definition “**Greenhouse, Commercial**” by replacing the words “licensed medical marijuana production facility” with “cannabis production facility”.
- c. Amend the definition “**Greenhouse, Private**” by replacing the words “licensed medical marijuana production facility” with “cannabis production facility”.
- d. Amend the definition “**Home-Based Business**” by deleting the words “does not include a licensed medical marijuana production facility”.
- e. Delete the definition for “**Licensed Medical Marijuana Facility**”.
- f. Add a new definition, “**Cannabis Production Facility**” means a facility used for the cultivation, production, processing, testing, destruction, packaging, and/or shipping of cannabis and cannabis-based products.
- g. Add a new definition, “**Cannabis Production Facility - Micro**” means a facility used for the cultivation, production, processing, testing, destruction, packaging, and/or shipping of cannabis and cannabis-based products where the grow surface area does not exceed 200 m² in which all the cannabis plants, including all the parts of the plants, must be contained; and must cultivate, propagate or harvest cannabis plants only from that surface area.
- h. Add a new definition, “**Cannabis Retail Store**” – means a provincially-licensed retail store where cannabis or cannabis products are sold, and which may include the sale of cannabis accessories and cannabis related ancillary items.
- i. Add a new definition, “**Distilleries, Wineries and Breweries**” - means facilities for the production of alcoholic and other beverages, including the distillation, aging, blending, fermenting, bottling, storage, distribution, promotion and sale of said beverages.
- j. Amend the definition “**Bare – Land Condominium**” by including the words “Bare – Land Condominium parcels shall meet the subdivision and site requirements of the applicable Zoning District”.

2) Add Section 4.21 – Cannabis Production Facility with the following provisions:

4.21 Cannabis Production Facility

(1) A Cannabis production facility:

- (a) must be a listed permitted or discretionary use in the zone it is in and must comply with the provisions of that zone,
- (b) must not have any outdoor storage;
- (c) is not permitted in a dwelling;
- (d) A cannabis production facility that is contained entirely within a building shall not create or become a nuisance or create any conflict with the surrounding uses in terms of noise, dust, refuse matter, odour, traffic and storage of hazardous or combustible materials. The applicant may be required to implement mitigation measures to address potential nuisances or hazards;

(e) No cannabis production facility that includes cultivation in an outdoor area or in a greenhouse may be located within 300 metres of a residential or institutional use or district;

(f) The applicant shall provide the Municipality with evidence of compliance with any applicable provincial and federal legislation or regulations including approvals where required;

(g) There must be adequate infrastructure and utility services to service the proposed use including roads, power, natural gas, telecommunications, water supply and wastewater disposal systems. If upgrades are required, the applicant shall be solely responsible for the cost and the undertaking of such upgrades;

(h) A cannabis production facility may be considered as an *Agricultural Home-Based Business* for a *Cannabis Production Facility - Micro*.

3) Amend the Agricultural District Section 5.1.2 Discretionary by replacing the words “Licensed Medical Marijuana Facility” with the words “Cannabis Production Facility, contained within a building that is not a greenhouse”.

4) Add a new clause to the Agricultural District Section 5.1.2 Discretionary, with the following provisions “Cannabis Production Facility, limited to outdoor and greenhouse cultivation.”

5) Add a new clause to the Agricultural District Section 5.1.2 Permitted, with the following provisions “Cannabis Production Facility, Micro.”

6) Add a new clause to the Commercial/ Mixed-Use District Section 7.2.2 Discretionary, with the following provisions “Cannabis Production Facility-Micro contained within a building that is not a greenhouse.”

7) Add a new clause to Light Industrial District Section 8.1.2 Permitted, with the following provisions “Cannabis Production Facility-Micro, contained within a building that is not a greenhouse”.

8) Amend Medium & Heavy Industrial District Section 8.2.2 Discretionary by replacing the words “Licensed Medical Marijuana Facility” with the words “Cannabis Production Facility, contained within a building that is not a greenhouse”.

9) Add “Cannabis Retail Store” as a Discretionary Use to the following Zoning Districts:

7.2 Commercial/ Mixed-Use (CM)

7.3 Highway Commercial (HC)

10) Add “Distilleries, Wineries and Breweries” as a Discretionary Use to the following Zoning Districts:

5.1 Agricultural (AG)

7.2 Commercial/ Mixed-Use (CM)

7.3 Highway Commercial (HC)

8.1 Light Industrial (I1)

8.2 Medium & Heavy Industrial (I2)

11) Add “Solar Collector, On-Site Use” as a Permitted Use to all Zoning Districts.

12) Amend the Agricultural District Section 5.1.2 Discretionary by replacing the words “Solar Collector (On-Site Use)” with the words “Solar Collector, Commercial”.

13) Add the following to Section 2.5.1 Development Not Requiring a Permit:

h) Solar Collector, On-Site Use attached to an existing approved building or structure.

14) Amend Section 4.17 by replacing the words “Solar farms” with the words “Solar Collector, Commercial” throughout the section.

15) Delete and Replace Section 5.1.3 Subdivision and Site Requirements as follows:

Minimum Site Area:

- a) A quarter section; excepting a maximum of two parcels subdivided (not including for a public utility), for the following:
 - a. An existing farmyard;
 - b. One rural residential parcel separate from the principal farmyard;
 - c. a permitted or discretionary use allowable in this Zoning District in accordance with Table 5; and
- b) The residual agricultural parcel shall be a minimum 48.6 ha. unless the parcel is fragmented due to a natural or man-made involuntary severance (roadway, railway, waterbody, etc.) the subdivision of agricultural land may be permitted with consideration for remnant parcel sizes and possibility of consolidation with adjacent parcels to create a more viable agricultural parcel; and
- c) The minimum required parcel size for permitted and discretionary uses in this district shall be a *quarter section or equivalent*, except as specified in Table 5:

Table 5: Minimum Parcel Size for Uses in the AG District

Min Size	Use
0.4 ha	<ul style="list-style-type: none"> • Agricultural equipment, fuel, and chemical supply establishments. • Clean Fill Operation. • Telecommunication facility. • Grain terminals, elevators, and related uses. • Municipal facilities. • Storage of Clean Materials. • Vehicle Storage (Recreational Vehicles and Marine Products). • Wind Energy Generation System. • Solar Collectors, Commercial
1.2 ha	<ul style="list-style-type: none"> • Agricultural Tourism. • Boarding or breeding animal kennel / shelter and/or pet day care. • Agricultural and commercial compost facility. • Intensive horticultural operations, including commercial greenhouses. • Pastures for the raising of domestic or exotic birds or livestock, excluding Intensive Livestock Operations (ILOs). • Religious institutions and cemeteries. • Cannabis Production Facility (all types). • Distilleries, Wineries and Breweries.
2 ha	<ul style="list-style-type: none"> • Controlled hunt farm. • Farmyard. • Rural Residential parcel. • Game farm. • Livestock auction market.
3 ha	<ul style="list-style-type: none"> • Agricultural Product Processing Facility (seed cleaning, packing plants, and accessory uses).
4 ha	<ul style="list-style-type: none"> • Abattoirs • Agricultural processing and accessory uses. • Campgrounds. • Intensive Livestock Operations (ILO's) • Land-farms for treating petroleum-contaminated soil.

Minimum Site Frontage:

- a) The minimum site frontage shall be 30 metres.

Minimum Building Setbacks:

- a) The minimum setback for buildings from a developed road right-of-way or municipal road allowance shall be 20 m;
- b) Minimum side yard – 6 m.
- c) Minimum rear yard – 6 m.

- d) The minimum setback for all buildings from a provincial highway shall be determined by the Ministry of Highways and the RM at the time of application.
- e) Setbacks from easements shall be determined by the utility provider at time of application.

16) Delete and Replace Section 8.2.3.1 Subdivision and Site Requirements, (v) as follows:

(v) Minimum rear yard – 6 m, except where the rear yard abuts a residential use, in which case the rear yard shall be the greater of 9 m or 10% of the depth of the site.

(2) That this Bylaw shall take effect on the date it is approved by the Minister of Government Relations.

Read a first time on the 13th day of November, 2019.

Read a second time on the _____ day of _____, 2019.

Read a third time and adopted the _____ day of _____, 2019.

(Seal)

Reeve

Administrator