



The Corporation of Norfolk County

By-Law 25-Z-2018

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for all lands within Norfolk County.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.28 “CANNABIS” and renumbering the balance of the Section accordingly:

2.28 “**CANNABIS**” shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels).

2. That Section 2 – Definitions is hereby amended by adding the following and renumbering the balance of the Section accordingly:

2.29 “**CANNABIS PRODUCTION AND PROCESSING**” means lands, *buildings* or *structures* used for producing, processing, testing, destroying, packaging and/or shipping of *cannabis* authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act, SC 1996, c 19*, as amended from time to time, or any successors thereto.”

3. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.53 “FARM”:

, but does not include *Cannabis Production and Processing*.

4. That Section 2 – Definitions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in the existing Subsection 2.67 “GARDEN CENTRE”

5. That Section 2 – Definitions is here by amended by deleting the existing Subsection 2.91 “Medical Marihuana Production Facility” and renumbering the balance of the Section accordingly:
6. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.98 “AIR TREATMENT CONTROL” and renumbering the balance of the Section accordingly:

2.98 “**AIR TREATMENT CONTROL**” shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.
7. That Section 2 – Definitions is hereby amended by replacing the words “Medical Marihuana Production Facility” with “Cannabis Production and Processing” in the existing Subsection 2.170 “WHOLESALE OUTLET”
8. That Section 3 – General Provisions is hereby amended by deleting Subsection 3.21 “Medical Marihuana Production Facility” and replacing with the following:

3.21 *Cannabis Production and Processing*

Notwithstanding any other provision of this By-law, any *Cannabis Production and Processing* shall be subject to the following provisions:

- a) No lands, *building* or *structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 70 metres.
- b) No lands, *building* or *structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in the Agricultural Zone (A) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 150 metres.
- c) No lands, *building* or *structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 150 metres.
- d) No lands, *building* or *structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in

the Agricultural Zone (A) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 150 metres.

- e) No lands, *building* or *structure* or portion thereof used for *Cannabis Production and Processing* purposes that is not equipped with *air treatment control* situated in the Agricultural Zone (A), General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 300 metres.
 - f) A *building* or *structure* used for security purposes for *Cannabis Production and Processing* may be located in the *required front yard* and does not have to comply with the required minimum *front yard*, *side yard*, and *rear yard* setbacks.
 - g) *Outdoor storage* is prohibited on the property in which the *Cannabis Production and Processing* is located.
 - h) *Cannabis Production and Processing* shall only be permitted within the zones as explicitly indicated in this Zoning By-law.
 - i) All development in relation to the establishment of or expansion to a *Cannabis Production and Processing* shall be subject to Site Plan Control.
9. That Section 3.8.1 – Site Plan Control is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*”.
 10. That Section 4 – Off Street Parking Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 4.9 (y).
 11. That Section 7.1 – General Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.1.1 (o) “Permitted Uses”.
 12. That Section 7.2 – Light Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.2.1 (o) “Permitted Uses”.
 13. That Section 7.5 – Rural Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.5.1 (z) “Permitted Uses”.

14. That Section 12.1 – Agricultural Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 12.1.1 (m) “Permitted Uses”.
15. That Section 14 – Special Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 14.647.
16. That Section 14 – Special Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 14.856.
17. That Section 14 – Special Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 14.902.

ENACTED AND PASSED this 27th day of March, 2018.

Mayor

County Clerk

**Explanation of the Purpose and Effect of
By-Law 25-Z-2018**

This By-Law affects lands located throughout Norfolk County, with the purposes of addressing matters identified through application of the By-Law, providing streamlining improvements and clearer interpretation of provisions in regards to cannabis production and processing.