

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

BY-LAW NO. 71-20

*A By-Law to Amend By-Law 50-12, as amended
Being a By-Law to Regulate the Use of Land and Use of Buildings and Structures
Within the Municipality of North Grenville*

WHEREAS By-Law 50-12, as amended, regulates the use of land and the use and erection of buildings and structures within the Municipality of North Grenville;

AND WHEREAS the Council of the Municipality of North Grenville deems it advisable to amend its current Zoning By-Law provisions;

AND WHEREAS the Council of the Corporation of the Municipality of North Grenville has determined that the current zoning provisions should be amended with a by-law;

NOW THEREFORE the Council of the Corporation of the Municipality of North Grenville enacts as follows:

1. That the area affected by this by-law is all lands within the geographic Municipality of North Grenville.
2. That Section 5 of By-law 50-12, as amended is hereby further amended by adding the following new definitions to Section 5 and renumbering accordingly, as follows:

“AIR TREATMENT CONTROL” shall mean the functional use of an 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.

“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 which is a source of food stuffs (i.e. hemp milk, hemp seed, hemp oil etc.), fiber or biofuels.

“CANNABIS, CULTIVATION” means the authorized growing of cannabis plants and harvesting material from those plants as well as those ancillary activities authorized under the Cannabis Act of Canada.

“CANNABIS, MICRO-CULTIVATION” means the authorized growing and harvesting of cannabis up to a maximum plant surface area of 200 square metres of cannabis plants, as well as ancillary activities authorized under the *Cannabis Act* of Canada

“CANNABIS, MICRO-PRODUCTION” means the manufacturing of cannabis or cannabis products, up to a maximum of 600 kg of dried cannabis in 1 calendar year as permitted by the *Cannabis Act* of Canada. For clarity, this definition includes a facility used for the cultivation, producing, processing, destroying, packaging, storage, distribution or analytical testing and research of cannabis and cannabis products but does not include the retail sale of cannabis.

“CANNABIS PRODUCTION AND PROCESSING FACILITY” shall mean any land, building or structure used for cultivating, producing, processing, destroying, storing, packaging and/or distribution or analytical testing and research of cannabis. A Cannabis Production and Processing Facility shall not include growth, production and processing of four (4) or less cannabis plants on a lot for personal use and does not include the retailing of cannabis or cannabis products under a retail operator licence issued under the *Cannabis Licence Act, 2018*. This definition does not include licensed agricultural cultivation in a field or cultivation within a greenhouse-cannabis.

“**GREENHOUSE-CANNABIS**” shall mean a building whose roof and sides are made largely of glass or other transparent or translucent material for the growing of cannabis plants in which the temperature and humidity can be regulated for the cultivation of cannabis for subsequent processing and sale.

“**NURSERY, CANNABIS**” means the authorized growing of cannabis plants to produce the starting material (seed and seedlings) and associated activities;

“**SENSITIVE LAND USE**” shall mean any building, structure, use or associated amenity area (indoor or outdoor) where humans may be adversely affected by adjacent industrial type land uses, including but not limited to residential uses, day care facilities, places of worship, schools or playgrounds.

3. That Section 6 of By-law 50-12, as amended is hereby further amended by adding the following provisions and renumbering accordingly, as follows:

CANNABIS PRODUCTION AND PROCESSING FACILITY PROVISIONS:

- a) Notwithstanding any other provision of this By-law, cannabis production and processing shall be subject to the following provisions:
 - i. Cannabis Production and Processing Facilities will only be permitted in the Industrial (M) and Business Enterprise (C5) Zones.
 - ii. Any application for an amendment to permit a Cannabis production and processing facility in any other zone will be subject to the provisions set out below.
 - iii. The cultivation and processing of cannabis is not permitted outdoors.
 - iv. No building or structure or portion thereof used for cannabis production and processing purposes that is equipped with air treatment control shall be located within 150 metres from a sensitive land use.
 - v. No building or structure or portion thereof used for cannabis production and processing purposes that is not equipped with air treatment control shall be located within 300 metres from a sensitive land use.
 - vi. 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.
 - vii. Outdoor storage is prohibited on the property on which the cannabis production and processing is located.
 - viii. All development in relation to the establishment of, or expansion to, a cannabis processing and production facility will be subject to Site Plan Control.

CANNABIS MICRO PRODUCTION, MICRO-CULTIVATION AND NURSERY

Notwithstanding any other provisions of this By-law, any Cannabis micro-production, cannabis micro-cultivation and cannabis nursery shall be subject to the following provisions:

- i. Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nurseries will only be permitted in the Industrial (M) and Business Enterprise (C5) zones.
- ii. All Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery activities must occur within an enclosed building;
- iii. No outdoor cultivation, production or storage is permitted;
- iv. The minimum lot area for a Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery facility is 4,000 square metres; and
- v. All facilities must have an air treatment control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery is located.
- vi. Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery facilities will be restricted to a maximum of 200 square metres.
- vii. All development in relation to the establishment of, or expansion to, a Cannabis Micro-cultivation, Cannabis Micro-processing and Cannabis Nursery will be subject to Site Plan Control.

CANNABIS CULTIVATION – AGRICULTURE ZONE

Notwithstanding any other provisions of the By-law, Cannabis Cultivation on agricultural lands are limited to the Agriculture Zone and are subject to the following conditions:

- i. The outdoor cultivation of Cannabis will be limited to the Agricultural Zone.
 - ii. Maximum combined gross floor area of all building(s) associated with Cannabis Cultivation is 1000 square metres;
 - iii. No building or structure associated with Cannabis Cultivation in the Agriculture Zone shall be located within 100 m of any lot line;
 - iv. No security fencing greater than 1.2 metres in height may be located within 30 m of any lot line;
 - v. Cannabis cultivation is permitted in a Greenhouse – Cannabis.
 - vi. A maximum of four Greenhouses- Cannabis shall be permitted.
 - vii. No building height shall exceed 10.5 m;
 - viii. Except for driveways, the perimeter of the lot shall be continuously landscaped with a buffer of non-invasive trees and shrubs, 2 m or more in width and 1.5 m or more in height.
4. That this by-law shall take effect on the date of passing subject to the provisions of the *Planning Act R.S.O., 1990*, as amended.
 5. The Clerk of the Municipality of North Grenville is hereby authorized to make any minor modifications or corrections of an administrative, numeric, grammatical, semantic or

descriptive nature or kind to the by-law and schedule(s) as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

PASSED AND ENACTED
THIS DAY OF , 2020

NANCY PECKFORD
Mayor

HEATHER BABCOCK-CORMIER
Clerk

DRAFT