

2020

Municipality of North Grenville Cannabis Land Use Study



Amy Martin, Acting Director of Planning and
Development
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Background

The Federal Government decriminalized Cannabis in October of 2018. The passing of the *Cannabis Act* created a legal framework for legal access to cannabis and control and regulation for cannabis production, distribution and sale.

The Federal Government through Health Canada maintains the oversight to review and approve licences for Cannabis facilities.

The intent of this study will undertake a review of the Cannabis Framework to understand the size and scale of Cannabis operations that are licensed by the Federal Government.

This study will also review the literature around Cannabis facilities and look at existing Municipal policies and Zoning By-law Regulations throughout Ontario.

Lastly, this study will provide recommendations for policy implementation in North Grenville where it pertains to new and establishing Cannabis facilities.

The purpose of this study will not address pre-established facilities within North Grenville, as the Municipality cannot retroactively go back and impose Zoning requirements. Rather, the history and conflicts that have arisen from pre-existing facilities was utilized to better understand the land use conflicts that arise when Cannabis facilities are not properly located.

Methodology

This study was prepared using a variety of methods including a review of literature, including news articles, a review of Federal and Provincial legislation, consultation with Professional Planners and a review of Municipal Official Plans and Zoning By-laws. Insight was also drawn from the experience the Municipality of North Grenville has with an established cannabis production facility.

Federal Framework

Prior to the passing of the *Cannabis Act*, Cannabis was an illegal substance with exemptions for medical consumption and production. The *Cannabis Act* also permits individuals to grow up to four cannabis plants for personal use. Personal growth of Cannabis will not be considered as part of this study.

The Federal government has created the following classes of licensing:

- Cultivation
- Processing

- Sale for Medical Purposes
- Testing
- Research

It is important to note that the Federal Government does not licence the commercial retail sale of Cannabis. The regulation of retail sales of cannabis is controlled by Provincial Governments. The Government of Ontario passed the *Cannabis Licence Act* in 2018, creating the framework for the retailing of Cannabis products in Ontario. The Province provided Municipalities with the ability to opt out of permitting Cannabis retail stores within their jurisdiction. North Grenville opted in on permitted Cannabis retail stores within the Municipality on January 14, 2019.

The intent of this study is not to address the zoning for retail stores associated with the sale of cannabis, as the Provincial Government has removed the authority to do so through the *Cannabis Licence Act*. This study will also not address the growing of up to four (4) plants for personal consumption.

Federal Licensing Classification

As identified above, there are five licence classifications pertaining to Cannabis. Cultivation and Processing are further broken down into sub-licence categories based on the size and scale of the proposed operation. As per the guidelines of Health Canada, individuals may apply for a combination of or subclass of licences in relation to one site. Figure 1 details the licensing classes and subclasses of Cannabis Licences.

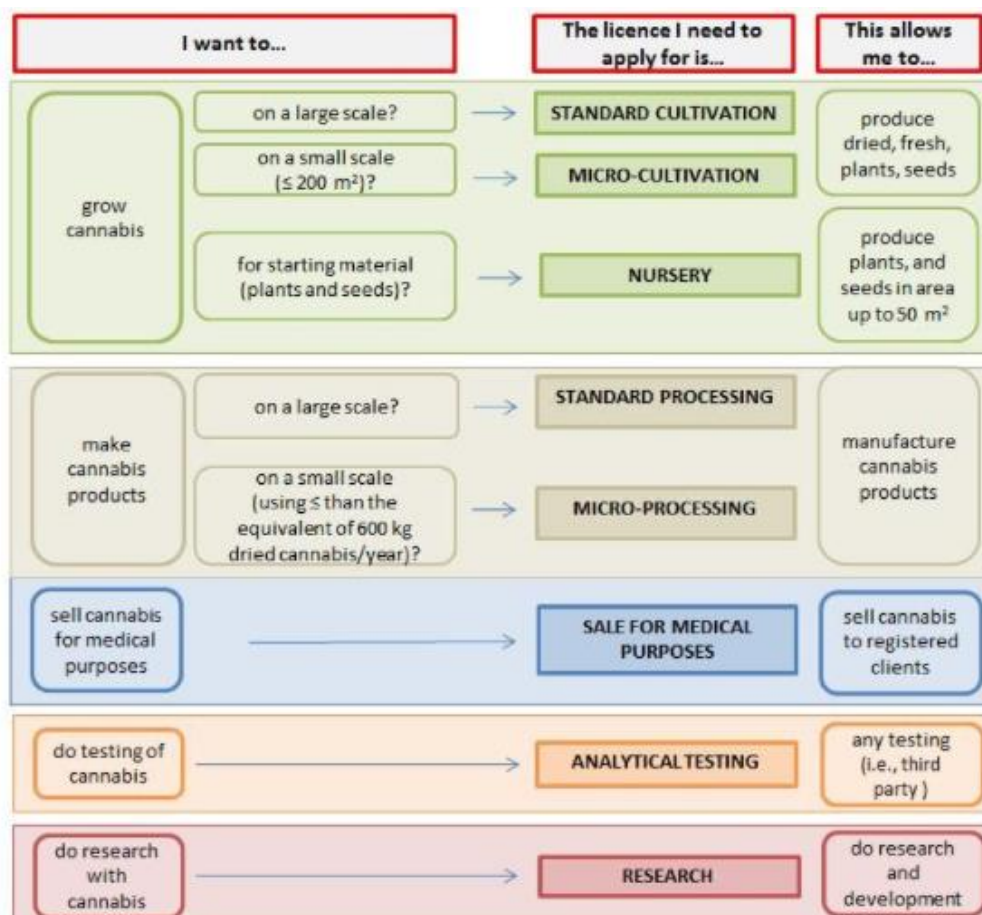


Figure One – Cannabis Licence and Sub-Licence Categories

Source: Government of Canada. <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#a5.2>

Cannabis Act and Regulations

The Cannabis Act and Cannabis Regulations provide stringent requirements for the licensing of a Cannabis facility. A review of the Act was undertaken to better understand the requirements of Health Canada and their licensing

process. The licensing regulations address matters such as location, security and air filtration.

In regard to addressing the use of lands for Cannabis, the Cannabis Regulations, Part 2 Section 7, requires that the applicant provide notice. As the regulation reads:

“Before submitting an application to the Minister for a licence for cultivation, a licence for processing or a licence for processing or a licence for sale that authorizes the possession of cannabis, the person that intends to submit the application must provide a written notice to following authorities in the area in which the site referred to in the application is located: (a) the local government; (b) the local fire authority; and (c) the local police force.

The regulation requires that information such as the individual’s name, date application is expected to be made, class and subclass of licensing being sought, activity that the person expects to conduct under the licence and an indication that the activity will be conducted in relation to cannabis, as well as the address of the site where the proposed activities are to be conducted, and if applicable, each building on the site (Cannabis Act, 2018, Cannabis Regulation Part 2 Section 7(2)).

The Cannabis Regulations also sets out the requirements when amending or altering a Cannabis licence. As per the Regulation:

“A holder of a licence for cultivation, a licence for processing or a licence for sale that authorizes the possession of cannabis must, within 30 days after the issuance, amendment, suspension, reinstatement or revocation of the licence, provide a written notice to the local authorities in the area in which the site set out in the licence is located and provide a copy of the notice to the Minister” (Part 2 Section 35)

The notification requirements within the Cannabis regulations require that municipalities (local authority) be well advised prior to an application being made for a proposed Cannabis related facility and when there are subsequent changes to the licence(s).

Security

The Cannabis Regulations dedicate an entire Part of the regulation to addressing Security Measures.

As per the regulation:

"The security measures set out in section 63 to 72 apply in respect of the sites set out in the following licences: (a) a licence for standard cultivation; (b) a licence for standard processing; (c) a licence for sale that authorizes the possession of cannabis; and (d) a cannabis drug licence if the amount of cannabis that is sold or distributed to the holder of the licence is equivalent to more than 600 kg of dried cannabis per calendar year" (Part 4, Section 62(1))."

Furthermore, it is the responsibility of the licensee to ensure that all securities measures are complied with. To summarize the requirements of Part 4, Section 63 to 72 of the Act:

- Sites must be designed in a manner that prevents unauthorized access (Section 63)
- The perimeter of the site must be monitored by visual recording devices at all times (64)
- The perimeter of the site must be secured by means of an intrusion detection system at all times (Section 65)
- Proper documentation including the date and time of occurrence and measures taken should an intrusion be detected (66)
- Storage areas must:
 - Restrict access to individuals whose presence is required by their duties
 - Record the identity of every individual who accesses a storage area (68)
- Each operation and storage area must be surrounded by a physical barrier that prevents unauthorized access (69) and monitored at all times by a visual recording device (70, 71)
- Visual recordings are required to be maintained for at least one year after the date they are made or where there has been an occurrence or intrusion, at least two years after the date of the event (72)

To obtain a licence from Health Canada, an applicant needs to demonstrate that they have satisfied the requirements of the Federal Government by providing a secure facility.

For micro-cultivation, micro-processing and nurseries, the Cannabis Regulations requires that sites are designed to be secure and prevent unauthorized access, provide a physical barrier that prevents unauthorized access, provide a physical barrier around storage areas to prevent unauthorized access and restrict who can access storage areas (Part 4, Division 2, Section 74).

Air Filtration and Ventilation

Air filtration and ventilation are key components to reducing the emission of odours that result from activities related to Cannabis activities. The Cannabis Regulation sets out that:

“Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that:

- a) Filters air to prevent the escape of odours associated with cannabis plant material to the outdoors;*
- b) Provides natural and mechanical ventilation with sufficient air exchange to provide clean air and to remove unclean air in order to prevent the contamination of the cannabis or thing that will be used as an ingredient;*
- c) Is accessible and if necessary for its cleaning, maintenance or inspection is capable of being disassembled;*
- d) Is capable of withstanding repeated cleaning; and*
- e) Functions in accordance with its intended uses. (Part 5, Subsection 84)*

Air filtration is not required in respect of any building or part of a building where only cultivation, propagation or harvesting of cannabis or anything used as an ingredient takes place.

The Cannabis Regulations further address operational matters such as qualified individuals, preventative control plans, and quality assurance.

Provincial Policy

Farming and Food Protection Act

Often referred to as the ‘Right to Farm’ legislation, the Farming and Food Protection Act, R.S.O. 1998 defines an agricultural operation as ‘an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward’.

Section 6 of the *Farming and Food Protection Act* provides that ‘No municipal by-law applies to restrict a normal farm practice carried on as part of an agricultural operation’.

Cannabis production and processing that occurs as part of an agricultural operation could be protected under the *Farming and Food Protection Act* if deemed to be a normal farm practice. The Municipality would not have the

ability to regulate the use of land when the use is associated with an agricultural operation should it be deemed to not be a normal farm practice.

Provincial Policy Statement

The latest version of the Provincial Policy Statement came into effect on May 1, 2020. All matters pertaining to land use planning must conform to the policies of the PPS. The Province identifies that healthy, livable and safe communities are sustained by:

- a) Promoting efficient development and land use patterns which sustain the financial well being of the Province and municipalities over the long-term;*
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns; (Section 1.1.1(a)&(c)).*

The PPS also recognizes the importance of rural areas for the economic success of the province. Healthy, integrated and viable rural areas should be supported by promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources (Section 1.1.4.1(f)).

Land Use Compatibility is also addressed in the PPS. Section 1.2.6.1 stipulates that *major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

The Province also requires that the Municipality identify lands to support employment-based growth. Section 1.3 of the PPS requires that Planning authorities promote economic development and competitiveness by:

- a) Providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet long-term needs;*
- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of the existing and future businesses;*

- c) Facilitating the conditions for economic investment by identifying strategic employment sites, including market-ready sites, and seeking to address potential barriers to investment;*

The PPS requires that Municipalities plan, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs (1.3.2.1).

There are also policies within the PPS for agricultural lands. Prime agricultural areas shall be protected for long-term use for agriculture (2.3.1) and all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards (2.3.3.2).

Minimum Distance Separation

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed guidelines to establish appropriate setback distances from new and expanding livestock facilities and sensitive land uses to address the impact from odours. The Minimum Distance Separation (MDS) formula generates an appropriate setback distance for new and expanding livestock facilities, manure storage and anaerobic digesters. The intent of the guidelines is to prevent land use conflicts and minimize nuisance complaints from odours¹.

The principles of the MDS guidelines can be utilized when considering setbacks for Cannabis Production and Processing Facilities. Although livestock facilities have varying setbacks depending on the type of livestock, size and scale of the operation, anaerobic digesters have set distances they must comply with.

For instance, digesters are required to be setback 200 metres from a dwelling on another lot, 20 metres from rear and side lot lines and 40 metres from the edge of a road allowance. These additional setbacks are meant to provide a greater buffer between an anaerobic digester and sensitive land uses.

Applying greater setbacks, like those required by the MDS Guidelines may be appropriate to provide greater setback distances to sensitive land uses (e.g. residential dwellings on another lot).

¹ Drew Crinklaw, John Turvey, Dan Ward. 2016. The Minimum Distance Separation (MDS) Document: Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks Publication 853. <http://www.omafra.gov.on.ca/english/nm/buildev/MDSAODA.pdf>

Public Health Ontario – Evidence Brief

Public Health Ontario issued an evidence brief in April of 2018 regarding odours from cannabis production. The key findings of the brief concluded that:

- No studies on health effects associated with exposure to cannabis odours were identified in the scientific or grey literature;
- Odours can result in annoyance and complaints from nearby residents. Current practices recommend the use of appropriate ventilation and filtration systems at cannabis production/cultivation facilities to mitigate the release of substances that may result in odours; and
- A system to report and track odours could help inform on timing and extent of the occurrence of odour to assist local authorities to remedy potential problems.²

The evidence brief identified that processing of cannabis and production of cannabis products can result in odour emissions. The study also identified that disposal of cannabis waste products was not expected to contribute to odour as the proper disposal involves rendering the waste unusable by grinding and combining with other waste product which will mask or dilute odour producing compounds.

In regard to health effects, the evidence brief did not identify any studies on health effects associated with exposure to cannabis odours. The brief states that most substances responsible for odours in the outdoor air are not present at levels that can cause long-term health effects. It was identified that unpleasant odours may affect an individual's quality of life and sense of well-being.

The evidence brief also identified that the release of volatile organic compounds (VOC) is broadly comparable to VOC's emitted by other agricultural operations.

Impacts of Cannabis Cultivation and Processing Facilities

In addition to the concerns regarding odour from Cannabis production facilities, other concerns include lighting, noise, setback distances, landscaping and buffering, security and crime and land use compatibility.

² Public Health Ontario, "Evidence Brief: Odours from Cannabis Production," 2018, <https://www.publichealthontario.ca/-/media/documents/eb-cannabis-production-odours.pdf?la=en>

Lighting

Lighting has been a source of concern when greenhouses are utilized as cannabis production facilities. Most of the production and cultivation of Cannabis occurs indoors. Where green houses are utilized as the production facility, the impacts from the lighting cannot be contained within the facility. Figure 2 demonstrates the impact that greenhouse lighting can have at night. Alternative building design methods should be employed to reduce the impact of light pollution. For instance, Canopy Growth in British Columbia has installed shades on the sides of their greenhouses to reduce the impact from the green house lights ³.



Figure 2. Cannabis Greenhouse in Kingsville, Ontario lights up the nights sky.

Photo: Peter Loewen

<https://www.cbc.ca/news/canada/windsor/kingsville-checking-up-greenhouses-dark-sky-rules-1.5365910>

Noise

The production of Cannabis requires environmental controls to create the ideal micro-climate for growing. This includes heating and cooling systems as well as HVAC and ventilation equipment. Ancillary noise can also be associated with alarms, machinery and delivery vehicles.

The Province of Ontario, through the D6 Series Guidelines provides guidelines to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another. Adequate buffering of incompatible land uses is intended to supplement, not replace, controls which are required by legislation⁴.

Setback Distances

Setbacks from sensitive land uses, such as residential or institutional uses, to mitigate the impact from odours was identified as a key land use planning concern. A review of Zoning By-laws throughout South-Western Ontario identified that establishing setbacks for facilities with appropriate air

³ Emily Robertson, "Greenhouse Light Pollution is Affecting Prey, Migration, and Humans," 2019, <https://www.rxleaf.com/greenhouse-light-pollution-is-affecting-prey-migration-and-humans/>

⁴ Government of Ontario. Environmental Land Use Planning Guidelines – D-6 Series Guidelines. <https://www.ontario.ca/page/d-6-compatibility-between-industrial-facilities>

treatment controls and for those without was one measure to reduce the impact to sensitive land uses. Like how the Ontario Ministry of Agriculture, Food and Rural Affairs regulates odours from livestock facilities, a similar principle could be applied to ensure adequate separation distances from cannabis production facilities.

Landscaping and Visual Buffering

The Cannabis Regulations require that all Cannabis Production and Processing Facilities to have security measures to restrict access. The security requirement is often instituted through fences with barbed wire which can create a visual discord with other uses within the area, especially in the Agricultural Area. Consideration needs to be given with visually screening and buffering to reduce the institutional look of security fencing/measures.

Security and Crime

Concerns have been raised across the Province regarding the association of security and crime and Cannabis Production Facilities. The Cannabis Regulations require strict security measures around Cannabis Production Facilities, including fencing and video monitoring. A search of news articles produced relatively few stories regarding the robbery of licensed Cannabis Facilities in Ontario. Anecdotally, more recent news stories related to Cannabis and crime pertained to thefts from individual backyards for those growing up to their four permitted plants.

A recent CBC article highlighted the continued presence of illegal Cannabis grow operations in Eastern Ontario. Between July and September of 2020, the OPP have busted 18 grow operations⁵. Illegal activity is less associated with licensed facilities and more associated with the establishment of illegal operations.

Land Use Compatibility

Through consultation with the County of Norfolk⁶ located in South-Western Ontario, it was identified that land use compatibility was a major concern when locating Cannabis facilities. This was particularly important in areas outside of lands designated for industrial land uses, such as within the agricultural community or where existing buildings were being converted to facilitate a cannabis production facility.

⁵ CBC News Article. <https://www.cbc.ca/news/canada/ottawa/illegal-trade-still-booming-1.5751054>

⁶ Interview with Scott Wilson. County of Norfolk. October 16, 2020.

Although North Grenville does not have the large-scale green houses that proliferate south-western Ontario, consideration needs to be given to the establishment of Cannabis Production facilities as a normal farm practice. There has been no evidence that Cannabis has been deemed to be a normal farm practice by the Farm Board or the Province of Ontario⁷. This matter is being considered by the Normal Farm Practices Protection Board in the case of Burnstown Farms Cannabis Company v. Township of Beckwith, however no decision has been rendered on this matter⁸.

Municipal Official Plan Policies & Zoning By-law

The Municipality's Official Plan provides policy direction for all development within North Grenville. The Official Plan designates employment lands as Economic Enterprise. Lands within the Economic Enterprise designation are to encourage an integrated mix of Highway Commercial, Industrial and Service Commercial uses. It is the intent of these lands to be an area that is a major employment generator.

Lands within the Economic Enterprise designation are located near key transportation routes, such as Highway 416, provide greater separation from sensitive land uses and allow for similar type industries to be grouped together.

Under the Economic Enterprise policies, a variety of uses are permitted: manufacturing and processing, warehousing and wholesaling of bulk products, transportation depots, heavy equipment sales and service, business or industrial parks, other compatible industrial uses and related accessory commercial uses. The Official Plan does not further categorize the type of uses permitted, such as a Cannabis Production and Processing Facility.

Rural and Agricultural Policies

The Rural Area of North Grenville is well defined by both rural residential uses and agricultural operations. Rural commercial and industrial uses that service the local population also dot the landscape.

Agricultural policies within the Official Plan recognize the value of agriculture and farm related businesses and industries as important economic generators for the local and regional community. In addition to normal farm

⁷ Mat Vaughan, "Change is in the Wind" June 1, 2018. <https://ontarioplanners.ca/blog/planning-exchange/june-2018/change-is-in-the-wind>

⁸ Burnstown Farms Cannabis Company v Township of Beckwith, 2019 CanLII 57318 (ON NFPPB), <<http://canlii.ca/t/j14sl>>, retrieved on 2020-10-21

practices, the Official Plan permits on-farm diversified uses and agriculture related uses that are compatible with and do not hinder surrounding agricultural operations.

The agriculture land use designation does not restrict the growing of crops, including Cannabis. Agriculture related industries may be permitted, which could include micro-processing and micro-cultivation operations, where they are compatible with and do not hinder surrounding agricultural operations.

Rural land use policies within North Grenville allows for a wide range of land uses including agriculture, residential, commercial and industrial. Where appropriate, the Official Plan permits commercial uses that services the local area (Section 4.3(a)). Regarding industrial uses, the Official plan limits the permitted uses to agricultural processing plants, builders supply yards, bulk storage yards, contractor yards, transportation terminals, motor vehicle repair garage, sawmill, warehousing and other similar industrial uses where the use is appropriate for the proposed location and compatible with surrounding land uses.

The rural land use policies do support limited commercial and industrial development. A large-scale Cannabis Production and Processing Facility would not be appropriate within this land use designations, however, smaller scale warehousing or similar uses may be accommodated.

Dark Skies Policy

Section 12.21.1 of the Official Plan provides policy for dark skies within North Grenville.

According to the Official Plan policy the Municipality benefits from responsible, well-designed lighting in the following ways:

- It minimizes energy use;
- It reduces operating and maintenance costs;
- It increases the safety of citizens;
- It maintains and enhances the quality of darkness of the night skies; and
- It can enhance property values.

The Official Plan identifies that Poor Lighting can give rise to:

- Glare which can severely hamper the vision of drivers, pedestrians and cyclists and which can reduce security by producing dark shadows;
- Light trespass which may direct light onto neighbouring properties and into windows thereby reducing privacy;

- Sky glow which directs lighting upwards and undermines the integrity of night sky resources. Sky glow symbolizes waster energy and washes out our view of the night sky; and
- Energy waste which increases operating and environmental costs associated with energy production.

The following are implemented in all development and redevelopment approvals:

- All development applications will be required to include a photometric plan on the site showing the proposed design light levels, along with details of the exterior light fixtures proposed to be used at the site.
- Light spillage from new development and redevelopment projects onto adjacent properties and roads shall be avoided. The target light levels at the development property's boundaries shall be 0.0 foot candles.
- All exterior light fixtures shall be properly shielded to prevent glare and to direct light downwards and onto the development property.
- Light wattages may have to be reduced where reflective surfaces on the site may cause secondary (reflected) glare and light trespass.

North Grenville Comprehensive Zoning By-law 50-12

Prior to the Interim Control By-law, Cannabis Production Facilities were viewed as an Industrial and Agricultural Use and were subjected to the setback requirements of each underlying Zoning Category. Cannabis facilities were deemed as a manufacturing use, and no specific definition was created to further define Cannabis and Cannabis Production and Processing Facilities.

In 2019, the Municipality received a site-specific Zoning By-law Amendment to rezone lands to permit a Cannabis Production and Processing Facility. By-law 96-19 created the following definitions:

“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 foodstuffs (i.e. hemp milk, hemp seed, hemp oil etc.), fiber and biofuels.

"Cannabis Production and Processing Facility" shall mean any land, building or structure used for growing, producing, processing, testing, destroying, storing, packaging and/or shipping 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.

By-law 96-19 rezoned the subject property to an Industrial Exception Zone to permit the use of a Cannabis Production and Processing Facility. No additional setback provisions were required, and the underlying Industrial Zone setback requirements are enforced.

The Comprehensive Zoning By-law does not define a sensitive land use.

Section 6.30 of the General Provisions within the Comprehensive Zoning By-law does provide provisions for open storage in Commercial and Industrial Zones, which requires fencing, screening and buffering, and lighting. The Zoning By-law also requires a landscaped open space buffer between Industrial Zones and Residential Zones (Section 6.36(a)).

Best Practices

Municipal Official Plans

Official Plans are high level policy documents that provide overarching policies for development within a Municipality. All Official Plans must conform to the Provincial Policy Statement.

Since the legalization of Cannabis in October of 2018, a couple of Municipalities have amended or proposed draft amendments to their Official Plans to include policies for Cannabis.

Like North Grenville, many Municipalities in Ontario have not amended their Official Plan and rely upon their general policies for Employment Lands,

being lands designated for Industrial and Highway Commercial uses, as the guiding principle for Cannabis Processing facilities.

Attached as Appendix 1 is a review of Official Plans within Southwestern Ontario where Cannabis Processing facilities have been established. The breakdown demonstrates how relatively few Municipalities have amended their Official Plans to create specific policies for Cannabis Facilities.

Zoning By-laws

Zoning By-laws are an effective tool that Municipalities utilize to implement development requirements. Zoning By-laws define what uses are permitted on a property and establish required setbacks from property lines and other land uses. Zoning By-laws conform to the Official Plan by implementing the policies established through land use designations. For example, where a municipality has designated lands for Employment Land purposes in accordance with the PPS, the Zoning By-law would accordingly zone these lands for industrial and highway commercial uses while prohibiting residential land uses. This recognizes the value of the lands for the development of industry while restricting incompatible land uses such as a residential use to locate within this area.

Across Ontario there have been varying approaches to addressing Cannabis facilities and ancillary uses associated with the production of Cannabis, including cultivation. Appendix 2 provides examples of Zoning By-law's that have included provisions for Cannabis facilities.

Definitions

Larger Municipalities and Municipalities who had medical cannabis facilities prior to the legalization of cannabis in 2018 tended to apply their existing medical marijuana definitions or slightly modified their definition to include 'non-medical' Cannabis. Smaller municipalities in Ontario, especially municipalities with a strong agricultural economy have gone a step further to define Cannabis Production and Processing Facilities, sensitive land uses and redefine what Cannabis is not, such as amending the definition of an agriculture use to not include Cannabis production. This approach has been used by Norfolk County to help better regulate the establishment of Cannabis facilities in the agricultural area.

Air treatment control is another definition that was commonly adopted through Zoning By-law Amendments. Not specific to Cannabis facilities, the new definition for air treatment control can be implemented for other industrial and manufacturing type uses that are associated with odours.

The Town of Pelham has gone a step further than most Municipalities by defining indoor and outdoor Cannabis, as well as Industrial Hemp related uses – indoor and outdoor.

The definition adopted in By-law 96-19 for a site-specific amendment in North Grenville excluded Hemp from the definition of Cannabis. Hemp is described as 'non-intoxicating' Cannabis that is harvested for the industrial use of its derived products⁹. Hemp production is not a predominant industry in North Grenville as it would be in other areas of the Province and was not identified as a major field crop in the 2016 census¹⁰.

Setback Distances

Setback distances vary widely across the Province. Some Municipalities required no additional setbacks and relied on the underlying zoning setback requirements. Other Municipalities instituted setbacks ranging from 70 metres to 300 metres from sensitive land uses or specific zones. For example, the Town of Innisfil requires a setback of 70 metres from a lot in a residential zone, community service zone and from any lot containing a school, park, community centre or day nursery.

The most common requirements for setbacks included 150 metres from a sensitive land use where air treatment control was implemented, and 300 metres when there was no air treatment control.

Setback distances need to be clearly defined regarding whether the setback applies to the property line of a zone or structures on a property.

The Town of Pelham went a step further and required greater development setbacks. For example, standard cannabis related uses are to be setback 80 metres from the front property line and 40 metres from an interior or rear lot line unless ventilating fans in a wall exhaust into a side or rear yard, in which case the setback shall be 60 metres.

Consideration should be given to requiring separation distances from sensitive land uses and through properly locating Cannabis facilities in areas that are designated for Industrial uses. The Municipality has specifically designated lands within the 416 Corridor as Economic Enterprise lands, which are not to be developed for residential purposes.

⁹ Aaron Cadena. Hemp vs. Marijuana: The Difference Explained (2020 Update). September 10, 2018. <https://medium.com/cbd-origin/hemp-vs-marijuana-the-difference-explained-a837c51aa8f7>.

¹⁰ Ontario Ministry of Agriculture, Food and Rural Affairs. County Profiles: Agriculture, Food and Business – Leeds and Grenville. <http://www.omafra.gov.on.ca/english/stats/county/index.html>

Landscaping and Buffering

North Grenville requires landscaped open spaces between Industrial and Residential uses where they are located adjacent to each other. The Zoning By-law currently does not provide for additional landscape and buffering measures in all other circumstances for Industrial Uses. Consideration can be given to require landscaping in front of or around facilities to reduce the visual impact that security measures such as fencing can have on the streetscape.

One visual method that has been implemented quite widely across Zoning By-laws is not permitting outdoor storage.

Zoning By-law Amendment 96-19 that was passed last year for a site-specific rezoning in North Grenville prohibited outdoor storage associated with the Cannabis Facility.

Lighting

Policies pertaining to lighting and dark skies are often embedded within Municipal Official Plans. Dark skies policies, like the requirement within North Grenville's Official Plan, work towards reducing the impact that light pollution has on the surrounding environment, this includes requiring 0 foot candles at the property line and that all luminaries have shields that direct the light downwards.

A review of general zoning requirements and zoning by-law amendments that address Cannabis Facilities, relatively few municipalities addressed the issue of Zoning through the Zoning By-law.

Norfolk County has included lighting general provisions within their by-law.

Lighting Facilities - Where private lighting facilities, whether internal or external to any building or structure are provided in any zone to illuminate buildings, structures or uses, they shall be designed to be energy efficient, be directed downwards, and located or arranged to deflect glare away from adjacent residential uses, streets and the night sky and to avoid causing nuisance to adjacent property owners, or any confusion with traffic signals.

Lighting is an element that Municipalities also address at the site plan control stage. Having clear policies and zoning provisions to address lighting will set clear expectations and requirements for establishing Cannabis Facilities.

Implementation Recommendations

There is no one size fits all approach to addressing the location and development of Cannabis Facilities. As has been demonstrated, Municipalities have implemented a wide array of approaches that best address their individual situations. Municipalities with well-defined Industrial areas have had less of a reaction compared to Municipalities who have more rural/agricultural landscapes. The conversion of greenhouses from traditional agricultural crops in Southwestern Ontario continues to raise concerns over the impact of Cannabis Production Facilities within the context of rural and agricultural communities.

The following analysis provides a variety of options and considerations that can be implemented through an Official Plan Amendment or Zoning By-law Amendment.

Official Plan

Very few municipalities have moved to amend their Official Plans to adopt policies for Cannabis Facilities. Most municipalities rely on their existing Official Plan policies to direct land uses and implement requirements for Cannabis Facilities through the Zoning By-law. An Official Plan Amendment is not a requirement to amend the Zoning By-law but could further provide policy direction for the establishment of Cannabis facilities.

Option 1: Status Quo

North Grenville's Official Plan provides clear direction for development, including policies for industrial uses. The Official Plan does not go into the level of detail as to provide policy for specific uses. Policies pertain to larger categories of uses, such as agricultural, commercial, manufacturing and industrial type uses.

Option 2: Amend the Official Plan to incorporate additional policies for Cannabis Facilities

An Official Plan Amendment could bring in specific requirements for Cannabis Facilities, like those implemented by the Town of Pelham and the Town of Lincoln, as outlined in Appendix 1.

Comprehensive Zoning By-law

Many Municipalities across Ontario have amended their Zoning By-laws to define Cannabis Production and Processing Facilities, require additional setbacks and create general provisions to address site conditions such as outdoor storage, lighting and landscaping. The following options were

developed to help address the impacts and concerns that have been raised regarding Cannabis facilities.

Definitions

The Comprehensive Zoning By-law will require the adoption of definitions for a Cannabis Processing and Production Facility. Additional definitions can be considered as they relate to Cannabis facilities, such as defining a Cannabis Greenhouse and air treatment control.

Option 1: Adopt the same definitions that were adopted in Zoning By-law Amendment 96-19.

Zoning By-law Amendment 96-19 adopted definitions for a Cannabis Production and Processing Facility and Greenhouse Cannabis. These definitions are like how other Municipalities throughout Ontario have defined Cannabis Facilities. Adopting the definitions that were implemented through Zoning By-law Amendment 96-19 would maintain consistency.

Option 2: Consider alternative definitions for Cannabis Production and Processing Facilities

Although the Municipality has adopted a definition for a site-specific Zoning By-law Amendment, a definition needs to be adopted into the general definitions of the Comprehensive Zoning By-law. An alternative definition than the one adopted by Zoning By-law Amendment 96-19 can be considered.

Option 3: Define Air Treatment Control

North Grenville currently does not have a definition for air treatment control. It is recommended that the Municipality adopt a definition should the Municipality permit a reduced setback where air treatment control is implemented.

Option 4: Define Sensitive Land Use

The Comprehensive Zoning By-law does not define a Sensitive Land Use. The Municipality has relied upon other planning mechanisms, such as Minimum Distance Separation and the D-6 Series Guidelines to establish required setbacks from a sensitive land use, such as from a livestock facility and a residential use. It is recommended that the Municipality adopt a definition for sensitive land uses, especially if consideration is given to creating additional setbacks from sensitive land uses.

Option 5: Define the Cannabis sub-class licences

There are 8 sub-licensing categories available through Health Canada. Based on a review of Municipal Zoning By-laws, Municipalities have adopted a singular definition for Cannabis Processing and Production Facilities. Although not necessary, the Municipality can create definitions to define the various sub-classes, such as micro-processing and micro-cultivation.

Identifying the Appropriate Zoning Category

Through consultation with Norfolk County, properly locating Cannabis Facilities was identified as one of the key factors in reducing conflicts with neighbouring land uses¹¹. As described earlier, most Municipalities consider Cannabis Production and Processing Facilities as Industrial uses, and only permit the use in Industrial zones. Some Municipalities have treated these facilities as agricultural uses and permit them in Agricultural Zones. Appendix 2 provides context as to which zones Municipalities have allowed Cannabis Production Facilities.

Option 1: Industrial Zone

It is recommended that the Municipality permit Cannabis Production and Processing Facilities within an Industrial Zone. The Official Plan limits the location of industrial uses to the Economic Enterprise and Industrial land use designation. These land use designations are in areas that are further away from residential areas, and more ideal for the establishment of industrial and manufacturing facilities, such as in proximity to major transportation routes like Highway 416.

The existing Cannabis Facility in North Grenville was permitted on a property where the underlying zoning was Industrial, and the most recent Zoning By-law Amendment amended the zoning for 382 Townline Road to permit a Cannabis Production and Processing Facility with an Industrial – Special Exception Zoning.

Option 2: Agricultural Zone

Even if not considered a normal farm practice, the Municipality can allow for Cannabis Production and Processing Facilities through site specific zoning by-law amendments for properties zoned agriculture. Some Municipalities have permitted these uses as a value-added use to agricultural operations. The Municipality can also consider permitting these uses as an as of right use within the Agricultural zone.

Option 3: Rural Industrial Zone

¹¹ Interview – Scott Wilson, Norfolk County. October 16, 2020.

Smaller scale cannabis production, such as micro-processing and micro-cultivation may be appropriate in the Rural Area where they are less likely to have an impact on neighbouring land uses. Micro-processing and micro-cultivation are limited in scale and size and are required to follow the same measures as standard cultivation and standard processing licences when it comes to ventilation and security. Consideration could be given to allowing for the smaller scale production of Cannabis in the Rural Area as a craft industry.

[Sensitive Land Uses and Required Setbacks](#)

Regulating setback from sensitive land uses is a widely accepted practice for agricultural industries that require setback from sensitive receptors. For example, OMAFRA requires minimum distance separation from livestock facilities to a neighbouring residential use to reduce the odour impact from the livestock facility and associated manure storages.

Similar to this principle, it is recommended that setback distances be established to require greater separation from Cannabis Production Facilities to neighbouring sensitive land uses, such as a residential dwelling, and institutional uses (Church, school, long term care facility).

There is no one single approach that has been consistently used. Setbacks vary from 70 metres up to 300 metres, depending on whether air treatment control measures are implemented.

Option 1: Status Quo

Maintaining the status quo would implement the underlying zoning by-law setbacks. For example, the Industrial zone requires a 12 metre front yard, side yard, and rear yard setback. Cannabis Production and Processing Facilities would not be required to be set back further from any sensitive land use or property line.

Option 2: Establish Greater Zoning Setbacks from Property Lines

Like the Town of Pelham, North Grenville can enact greater yard setbacks for Cannabis facilities. This could include establishing greater setbacks from the side of a building where the ventilation equipment outlets to an interior or rear yard lot line.

Option 3: Establish a 70 metre setback from Sensitive Land Uses

The D-6 series guidelines would define a Cannabis Facility as a Class II industry. The setback requirement from a sensitive land use for a Class II industrial facility is 70 metres.

Option 4: Establish a 150 metre setback with air treatment control measures from a sensitive land use

Since 2018, many municipalities have amended their Zoning By-laws to require greater setbacks from Cannabis Facilities to a sensitive land use with air treatment control. This setback uses the principles from the Minimum Distance Separation guidelines, which regulates setbacks from livestock facilities to sensitive land uses.

Option 5: Establish a 300 metre setback without air treatment control

Although the Cannabis Regulations require that air treatment control measures be implemented when applying for a licence, requiring a greater setback for facilities that are not implementing air treatment control provides a greater buffer from surrounding sensitive land uses.

[Cannabis a Normal Farm Practice?](#)

The Normal Farm Practices Board has yet to provide a ruling in the case of *Burnstown Cannabis Farm v. Beckwith Township* (2019) on whether Cannabis is considered a normal farm practice. In the interim, Municipalities can provide Zoning provisions to include or exclude Cannabis Production as an agricultural use.

Option 1: Define Cannabis as a Normal Farm Practice

As outlined in Appendix 2, many Municipalities have included Cannabis Production as an agricultural use and by virtue consider it a normal farm practice.

Option 2: Define Cannabis as not a Normal Farm Practice

Like the Township of Beckwith and Norfolk County, North Grenville can amend the definition of an agricultural use to not include a Cannabis Production and Processing Facility. This would require anyone wishing to establish a Cannabis facility in an Agricultural zone to go through a site-specific zoning By-law Amendment.

[Site Plan Control](#)

Site Plan Control is an effective tool that the Municipality can use to regulate the development of land. Although Site Plan Control cannot dictate the method and standard of construction, there is an ability to influence the look and feel of a building as it relates to the surrounding area.

Norfolk County has included specific wording that requires 'establishing' cannabis facilities to be subject to site plan control. This allows the

Municipality to capture not only facilities that are being constructed, but also capture facilities that are renovating and adapting existing buildings.

Option 1: Status Quo

The Municipality has designated the entire Municipality as a site plan control area. However, site plan control does not address the renovation of an existing building.

Option 2: Strengthen Site Plan Control Requirements

Following the lead of Norfolk County, providing stronger language for Site Plan Control and Cannabis Facilities is strongly recommended. Adapting the wording to require all establishing facilities to go through site plan control would permit the Municipality to address matters such as lighting, security and landscaping and buffering.

Lighting

The standard for site plan applications has been to require 0.0-foot candles at the property line and cut off luminaries to direct light downwards as set out in Section 12.21.1 of the Official Plan.

Option 1: Status Quo

This option would continue to see staff apply the dark skies policy as set out in the Official plan with a 0.0-foot candle requirement at the property line and require light standards to be installed with cut off luminaries.

Option 2: Add lighting provisions into the Zoning By-law & draft a formal policy

Lighting requirements can be added to the Comprehensive Zoning By-law to further implement the requirements of the Official Plan by creating wording like that of Norfolk County.

Landscaping and Buffering

The landscaping and buffering requirements in the Comprehensive Zoning By-law only apply when an Industrial or Commercial use abuts a Residential or Institutional zone. There are no additional provisions for landscaping and buffering on sites that do not abut a Residential or Institutional zone. The Municipality currently requires landscape plans for new development applications that require site plan control.

Option 1: Status Quo

Maintaining the Status Quo would only require additional landscaping and buffering where the development abuts a Residential or Institutional zone.

Option 2: Require more screening and buffering

The Municipality can pursue adding in Zoning Provisions to require screening and buffering in any yard requirement of a property being developed as a Cannabis Production and Processing Facility. This particularly may be beneficial to reduce the institutional look of security measures such as fencing along a streetscape.

Outdoor Storage

Municipalities can regulate outdoor storage areas associated with Industrial and Commercial businesses. This includes requiring additional buffering and screening, fencing or could include prohibiting outdoor storage with an associated use.

Option 1: Status Quo

North Grenville's Comprehensive Zoning By-law requires fencing, screening and buffering, and lighting for outdoor storage in Industrial and Commercial zones.

Option 2: Prohibit Outdoor Storage

Zoning By-law Amendment 96-19 prohibited outdoor storage for the proposed facility at 382 Townline Road. This requires that all storage associated with the facility must be wholly located within the building. The prohibition of outdoor storage can be amended into the general provisions for all future Cannabis Production and Processing Facilities.

Concluding Remarks

The legalization of cannabis has created an increased demand for the establishment of Cannabis Production and Processing Facilities. Municipalities have had to quickly adapt to address the establishment of new facilities and the impacts that they can have on neighbouring land uses.

There is no one size fits all approach when it comes to land use planning and Cannabis Facilities. Municipalities can regulate through their local Zoning By-laws appropriate locations for Cannabis facilities and address more site-specific conditions such as outdoor storage, lighting and setback distances.

Appendix 1 – Examples of Municipal Official Plan Amendments

Specific Definition for Cannabis?	Official Plan Policy
<p>Town of Lincoln Yes</p>	<p>Cannabis production facility shall mean any building or structure licensed and/or authorized to grow, possess, sell, provide, ship, deliver, transport, destroy, product, export and/or import cannabis for medical or non-medical purposes, including related research as defined in applicable Federal regulation as amended from time to time.</p> <p>Encourage new purpose-built facilities as the first option</p> <p>Require mitigation measures to be taken to reduce impacts on sensitive land uses and to determine the appropriate separation distance of the proposed facility to existing sensitive land uses and zones</p> <p>Require on a case by case basis appropriate buffering and screening to preserve the agricultural character of the surroundings</p> <p>Ensure that required facilities be installed (on-site water storage, rate-of-flow control facilities, complete stormwater management facilities etc.)</p> <p>Require a waste management plan which describes the method and location of collection and disposal of all effluent</p> <p>Add a policy that enables the Town to establish a licensing framework to regulate the nature, scale and density of cannabis production facilities</p> <p>Ensure that the requirements for complete application are comparable to requirements for Federal Licensing</p> <p>Amend site Plan control policy to add Cannabis Production Facility to the list of agricultural buildings that are not exempt from site plan control.</p>
<p>Town of Pelham No - Adopted July 13, 2020</p>	<p>Added outdoor storage, growing and production of cannabis subject to a Zoning By-law Amendment</p> <p>In the addition to these requirements, greenhouses for cannabis production will be required to ensure compatibility with neighbouring land uses through:</p> <ul style="list-style-type: none"> a) Installation and operation of odour and light mitigation systems; b) Odour and light control, maintenance and monitoring plans; c) Maintaining appropriate setbacks from sensitive receptors as detailed in the Zoning By-law d) A waste management plan.

Appendix 2: Zoning By-law Review – Cannabis Production Facilities

Municipality	Cannabis Production Facility Definition	Permitted Zoning	Setbacks	Additional Provisions
Ajax	Not defined, considered as an Agriculture Use or Industrial use based on the size and scale of the activity. Associated activities with the operation determine what zoning category would apply.	AG (growing), Employment Zones (manufacturing and warehousing)	No additional setbacks are defined	None
Armour Township	Cannabis Production Facility means the use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging and shipping of marijuana used for medical purposes as approved and regulated by Health Canada	Prohibited unless permitted through a site-specific Zoning By-law amendment	None defined	None defined
Arnprior	Cannabis Related Facility means an establishment where the cultivation, processing, analytical testing and/or research of cannabis occur as authorized by a licence by the government of Canada. The retail sale of cannabis is not permitted in conjunction with a cannabis related facility.	Employment Zone	100 metre setback from residential and institutional uses	Residential units cannot be located on same lot, loading spaces and storage must be located in building, no retail sales
Aurora	Medical Marihuana Production Use: the use of lands, buildings or structures for the purpose of growing, cultivating, drying, harvesting, packing, processing, testing, treating, storing, shipping and/or selling 'marihuana' 'dried marihuana' or cannabis as defined by health Canada under regulation SOR/2013-119 and includes facilities used for such purposes.	Employment Business Park Zone	150 metres from a zone other than an Employment Business Park, 150 metres from any sensitive land use, 150 metres from any other marijuana facility,	Retail is prohibited, only medical marijuana use is permitted on the lot, advertising is prohibited, activities to be within the building, including loading spaces.
Barrie	Medical Marihuana Production Facility - a wholly enclosed building, structure or part thereof, used to process, produce, sell, provide, ship, deliver, transport or destroy marihuana or cannabis by a licensed producer authorized by health Canada under regulation SOR/2013-119 or any successor thereto, through a Licence issued by the City of Barrie, as required.	Industrial Zone	10 metre setback from residential zones, 3 metre buffer	Barrie will be updating their by-law this fall to change Medicinal Marihuana Facility to Cannabis Production Facility
Beckwith	Defines a Medical Marijuana Facility	Industrial, Rural Industrial, Ag and Rural Areas	150 metres from any existing residential dwelling, 150 metres from an institutional use, must be setback 70 metres from property line, no open storage	Beckwith will be updating their zoning by-law to address Cannabis Production Facilities, report anticipated in August
Belleville	Currently has a Medical Marihuana Definition	Industrial	Setbacks as per industrial zoning	Recently entertained a site-specific amendment for a Cannabis Production Facility - By-law could not be found online
Brantford	Defined as Medical Marijuana Facility	Industrial, Ag	70 metres from residential and institutional zone/use when located in an Industrial zone, 150 metres from residential/institutional/open space when in Ag zone	operations and loading spaces must be wholly enclosed in building, no open storage, subject to site plan control, does not permit MV's, will only accommodate deviations through a ZBLA.
Brighton	No Definition available	Industrial	70 metres to a residential, commercial, open space, future development and community facility uses	9 metre vegetative buffer strip required to a non-industrial use
Burlington	Defined as a Medical Marijuana Facility	Employment Zone	70 metres from residential/institutional use	Must be wholly enclosed in the building, no outdoor storage, loading spaces enclosed in building, fencing required

Caledon	Medical Marihuana definition	Industrial Zone	150 metres from residential/institutional, lots within a settlement area	No advertising, no open storage, loading spaces in rear yard, requires site plan,
Cambridge	Defined as Medical Marijuana Facility	Industrial Zone	15 metre setback from an industrial use to a residential use	No special provisions were found
Central Hastings	Site Specific Definition	Rural Industrial - Exception Zone	150 metre setback to a dwelling, cannot be located within 70 metres of a residential zone, institutional zone or open space zone	completely located inside the building, no open storage, loading spaces must be completely located within the building, caps the size of a greenhouse to 560 sq m, warehouse to 162 sq m
Clarence Rockland	Cannabis Production Facility means the medical and non-medical commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR) and the Cannabis Act S.C. 2018, c.16, and any subsequent regulations or acts which may be enacted henceforth, but excludes the growing of cannabis by an individual for their personal use and consumption.	General Industrial and Rural Industrial	150 metre setback from a property line abutting residential, institutional and open space	Located completely within a building, no outside storage
Cornwall	Medical Marijuana Facility means federally licensed facility pursuant to Section 25 of the Marihuana for Medical Purposes Regulations under the Controlled Drug and Substance Act, used for the growing, processing, testing, destruction, packaging or distribution of marihuana used only for medical purposes, as permitted under the Federal government's Marihuana for Medical Purposes Regulations, or any additional legislation which may be enacted regarding this land use. Marihuana (Cannabis) means the substance referred to as "Cannabis" in sub item 1 (2), Schedule II to the Controlled Drug and Substance Act, S.C. 1996, c. 19 as	Manufacturing Zones	150 metres from institutional/residential zones, cannot be within 150 metres of another medical manufacturing facility	located entirely indoors, no outside storage, not permitted within a private dwelling, must be fenced and subject to SPC, notice must be provided to City, May be permitted on a site specific basis in the 'new' business park
Sudbury	A <i>building or structure</i> or part thereof that is used for growing, producing, processing, testing, destroying, storing, packaging or shipping of marihuana or cannabis authorized by a license issued by the Federal Minister of Health under the <u>Controlled Drugs and Substances Act</u> SC 1996, c 19, as amended but shall not include any other establishment or use as may be defined or classified in this By-law.	Industrial Zoning	Must be 150 metres from any lot in the Residential, commercial, Rural and Other zones	No other specifications identified.
Innisfil	Medical Marihuana Production Facility means a building used for growing, producing, processing, testing, destroying, storing or distribution of medical marihuana or cannabis authorized by a license issued by the federal Minister of Health, pursuant to Section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, SC 1996, c 19, as amended, or any subsequent legislation which may be enacted in substitution thereof. For purposes of clarification, no part of this operation, whether accessory or not, may be located outdoors. In the interpretation of this definition, cannabis means the substance set out in Item I of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended; and marihuana means the substance referred to as "Cannabis" in sub-item I(2) of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended.	Industrial Zoning	70 metre setback from a lot in a residential zone, community service zone and from any lot containing a school, park, community centre or day nursery	Not permitted within a residential zone or on a lot with an existing dwelling, no outdoor advertising, site plan approval required, preference for facility to be on municipal services,

King Township - Proposed By-law	Industrial Cannabis Facility means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis which is authorized by a licence issued 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.	Industrial/Employment zones	150 metres if there is an air treatment control, 300 metres if there is no air treatment control to a residential, institutional or open space zone.	no open storage, subject to site plan control
Mississauga	Medicinal Product Manufacturing Facility means a building, structure or part thereof, used for altering, assembling, fabricating, finishing, inspecting, making, processing, or producing medical products, including medical marihuana or herbal and natural medicines, that may use living organisms or parts of living organisms used in the manufacturing process, either by hand or through the use of machinery and may include the temporary on-site storage of commercial motor vehicles (i.e. Trucks, tractors, and/or trailers) for freight handling including the pick-up, delivery and transitory storage of goods incidental to motor freight shipment directly related to the permitted use(s). Medical Marihuana means Marihuana, cannabis or its constituent or derivative forms, produced, tested, stored, distributed and/or sold pursuant to the Marihuana for Medical Purposes regulations, SOR/2013-119, as amended from time to time.	Employment	Uses existing setbacks established in the Employment zone - 30 metres front yard and 15 m side and rear to a residential use	marijuana growing area limited to 20% of gross floor area of building, building can only be used for such purpose, requires Health Canada Licensing, no signage, must certify that notice has been provided to Pell Regional Police and Mississauga Fire Services
Norwich	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.”	Industrial, light industrial, rural industrial, agricultural zone	70 metre setback from a residential zone, institutional zone or open space zone when located in an industrial zone when there is air treatment control, 150 metre setback when located in an agricultural zone when there is air treatment control. When there are no air treatment control setbacks are 150 m setback when located in an industrial zone and 300 metre setback when in an Agricultural zone	Excluded Cannabis Production and Processing Facility from the definition of a farm, no open storage
Russell Township	Medical Marijuana Production Facility shall mean a federally-licensed facility used for the cultivation, processing, testing, destruction, packaging or shipping of marijuana used for medical purposes as permitted under the federal government’s Access to Cannabis for Medical Purposes Regulations or any subsequent legislation which may be enacted in substitution thereof.	Industrial Park Zone, Agricultural Industrial Zone	150 metre setback from a residential, institutional or rural residential zone or within 50 m of a lot used principally for residential purposes.	located completely within a building, no outdoor storage, no dwellings permitted on property
South Stormont	“CANNABIS PRODUCTION AND PROCESSING” shall mean lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping cannabis authorized by a federally issued license or registration. “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(s).	Industrial Zones including Rural Industrial	70 m from any residential or institution zones and 150 metres from any sensitive land use when air treatment control is used, 300 metres from any residential or institutional zone or sensitive land use when there is no air treatment control	No additional provisions were provided.

