

| Original Draft Provision - Staff Report PD-40-2018 (December 11, 2018) | Revised Final Provision Proposal (revisions/additions in red or strike-through) | Rationale for Provision & Revisions |
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| <p>CANNABIS PRODUCTION FACILITY” shall mean any <i>building</i> or <i>structure</i> licensed and authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, dry, export and/or import <i>cannabis</i> for medical or non-medical purposes, including related research as defined in applicable Federal Regulation, as amended from time to time</p> | <p>CANNABIS PRODUCTION FACILITY” shall mean any <i>building</i> or <i>structure</i> licensed and authorized by Health Canada to possess, sell, provide, ship, deliver, transport, destroy, grow produce, dry, export and/or import <i>cannabis</i> for medical or non-medical purposes, including related research as defined in applicable Federal Regulation, as amended from time to time</p> | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Ensures facilities only qualify as a cannabis production facility (and therefore a permitted use in the Agricultural and Industrial zone), if licenced. Licensed facilities represent those that are fully regulated by the Federal government, including odour controls, lighting plans, security plans/installations, etc. Serves to limit/restrict ‘alternative producers’ – i.e. where individuals who had a licence to grow for medicinal purposes come together, all grouping in one greenhouse, and grow collectively without regulation (e.g. no air filtration system for odour, etc.) and the result was significant in terms of impacts <p><i>Revisions:</i></p> |

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| | | <ul style="list-style-type: none"> Should we include “possess, sell, provide” County risk shaving the section struck down by the courts if challenged (i.e. beyond municipal authority; could inadvertently capture private dwellings; and possession and selling regulated under other legislation. Identifying Health Canada further and clearly indicates the appropriate licensing regime. |
| Permitted in Agriculture Zone or Industrial Zone | Permitted in Agriculture Zone or Industrial Zone | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Land use is suitable in the zones proposed given the nature of activities (akin to those that are currently permitted as of right in these zones) and the availability of larger sites that can accommodate the uses and the setback requirements associated with same. <p><i>Revisions:</i> N/A</p> |

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| a <i>cannabis production facility</i> will be subject to site plan control pursuant to Section 41 of the <u>Planning Act</u> ; | a <i>cannabis production facility</i> will be subject to site plan control pursuant to Section 41 of the <u>Planning Act</u> ; | <p><i>Provision:</i></p> <ul style="list-style-type: none"> SPC provides regulatory tool to ensure matters such as buffering, lighting, stormwater, layout/orientation, etc. are suitably addressed and designs mitigate off site impacts. <p><i>Revisions:</i> N/A</p> |
| in addition to the requirements of this Section, a <i>cannabis production facility</i> shall comply with all <i>zone</i> provisions of the <i>zone</i> it is located within | in addition to the requirements of this Section, a <i>cannabis production facility</i> shall comply with all <i>zone</i> provisions of the <i>zone</i> it is located within | <p><i>Provision:</i> ensures characteristic established in the surrounding area (by virtue of zoning standards) is respected.</p> <p><i>Revisions:</i> N/A</p> |
| a <i>cannabis production facility</i> will be prohibited on any lot containing a <i>dwelling unit</i> | a <i>cannabis production facility</i> will be prohibited on any lot containing a <i>dwelling, dwelling house</i> or <i>dwelling unit</i> | <p><i>Provision:</i> ensures limitation on potential compatibility issue and conflict of users</p> <p><i>Revisions:</i> Addition of dwelling and dwelling house recognize additional defined / applicable terms from the zoning bylaw that require inclusion in the regulations due to sensitive nature of use</p> |

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| <p>any <i>building</i> or <i>structure</i> or portion of land thereof used for <i>cannabis production facility</i> purposes shall be setback a minimum of 150 metres from:</p> <p>1) any Residential, Commercial, Institutional or Open Space <i>Zone</i>;</p> <p>2) the nearest lot line of any lot containing a dwelling unit, day nursery, school, community centre, place of entertainment, place of assembly, place of worship, long term care home, retirement home or cultural facility; and,</p> <p>3) any settlement area boundary</p> | | Setback to any Residential, Commercial, Institutional or Open Space <i>Zone</i> | Setback to the following uses located on a separate lot: the nearest lot line of any lot containing a dwelling, dwelling house, dwelling unit, day nursery, school, community centre, place of entertainment, place of assembly, place of worship, long term care home, retirement home, campground, tent & trailer | Setback to any <i>settlement area</i> boundary | <p><i>Provision:</i></p> <ul style="list-style-type: none">• Setback requirements address potential for impacts relating to odour, lighting, intensity of site activities, etc.• Large setback requirements will ensure suitable separations are in place to mitigate land use compatibility issues. <p><i>Revisions:</i></p> <ul style="list-style-type: none">• Addition of dwelling, dwelling house, campground and tent & trailer park recognize additional defined / applicable terms from the zoning bylaw that require inclusion in the regulations due to sensitive nature of use.• Setback to a use (dwelling, school, etc.) as opposed to a property line is consistent with other land use separation approaches such as MDS and MOE D-Series Guidelines which establish |

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| | | | <i>park</i> or <i>cultural facility</i> | | <p>the dimension between buildings.</p> <ul style="list-style-type: none"> Sliding scale approach is similar to other regulatory instruments (e.g. MDS) which deal with odour producing uses. Sliding scale is more appropriate than a fixed setback that deals with all facility sizes in the same regulatory manner. Sliding scale effectively responds to the increased potential for impact by correlating setback to size – essentially as size of a facility increases, the required setback does as well. Increased setback dimensions better reflect (and regulate) potential impacts of odour, lighting and intensity of use. The high end setbacks (300 metres) align with the largest |
| | <i>A cannabis production facility with a total gross floor area less than 6,967 square metres (75,000 sq ft) and with an air treatment control system</i> | 150 metres | 150 metres | 150 metres | |
| | <i>A cannabis production facility with a total gross floor area greater than 6,967 square metres (75,000 sq ft) and less than 9,290 square metres (100,000 sq ft) and with an air treatment control system</i> | 200 metres | 200 metres | 200 metres | |
| | <i>A cannabis production facility with a total gross floor area greater</i> | 250 metres | 250 metres | 250 metres | |

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| | <div> <div>than 9,290 square metres (100,000 sq ft) and with an air treatment control system</div> <div></div> <div></div> <div></div> </div> | <p>setback found in municipal scan research and represents a more restrictive approach that is appropriate given the emerging nature of the land use issue.</p> <ul style="list-style-type: none"> Setbacks proposed are similar to those required under MDS for larger, odour producing livestock facilities within the County Requirement for air treatment control system ensures facilities are equipped with odour reducing technology; where not provided, increased setbacks would be applicable. Works together with definition of use to pose limitations on non-licensed producers. | |
| | <div> <div>A cannabis production facility of any size where an air treatment control system is not provided</div> <div>300 metres</div> <div>300 metres</div> <div>300 metres</div> </div> | | |
| the parking requirement for a cannabis production facility shall be 1 parking space per 100 square metres of gross floor area | the parking requirement for a cannabis production facility shall be 1 parking space per 100 square metres of gross floor area | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Standard is similar to that required for manufacturing operations. | |

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| | | <ul style="list-style-type: none"> Appropriate given potential for significant number of employees <p><i>Revisions:</i> N/A</p> |
| <i>outdoor storage</i> is prohibited on a property on which a <i>cannabis production facility</i> is located | <i>outdoor storage</i> is prohibited on a property on which a <i>cannabis production facility</i> is located | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Used in connection with site plan control to ensure operations are maintained in suitable and appropriate fashion, taking into account neighbouring uses <p><i>Revisions:</i> N/A</p> |
| the total gross floor area of all buildings and structures combined shall not exceed 9,290 square metres | the total gross floor area of all buildings and structures combined shall not exceed 9,290 square metres | <p><i>Provision:</i> N/A</p> <p><i>Revisions:</i> Eliminating the cap ensures the use is treated in a similar fashion as other agricultural operations, such as greenhouses and livestock facilities.</p> |
| no outdoor signage or advertising shall be <i>permitted</i> | no outdoor signage or advertising shall be <i>permitted</i> | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Serves as limitation on exposure of site and aligns with Federal government license requirements. |

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| | | <i>Revisions:</i> N/A |
| where a <i>cannabis production facility</i> is located on a lot, no other use shall be <i>permitted</i> on the lot or within the <i>building</i> as a whole, other than the growing of accessory agricultural crops | where a <i>cannabis production facility</i> is located on a lot, no other use shall be <i>permitted</i> on the lot or within the <i>building</i> as a whole, other than the growing of accessory -agricultural crops other than cannabis | <i>Provision:</i> <ul style="list-style-type: none"> • Limits potential for conflict, unauthorized site access and aligns with Federal government license requirements. • Allows for productive agricultural lands to remain in production for other crops. <i>Revisions:</i> Provides clarification of intent as it relates to suitable outdoor crop growing |
| the minimum <i>lot area</i> must be greater than 4.0 hectares | the minimum <i>lot area</i> must be greater than 4.0 hectares | <i>Provision:</i> <ul style="list-style-type: none"> • Ensures that appropriate land use separations can be achieved and site design requirements implemented (e.g. stormwater management, parking areas) <i>Revisions:</i> N/A |
| minimum <i>setback</i> for all <i>structures</i> associated with a <i>cannabis production</i> | minimum <i>setback</i> for all <i>structures</i> associated with a <i>cannabis production facility</i> is 30 metres from all property lines | <i>Provision:</i> |

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| <i>facility</i> is 30 metres from all property lines | | <ul style="list-style-type: none"> Where other setbacks relating to zones, uses and settlement area do not apply, setback will ensure that various site design elements can be implemented – parking, stormwater management, etc. <p><i>Revisions:</i> N/A</p> |
| a <i>building</i> or <i>structure</i> used for security purposes for a <i>cannabis production facility</i> may be located in the <i>front yard</i> and does not have to comply with the <i>required</i> minimum <i>front yard setback</i> | a <i>building</i> or <i>structure</i> used for security purposes for a <i>cannabis production facility</i> may be located in the <i>front yard</i> and does not have to comply with the <i>required</i> minimum <i>front yard setback</i> | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Ensures potential conflicts (e.g. trespassers, unauthorized individuals) can be avoided prior to individuals entering into / gaining full access of site. <p><i>Revisions:</i> N/A</p> |
| loading spaces for a <i>cannabis production facility</i> must be in a wholly enclosed <i>building</i> | loading spaces for a <i>cannabis production facility</i> must be in a wholly enclosed <i>building</i> | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Limits impacts to surrounding land uses/users as mitigates visual and noise issues and ensures security of operations/activities <p><i>Revisions:</i> N/A</p> |

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| all uses and activities associated with the <i>cannabis production facility</i> must take place entirely within a <i>building</i> | all uses and activities associated with the <i>cannabis production facility</i> must take place entirely within a <i>building</i> | <p><i>Provision:</i></p> <ul style="list-style-type: none"> Ensures all growing, processing, etc. is completed within climate and air emission (odour) controlled facilities which helps mitigate impacts to surrounding land uses/users <p><i>Revisions:</i> N/A</p> |
| N/A | Intent definition of “air treatment control system”: <i>A system designed, approved and implemented in accordance with a license issued by Health Canada for the purposes of controlling emissions, including odour</i> | <p><i>Provision (New):</i> Intent of new provision is to give clarity to the purpose of an air treatment control system. The provision does not express technical specifications which would limit the system type and also create challenges for staff approval / enforcement.</p> |