

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2018-**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS  
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT Section 3.10.3 of Zoning By-law 2017-70, as amended, be deleted and replaced with the following:

**3.10.3 Licensed Production Facilities of Cannabis for Medical Purposes**

The following regulations apply to *licensed production facilities of cannabis for medical purposes*:

- a) *Licensed Production Facilities of cannabis for medical purposes* are not permitted in any zone unless a site specific zoning bylaw amendment approval is granted on lands zoned:
    - a. Agricultural 'A'
    - b. Agricultural Purposes Only 'APO'
    - c. Employment 'M2'
  - b) Where such zoning approval is obtained, facilities are subject to the following regulations:
    - a. All *Licensed Production Facilities of cannabis for medical purposes* where permitted in Agricultural Zones shall have a minimum setback of 150m from all *lot lines* of other *lots*, except where specifically provided otherwise.
    - b. All *Licensed Production Facilities of cannabis for medical purposes* where permitted in Employment Zones shall have a minimum setback of 45m from all *lot lines* abutting *lots* that are *used* or permitted to be *used* for a *dwelling* or an *institutional use*, except where specifically provided otherwise.
    - c. No *outside storage* or outdoor growing or production of medical marihuana shall be permitted.
    - d. For any *Licensed Production Facilities of cannabis for medical purposes*. any *building* or *structure* that consists of more than 10% glass and where artificial lighting is required, a solid fence having a minimum *height* of 1.8 metres shall be provided and maintained along every *lot line* that abuts a *lot* that is *used* or permitted to be *used* for a *dwelling* or an *institutional use*.
    - e. Notwithstanding Clause (d) of this Subsection, a security fence having a minimum *height* of 1.8 metres shall be provided and maintained around the entire perimeter of the buildings on a lot that is *used* for a *Licensed Production Facilities of cannabis for medical purposes*.
  - c) Designated grower licenses and individual licences on a designated property which are permitted by Health Canada shall not be permitted in West Lincoln. Individual licences for production on personal property are not regulated by this bylaw provided that the growing is contained within a building.
  - d) Applications shall be evaluated based on scale, compatibitile, buffering techniques, and site plan control.
2. THAT the Definition for Medical Marihuana Production Facility in the Zoning By-law 2017-70, as amended, is hereby deleted and replaced with the following:

*Licensed Production Facilities of cannabis for medical purposes*: means a wholly enclosed building or structure used for the cultivation of medical marihuana and the processing, testing, destruction, packaging and shipping of marihuana used for medical purposes under federal license.

3. AND THAT this By-law shall become effective from and after the date of passing thereof.

READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

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MAYOR DOUGLAS JOYNER

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CAROLYN LANGLEY, CLERK

DRAFT

**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2018-**

This By-law is a general amendment to the Township of West Lincoln Zoning By-law 2017-70. The purpose of this by-law is to update the Township's zoning regulations regarding medical marihuana growing and production that were first introduced in 2014. This By-law allows for medical marihuana growth and production facilities to be located in the Agricultural 'A2' Zone and the Industrial 'M1' Zone, subject to a site specific zoning amendment. This by-law also amends the Definitions Section of the Zoning By-law.

File: 1601-008-18  
Applicants: Township of West Lincoln

DRAFT