THE CITY OF WINNIPEG

BY-LAW NO. 46/2022

A By-law of THE CITY OF WINNIPEG to amend the Downtown Winnipeg Zoning By-law No. 100/2004 and the Winnipeg Zoning By-law No. 200/2006 to ensure that designated medical cannabis production facilities are restricted to appropriate land uses.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Downtown Winnipeg Zoning By-law amended

1 The Downtown Winnipeg Zoning By-law No. 100/2004 is amended by:

(a) Deleting subsection 200(4)(c)(ix) immediately and replacing it with the following:

(ix) Stockyard, meatpacking, rendering, or slaughterhouse; and

(b) Adding subsection 200(4)(x) immediately after subsection 200(4)(ix);

(x) Cannabis production facility, designated.

(c) Adding the following definition to section 700(2) immediately following the definition for "building height:"

"cannabis production facility, designated" *means the use of buildings or structures for cultivating, propagating, harvesting, drying, storing, packaging or distributing cannabis where the operator of the facility is authorized to produce cannabis for the medical use of specific individual(s) pursuant to Part 14 of the Cannabis Regulations, SOR/2018-144, as amended, or its successor, and the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor. For greater certainty, this definition does not include the use of buildings or structures by an individual to produce cannabis for their own personal medical use.*

Winnipeg Zoning By-law amended

2 The Winnipeg Zoning By-law No. 200/2006 is amended by:

(a) Adding the following definition to section 48 immediately following the definition for "camping ground":

"cannabis production facility, designated" *means the use of buildings or structures for cultivating, propagating, harvesting, drying, storing, packaging or distributing cannabis where the operator of the facility is authorized to produce cannabis for the medical use of specific individual(s) pursuant to Part 14 of the Cannabis Regulations, SOR/2018-144, as amended, or its successor, and the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor. For greater*

certainty, this definition does not include the use of buildings or structures by an individual to produce cannabis for their own personal medical use.

(b) Adding “cannabis production facility, designated” to Table 4-1 of Zoning By-law 200/2006 and listing it as a permitted use under the Industrial Service use category in the following zones:

(i) “MMU” Manufacturing Mixed-use;

(ii) “M1” Manufacturing Light;

(iii) “M2” Manufacturing General; and

(iv) “M3” Manufacturing Heavy.

(c) Adding “cannabis production facility, designated” to Table 4-2 of Zoning By-law 200/2006 and listing as a permitted use in the following zones:

(i) “MMU” Manufacturing Mixed-Use;

(ii) “M1” Manufacturing Light;

(iii) “M2” Manufacturing General; and

(iv) "M3" Manufacturing Heavy.

(d) Adding the following provision as section 100.1, immediately following the “Industrial Uses” section header:

Cannabis Production Facility, Designated:

(1) Cultivating, propagating, harvesting and storing of cannabis is only permitted within a wholly enclosed building.

(2) No portion of any building used to cultivate and/or store cannabis may be located within 300 feet of a lot line to a property containing:

a. any dwelling unit;

b. any Parks and Recreation Zoning District or any park use in a Residential District; or

c. any elementary, middle, or senior high school.

Coming into force

3 This By-law will come into force 130 days after it is given third reading by Council.

RECEIVED FIRST READING on this 28th day of April, 2022.

RECEIVED SECOND READING on this 28th day of April, 2022.

RECEIVED THIRD READING on this 28th day of April, 2022.

DONE AND PASSED this 28th day of April, 2022.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property & Development

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor