

- iv) *Maximum ground floor area* of a temporary sales office shall be 200 m² (2,150 ft²).

4.43 Wetland Overlay

An area depicted on Schedule 'A' maps *attached* hereto showing areas identified as *wetlands*. These are areas regulated by Essex Region *Conservation Authority* (ERCA) and will require approvals and permits for any works or *construction* within the areas defined as *Wetland*.

4.44 Water lots

The only *permitted structure* or *building* within a water lot is a *boat dock accessory* to a residence that is affixed to the shoreline.

4.45 Winery

The following provisions *shall* apply to a *winery*, where it is *permitted* by this By-law:

- a) the *winery buildings* and *accessory structures* shall occupy a *maximum* of 25% of the *permitted Lot coverage*;
- b) *secondary uses* may include a *cafe, restaurant, eating establishment*, or event *facility* associated with the *winery*;
- c) retail sales *facility* may include sale of secondary and associated products; and
- d) the *winery* is subject to site plan control under Section 41 of the *Planning Act*.

4.46 Medical Marihuana Production Facilities

By-law
129-2015

Notwithstanding other provisions of this By-law to the contrary, the following provisions and regulations *shall* apply to medical marihuana production facilities:

- a) Require a current and valid Medical Marihuana production license issued by Health Canada under the Marihuana for Medical Purposes Regulations (MMPR) as amended from time to time or any subsequent legislation which *may* be enacted in substitution thereof;
- b) Site Plan control *shall* apply to any *medical marihuana production facility* proposed within an *existing* or future *building(s)*. In addition to all other requirements pursuant to the Planning Act, R.S.O. 1990, c.P. 13 and the Town of Kingsville Site Plan Control By-law, the Town will require, at the owner's sole expense,: any study/studies that will satisfy any additional concerns that the Town of Kingsville or any other commenting agency *may* have with regard to security, emanating odours, provision of municipal services and stormwater/wastewater management;

- c) Prohibit *residential uses* on *lots* having a *medical marihuana production facility*;
- d) Prohibit a *medical marihuana production facility* as a *secondary/accessory use*;
- e) *Secondary/accessory uses* must be 100% associated with the *medical marihuana production facility*;
- f) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any lands *Zoned* for residential, recreational or *institutional uses*;
- g) Require a *minimum distance separation* of 100m (328 ft) between a *medical marihuana production facility* and any *structure* currently used for residential or institutional purpose (*dwellings, schools, churches, etc.*);
- h) Require that no outdoor signage or advertising *shall be permitted* that references cannabis, marihuana, or any other depiction of such, including on any *vehicle* associated with the *medical marihuana production facility*; and,
- i) Require that the *use* of a *medical marihuana production facility* on a *lot* not co-exist with any other *use* on the *lot*.
- j) *Shall* not be considered on any lands that are within 250m of Lake Erie.