

CORPORATION OF THE TOWNSHIP OF ADMASTON/BROMLEY

BY-LAW No. 2020-47

**A BY-LAW TO ESTABLISH AN INTERIM CONTROL BY-LAW WITHIN THE TOWNSHIP OF ADMASTON/BROMLEY TO PROHIBIT THE CULTIVATION, PRODUCTION AND PROCESSING OF CANNABIS**

**WHEREAS** the Township of Admaston/Bromley permits agricultural uses in all lands zoned Rural and Agricultural;

**AND WHEREAS** the current Zoning by-law was drafted prior to the legalization of cannabis;

**AND WHEREAS** Council has not considered the impact of cannabis cultivation, production and processing on adjacent uses;

**AND WHEREAS** Council has not considered whether cannabis cultivation, production and processing should be permitted in all zones in the Township;

**AND WHEREAS** a number of potential incompatible land use impacts have been identified that must be studied in order to properly plan for the introduction of cannabis cultivation, processing and production facilities into the Township, including without limitation, odour, noise, light trespass and separation distance;

**AND WHEREAS** Section 38 of the *Planning Act* permits Council of a municipality to pass an Interim Control By-Law that may be in effect for up to one (1) year, which prohibits the use of land, buildings or structures within the municipality or within any defined area thereof for such purposes as set out in the by-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area;

**AND WHEREAS** Council for The Corporation of the Township of Admaston/Bromley has passed a resolution directing that a land use planning study be undertaken to examine the land use impacts and methods of regulation of cannabis cultivation, production and processing.

**NOW THEREFORE BE IT RESOLVED THAT** the Council of The Corporation of the Township of Admaston/Bromley hereby enacts as follows:

1. For the purposes of this By-law:
  - a. "Cannabis Production Facility" means a use of land, buildings or structures for the purpose of growing, drying, harvesting, packing, raising, treating, testing, destroying, storing or distributing Cannabis or dried Cannabis as defined by the *Cannabis Act*, 2018 (Canada) as amended from time to time.
  - b. "Cannabis" means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it any part of such plant and any substance that is similar to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.
2. This By-law shall apply to all lands, buildings and structures located within the Township of Admaston/Bromley.

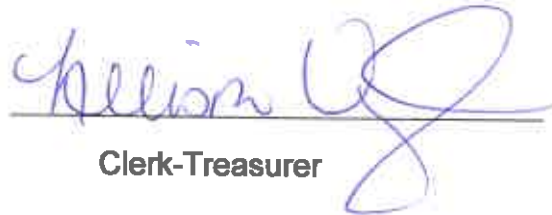
3. No land, building or structure subject to this By-law shall be used as a Cannabis Production Facility or any accessory use associated therewith.
4. The prohibition in paragraph 3 above shall not apply to the cultivation of up to four (4) Cannabis plants on any property for personal consumption.
5. The prohibition in paragraph 3 above shall not apply to the cultivation of Cannabis pursuant to a valid license issued by Health Canada for medical Cannabis production provided that the Cannabis Production Facility is limited to a maximum of one hundred (100) square feet indoors or five hundred (500) square feet outdoors.
6. The prohibition in paragraph 3 above shall not apply to any Cannabis Production facility that is legally operating under Health Canada requirements as of the date this By-law is passed.
7. Where any conflict exists between the provisions of this by-law and any other by-law of The Corporation of the Township of Admaston/Bromley, this by-law shall prevail.
8. This by-law shall come into force and take effect on the date of its passing and shall remain in effect for a period of one (1) year from the date of its passing, unless otherwise extended in accordance with Section 38 of the *Planning Act*, or repealed by Council at an earlier date.

READ a first and second time this 9th day of October 2020.

READ a third time and finally passed this 9th day of October 2020.



Mayor



Clerk-Treasurer