

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

BY-LAW NO. 74-19

A By-Law to Establish Interim Control Provisions for the Entirety of the Municipality of North Grenville to Prohibit the Establishment of Cannabis Production & Processing Facilities

WHEREAS Section 38(1) of the *Planning Act* R.S.O. 1990, as amended, permits the council of a municipality to pass an interim control by-law where council has directed that a review or study be undertaken in respect of land use planning policies and regulations within the municipality or a defined area or areas thereof;

AND WHEREAS the Council of the Municipality of North Grenville passed a resolution directing that the necessary research and consultation be undertaken with respect to developing land use planning policies and regulations concerning cannabis production and processing facilities on all lands located within the Municipality of North Grenville;

AND WHEREAS the Council of the Municipality of North Grenville deems it appropriate to now enact such an interim control by-law in order to ensure that any cannabis production and processing facilities are appropriately situated and regulated within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of North Grenville enacts as follows:

1. That in this by-law the following definitions shall apply:

“Cannabis” shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp which is a source of foodstuffs (i.e. hemp milk, hemp seed, hemp oil, etc.), fiber and biofuels.

“Cannabis Production and Processing Facility” shall mean any land, building or structure used for growing, producing, processing, testing, destroying, storing, packaging and/or shipping of cannabis. A Cannabis Production and Processing Facility shall not include growth, production and processing of four (4) or less cannabis plants on a lot for personal use and does not include the retailing of cannabis or cannabis products under a retail operator licence issued under the *Cannabis Licence Act, 2018*. This definition does not include licensed agricultural cultivation in a field.

“Interim Control Area” shall mean all lands, buildings and structures located within the geographic boundary of the Municipality of North Grenville, excluding any named exceptions.

2. Notwithstanding any other by-law to the contrary, no person shall within the Interim Control Area:

a) Use any land, building or structure for any cannabis production or processing whatsoever, except for a Cannabis Production and Processing Facility that lawfully existed on the date of the passage of this by-law, as long as it continues to be used for such purpose; or

b) Permit any building or structure to be constructed, altered or expanded for any cannabis production or processing purpose whatsoever.

3. That the Municipality undertake a study of land use planning policies pertaining to Cannabis Production and Processing Facilities, including, but not limited to: odour, noise, nuisance, lighting, neighbourhood and land use compatibility, separation distances and buffering.

4. That the following properties are hereby exempted from the provisions of this Interim Control By-law, subject to development on those lands proceeding in accordance with their respective conceptual site plans that will be required to address the issues of appropriate setbacks, lighting, odour, noise, site access and traffic, building height and landscape buffering to the satisfaction of the Municipality:
 - (a) 2725 County Road 20 (Fleurish), and
 - (b) 382 Townline Road (Xidous).
5. If any provisions or requirements of this by-law or the application thereof to any person shall to any extent be held invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent by law.
6. The Clerk of the Municipality of North Grenville is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule(s) as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
7. This by-law shall come into force and take effect for a period of one year from the date of passing by Council.

PASSED AND ENACTED
THIS 27TH DAY OF AUGUST, 2019.



NANCY PECKFORD
Mayor



KATIE VALENTIN
Deputy Clerk

