

The Corporation of The Town
of New Tecumseth

By-law

Number 2020-115

“Interim Control By-law for Cannabis Operations”

Being a by-law of the Corporation of the Town of New Tecumseth to impose interim control on the use of lands, buildings and structures within the Municipality

Whereas Section 38 of the Planning Act, R.S.O. 1990 as amended, provides that where the Council of a local municipality has, by By-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the council of the municipality may pass a By-law to be in effect for a period of time specified in the By-law, which period shall not exceed one year from the date of passing thereof, prohibiting the use of land, building or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the By-law;

And Whereas the Council of the Corporation of the Town of New Tecumseth by resolution, directed that a review and study be undertaken in respect of land use planning policies relating to cannabis operations, as more particularly defined herein, within the municipality with respect to Zoning By-law 2014-126;

And Whereas the Council of the Corporation of the Town of New Tecumseth has determined that it is in the public interest to prohibit the use of specific lands within the Municipality for cannabis operations, as more particularly defined herein, so as to allow the Municipality to review and, if considered appropriate, implement the findings of the review and study referred to herein;

Now Therefore the Council of The Corporation of the Town of New Tecumseth does hereby enact as follows:

1. For the purposes of this By-law:
 - (a) “Council” shall mean the Council of the Town of New Tecumseth;
 - (b) “Town” shall mean the Corporation of the Town of New Tecumseth;
and
 - (c) “Cannabis Operation” means any land, building or structure used for growing, producing, processing, testing, destroying, storing, packaging and/or shipping of cannabis, licensed by Health Canada under the *Cannabis Act*, SC 2018, c.16, or any successors thereto, including registrations granted by Health Canada for personal medicinal use. A Cannabis Operation does not include the growth, production or processing of four (4) or fewer cannabis plants on a lot for personal use and does not include the retailing of cannabis or cannabis products under a retail operator license issued under the Cannabis License Act, 2018;
2. Notwithstanding the permitted uses, accessory uses and regulations of the Town Zoning By-law 2014-126, as amended, no person shall within the Cannabis Interim Control Area as described in Section 3, use any land, building or structure for any cannabis operation, except for a use that lawfully

existed on the date of the passage of this by-law as long as it continues to be used for such purposes.

3. That the Cannabis Interim Control Area shall include all lands within the following Zones in Zoning By-law 2014-126, as amended: Agricultural (A1); Agricultural (A2), Environmental Protection (EP), Oak Ridges Moraine – Environmental Protection (ORM EP); Oak Ridges Moraine – Natural Linkage (ORM NL); Oak Ridges Moraine – Countryside – Agricultural (ORM CS – AG); and Oak Ridges Moraine – Countryside – Rural (ORM CS – RL).
4. That this by-law shall be cited as "Interim Control By-law for Cannabis Operations".
5. That this by-law shall come into force and take effect for a period of one (1) year from the date of final passing thereof.

Read a first, second and third time and finally passed this 1st day of October, 2020.



Mayor



Clerk