

THE CORPORATION OF THE TOWNSHIP OF BROCK

BY-LAW NUMBER 2860-2019-PL
AS AMENDED BY BY-LAW NUMBER 2941-2020-PL
(CONSOLIDATED VERSION)

Being a By-law under the provisions of Section 38 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to establish Interim Control provisions for the entirety of the Township of Brock to prohibit the establishment of Cannabis Production and Processing Facilities for a period of twelve (12) months in order to allow for the appropriate completion of further research and consultation.

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 the Council has directed that a review or study be undertaken in respect of land use planning policies and regulations within the municipality or in any defined area(s) thereof;

AND WHEREAS the Council of the Township of Brock passed a resolution directing that 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 in the Township of Brock;

AND WHEREAS the Council of the Township of Brock 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 Township;

NOW THEREFORE, the Council of the Township of Brock hereby enacts as follows:

1. In this By-law:

“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 (a source of foodstuffs (hemp milk, hemp seed, hemp oil) 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 inclusive of registrations granted by Health Canada for personal medicinal use. A Cannabis Production and Processing Facility does not include the growth, production or processing of four 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, and does not include a Cannabis Production and Processing Facility that is located on lands where “Manufacturing, Processing, Assembling and/or Fabricating Plant” is legally permitted.

“Manufacturing, Processing, Assembling and/or Fabricating Plant” shall mean a plant in which the process of producing a product suitable for use, by hand or mechanical power and machinery, is carried on systematically with division of labour.

2. The establishment of new Cannabis Production or Processing Facilities, or the expansion of existing Cannabis Production or Processing Facilities shall not be permitted on any lands within the Township of Brock.
3. If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be 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 permitted by law.

4. This By-law shall come into force and take effect immediately upon the final passing thereof by the Council of the Township of Brock and shall be in effect for a period of one (1) year from the date of enactment, unless otherwise extended in accordance with the provisions of the *Planning Act* R.S.O. 1990, c. P.13, as amended from time to time. The expiration date of this Bylaw shall be March 31, 2021.

BY-LAW NUMBER 2860-2019-PL READ A FIRST, SECOND, THIRD TIME and FINALLY PASSED THIS 8th day of April, 2019.

"Deena Hunt"
Acting Deputy Clerk

"Debbie Bath-Hadden"
Mayor

BY-LAW NUMBER 2941-2020-PL READ A FIRST, SECOND, THIRD TIME and FINALLY PASSED THIS 30th day of March, 2020.

"Becky Jamieson"
Clerk

"Debbie Bath-Hadden"
Mayor