



## The Corporation of the Township of Hamilton

### By-law Number 2021- 38

Being a By-Law to amend By-law 2020-41, being an Interim Control By-law under Section 38 of the Planning Act, R.S.O., 1990, c.P.13, as amended, regarding Cannabis related land uses.

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**Whereas** Section 38(1) of the *Planning Act, R.S.O. 1990, c.P.13*, 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 areas thereof;

**And Whereas** Council of the Township of Hamilton adopted Interim Control By-law 2020-41 on the 21<sup>st</sup> day of July, 2020 to restrict the use of all land in the municipality for a cannabis production and/or processing facility for one year, pending the completion of the review of its land use planning policies and regulations;

**And Whereas** Section 38(2) of the *Planning Act R.S.O., 1990, c.P.13*, as amended, further permits the Council of a municipality to amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law;

**And Whereas** the Council of the Township of Hamilton deems it necessary for the Township of Hamilton to continue the review or study in respect of land use planning policies and regulations pertaining to cannabis related land uses in all lands of the Township for a period not to exceed two years from the date of the passing of the Interim Control By-law on the 21<sup>st</sup> day of July, 2020;

**Now Therefore** the Council of the Township of Hamilton hereby enacts as follows:

1. That Section 4 of By-law 2020-41 be amended as follows:

**This By-law shall come into force and take effect immediately upon the final passing thereof by the Council and shall be in effect until 11:59 p.m. local time on the 21<sup>st</sup> day of July, 2022 unless repealed by Council at an earlier date.**

2. The provisions of this by-law shall apply to the Interim Control area being the entirety of the Township of Hamilton.

3. Notwithstanding any other bylaw to the contrary, no person shall within the Interim Control Area:
  - a) Use any land, building or structure for any cannabis production and/or processing whatsoever; or
  - b) Be permitted to construct, alter, or expand any building or structure or any cannabis production purpose whatsoever.
4. 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 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.
5. This By-law shall come into force and take effect immediately upon the final passing thereof by the Council and shall be in effect until 11:59 p.m. local time on the 21<sup>st</sup> day of July 2022, unless otherwise repealed in accordance with the provisions of the *Planning Act* R.S.O 1990, c.P 13, as amended from time to time.

That **By-Law No. 2021-38** be read and deemed to be PASSED this 21<sup>st</sup> day of July, 2021.

**Original Signed By**

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William Cane, Mayor

**Original Signed By**

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K. Surerus, Municipal Clerk