

The Corporation of the City of Port Colborne

By-law no. 6629/84/18

Being a by-law to adopt an Interim Control by-law for all lands within the City of Port Colborne

Whereas Section 38 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, authorizes Council to adopt an Interim Control By-law, provided Council has by resolution directed that a review or study be undertaken of land use planning policies; and

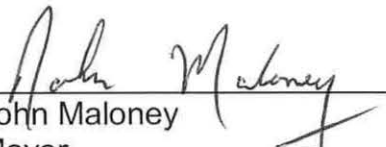
Whereas the Council of The Corporation of the City of Port Colborne passed a resolution on November 13, 2018 directing that a review be undertaken in respect of the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.


Whereas the Council of The Corporation of the City of Port Colborne considers it necessary to enact an Interim Control By-law with respect to the lands described in Section 1 of this by-law, and only as it applies to the use of land, premises, or partial use of premises, for either of the uses described in Section 2 a) of this by-law, to allow it time to consider its land use planning policies as directed.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. This Interim Control By-law applies to all lands zoned in Zoning By-law 6575/30/18 of The Corporation of the City of Port Colborne to prohibit the use of land, premises, or partial use of premises within such lands, for the use as described in Section 2 a) of this by-law.
2. The following use is prohibited under this by-law:
 - a) a facility or land for the growing of cannabis.
3. In this by-law, the following definitions apply:
 - a) "Cannabis": means a cannabis plant, including the phytocannabinoids produce 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 and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marijuana shall have the same definition;
 - b) "Cannabis Production Facility": means the use of land, buildings or structures for the cultivation, processing, packaging and shipping of cannabis.
4. This by-law shall be in effect for a period of one year from the date of passage hereof.

Enacted and passed this 26th day of November, 2018.


John Maloney
Mayor


Amber LaPointe
City Clerk