

THE CORPORATION OF THE VILLAGE OF MONTROSE

BYLAW #747

A BYLAW TO AMEND THE ZONING BYLAW #670

WHEREAS Division 7 of Part 26 of the Local Government Act authorizes Council to regulate the use of land,

BE IT THEREFORE RESOLVED that the Council of the Village of Montrose in open meeting assembled, enacts as follows:

SHORT TITLE

1. (1) This Bylaw may be cited as the "CANABIS ZONING AMENDMENT BYLAW 747 - 2018."

AMENDMENT

2. (1) Zoning Bylaw #670 is hereby amended as follows:

103 Definitions – By adding the following definitions:

"ACMPR" means the Access to Cannabis for Medical Purposes Regulations, SOR/206-230 under the Controlled Drugs and Substances Act, S.C. 1996, c. 19, or successor legislation;

"cannabis" means any part of a cannabis plant including its preparations and derivatives but does not include: a non-viable seed of a cannabis plant; a mature stalk of a cannabis plant, without any leaf, flower, seed or branch, and fiber derived from such stalks; and the roots or any part of the root of a cannabis plant;

"cannabis sales" means the retail or wholesale sale of Cannabis and includes an operation which provides referrals or facilitates access to Cannabis not physically sold on the premises but does not include distribution to a Registered Person by a Designated Person or Licensed Producer under the ACMPR;

"cannabis production" means the use of any land, building or structures for the purposes involving the growing, production, processing, destruction, storage or distribution of Cannabis but does not include: Cannabis Sales, or non-commercial production by a Registered Person or Designated Person as authorized under the ACMPR;

103 Definitions – By amending the following definition to include the text indicated with underlining:

"home occupation" means an occupation carried on for gain by the residents of the lot, where the occupation is an extension of a hobby or is a service or similar undertaking which is secondary to the use of the dwelling unit for residential purposes and excludes cannabis retail and cannabis production;

Part 3 - General Provisions – By adding the following provision:

317 Cannabis Sales and Production

- (1) No person shall use any land, building, or structure for the sale, production, or distribution of cannabis in any zone.

ENACTMENT

- 3. (1) If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) This Bylaw shall come into full force and effect on the adoption thereof.

READ A FIRST TIME	this 4 th day of September, 2018
PUBLIC HEARING HELD	this 17 th day of September, 2018
READ A SECOND TIME	this 1 st day of October, 2018
READ A THIRD TIME	this 1 st day of October, 2018
RECONSIDERED AND FINALLY ADOPTED	this 15 th day of October, 2018

Mayor

Corporate Officer

Certified a true copy of Bylaw #747, as adopted

Corporate Officer