

THE CORPORATION OF THE TOWN OF GEORGINA  
IN THE  
REGIONAL MUNICIPALITY OF YORK

**BY-LAW NUMBER 2019 - 0003 (PL-3)**

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BEING A BY-LAW TO IMPOSE INTERIM CONTROL ON THE USE OF LANDS, BUILDINGS AND STRUCTURES WITHIN THE MUNICIPALITY IN ACCORDANCE WITH SECTION 38 OF THE PLANNING ACT, R.S.O. 1990.

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**WHEREAS** Section 38(1) 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 a 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 day of passing thereof, prohibiting the use of land, buildings 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 Government of Canada has legalized the cultivation of cannabis for recreational purposes subject to a cultivation licence issued by Health Canada and compliance with municipal zoning requirements;

**AND WHEREAS** the cultivation of cannabis as a legal agricultural use was not contemplated when Zoning By-law No. 500 was drafted and passed;

**AND WHEREAS** in accordance with Zoning By-law No. 500, as amended, the cultivation of cannabis may be permitted indoors or outdoors as an agricultural use in the Rural (RU) zone and on any lands having a site-specific Rural (RU) zoning, subject to compliance with the non-residential use provisions;

**AND WHEREAS** concerns have been raised with respect to utilizing the current zoning by-law definitions and non-residential use provisions in relation to the establishment of cannabis cultivation facilities in the Rural (RU) zone and on any lands having a site-specific Rural (RU) zoning;

**AND WHEREAS** concerns have also been raised with respect to potential impacts on sensitive land uses resulting from the cultivation of cannabis in the Rural (RU) zone and on any lands having a site-specific Rural (RU) zoning;

**AND WHEREAS** Council has directed that a land use planning study be undertaken with respect to the cultivation of cannabis in the Rural (RU) zone and on any lands having a site-specific Rural (RU) zoning, including evaluating potential associated impacts on sensitive land uses and recommending an approach for zoning cannabis cultivation facilities;

**NOW THEREFORE**, pursuant to Section 38(1) of the Planning Act, R.S.O. 1990, as amended, the Council of the Corporation of the Town of Georgina **ENACTS AS FOLLOWS:**

1. Notwithstanding any other provision of the Town of Georgina's Comprehensive Zoning By-law No. 500, as amended, no person shall on land which is zoned Rural (RU) and on any lands having a site-specific Rural (RU) zoning, or in a building or structure thereon, use the land, building or structure for the purpose of cultivating cannabis, unless the cultivation is for the personal use of a resident of the land, building or structure.
2. This by-law shall remain in effect for a period of one (1) year from the date of its enactment.

**READ** and enacted this 16<sup>th</sup> day of January, 2019.

  
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Margaret Quirk, Mayor

  
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Rachel Dillabough, Deputy Clerk