



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4349

#### A Bylaw to amend Electoral Area Zoning Bylaws in respect of Cannabis Uses

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**WHEREAS** the Board of the Cowichan Valley Regional District has enacted zoning regulations for each of the electoral areas in the regional district;

**AND WHEREAS** the Board wishes to amend the zoning regulations in respect of uses related to the cannabis industry, to reflect altered federal and provincial regulatory regimes and to implement the Board's current policy regarding such uses;

**NOW THEREFORE** the Board of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows;

#### 1. CITATION

This bylaw shall be cited for all purposes as the “**CVRD Bylaw No. 4349 - Cannabis Uses, 2021**”.

#### 2. AMENDMENTS – SOUTH COWICHAN ZONING BYLAW NO. 3520

South Cowichan Zoning Bylaw No. 3520 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “*Cannabis Act*”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “horticulture”, “medical marijuana”, “medical marijuana growing and processing”, and “nursery”;

- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

**“Nursery”** means the use of land, a building or structure for growing and the wholesale or retail sales of flowers, fruits, vegetables, plants other than cannabis, shrubs, trees and similar vegetation;

- c) deleting subsections k. to p. from Section 4.2.2.
- d) replacing section 4.23 with the following:

#### **4.23 Commercial Cannabis Regulations**

1. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
2. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
3. Cannabis - Standard Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on Industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis processing on any parcel must not exceed 1,000 m<sup>2</sup>.
4. Cannabis – Micro Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses and wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;

- b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on Industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
5. Farm gate sales of cannabis produced on the parcel where the farm gate sales are occurring is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.
- e) replacing the table in subsection 12.5.7 with the following:

Use	Permitted Location Address	PID and Legal Description of Permitted Use Location
Retail sales of cannabis (one store only per parcel)	3541 Cobble Hill Road	017-996-783 LOT 1, SECTION 12, RANGE 5, SHAWNIGAN DISTRICT, PLAN VIP55417

- f) replacing subsections 13.2.1 e. to h. with the following, and renumbering the following subsections accordingly:
- e. cannabis – micro production and processing;
  - f. cannabis – standard production and processing;
- g) replacing subsections 13.3.1 e. to h. with the following, and renumbering the following subsections accordingly:
- e. cannabis – micro production and processing;
  - f. cannabis – standard production and processing;

### 3. **AMENDMENTS – ELECTORAL AREA B ZONING BYLAW NO. 985**

Electoral Area B Zoning Bylaw No. 985 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “*Cannabis Act*”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “horticulture”, “medical marijuana”, “medical marijuana growing and processing”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation,

processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

- c) deleting section 4.7.
- d) replacing section 5.21 with the following:

#### **5.21 Commercial Cannabis Regulations**

- a. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
- b. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
- c. Cannabis - Standard Production and Processing are subject to the following regulations:
  - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.

- d. Cannabis – Micro Production and Processing are subject to the following

regulations:

- i. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
- e. Farm gate sales of cannabis produced on the farm is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.

e) replacing the table of permitted uses in subsection 9.5 (b) with the following:

Use	Permitted Location Address	PID and Legal Description of Permitted Use Location
Retail sales of cannabis (one store only per parcel)	1770 Shawnigan-Mill Bay Road	004-664-531 LOT 1, SECTION 2, RANGE 4, SHAWNIGAN DISTRICT, PLAN 12836, EXCEPT PART IN PLAN 1676 RW

- f) replacing subsections 11.2(a)(6) to (9) with the following, and renumbering the following subsections accordingly:
- 6) cannabis – micro production and processing;
  - 7) cannabis – standard production and processing;
  - 8) retail sales of cannabis;
- g) replacing subsections 11.4(a)(6) to (9) with the following, and renumbering the following subsections accordingly:
- 6) cannabis – micro production and processing;
  - 7) cannabis – standard production and processing;
  - 8) retail sales of cannabis;
- h) replacing subsections 11.8(a)(5) to (8) with the following, and renumbering the following subsections accordingly:
- 5) cannabis – micro production and processing
  - 6) cannabis – standard production and processing;
  - 7) retail sales of cannabis;

#### **4. AMENDMENTS – ELECTORAL AREA D ZONING BYLAW NO. 1015**

Electoral Area D Zoning Bylaw No. 1015 is amended by:

- a) deleting the definitions of “agriculture”, horticulture” and “medical marihuana production”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

- c) in subsections 4.2(n) and 4.14(l) replacing “medical marihuana production” with “commercial production of cannabis”;
- d) in the table in section 5.1(a) deleting the words “medical marihuana”

## **5. AMENDMENTS – ELECTORAL AREA D ZONING BYLAW NO. 3705**

Electoral Area D Zoning Bylaw No. 3705 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “*Cannabis Act*”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “food processing”, “horticulture”, “medical marijuana”, “medical marijuana processing”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Food processing”** means the use of land, buildings or structures for the processing,

warehousing and distribution of food and beverage products but specifically excludes fish, livestock, poultry and cannabis processing, breweries and distilleries;

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

- c) deleting subsections (b) to (g) and (m) from Section 2.1.2 and renumbering the remaining subsections accordingly;
- d) in subsection 17(m) of Section 2.1, replacing the words “medical marihuana” with “cannabis”;
- e) replacing Section 2.1.20 with the following:

## **20. Commercial Cannabis Regulations**

- a. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
- b. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
- c. Cannabis - Standard Production and Processing are subject to the following regulations:
  - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.
- d. Cannabis – Micro Production and Processing are subject to the following regulations:
  - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or

- childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
- iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
- iv. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
- e. Farm gate sales of cannabis produced on the farm is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.
- f) in the table in section 2.4.1(a) replacing the words “medical marihuana” with “cannabis”;
- g) deleting subsections 4.5.1(b) through (d) and renumbering the following subsections accordingly;
- h) in section 4.5.1(e) replacing “cannabis storefront retailing” with “retail sales of cannabis”;
- i) in subsection 4.5.5(b) replacing the words “medical marihuana” with “cannabis” and “Lot 3, Section 13, Range 7, Quamichan District, Plan VIP 64002” with “amended Parcel A (DD 168307-I), of Lot 3, Section 13, Range 7, Quamichan District, Plan 2298”.
- j) replacing the table in subsection 7.2.6 with the following:

Use	Permitted Location Address	PID and Legal Description of Permitted Use Location
Retail sales of cannabis (one store only per parcel)	4715 Trans Canada Highway	005-376-289 LOT 1, SECTION 6, RANGE 2, COWICHAN DISTRICT, PLAN 9697, EXCEPT PART IN PLAN 2844 RW

## 6. AMENDMENTS – ELECTORAL AREA E ZONING BYLAW NO. 1840

Electoral Area E Zoning Bylaw No. 1840 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “Cannabis Act”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “horticulture”, “medical marijuana”, “medical marijuana growing and processing”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);



**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

- c) in section 4.4, deleting “and despite Section 4.9”.
- d) deleting section 4.9 and renumbering the remaining sections of Part Four accordingly.
- e) replacing section 5.31 with the following:

#### **5.31 Commercial Cannabis Regulations**

- (a) Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
- (b) Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
- (c) Cannabis - Standard Production and Processing are subject to the following regulations:
  - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.
- (d) Cannabis – Micro Production and Processing are subject to the following regulations:
  - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any

- residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
- (e) Farm gate sales of cannabis produced on the farm is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.
- f) renumbering section 5.31 “Swimming Pool Fencing Required” to section 5.32
  - g) deleting subsections 11.1(a)(5) and (6) and 11.1(A)(a)(6) and (7) and renumbering subsequent subsections accordingly;
  - h) in section 11.1(d) replacing “cannabis production (commercial – medical) and cannabis production (commercial – non-medical)” with “cannabis – standard production and processing”;
  - i) in section 11.1(e) replacing “cannabis-related business and cannabis storefront retailing” with “retail sales of cannabis”;
  - j) in section 11.2(a) Permitted Uses, replacing subsections (1) and (2) with “(1) Cannabis – micro production and processing” and “(2) Cannabis – standard production and processing”.

## **7. AMENDMENTS – ELECTORAL AREA F ZONING BYLAW NO. 2600**

Electoral Area F Zoning Bylaw No. 2600 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “Cannabis Act”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “horticulture”, “medical marijuana”, “medical marijuana growing and processing”, and “nursery”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from

cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

**“Nursery”** means the use of land, a building or structure for growing and the wholesale or retail sales of flowers, fruits, vegetables, plants other than cannabis, shrubs, trees and similar vegetation;

c) deleting subsection 2.3.3.

d) replacing section 3.30 with the following:

### **3.30 Commercial Cannabis Regulations**

1. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
2. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
3. Cannabis - Standard Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.
4. Cannabis – Micro Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any

- residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
5. Farm gate sales of cannabis produced on the parcel where the farm gate sales are occurring is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.
- e) replacing subsections 5.24.1 f. to i. with the following, and renumbering the following subsections accordingly:
- f. Cannabis – micro production and processing;
  - g. Cannabis – standard production and processing;
  - h. Retail sales of cannabis

## **8. AMENDMENTS – ELECTORAL AREA G ZONING BYLAW NO. 2524**

Electoral Area G Zoning Bylaw No. 2524 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “*Cannabis Act*”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “medical marijuana”, “medical marijuana growing and processing”, and “nursery”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

**“Nursery”** means the use of land, a building or structure for growing and the wholesale or retail sales of flowers, fruits, vegetables, plants other than cannabis, shrubs, trees and similar vegetation;

- c) deleting subsection 2.3.3;
- d) replacing section 3.30 with the following:

### **3.30 Commercial Cannabis Regulations**

1. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
2. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
3. Cannabis - Standard Production and Processing are subject to the following regulations:
  - a. buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.
4. Cannabis – Micro Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.

5. Farm gate sales of cannabis produced on the parcel where the farm gate sales are occurring is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.

## 9. **AMENDMENTS – ELECTORAL AREA H ZONING BYLAW NO. 1020**

Electoral Area H Zoning Bylaw No. 1020 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “*Cannabis Act*”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “horticulture”, “medical marijuana”, “medical marijuana growing and processing”;

- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

- c) deleting subsection 4.7.3.

- d) replacing section 5.23 with the following:

### **5.23 Commercial Cannabis Regulations**

- (a) Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
- (b) Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
- (c) Cannabis - Standard Production and Processing are subject to the following

regulations:

- i. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.
- (d) Cannabis – Micro Production and Processing are subject to the following regulations:
- i. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - iv. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
- (e) Farm gate sales of cannabis produced on the farm is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.

## **10. AMENDMENTS – ELECTORAL AREA I ZONING BYLAW NO. 2465**

Electoral Area I Zoning Bylaw No. 2465 is amended by:

- a) deleting the definitions of “agriculture”, “cannabis”, “*Cannabis Act*”, “cannabis-related business”, “cannabis consumption lounge”, “cannabis production (commercial – medical)”, “cannabis production (commercial – non-medical)”, “cannabis production (personal – home cultivation)”, “cannabis storefront retail”, “horticulture”, “medical marijuana”, “medical marijuana growing and processing”, and “nursery”;
- b) adding the following definitions in appropriate alphabetical order:

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

**“Nursery”** means the use of land, a building or structure for growing and the wholesale or retail sales of flowers, fruits, vegetables, plants other than cannabis, shrubs, trees and similar vegetation;

c) deleting subsection 2.3.3.

d) replacing section 3.27 with the following:

### **3.27 Commercial Cannabis Regulations**

1. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
2. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
3. Cannabis - Standard Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m<sup>2</sup>.



4. Cannabis – Micro Production and Processing are subject to the following regulations:
    - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
    - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
    - c. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
    - d. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
  5. Farm gate sales of cannabis produced on the parcel where the farm gate sales are occurring is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.
- e) replacing subsections 5.33.1. f. through i. with the following, and renumbering the following subsections accordingly:
- f. Cannabis – micro production and processing;
  - g. Cannabis – standard production and processing;
  - h. Retail sales of cannabis;

READ A FIRST TIME this	28th day of	July,	2021
READ A SECOND TIME this	28th day of	July,	2021
RESCIND SECOND READING this			2022
READ A SECOND TIME, AS AMENDED this			2022
PUBLIC HEARING CONDUCTED PURSUANT TO PART 14, section 464 of the <i>Local Government Act</i> this	day of		2022
READ A THIRD TIME this	day of		2022
ADOPTED this	day of		2022

Chairperson

Corporate Officer