

## REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

### BYLAW NO. P1399

#### OFFICIAL ZONING TEXT AMENDMENT

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the text of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw No. P1399.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended as follows:

a. Section 3 is hereby amended by removing the following definition:

*“Medical Marihuana Facility means a building or structure, approved and licensed by Health Canada, for the production, growing and incidental processing of medical marihuana, but specifically excluding storefront or retail outlet distribution of medical marihuana.”*

b. Section 3 is hereby amended by adding the following definition:

*“Medical Cannabis Production means the production, growing, processing, storage or distribution of cannabis for medical purposes as permitted by federal legislation, but specifically excluding the:*

- i. *production, growing and associated processing, storage or distribution of cannabis for medical purposes within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;*
- ii. *storefront or retail outlet distribution of cannabis; and*
- iii. *growing of cannabis by an individual for their personal use.”*

c. Section 3 is hereby amended by amending the following definition:

*“Non-Medical Cannabis Production means the production, growing, processing, storage or distribution of commercial non-medical cannabis as permitted by federal legislation, but specifically excluding the:*

- i. production, growing and associated processing, storage or distribution of commercial non-medical cannabis within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;*
- ii. storefront or retail outlet distribution of cannabis; and*
- iii. growing of cannabis by an individual for their personal use.”*

d. Section 101 Small Holdings (A1) District is hereby amended by amending subsection 101.1(10) to read as follows:

*“(10) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:*

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.*
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and*
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”*

e. Section 101 Small Holdings (A1) District is hereby amended by amending subsection 101.1(11) to read as follows:

*“(11) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:*

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.*
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and*
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”*

f. Section 102 Rural (A2) District is hereby amended by amending subsection 102.1(14) to read as follows:

*“(14) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:*

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

g. Section 102 Rural (A2) District is hereby amended by amending subsection 102.1(15) to read as follows:

“(15) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

h. Section 103 Forest Rural (A3) District is hereby amended by amending subsection 103.1(15) to read as follows:

“(15) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

i. Section 103 Forest Rural (A3) District is hereby amended by amending subsection 103.1(16) to read as follows:

“(16) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.

- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

j. Section 131 Industrial Park (M1) District is hereby amended by amending subsection 131.1(12) to read as follows:

“(12) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

k. Section 131 Industrial Park (M1) District is hereby amended by amending subsection 131.1(13) to read as follows:

“(13) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this 11<sup>th</sup> day of September, 2019  
 Amended this 23<sup>rd</sup> day of October, 2019  
 Read a second time as amended this 23<sup>rd</sup> day of October, 2019  
 First Public Hearing held this 19<sup>th</sup> day of November, 2019  
 Second Public Hearing held this    day of                   , 2020  
 Read a third time this    day of                   , 2020

Adopted this    day of                   , 2020

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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chair of the Regional Board