

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.415**

**A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.415, 2018”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:
 1. Under **PART 2, INTERPRETATION, DEFINITIONS** by adding the following definitions in alphabetical order:

cannabis means any plant of the genus *Cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;

cannabis production means the medical and non-medical commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by the *Access to Cannabis for Medical Purposes Regulations (ACMPR)* and *Bill C-45 (the Cannabis Act)*, and any subsequent regulations or acts which may be enacted henceforth, but excludes the growing of cannabis by an individual for their personal use and consumption;

cannabis products means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

2. Under **PART 2, INTERPRETATION, DEFINITIONS** by deleting the following definition:

medical marihuana production means the cultivation and production of medical marihuana wholly within a facility as permitted under the *Marihuana for Medical Purposes Regulations (MMPR)*, and any subsequent regulations or acts which may be enacted henceforth;

3. Under **PART 2, INTERPRETATION, DEFINITIONS** by deleting the definition of ***agriculture*** and replacing it with the following:

agriculture means a use providing for the growing, rearing, producing and harvesting of trees and shrubs; housing livestock, poultry, fur-bearing animals, bees; animal feeding and holding areas; storage crops; and the processing and sale of the primary agricultural products harvested, reared or produced on that farm, including the rough sawing of logs, but excludes animal care, and the following uses on lands that are not in the Agricultural Land Reserve: fur farm, mushroom farm, intensive swine operation, feedlot and cannabis production and specifically excludes horse boarding stable on land located within the Resource Management 3 (RM3) and Rural 5 (RU5) zones;

4. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by deleting Subsection 3.3.10) a) 1) XII. and replacing it with the following:

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| XII. | <p>Cannabis Production</p> <p>-All building and structures except:</p> <p>a. the setback shall be 60.0 m from all lot lines adjacent to non-ALR residential uses and;</p> <p>b. the setback shall be 150.0 m from any parcel that contains a park or school</p> | 30.0 m |
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5. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by deleting Subsection 14) b) xxix) and replacing it with the following:

xxix) cannabis production.

6. Under **PART 3, LAND USE REGULATIONS, Section 3.3 General Regulations** by deleting Subsection 3.3.15) c) and replacing it with the following:

c) Cannabis Production

Cannabis production is permitted on land located within the Agricultural Land Reserve if:

- i) The production of cannabis is contained wholly within licensed facilities as permitted by the *Access to Cannabis for Medical Purposes Regulations (ACMPR)* and *Bill C-45 (the Cannabis Act)*.
- ii) The minimum setback for all structures associated with cannabis production is 30.0 metres from all property lines.

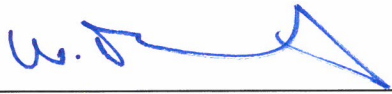
Introduced and read two times this 23rd day of January, 2018.

Public Hearing waived in accordance with Section 467 of the *Local Government Act*.

Read a third time this 27th day of February, 2018.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this 9th day of March, 2018.

Adopted this 27th day of March, 2018.



Chair



Corporate Officer