

CITY OF NANAIMO

BYLAW NO. 4500.127

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 2011 NO. 4500"

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WHEREAS the Council may zone land, by bylaw, pursuant to Sections 890, 891, 903 and 904 of the *Local Government Act*,

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2018 No. 4500.127".
2. The City of Nanaimo "Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
  - (1) By deleting the definition of "Medical Marihuana Growing and Production" and removing all instances of this wording throughout the bylaw.
  - (2) By adding the following definitions of 'Cannabis', 'Cannabis Production and Processing' and 'Cannabis Retail Store' after 'Camping Space':

CANNABIS - means cannabis as defined within the *Federal Cannabis Act*.

CANNABIS PRODUCTION AND PROCESSING - means the commercial growing and production of cannabis or cannabis products as permitted by *Bill C-45 (the Federal Cannabis Act)*, and any subsequent regulation or acts which may be enacted in substitution therefore.

- (3) By adding the following definition of 'Micro Cannabis Production and Processing' after 'Micro Brewery':

MICRO CANNABIS PRODUCTION AND PROCESSING - means a small-scale *Cannabis Production and Processing* facility contained entirely within a building where the production and growing of cannabis products is limited to no more than 200m<sup>2</sup> of gross floor area.

- (4) By deleting the definition of 'Retail Store' and substituting with the following:

RETAIL STORE – means a store in which any type of goods or wares are sold or rented to the final consumer, provided that the product may be stored or sold from within a building. This definition specifically includes *Personal Service Use* and *Pharmacy* but excludes *Cannabis Retail Store* and *Liquor Store*.

- (5) By amending Subsection 13.2.1 by deleting "Medical Marihuana Growing and Production".
  - (6) By amending Subsection 13.2.1 by adding 'Cannabis Production and Processing' as a permitted use within the Industrial (I4) zone.

- (7) By amending Subsection 13.2.1 by adding 'Micro Cannabis Production and Processing' as a permitted use within the Highway Industrial (I1) and Light Industrial (I2) zones.
- (8) By amending Subsection 13.2.1 by adding the following as a condition of use for 'Micro Cannabis Production':

"All processing of materials must occur within a building. An odour abatement plan shall be required for all micro cannabis production uses"

- (9) By amending Subsection 13.2.3 by deleting the following site-specific use:

Use	Permitted Location Address	Legal Description of Permitted Location
Medical Marihuana Growing and Production	1100 Maughan Road  1110, 1120 and 1140 Maughan Road	LOT A, SECTION 2, RANGE 8, NANAIMO DISTRICT, PLAN VIP77217  LOT 7, SECTION 2, RANGE 8, NANAIMO DISTRICT, PLAN VIP63717 (1110 Maughan Road); LOT 6, SECTION 2, RANGE 8, NANAIMO DISTRICT, PLAN VIP63717 (1120 Maughan Road); and LOT A, SECTION 2, RANGE 8, NANAIMO DISTRICT, PLAN VIP77420 (1140 Maughan Road)

PASSED FIRST READING: \_\_\_\_\_  
 PASSED SECOND READING: \_\_\_\_\_  
 PUBLIC HEARING HELD: \_\_\_\_\_  
 PASSED THIRD READING: \_\_\_\_\_  
 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

File: ZA1-71  
Address: N/A