

CITY OF NANAIMO

BYLAW NO. 4500.127

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

---

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464. 465. 469. 477. 479. 480. 481. 482 and 548 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) Part 5- Definitions: by deleting the definition of "Medical Marihuana Growing and Production"
  - (2) Part 5 Definitions: 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. The definition shall also include the wholesale or mail order distribution of cannabis products produced on the property.

CANNABIS RETAIL STORE – means a retail store licensed under the *British Columbia Cannabis Control and Licensing Act (Bill 30)* where cannabis is sold or otherwise provided to a person who attends at the premises but is not consumed on the premises.

- (3) Part 5 Definitions: 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 per lot.

- (4) Part 5 Definitions: by deleting the definition of 'Retail Store' and replacing 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 adding 'Cannabis Production and Processing' as a permitted use within the Industrial (I4) zone.
- (6) 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.
- (7) By amending Subsection 13.2.1 by adding the following as a condition of use for 'Micro Cannabis Production':

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

- (8) 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: 2018-AUG-13  
 PASSED SECOND READING: 2018-AUG-13  
 PUBLIC HEARING HELD: 2018-SEP-06  
 PASSED THIRD READING: 2018-SEP-17  
 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: 2018-SEP-26  
 ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

File: ZA1-71  
Address: N/A

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 adding 'Cannabis Production and Processing' as a permitted use within the Industrial (I4) zone.
- (6) 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.
- (7) By amending Subsection 13.2.1 by adding the following as a condition of use for 'Micro Cannabis Production':

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

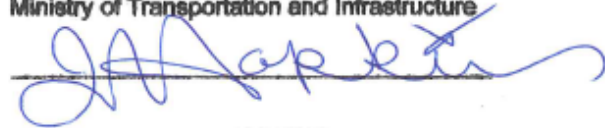
- (8) By amending Subsection 13.2.3 by deleting the following site specific use:

Use	Permitted Location Address	Legal Description of Permitted Location
Medical Marihuana Growing and Production	1100 Maughan Road	LOT A, SECTION 2, RANGE 8, NANAIMO DISTRICT, PLAN VIP77217
	1110, 1120 and 1140 Maughan Road	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: 2018-AUG-13  
 PASSED SECOND READING: 2018-AUG-13  
 PUBLIC HEARING HELD: 2018-SEP-06  
 PASSED THIRD READING: 2018-SEP-17  
 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_

Approved pursuant to section 52(3)(a) of the *Transportation Act*

this 26<sup>th</sup> day of September, 2018  
Ministry of Transportation and Infrastructure



JAMIE LEIGH HOPKINS  
A Commissioner for taking affidavits  
within the Province of British Columbia  
2100 Lableux Road, Nanaimo BC V9T 6E9

\_\_\_\_\_  
MAYOR

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