

## TOWN OF LADYSMITH

### BYLAW NO. 1978

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

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**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

**AND WHEREAS** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

**NOW THEREFORE** the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

(1) Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) Part 4: Definitions is amended by:

(i) Adding the following definitions in alphabetical order:

“Cannabis: means cannabis as defined by the *Cannabis Act* (Canada) and any subsequent regulations or acts which may be enacted in substitution therefor.

Cannabis Cultivation: means the cultivation of *Cannabis* as authorized by a licence for standard cultivation under the *Cannabis Act* and its regulations.

Cannabis Micro-Cultivation: means the cultivation of *Cannabis* as authorized by a licence for micro-cultivation or a nursery under the *Cannabis Act* and its regulations that is contained entirely within a *Building*.

Cannabis Micro-Processing: means the processing of *Cannabis* as authorized by a licence for micro-processing under the *Cannabis Act* and its regulations and is contained entirely within a *Building*.

Cannabis Processing: means the processing of *Cannabis* as authorized by a licence for standard processing under the *Cannabis Act* and its regulations and is contained entirely within a building.

Cannabis Research and Development: means the cultivation, processing, production, and testing of *Cannabis* as authorized by a licence for research under the *Cannabis Act* and its regulations.

(ii) Amending the definitions of:

a. “*Laboratory*”, “*Manufacturing*”, “*Produce Stand*”, and “*Research and Development Facility*” by adding the following words in each of the definitions to take effect to the amendment: “, excluding *Cannabis*.”

b. “*Agriculture, Urban*” by adding the following words at the end of the definition “, excluding the cultivation of *Cannabis* for commercial purposes.”

c. “*Commercial Plant Nursery*” by deleting the words “but does not include Medical Marihuana Growing and Production” and inserting the words “, excluding *Cannabis*,” following the words “and landscaping products.”

- (iii) Deleting the definition of “*Medical Marihuana Growing and Production.*”
- (b) Part 6: Specific Use Regulations is amended by:
  - (i) Adding the following wording to section 6.3 Uses Prohibited in All Zones:
    - (ix) The production of *Cannabis* except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under s. 2(2.5) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002 on lands designated as Agricultural Land Reserve.
- (c) Part 8: Parking and Loading is amended by:
  - (i) Deleting from the Industrial section of Table 8.1:
    - a. “Medical Marihuana Growing and Production” in Column 1 and the related parking requirements in Column 2.
  - (ii) Adding to the Industrial section of Table 8.1:
    - a. “Cannabis Cultivation, Cannabis Processing, Cannabis Micro-Cultivation, Cannabis Micro-Processing” in Column 1 and “0.5 per employee, plus 1 per 100 square metres of Gross Floor Area, plus 1 per fleet vehicle” in Column 2.
    - b. “Cannabis Research and Development” in Column 1 and “1 per 30 square metres of Gross Floor Area” in Column 2.
- (d) Part 12: Industrial Zones is amended by:
  - (i) Adding the following uses to the list of Principal Uses in 12.2.1 of the Light Industrial (I-1) Zone:
    - “ff) *Cannabis Micro-Cultivation.*
    - gg) *Cannabis Micro-Processing.*
    - hh) *Cannabis Research and Development.*”
  - (ii) Deleting the use “n) Medical Marihuana Growing and Production” from the list of Principal Uses in 12.3.1 of the Industrial (I-2) Zone.
  - (iii) Adding the following uses to the list of Principal Uses in 12.3.1 of the Industrial (I-2) Zone:
    - “n) *Cannabis Cultivation*, subject to Section 12.3(8)(a).
    - o) *Cannabis Processing*, subject to Section 12.3(8)(a).
  - (iv) Deleting section 12.3(8)(a) and replacing it with the following:
    - “a) *Cannabis Cultivation* and *Cannabis Processing* shall be restricted to the locations shown zoned I-2 as illustrated in Figure 12.3.1: Cannabis Cultivation and Cannabis Production Area.”
  - (v) Replacing the title of Figure 12.3.1 with the following title:
    - “Figure 12.3.1: Plan of Cannabis Cultivation and Cannabis Production Area.”
- (e) And by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering, ordering of alphabetical lists, and Table of Contents of the Zoning Bylaw.

## CITATION

- (2) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.20) 2018, No. 1978".

**READ A FIRST TIME** on the 17<sup>th</sup> day of September, 2018

**READ A SECOND TIME** on the 17<sup>th</sup> day of September, 2018

**PUBLIC HEARING** waived pursuant to s. 464(2) of the *Local Government Act*

on the 17<sup>th</sup> day of September, 2018

**READ A THIRD TIME** on the day of

**APPROVED** pursuant to s. 52(3)(a) of the *Transportation Act*

on the day of

**ADOPTED** on the day of

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Mayor (A. Stone)

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Corporate Officer (J. Winter)