

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 303

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2019”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999,” is amended as shown on Schedule 1, attached to and forming part of this bylaw:

READ A FIRST TIME THIS 11TH DAY OF JULY , 2019

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20XX

READ A SECOND TIME THIS _____ DAY OF _____ , 20XX

READ A THIRD TIME THIS _____ DAY OF _____ , 20XX

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ , 20XX

ADOPTED THIS _____ DAY OF _____ , 20XX

Chair

Secretary

Gabriola Island Local Trust Committee
Bylaw No. 303
Schedule 1

Schedule "A" of Gabriola Island Land Use Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw, 1999 is amended as follows:

1. Part G – DEFINITIONS, G.1 DEFINITIONS is amended by adding the following text to the definition of "agriculture" after the word "farm":

"but excludes cannabis production"

2. Part G – DEFINITIONS, G.1 DEFINITIONS is amended by deleting the definition of "horticulture" in its entirety and adding the following definition:

"horticulture the cultivation of fruits, vegetables, or ornamental plants for economic gain, but excludes cannabis production;"

3. Part G – DEFINITIONS, G.1 DEFINITIONS is amended by adding the following definitions:

"cannabis production the production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by the *Cannabis Act* (Canada), 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 plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human consumption;"

4. Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.1 Prohibited Uses is amended by adding:

j. cannabis production except as permitted on land within the Agricultural Land Reserve.

5. Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.2.3 Height, Article B.2.3.2, Clause e. is deleted in its entirety and replaced with:

e. 15.0 metres (49 feet) for buildings used exclusively for cannabis production.

6. Part D - ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.1 Permitted Uses, Clause a. Permitted Principal Uses, Item v is deleted in its entirety and replaced with:

"v Cannabis production;"

7. Part D - ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item iii last bullet is deleted in its entirety and replaced with:

“ • The minimum setback for buildings, structures used for cannabis production is 60 metres (98.4 feet) from any lot line and 150 metres (492.13 feet) from any school, park or institutional zone.”

8. Part D - ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause b. Lot Coverage Limitations, Item ii text is amended by adding the following bullet:

“ • The maximum combined lot coverage of buildings and structures used for the purpose of cannabis production is 200 square metres (2152 square feet).”