

FRASER VALLEY REGIONAL DISTRICT
Bylaw No. 1548, 2019

A Bylaw to Amend the Zoning for Electoral Area F

WHEREAS the Fraser Valley Regional District Board of Directors (“the Board”) wishes to amend *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw 0559-1992*;

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1548, 2019*.

2) TEXT AMENDMENT

a) *That Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw 0559-1992* be amended by:

i. In PART 200, by inserting, in the appropriate alphabetical order, the following new definitions:

“CANNABIS means cannabis as defined in the *Cannabis Act (Canada)*.”

“CANNABIS DISPENSARY means a business or service used for dispensing, selling or distributing CANNABIS or any product or thing containing CANNABIS, for any purpose including medical use.”

“CANNABIS PRODUCTION FACILITY means a business or service growing, cultivating, germinating, producing, storing, warehousing or packaging any product or thing containing CANNABIS.”

ii. In PART 400 – GENERAL PROVISIONS, Section 402 Prohibited Uses, by adding the following after Section 402(3):

“(4) Within Electoral Area F as shown on Schedule D to Bylaw No. 559, 1992, CANNABIS PRODUCTION FACILITY, CANNABIS DISPENSARY and MEDICAL MARIHUANA GROW OPERATION are Prohibited Uses.”

iii. In PART 400 – GENERAL PROVISIONS, Section 403 Agricultural Uses, , by deleting Section 403 (1) in its entirety and replacing it with the following:

Agricultural Land Reserve

(1) Notwithstanding this bylaw, all lands within an Agricultural Land Reserve are subject to the provisions of the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36, and the regulations thereto. Where land within the Agricultural Land Reserve is also within a zone established under this bylaw, the bylaw shall be binding only insofar as it is not contrary to the *Agricultural Land Commission Act* and regulations thereto."

iv. In PART 400 – GENERAL PROVISIONS, by deleting Section 414 in its entirety and replacing it with the following:

"414 MEDICAL MARIHUANA GROW OPERATION

Application

(1) A Medical Marihuana Grow Operation:

- (a) Shall be permitted in the A-1, A-2, A-3, M-1, and M-2 zones, except within Electoral Area F as shown on Schedule D to Bylaw No. 559, 1992; and
- (b) Shall be permitted in the R-1, R-2, R-3, R-4, R-5, and R-6 zones, except within Electoral Area F as shown on Schedule D to Bylaw No. 559, 1992."

v. In PART500-UPLAND AGRICULTURE, by deleting Section 501(1) in its entirety and replacing it with the following:

"Permitted Uses

(1) Subject to the provisions of this bylaw and the *Agricultural Land Commission Act*, the following uses and no others are permitted in the A-1 zone:

<u>Permitted Uses</u>	<u>Reference</u>
Residential Use	Section 405
General Agricultural Use	Section 403
Intensive Agricultural Use	Section 403
Accessory Boarding Use	Section 405
Accessory Cottage Industry	Section 406
Accessory Employee Residential Use	Section 405
Accessory Family Residential Use	Section 405
Accessory Home Occupation Use	Section 407
Dog Kennel Use	Section 408
Accessory Off-Street Parking Use	Section 409
Accessory Outdoor Storage Use	Section 410
Accessory Produce Sales Use	Section 412
Public Use	Section 200
Medical Marihuana Grow Operation	Section 414

1(b) Notwithstanding Section 501(1a) of this bylaw, where a parcel is zoned UPLAND AGRICULTURE (A-1) within the boundaries of Electoral Area F, as shown on the map included as Schedule D to Bylaw No. 559, 1992, Medical Marihuana Grow Operation is not a permitted use.”

- vi. In PART 502 – FLOODPLAIN AGRICULTURE, by deleting Section 502(1) in its entirety and replacing it with the following:

“Permitted Uses

(1) Subject to the provisions of this bylaw and the *Agricultural Land Commission Act*, the following uses and no others are permitted in the A-2 zone:

<u>Permitted Uses</u>	<u>Reference</u>
Residential Use	Section 405
General Agricultural Use	Section 403
Intensive Agricultural Use	Section 403
Accessory Boarding Use	Section 405
Accessory Cottage Industry	Section 406
Accessory Employee Residential Use	Section 405
Accessory Family Residential Use	Section 405
Accessory Home Occupation Use	Section 407
Dog Kennel Use	Section 408
Accessory Off-Street Parking Use	Section 409
Accessory Outdoor Storage Use	Section 410
Accessory Produce Sales Use	Section 412
Public Use	Section 200
Medical Marihuana Grow Operation	Section 414

1(b) Notwithstanding Section 502(1a) of this Bylaw, where a parcel is zoned FLOODPLAIN AGRICULTURE (A-2) within the boundaries of Electoral Area F, as shown on the map included as Schedule D to Bylaw No. 559, 1992, Medical Marihuana Grow Operation is not a permitted use.”

- vii. In PART 503 – AGRICULTURAL MARKET, by deleting Section 503(1) in its entirety and replacing it with the following:

“Permitted Uses

(1) Subject to the provisions of this bylaw and the *Agricultural Land Commission Act*, the following uses and no others are permitted in the A-3 zone:

<u>Permitted Uses</u>	<u>Reference</u>
Residential Use	Section 405
General Agricultural Use	Section 403
Intensive Agricultural Use	Section 403
Accessory Agricultural Market Use	Section 403
Accessory Cottage Industry	Section 406
Accessory Employee Residential Use	Section 405

Accessory Family Residential Use	Section 405
Accessory Home Occupation Use	Section 407
Accessory Off-Street Parking Use	Section 409
Accessory Outdoor Storage Use	Section 410
Accessory Produce Sales Use	Section 412
Public Use	Section 200
Medical Marihuana Grow Operation	Section 414

1(b) Notwithstanding Section 503(1a) of this bylaw, where a parcel is zoned AGRICULTURAL MARKET (A-3) within the boundaries of Electoral Area F, as shown on the map included as Schedule D to Bylaw No. 559, 1992, Medical Marihuana Grow Operation is not a permitted use."

- viii. In PART 901 – GENERAL INDUSTRIAL, by deleting Section 901(1) in its entirety and replacing it with the following:

"Permitted Uses

(1) Subject to the provisions of this bylaw, the following uses and no others are permitted in the M-1 zone:

<u>Permitted Uses</u>	<u>Reference</u>
Residential Use	Section 405
General Industrial Use	Section 200
Resource Use	Section 200
Accessory Off-Street Parking Use	Section 409
Accessory Outdoor Storage Use	Section 410
Medical Marihuana Grow Operation	Section 414

1(b) Notwithstanding Section 901(1a) of this bylaw, where a parcel is zoned GENERAL INDUSTRIAL (M-1) within the boundaries of Electoral Area F, as shown on the map included as Schedule D to Bylaw No. 559, 1992, Medical Marihuana Grow Operation is not a permitted use."

- ix. In PART 902 – HEAVY INDUSTRIAL, by deleting Section 902(1) in its entirety and replacing it with the following:

"Permitted Uses

(1) Subject to the provisions of this bylaw, the following uses and no others are permitted in the M-2 zone:

<u>Permitted Uses</u>	<u>Reference</u>
Residential Use	Section 405
Heavy Industrial Use	Section 200
General Industrial Use	Section 200
Resource Use	Section 200
Accessory Off-Street Parking Use	Section 409
Accessory Outdoor Storage Use	Section 410

Accessory Retail Use
Medical Marihuana Grow Operation

Section 200
Section 414

1(b) Notwithstanding Section 901(1a) of this bylaw, where a parcel is zoned HEAVY INDUSTRIAL (M-2) within the boundaries of Electoral Area F, as shown on the map included as Schedule D to Bylaw No. 559, 1992, Medical Marihuana Grow Operation is not a permitted use."

3) SEVERABILITY

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

4) READINGS AND ADOPTION

READ A FIRST TIME THIS 22nd day of October 2019

PUBLIC HEARING WAS HELD THIS 12th day of February 2020

READ A SECOND TIME THIS day of

READ A THIRD TIME THIS day of

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE THIS day of

ADOPTED THIS day of

Chair/Vice Chair

Corporate Officer/Deputy

5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1548, 2019* as read a third time by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, B.C. this

Corporate Officer/ Deputy