

CITY OF PRINCE GEORGE
BYLAW NO. 8734

A Bylaw of the City of Prince George to amend the City of Prince George Zoning Bylaw No. 7850, 2007.

WHEREAS pursuant to the provisions of Section 479 of the *Local Government Act*, in relation to zoning, the Council of the City of Prince George is empowered to make regulations thereto;

AND WHEREAS "City of Prince George Zoning Bylaw No. 7850, 2007" has been adopted to make regulations thereto;

AND WHEREAS the Council of the City of Prince George has deemed it desirable that certain text and definitions be amended, added, removed, and replaced to clarify regulations in regards to medical marihuana production facilities;

AND WHEREAS a Public Hearing was held in accordance with the *Local Government Act* and notice of such hearing was given as required by Bylaw;

NOW THEREFORE the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. That the "City of Prince George Zoning Bylaw No. 7850, 2007", be amended as follows:

a) Table of Contents

i) that the words "5.16 Medical Marihuana Grow Operation" be deleted and replaced with the words "5.16 Medical Marihuana Production Facility";

b) Section 2.3.6 Definitions

i) that the definition of "Agriculture, General" (f) be amended by deleting the words "marihuana grow operation uses" and replacing with the words "marihuana production facility uses.";

ii) that the definition of "Agriculture, Intensive Impact" be deleted in its entirety and replaced with the following definition:

"Agriculture, Intensive Impact: intensive growing, producing, raising or keeping of livestock or poultry or the primary products of those animals, that because of area, extent, density, length of confinement, product type, and/or production methods, may have significant impact on adjacent lands or uses, or create an environmental hazard. Typical uses include medical marihuana production facilities, feedlot, mushroom production, and significant composting."

iii) that the definition of "Greenhouse & Plant Nursery" be amended by deleting the words "This use excludes any medical marihuana grow operation uses." and replace with the words "This use excludes any medical marijuana production facility uses";

- iv) that the definition of “Marihuana For Medical Purposes Regulation” be deleted in its entirety;
- v) that the following new definition be added:

“Access to Cannabis for Medical Purposes Regulations: the federal regulation, and any subsequent regulations or acts which may be acted in substitution, that facilitates possession, production, selling (i.e. shipping, delivering, transporting), and the destroying of dried marihuana and cannabis plants harvested within the facility.”;

- vi) that the definition of “Medical Marihuana Grow Operation” be deleted;
- vii) that the following new definition be added:

“Medical Marihuana Production Facility: a facility licensed under the *Access to Cannabis for Medical Purposes Regulations*, or subsequent regulations or acts which may be acted in substitution by the Federal Government, to grow, produce or distribute marihuana or marihuana products.”;

- c) that Section 5.16 be deleted in its entirety and replaced with the following:

“5.16 Medical Marihuana Production Facility

5.16.1 The cultivation, growing, producing, packaging, storing, distribution, dispensing, trading or selling of cannabis (marihuana and marihuana products) are not permitted in any zone, unless otherwise indicated.

5.16.2 Medical Marihuana Production Facilities (MMPF) will be permitted in:

- i) The Agricultural Land Reserve, subject to the regulations identified in Section 5.16.2 and 5.16.3 of this *Bylaw*; or
- ii) The areas identified on Schedule “H” as “Boundary Industrial Park”, “BCR Industrial Park”, and “Danson Industrial Park”, in accordance with the regulations identified in Section 12.1, 12.2 and 12.3 of this *Bylaw*.

5.16.3 In addition to meeting all other applicable municipal, provincial and federal regulations, MMPFs shall comply with the following regulations:

- a) These facilities will require a Building Permit and a Business License. Information required at the Building Permit and/or Business License stage shall include:
 - i) The Authorized Person will request confirmation that the MMPF has been licensed under the *Access to Cannabis for Medical Purposes Regulations*.
 - ii) A Letter of Assurance through a qualified professional, in a relevant field, as per the BC Building Code, to provide a ventilation plan to ensure that no

offensive odours leave the building in accordance to the *Access to Cannabis for Medical Purposes Regulations*.

- iii) Fire safety measures for all buildings, sites, storage areas and other areas shall be produced and submitted to the Fire Department for review. All fire safety plans and fire pre-plans shall be submitted on a form and diagram template acceptable to the Fire Chief.

b) MMPFs shall require a Waste Discharge Permit.

c) This facility is not permitted in a shipping container, cargo container, rail car, modular unit, mobile home, camper vehicle or any other vehicle.

5.16.4 Medical Marihuana Production Facility uses shall have:

a) 15.0 hectare (ha) minimum parcel size;

b) 30.0 metre (m) setback from the front, rear, interior and/or exterior side yard(s);

c) 30.0 meter (m) minimum setback from MMFO uses to non-ALR Residential uses with a buffer, or 60.0 meter (m) minimum setback if a buffer is not employed;

d) 150.0 metre (m) minimum setback from any parks and education uses.”

d) that Table 7-4 be amended by deleting the words “Grow Operation” and replacing with the words “Production Facility”;

e) that Section 9.1 AG, AGn: Greenbelt be amended by deleting the following text “,AGn”;

f) that the following Principal Use permitted in Section 9.1.2 be deleted in its entirety:
“medical marihuana grow operation, only in the Agricultural Land Reserve and AGn”;

g) that Section 9.1.7 6. be deleted in its entirety and the remainder of the Section 9.1.7 be renumbered accordingly;

h) that Section 9.2 AG, AFn: Agriculture and Forestry be amended by deleting the following text “,AFn”;

i) that the following Principal Use permitted in Section 9.2.2 be deleted in its entirety:
“medical marihuana grow operation, only in the Agricultural Land Reserve and AFn”;

j) that Section 9.2.7 8. be deleted in its entirety and the remainder of the Section 9.2.7 be renumbered accordingly;

- k) that Section 12.1.2 Principal Use be amended by deleting the words "Medical marihuana grow operation, only in M1n" and replacing with the words "Medical marihuana production facility, only in M1n";
 - l) that Section 12.2.2 Principal Use be amended by deleting the words "Medical marihuana grow operation, only in M2n" be deleted in its entirety and replaced with "Medical marihuana production facility, only in M2n";
 - m) that Section 12.3.2 Principal Use "Medical marihuana grow operation, only in M3n" be deleted in its entirety and replaced with "Medical marihuana production facility, only in M3n";
2. That the Zoning Map referred to as Schedule "A" of the "City of Prince George Zoning Bylaw No. 7850, 2007", shall be amended accordingly.
 3. That the Mayor and Corporate Officer are hereby empowered to do all things necessary to give effect to this Bylaw.
 4. That this Bylaw may be cited for all purposes as the "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 8734, 2017".

READ A FIRST TIME THIS THE 4th DAY OF DECEMBER , 2017.


READ A SECOND TIME THIS THE 4th DAY OF DECEMBER , 2017.

First Two readings passed by a UNANIMOUS decision of Members of City Council present and eligible to vote.

READ A THIRD TIME THIS THE 22nd DAY OF JANUARY , 2018.

Third Reading passed by a UNANIMOUS decision of Members of City Council present and eligible to vote.

Certified correct as passed Third Reading, this the 24th day of January , 2018.


 CORPORATE OFFICER OF
 THE CITY OF PRINCE GEORGE

ADOPTED THIS THE 5th
BY A UNANIMOUS
PRESENT AND ELIGIBLE TO VOTE.

DAY OF FEBRUARY , 2018,
DECISION OF ALL MEMBERS OF CITY COUNCIL



MAYOR



CORPORATE OFFICER