

DISTRICT OF LAKE COUNTRY

BYLAW 1054

A BYLAW TO AMEND ZONING BYLAW 561, 2007

The Council of the District of Lake Country, in open meeting assembled, enacts as follows:

1. Zoning Bylaw 561, 2007 is hereby amended by:

- 1.1. Deleting the definition of “Medical Marihuana Production” under Part One - Definitions in its entirety.
- 1.2. Deleting the definition of “Retail Store, Convenience” under Part One - Definitions in its entirety.
- 1.3. Deleting the definition of “Retail Store, General” under Part One - Definitions in its entirety.
- 1.4. Deleting the definition of “Health Services” under Part One - Definitions in its entirety.
- 1.5. Adding the following definitions under Part One - Definitions:

CANNABIS DISPENSARY means the sale and distribution of medical or recreational cannabis which is lawfully permitted and authorized pursuant to Federal and Provincial regulations as amended from time to time.

CANNABIS PRODUCTION means the commercial use or development of a property for the cultivation, growth, storage, distribution or destruction of medical or recreational cannabis which is lawfully permitted and authorized pursuant to Federal and Provincial regulations as amended from time to time.

HEALTH SERVICES means development used for the provision of physical or mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical uses include but are not limited to medical and dental offices, chiropractors, massage therapists and acupuncture clinics, health clinics, and counseling services. This use excludes the retail sale of cannabis products.

PERMANENT FOUNDATION means a system of concrete footings and/or concrete slabs where loads from a building are transferred to supporting soil or rock.

RETAIL STORES, CONVENIENCE means development used for the retail sale of those goods required by area residents (including tourists temporarily resident in a neighbourhood) and employees on a day to day basis, from business premises which do not exceed 235m² in gross floor area. Typical uses include but are not necessarily limited to small food stores, drug stores, florists, or variety items, hardware, printed matter, seasonal or tourism related rentals. In the W2 – Intensive Water Use Zone, this includes items normally required by people using marina

facilities, but does not include the rental of personal waterfront or rental of automobiles. This use excludes the retail sale of beer, wine, or spirits by a Licensee Retail Store. This use excludes the retail sale of cannabis products.

RETAIL STORE, GENERAL means premises where goods, merchandise and other materials are offered for sale at retail to the general public and includes limited on-site store or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, clothing, appliance and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, second-hand goods, and retail stores requiring outdoor storage. This use excludes the retail sale of cannabis products.

2. Inserting the use "Cannabis Dispensary" into the C1 - Town Centre Commercial and the DC12 – Turtle Bay Crossing Zones as a Principal Use.
3. Inserting the use "Cannabis Production" into the I1 - General Industrial and I3 - Heavy Industrial as a Principal Use.
4. Inserting the use "Cannabis Production" into the A1 – Agriculture 1 Zone as a Principal Use.
5. Deleting "Medical Marihuana Production" from Sections 10.4.7, 10.5.7, and 10.6.7 and replacing with "Cannabis Production".
6. Adding the following as a new section within Specific Use Regulations:

10.14 Cannabis Production and Dispensaries

10.14.1. Cannabis Production within the A1 – Agriculture 1 Zone must:

- (a) be located within and fully permitted within the Province of British Columbia's Agricultural Land Reserve as amended from time to time;
- (b) limit any development utilizing permanent foundations to a total footprint (all buildings) of no greater than 3,035 square meters;
- (c) be located a minimum of four hundred (400) metres, using a direct aerial line measurement door to door, from any existing daycare or school.

10.14.2. Cannabis Dispensaries must:

- (a) be located a minimum of four hundred (400) metres, using a direct aerial line measurement door to door, from any existing daycare or school.

7. This bylaw may be cited as "Zoning Amendment (DLC) Bylaw 1054, 2018".

READ A FIRST TIME this 15th day of May, 2018.

READ A SECOND TIME this 15th day of May, 2018.

ADVERTISED ON THE 6th and 13th days of June, 2018 and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the 19th day of June, 2018.

SECOND READING RESCINDED AND READ A SECOND TIME AS AMENDED this 3rd day of July, 2018.

ADVERTISED ON THE 4th and 11th days of July, 2018 and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the 17th day of July, 2018.

READ A THIRD TIME this 4th day of September, 2018.

ADOPTED this 18th day of September, 2018.

Original signed by James Baker
Mayor

Original signed by Willene Perez
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as "Zoning Bylaw Amendment 1054, 2018", as adopted by the Municipal Council on the 18th day of September, 2018.

Dated at Lake Country, B. C.

Corporate Officer