



DISTRICT OF SOOKE ZONING AMENDMENT BYLAW NO. 741

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of adding the definitions of “Cannabis Production – Micro” and “Cannabis Production – Standard”, for excluding these uses from the definition of “Agriculture”, for the regulation of these uses, and for allowing Temporary Use Permits for “Cannabis Production – Micro” use.

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

Citation

1. This bylaw is cited as *Zoning Amendment Bylaw No. 741 (600 -73), 2019*.

Amendment

2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013*, is amended in “Part 2 DEFINITIONS” by adding the following definitions in appropriate alphabetical order:

“CANNABIS PRODUCTION – MICRO means the cultivation of cannabis in less than 200m² of area whether indoor or outdoor, and the processing of less than 600 kg of dried flower (or equivalent) permitted through Health Canada licenses issued for Nursery, Micro-Cultivation, Micro-Processing and Sale for Medical Purposes only.”

“CANNABIS PRODUCTION – STANDARD means the cultivation, processing, research, testing, and sale of cannabis permitted through Health Canada licenses issued for Standard Cultivation, Standard Processing, Analytical Testing, Research, and Sale for Medical Purposes only.”

3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013*, is amended in “Part 2 DEFINITIONS” by replacing the definition for “AGRICULTURE” with the following:

“AGRICULTURE means the use of land, buildings, and structures for growing, rearing, producing and harvesting of agricultural products or raising livestock; includes processing crops grown on the land, the storage and repair of farm machinery and implements of husbandry used on that farm, and sale of agricultural products produced on the land. For the purposes of this Bylaw, Agriculture also includes Horticulture, and Silviculture, but specifically excludes Agriculture-Intensive, Cannabis Production-Micro, Cannabis Production-Standard, and all manufacturing, processing, storage and repairs not specifically included in this definition.”

4. The Zoning Bylaw is further amended by replacing Section 3.33 with the following:
 - a. All Commercial and Industrial Zones, Area D of Sun River Estates CD Zone, Area A of Tominy Road Mixed Use CD Zone, Areas 1 and 3 of Mariner's Village CD Zone, Prestige Hotel & Resort CD Zone, Area D: Neighbourhood Commercial of Spiritwood Estates CD Zone and Knox Centre CD Zone established by this bylaw are designated under s. 492 of the *Local Government Act* as areas where Temporary Use Permits may be issued to authorize commercial or industrial uses not otherwise permitted by this bylaw, subject to the general conditions set out in the zone.
 - b. Temporary Use Permits for historic non-conforming non-residential uses may also be considered in the area designated Gateway Residential in the *Official Community Plan*.
 - c. Temporary Use Permits for Cannabis Production – Micro facilities may also be considered outside of the area designated Town Centre in the *Official Community Plan* and only on properties zoned RU1 Watershed, Forest & Agriculture, RU2 Rural, RU3 Small Scale Agriculture, C1 Neighbourhood Commercial, C2 General Commercial, C3 Service Commercial, and C4 Commercial Recreation.
5. The Zoning Bylaw is further amended by adding "Cannabis Production - Micro and Cannabis Production – Standard" to Section 4.3 "Home Based Business Regulations" as subsection m) vi.
6. The Zoning Bylaw is further amended by adding Section 4.11 as follows:

"Cannabis Production

The following provisions shall apply to Cannabis Production – Micro and Cannabis Production – Standard uses including any such uses authorized by Temporary Use Permit:

- (a) The combined gross floor area of all buildings and structures used for Cannabis Production – Micro on any lot must not exceed 400m².
- (b) All buildings and structures used for Cannabis Production – Micro or Cannabis Production – Standard in Rural zones must be set back a minimum of 30m from all lot lines.
- (c) All buildings and structures used for Cannabis Production – Micro in Commercial zones must be set back a minimum of 15m from all lot lines.
- (d) Cannabis Production – Micro in Commercial zones must take place inside buildings or structures."

7. The Zoning Bylaw is further amended in Schedule 501.2 "Permitted Uses" by adding the use "(a) *Cannabis Production – Micro*" under the heading of Principal Uses" in the "M1 Light Industrial" zone and alpha renumbering accordingly.
8. The Zoning Bylaw is further amended in Schedule 502.2 "Permitted Uses" by adding the uses "(c) *Cannabis Production – Micro*" and "(d) *Cannabis Production – Standard*" under the heading "Principal Uses" in the "M2 General Industrial" zone and alpha renumbering accordingly.
9. The Zoning Bylaw is further amended in Schedule 503.2 "Permitted Uses" by adding the uses "(d) *Cannabis Production – Micro*" and "(e) *Cannabis Production – Standard*" under the heading "Principal Uses" in the "M3 Heavy Industrial" zone and alpha renumbering accordingly.

READ a FIRST and SECOND time the 22nd day of July, 2019.

PUBLIC HEARING held the 16th day of September, 2019.

READ a THIRD time the 16th day of September, 2019.

ADOPTED the 16th day of September, 2019.



Maja Tait
Mayor



Carolyn Mushata
Corporate Officer