

BYLAW NO. 604	
Bylaw Name:	Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5
Applicant:	Comox Valley Regional District
Electoral Area:	A, B, C
File Number:	CP 1CV 19
Participants:	All Electoral Areas
Purpose:	To amend the Rural Comox Valley Official Community Plan in response to adoption of the federal <i>Cannabis Act</i> and its regulations.
Amends Bylaw:	337
Repeals Bylaw:	N/A
Staff Contact:	Scott Smith, General Manager of Planning and Development

STATUS	
Electoral Areas Services Committee Approval:	<p>March 9, 2020:</p> <p>THAT the board give first and second reading to Bylaw No. 604, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5”, which updates policies relating to cannabis cultivation, processing and sales;</p> <p>AND FINALLY THAT pursuant to Section 464(1) of the Local Government Act (RSBC, 2015, c.1), the board schedule a public hearing for Bylaw No. 604, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5” (CP 1CV 19).</p>
Comox Valley Regional District Board:	1 st and 2 nd reading: April 7, 2020
Public Hearing:	September 30, 2020
Comox Valley Regional District Board:	
Comox Valley Regional District Board:	

Comox Valley Regional District

Bylaw No. 604

**A bylaw to amend the "Rural Comox Valley Official Community Plan
Bylaw No. 337, 2014" to address cultivation, processing and sales of cannabis.**

WHEREAS the board has pursuant to the provisions of Section 477 of the *Local Government Act* (RSBC, 2015, c. 1), in preparing the Official Community Plan, and after first reading, given consideration, in sequence, to its most recent Financial Plan, the *Agricultural Land Commission Act*, and Waste Management Plan to ensure consistency between them and the Official Community Plan;

AND WHEREAS the board desires to update the Rural Comox Valley Official Community Plan to address cultivation, processing and sales of cannabis;

AND WHEREAS pursuant to Section 473 and Section 477 (3) of the *Local Government Act* (RSBC, 2015, c. 1), the board considered consultation matters and held a public hearing on the proposed Official Community Plan amendment;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled, enacts the following amendments to the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014:

Section One Text Amendment

- 1) Bylaw No. 337, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014,” is hereby amended as set out in Schedule A attached to and forming part of this Bylaw.

Section Two Title

- 1) This Bylaw may be cited as the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5.”

Read a first time this	7th	day of	April	2020.
Read a second time this	7th	day of	April	2020.
Public hearing held this	30th	day of	September	2020.
Read a third time this		day of		2020.
Adopted this		day of		2020.

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 604, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5", as adopted by the board of the Comox Valley Regional District on the ___ day of _____ 2020.

Corporate Legislative Officer

Schedule A

Section One Text Amendment

1. Part 2 Section 21 “Economy and industry – policies (emergent industries)” be amended by deleting sub-section (2) and replacing it with the following:

“(2) Cannabis cultivation and processing may be permitted as an agricultural or industrial use where the size and configuration of building(s) do not detract from the rural character of the surrounding area and there are measures to mitigate potential noise, lighting, odour, and emissions relative to adjacent land uses.”
2. Part 2 Section 21 “Economy and industry – policies (emergent industries)” be amended by inserting the following text after sub-section (2):

“(3) “In addition to the considerations of Section 21.(2), applications involving cannabis cultivation and processing should also provide:
 - (a) information pertaining to solid waste management systems;
 - (b) information pertaining to the provision of rainwater management that maintains or restores the natural hydrological regime of a property;
 - (c) mitigation of impacts on environmentally sensitive areas and/or features;
 - (d) consideration of effects on any adjacent land uses including residential and civic uses and working landscapes; and,
 - (e) consideration of the cumulative impacts of existing and proposed cannabis cultivation and processing in an area.”
3. Part 3 Section 58 “Agricultural areas – policies (general)” be amended by deleting sub-section (3) and replacing it with the following:

“(3) New or modified cannabis cultivation and processing should minimize the impact on the arable land of a property, be consistent with relevant ALR Regulations when located within the ALR, and consider consistency with bylaw standards as published by the Ministry of Agriculture.”
4. Part 3 Section 62 “Resources areas policies (general)” be amended by deleting sub-section (2) and replacing it with the following:

“(2) Cannabis cultivation and processing should be directed away from the Comox Lake watershed.”

Section Two Housekeeping

5. Part 3 Section 60 “Agricultural areas – policies (commercial)” be amended by inserting a period and line break after the word “regulation”, formatting the first instance of the words “resource areas” as an unnumbered section header, and deleting the following text:

“(2)”.