

CORPORATION OF THE CITY OF NEW WESTMINSTER
ZONING AMENDMENT BYLAW (CANNABIS REGULATIONS) NO. 8043, 2018

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

WHEREAS the Local Government Act authorizes a local government to zone areas of a municipality and to make regulations pursuant to zoning.

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminister in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Cannabis Regulations) No. 8043, 2018.”

2. Zoning Bylaw No. 6680, 2001 is hereby amended by:

a) adding the following definition as section 120.29.1:

“**CANNABIS** has the same meaning as in the Cannabis Act (Canada), and despite changes to the meaning in the Cannabis Act (Canada) over time.”

b) adding the following definition as section 120.29.2:

“**CANNABIS ACCESSORY** has the same meaning as in the Cannabis Act (Canada).”

c) adding the following definition as section 120.29.3:

“**CANNABIS PRODUCTION FACILITY** means a facility providing for the production, storage, processing and distribution of cannabis and which is owned or operated by a licensed cannabis producer or distributor as per the *Cannabis Act* (Bill C-45) as amended and replaced from time to time.”

d) Deleting section 120.132.1;

e) replacing the definition of retail sale of cannabis in section 120.159.3 with:

“**RETAIL SALE OF CANNABIS** means the use of a site or portion of a site only for the retail sale or distribution of *cannabis*, including any products containing *cannabis*, directly to a consumer for which a license has been issued under the *Provincial Cannabis Control and Licensing Act* (Bill 30) as amended and replaced from time to time.”

f) deleting section 680.12.1;

g) inserting the Heading “Liquor Primary Licensed Premises” prior to section 190.47;

h) inserting the following after section 190.48:

“Retail Sale of Cannabis

190.48.1 Notwithstanding any other provision of this Bylaw, *Retail Sale of Cannabis* is only permitted in the locations, and to be maximum gross floor area, listed in the following table, as amended:

Business Name	Address	Max Gross Floor Area	Legal Description

190.48.2 *Retail Sale of Cannabis* shall:

- (a) not permit consumption of *cannabis* within the portion of the building used for the *retail sale of cannabis*;
- (b) not permit production, growing or cultivation of *cannabis* within the portion of the building used for the *retail sale of cannabis*;
- (c) only be permitted to sell *cannabis*, *cannabis accessories* and retail merchandise directly related to *cannabis* and no other product;
- (d) not be permitted within the same commercial unit as any other use, except for the retail sale of cannabis accessories; and
- (e) not sell edibles containing cannabis.

Personal Cultivation of Cannabis

190.48.3 Growing and cultivation of *cannabis* for personal use is permitted on a site which is zoned for residential uses provided:

- (a) all laws, regulations and requirements of other jurisdictions are met and all required permits, such as but not limited to Building and Electrical Installation Permits, have been obtained;
- (b) does not include any processing or manufacturing of *cannabis* unless for medical purposes in accordance with a prescription from a medical practitioner;
- (c) does not include the retail sale of *cannabis*; and
- (d) for sites containing *multiple dwellings*, it is located on a portion of the property under private occupancy, such as, but not limited to areas within a dwelling or on limited common property.”

i) deleting section 720.21.1.

j) inserting the following as section 720.6.1:

“Cannabis productions facilities provided that:

- (a) all operations related to the production, storage and processing of cannabis must occur within a completely enclosed building; and
- (b) the site on which the cannabis production facility is located must be at least 60.9 metres (200 feet) from any site used for a school or for any residential use. This distance shall be measured in a straight line from the property lines of each site.”

k) making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering, ordering of alphabetical lists, and the table of contents of the bylaw.

GIVEN FIRST READING this 27th day of August 2018.

GIVEN SECOND READING this 27th day of August 2018.

PUBLIC HEARING held this day of 2018.

GIVEN THIRD READING this day of 2018.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this day of , 2018.

Mayor

Jacque Killawee, City Clerk