

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1195-09

A bylaw to Amend Regional District of Central Okanagan Joe Rich Rural Land Use Bylaw No. 1195, 2007

WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Joe Rich Rural Land Use Bylaw No. 1195, 2007 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. This bylaw may be cited as Joe Rich Rural Land Use Bylaw Amendment Bylaw No. 1195-09
2. That the Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby **AMENDED** by changing the following:

2.1. Amending **SECTION 2 Regulations:**

2.1.1. **PART 1 – Definitions**

1. By **ADDING** the following new definitions:

“Marihuana means all parts of the genus cannabis whether growing or not and the seed or clone of such plants.”

“Medical Marihuana Production Facility means a facility licensed by the Federal Government under the Marihuana for Medical Purposes Regulation used solely for the production, manufacturing, processing, packaging, shipping and destroying of marihuana for medical purposes. This use is prohibited in all zones except as explicitly permitted under the provisions in this Bylaw.”

2.1.2. **PART 3 – General Requirements**

1. **Section 3.5 Home Occupation**

1. By **ADDING** the following new Subsection “3.5.4.3 Medical Marihuana Production Facilities.”
2. By **ADDING** a new Subsection:

“3.17 Medical Marihuana Production Facilities

Medical Marihuana Production Facilities shall only be permitted on lands outlined within the defined zones in Section 2 of this Bylaw or lands within the Agricultural Land Reserve and shall be subject to the following regulations:

3.17.1 The site must be licensed by the Federal Government;

3.17.2 The use must be located on a parcel having a minimum area of 8.0 ha (19.7 acres);

3.17.3 All *buildings* used for *Medical Marihuana Production Facilities* shall be *setback* a minimum of 30.0 m (98.4 ft.) from all parcel lines and 15.0 m (49.2 ft.) from all *watercourses*. Except when the subject property is located in a Development Permit Area or Floodplain, minimum setback from watercourses will be subject to Development Permit Guidelines and/or section 3.1 Floodplain Regulations; and,

3.17.4 The buildings used for Medical Marihuana Production Facilities do not discharge or emit odorous, toxic or noxious matter or vapour; heat, glare or radiation; recurrently generated ground vibration; noise in excess of ambient noise at the property boundary; electrical interference; or any other health or safety hazards."

2.1.3. Amending PART 5 – Land Use Designations

1. Section 5.5 – Large Holdings (LH)

1. By **ADDING** Subsection 5.5.1.10 "Medical Marihuana Production Facilities (see Section 3.17)"

2. Section 5.6 – Rural Acreage (RA)

1. By **ADDING** subsection 5.6.1.10 "Medical Marihuana Production Facilities (see Section 3.17)"

READ A FIRST TIME this 28th day of March 2014

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this 28th day of April 2014

READ A SECOND TIME this 28th day of April 2014

READ A THIRD TIME this 28th day of April 2014

Approved under the Transportation Act this _____ day of _____

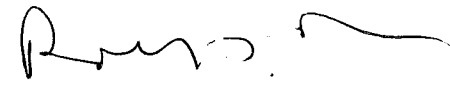
Approved pursuant to section 52(3)(a) of the *Transportation Act*

this 14th day of May, 2014


for Minister of Transportation

Ministry of Transportation & Infrastructure

ADOPTED this 26th day of May 2014


Chairman


Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use Bylaw
No. 1195-09 as read a third time by the Regional District of Central Okanagan the 28th
day of April 2014

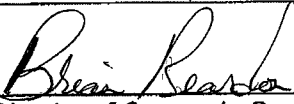
Dated at Kelowna, this 5th day of May 2014



Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use Bylaw
No. 1195-09 which was Adopted by the Regional District of Central Okanagan on the 26th
day of May 2014

Dated at Kelowna, this 2nd day of June 2014



Director of Corporate Services

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