

**Notes from a Public Information Meeting  
Held February 26, 2018 at the Shawnigan Lake Community Centre  
2804 Shawnigan Lake Road, Shawnigan Lake, BC**

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**SUBJECT:** Official Community Plan and Zoning Amendment Application for  
Block 1043, Malahat District – 3950 Goldsstram Heights Drive

**PRESENT:** Director Mike Hicks  
Staff: Iain Lawrence, Manager, Local Area Planning; Emma Taylor, Recorder

**PUBLIC:** 20

The meeting was called to order at 7:03 p.m.

Director Hicks welcomed everyone to the meeting and advised that the purpose of the meeting is to provide information about the applicant's revised proposal for a licensed medical marijuana production facility and to obtain input from area residents regarding the proposal. The information collected from the meeting will be presented to the Juan de Fuca Land Use Committee (LUC) for recommendation to the CRD Board as to if the proposal should or should not proceed. It was noted that the application has changed and no longer includes a campground proposal.

Iain Lawrence spoke to the staff report considered by the LUC at its meeting of January 16, 2018, and the application to amend the Malahat Official Community Plan (OCP), Bylaw No. 3721, and the Malahat Land Use Bylaw, 1981, Bylaw No. 980, to permit the operation of a licensed medical marijuana production facility. Iain Lawrence showed a map of the property, and identified the Regional District boundary and access roads. Staff has prepared two proposed bylaws. Proposed Bylaw No. 4196 would rezone the subject property from Greenbelt 2 (Gb2) to a new Medical Marijuana Production (M4) zone. Bylaw No. 4197 would amend the Malahat OCP Settlement Areas policies and designate the property as a Commercial Development Permit Area.

Iain Lawrence noted that the applicant proposes a two-lot subdivision under the 12 hectare minimum lot size of the Greenbelt 2 (Gb2) zone. The northern lot would remain in the Gb2 zone and the southern lot is the area subject to rezoning for the proposed medical marijuana production facility. Proposed changes to the draft M4 zone were outlined including the addition of a secondary suite provision, 30 metre setbacks for medical marijuana production facilities and the establishment of a height regulation.

Director Mike Hicks indicated that the applicants were in attendance, as well as two Electoral Area Directors from the Cowichan Valley Regional District (CVRD).

Sierra Acton, Regional Director for Area B, CVRD, inquired about the proposal for a campground use.

Iain Lawrence clarified that if the owners wished to pursue a rezoning for a campground use in the future, a new application would be required and further public consultation would be conducted at that time.

Kevin Searle questioned why the campground proposal is no longer being requested.

The applicant, Dennis Nixon, responded stating there was significant opposition to the campground proposal from residents.

Director Hicks added that CRD Regional Parks and Integrated Water Services also had concerns about the campground relating to unauthorized access to Sooke Hills Wilderness Park and the Greater Victoria Drinking Water Supply Area.

Chuck Ferrar, agent for an adjacent property owner, stated no concern for the application. He posed a question regarding limits to site coverage for the proposed medical marijuana production facility.

Iain Lawrence responded by stating that the draft M4 zone includes a 15% lot coverage requirement.

Kerry Davis, Regional Director for Area A, CVRD, requested clarification about lot coverage and hard surfacing regulations.

Iain Lawrence responded by stating that the lot coverage calculation was for building footprints only and does not include hard-surfacing such as pavement. He further indicated that the property is designated within development permit areas for protection of the environment and for hazardous conditions which could also limit the extent of impact on the land.

Jim Oliver requested clarification about the lot coverage calculation.

Iain Lawrence stated that 15% lot coverage equals approximately 194,000 ft<sup>2</sup> of a 12 hectare lot.

Larry Jorgenson noted that the original proposal was for a 20,000 ft<sup>2</sup> facility and the 15% lot coverage would allow for multiple facilities on the property. It was further questioned how the rezoning application aligns with the Regional Growth Strategy (RGS).

Director Hicks clarified that rezoning applications must be deemed consistent with the RGS policies and that the 15% lot coverage was a maximum requirement and full build-out may not be achieved.

Iain Lawrence confirmed that 15% lot coverage was a standard regulation in many zoning districts and clarified that a request to increase lot coverage is a rezoning application.

It was further discussed that a secondary suite would be permitted.

Larry Jorgenson questioned whether future variances would be requested for developing the property and stated that the area is a greenbelt and the proposal goes against the RGS by adding an industrial use when there are lands already zoned for industrial uses.

Director Hicks explained that the RGS includes policies that consider employment opportunities, alternative land use options and controlled growth. Medical marijuana production facilities are legitimate business ventures that create employment and there are established processes for considering rezoning and variance applications.

Larry Jorgenson requested consideration of limiting size of the production facility to better protect the greenbelt area.

A representative for the applicant stated that medical marihuana facilities on the lower mainland are up to 4.8 million ft<sup>2</sup>.

The applicant referred to a map of the property to show the location of the proposed facility, described it was screened from adjacent properties and that the proposal is to start with a 20,000 ft<sup>2</sup> building.

A member of the public inquired about the location of The Great Trail in proximity to the proposed development, plans for an alternative route for the Malahat Highway, and ecosystem values on the property.

Staff further stated that adjacent lands to the west and south are protected as park and water supply areas.

Jennifer Young stated concern for truck traffic on South Shawnigan Lake Road related to soil deposit, contamination issues, and potential impacts to water quality and the environment.

Dennis Nixon explained there was an existing 300 ft well on the property producing 23 gallons per minute.

A representative for the applicant provided information about water consumption for a medical marihuana production facility and outlined options for recovery and rainwater capture methods. He outlined that the development would be phased and construction would utilize energy efficient designs. It was further stated that the Federal regulations address many of the operational considerations and that composting of material would be done on site.

Cliff Evans inquired about the suitability of the aquifer to provide water to the facility and any effects on surrounding wells.

Director Hicks provided an example of an existing medical marihuana production facility in Otter Point that relies on rainwater capture and trucked water.

Chuck Ferrar inquired about fencing, lighting and potential impacts to the adjacent property to the east.

The applicant stated that the facility will be fenced, but not the entire property.

A representative for the applicant described industry methods for managing light pollution from greenhouse facilities.

A member of the public inquired about the terrain conditions on site.

Jim Oliver requested information about access to the property and potential traffic impacts.

The applicant stated there is an easement from Goldstream Heights Drive, that the facility will employ approximately twelve people, and that the business will rely largely on postal couriers.

Larry Jorgenson inquired about the availability of Hydro to the property.

It was confirmed that there are options for obtaining electricity, including extending Hydro service to the property and the use of solar power or generators.

Harrison Kamermans requested information about soil management and expressed concern for chemicals leaching into the ground.

A representative for the applicant outlined operational practices for soil re-use, composting and integrated pest management.

Director Hicks explained that the LUC will receive the comments on the revised application and forward a recommendation to the Board.

A member of the public stated concern for the economic reputation of the Shawnigan Lake community by approving a medical marihuana facility, traffic issues and lack of public notification.

Director Hicks stated that the meeting was advertised and property owners were notified.

A representative for the applicant stated that the location of many existing facilities are discreet.

Kerry Davis posed a question regarding the Malahat fire protection service area. It was stated that areas outside of the local government service area are managed by a Provincial wildfire service.

The meeting adjourned at 7: 50 p.m.