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Notes from a Public Information Meeting

Held September 7, 2017 at the Shawnigan Lake Community Centre, 2804 Shawnigan Lake Road, Shawnigan Lake, BC

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: Approximately 45

The meeting was called to order at 7:00 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 proposal for a campground and licensed medical marihuana 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 LUC representative for the Malahat, Dale Risvold, was in attendance.

Iain Lawrence spoke to the staff report considered by the LUC at its meeting of July 18, 2017 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 campground and licensed medical marihuana production facility. Iain Lawrence showed a map of the property and the Regional District boundary and access roads were identified. Staff has prepared two proposed bylaws. Proposed Bylaw No. 4196 would rezone the subject property from Greenbelt 2 (Gb2) to a new Commercial Recreation – Medical Marihuana (CR1-MM) zone. Bylaw No. 4197 would amend the Malahat OCP to designate the property as a Commercial Development Permit Area.

Director Mike Hicks indicated that the applicants were in attendance.

The applicant stated that he has owned the subject property since 2004. Having investigated use of the property as a rock quarry in past, the applicant explained that the property offers a scenic setting for a campground. It was further outlined that the campground, if approved, would be developed in phases as demand warranted and as services are installed. The applicant further advised that:

- the campground use retains trees and is alternative to residential development
- the campground would cater to hikers and bikers on The Great Trail
- there is no hydro connection currently

The applicant introduced the partners representing the medical marihuana production facility.

Sally Davies asked what aspect of the development would be constructed first. The applicant advised that the campground would likely be the first to be developed.

Alex Hill, Goldstream Heights, inquired about fire protection and outlined the risk from campfires. The applicant indicated that there are existing ponds and water tanks on the property and additional equipment would be purchased to respond to wildfires on site.

Iain Lawrence explained that the property is outside the Cowichan Valley Regional District (CVRD) fire protection service area for the Malahat. Director Mike Hicks expressed that the applicant would be required to implement fire protection measures to the satisfaction of CRD considering that the adjacent land is park and water supply area.

Tanya Patterson, Fire Chief for Malahat, indicated that CRD residents in the Malahat area could request inclusion into the CVRD fire protection service area and that a second fire hall is needed. It was explained that BC Wildfire Service responds to wildfires outside of a local government fire service area but may request assistance from local fire departments.

Kevin Searl asked whether soil material would be trucked onto the site to develop the campground and if the facility would be open year round and allow park model trailers.

The applicant responded that a cut and fill approach would be used for the campsites but may obtain a permit to bring blue clay to the site to line an existing pond to retain water. The applicant clarified that the ponds are used for fire protection and to capture runoff. It was stated that the facility would be open throughout the year to campers.

Annetta Douglas inquired about:

- the proposed swimming pool
- campground name
- relationship with medical marihuana production company
- impact on roads
- future sale of business
- seasonal use of campsites
- soil contamination
- benefit to community

The applicant responded by indicating the swimming pool would be concrete construction, a name for the campground had not been decided, that the medical marihuana production facility would be a partnership arrangement, and that the intent was to manage the property long-term.

The medical marihuana production facility representatives outlined their personal connections to the area and the opportunities for incorporating sustainable design, waste recovery technology, creating jobs and providing education at the proposed medical marihuana production facility. It was further stated that the product is for medicinal not recreational purposes, produced legally and without pesticides.

Deborah Jorgenson asked about security measures and if campers would have access to the marihuana facility.

The representatives confirmed there is no sale of product permitted from the facility under Health Canada's regulations and that strict security measures are required, similar to a military base.

Director Mike Hicks stated that rezonings for medical marihuana production facilities in the industrial area of Otter Point have been supported due to the tax benefit and job creation.

Discussion ensued about requesting the applicant have a traffic study conducted to determine impact on roads. Options for an alternative access to the Trans Canada Highway were suggested.

Sally Davis inquired about the benefit of the development to Shawnigan Lake residents and about CRD bylaw enforcement.

The applicant noted that campers would likely shop locally and that the proposed bylaw states campers can stay for 30 days in a calendar year where other campgrounds are allowed 6 months.

An attendee stated that some facilities start out as campgrounds and become permanent.

Director Mike Hicks indicated that if the bylaw gets adopted then the CRD can enforce it. Iain Lawrence stated that the OCP designation would require the campground to have temporary occupancy and that CRD bylaw enforcement is complaint-driven.

Jennifer Young, South Shawnigan Lake, stated the meeting was not well advertised and expressed concern for impacts on road infrastructure and rural community from the potential volume of traffic visiting the campground. It was further stated that Ministry of Forests and CVRD have responded to forest fires in the area and that the park is at risk.

Bruce Stevens requested clarification from the applicant how the proposal evolved from a family business venture to a medical marijuana facility and questioned whether these were compatible uses.

The applicant responded that the property is 80 acres and can accommodate both uses, that the proposal includes health and education aspects.

Larry Jorgenson inquired about the size of the proposed medical marijuana facility, stated an alternative access from the highway is needed, and no apparent benefit to community. It was further stated that an industrial area would be appropriate for a medical marijuana facility.

A medical marijuana production facility representative responded that licensed production facilities can be in the range of 20,000 ft² and the proposed facility would be consistent with this size. The representative explained that different types of licenses are issued by Health Canada.

Ken Honor stated that notice of meeting was not advertised well nor invitations sent to treatment centres. It was further stated that no experts on medical marijuana are in attendance.

Iain Lawrence responded by outlining how the meeting was advertised according to the CRD procedures bylaw.

An attendee requested a second public information meeting.

Director Hicks acknowledged that CVRD Regional Directors were in attendance.

Sierra Acton, CVRD Regional Director for Area B, inquired about the proposed helicopter pad, development permit areas, and length of stay permitted in the campground.

The applicant stated that the helicopter pad would be for use by air ambulance only and that there would be no year-round accommodation permitted in the campground.

Emma Taylor stated that the applicant would obtain reports prepared by qualified professionals as part of the development permit application.

Evo Barco asked about the timeline for development of the campground.

The applicant responded by stating that the rezoning process would take approximately one year and that 50 tent sites would be constructed as the first phase.

Kerry Davis, CVRD Regional Director for Area A, requested clarification of the rezoning process and whether First Nations were notified.

Director Hicks stated that First Nations and referral agencies were provided opportunity to comment and that the Land Use Committee would make recommendation to CRD Board. The public information meeting is in lieu of an Advisory Planning Commission meeting.

Sally Davis stated there is a lack of trust in the community and residents are concerned.

Kerry Davis inquired about sewage treatment. The applicant explained there would be an onsite engineered sewage treatment system.

Alex Hill inquired about options for an alternative road access to the property. The applicant noted that historically some parcels in the area have an easement for emergency access to the Trans Canada Highway. Emma Taylor confirmed that there is an easement registered on some parcels for emergency vehicles.

Cliff Evans, Shawnigan Lake, noted that an alternative access would take pressure off South Shawnigan Lake Road, reduce travel time, and increase value of property. The applicant stated that the Malahat alternative route will not go through Sooke Hills Wilderness Regional Park.

Cliff Evans stated that the nearby development referred to as "Elkinton Forest" in the CVRD was required to provide a fire hall amenity but is now in foreclosure and community will not get the amenity. It was further stated that an adequate water supply be required under provincial legislation. The applicant referred to a parcel of land dedicated to CRD for a future fire hall on Goldstream Heights Drive. Director Hicks stated that provision of water supply would be required later in the process.

Jennifer Young inquired about the existing wells. The applicant stated there was an existing drilled well supplying large volume of water.

Sierra Acton suggested using public engagement tools such as "PlaceSpeak" used to gather comments.

Larry Jorgenson asked what financial contribution will the applicant make to the community.

Shirley Crowler, Malahat, stated that traffic will go through the Goldstream Heights neighbourhood.

Director Mike Hicks stated that discussions with the representatives from CVRD will be held to determine an appropriate public process going forward and that an additional public information meeting would be held.

The meeting adjourned at 8:15 p.m.