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**Minutes of a Meeting of the Juan de Fuca Land Use Committee  
Held Tuesday, February 16, 2016 at the Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Mike Hicks (Chair), Stan Jensen, Roy McIntyre, Ron Ramsay, Sandy Sinclair, Art Wynans  
**Staff:** Iain Lawrence, Supervisor, Local Area Planning; Wendy Miller, Recorder  
**ABSENT:** Ted Dixon  
**PUBLIC:** 3

The meeting was called to order at 7:00 p.m.

**1. Approval of the Agenda and Supplementary Agenda**

**MOVED** by Art Wynans, **SECONDED** by Sandy Sinclair that the agenda and the supplementary be approved. **CARRIED**

**2. Adoption of Minutes from the Meeting of January 19, 2016**

**MOVED** by Ron Ramsay, **SECONDED** by Roy McIntyre that the minutes from the meeting of January 19, 2016 be adopted. **CARRIED**

**3. Chair's Report**

No report.

**4. Planner's Report**

Iain Lawrence reported that Bylaw No. 4037 was adopted by the CRD Board at its February meeting. The bylaw effectively reinstates the Land Use Committee's (LUC) ability to refer amendments to an official community plan and amendments to a land use bylaw. The bylaws to be considered this evening will be referred immediately by staff should the LUC support referral.

**5. Rezoning Application**

**a) RZ000241 - Strata Lots 5, 15, 16, 17, 22 and 25, Section 16, Otter District, Strata Plan VIS7096 (Sooke Business Park - Butler Road)**

Iain Lawrence spoke to the staff report and request to rezone six properties from General Industrial (M-2) to General Industrial Medical Marihuana (M-2MM) in order to permit licensed medical marihuana production facilities pursuant to Health Canada's *Marihuana for Medical Purposes Regulation (MMPR)*.

Iain Lawrence directed attention to the supplementary submission received from Heather Phillips, Otter Point, stating no objection to the application.

The Chair confirmed that the applicant was present. The applicant responded to questions from the LUC advising that:

- the application reflects a range of lots varying in size
- 4 – 10 jobs are anticipated per a facility
- lots are serviced by rain water capture with the understanding that trucked water would be required occasionally
- each lot is serviced by individual septic chambers feeding into one large septic field

- as West Coast Super Storage occupies more than one lot, more septic capacity is available than needed

Iain Lawrence responded to questions from the LUC stating that:

- should there be a change in regulations to permit licenses for marihuana production for recreational use, lots would need to be rezoned to permit such a facility
- the M2-MM zone allows the side yard to be zero when the lot abuts an Industrial zone
- fire separation would be required between a facility that abuts another facility
- marihuana production facilities are permitted on lands within the ALR
- rezonings to M2-MM to date have been limited to M-2 zoned lots
- rezonings are controlled through a public approval process

LUC comments included:

- should the six properties be rezoned to M2-MM, buyers of adjacent lots will be aware of the M2-MM zone in advance of purchasing
- rezoning to M2-MM does not limit other permitted uses outlined in the zone
- the six properties may not all end up being marihuana production facilities
- feedback will be received through the referral process
- M2-MM lots are taxed at the industrial rate

**MOVED** by Sandy Sinclair, **SECONDED** by Art Wynans that the Juan de Fuca Land Use support the staff recommendation as amended and that staff be directed to refer proposed Bylaw No. 4054, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 127, 2016", as included in Appendix C, to the Otter Point Advisory Planning Commission and the following agencies and departments for comment:

BC Hydro	District of Sooke	RCMP
CRD Building Inspection	Island Health	Sooke SD No. 62
CRD Protective Services	Ministry of Transportation & Infrastructure (MoTI)	T'Sou-ke First Nation

**CARRIED**

## 6. Proposed Bylaw

### a) Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016"

Iain Lawrence spoke to the staff report and proposed Bylaw No. 4000 East Sooke Official Community Plan (OCP), which would repeal and replace the existing East Sooke OCP, Bylaw No. 3718. It was advised that staff have been working with the East Sooke community since November 2013 to review the existing OCP. It was advised that proposed Bylaw No. 4000 reflects comments and concerns raised at thirteen Citizens' Committee meetings and three community events. It was reported that the OCP goals, objectives and policies directly correlate with the policies of the Regional Growth Strategy.

The LUC forwarded positive comment regarding the OCP update. Further comment was forwarded stating that:

- the bylaw does not appear to address the community's concern regarding light pollution and the desire for down lights
- the Table of Contents and Appendix B appear to need tidying

Iain Lawrence advised that nuisance lighting may be addressed by another bylaw, that Appendix B figures may include some rounding and that any tidying will be addressed prior to the bylaw returning to the LUC.

Zac Doeding, East Sooke, reported that there was unanimous support at Citizens' Committee meetings for down lighting. It was stated that improvements have been made to Land Use Designations and to the language for the Steep Slope Development Permit Area (DPA). It was suggested that language relating to the other DPAs require more review. Zac Doeding forwarded overall positive comment regarding community collaboration, the OCP review process and the proposed OCP bylaw.

**MOVED** by Stan Jensen, **SECONDED** by Roy McIntyre that the Juan de Fuca Land Use support the staff recommendation as amended and:

- a) That staff be directed to refer proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016", as included in Appendix B, to appropriate CRD departments and the following agencies for comment:

Agricultural Land Commission	Hul'qumi'num Treaty Group	MFLNRO – Crown Lands/Foreshore
BC Hydro	Island Health	MoTI
Cowichan Tribes	JdFEA Parks & Recreation	Pacheedaht First Nation
Cowichan Valley Regional District	JdF AAPC	Penelakut Tribe
District of Metchosin	Lake Cowichan First Nation	School District #62
District of Sooke	Lyackson First Nation	Scai'new First Nation
East Sooke APC	Ministry of Agriculture	Seagirt Waterworks Improvement District
East Sooke Fire Department	Ministry of Environment	Stz'uminus First Nation
Halalt First Nation	MFLNRO – Arch Branch	Te'Mexw Treaty Association
		T'Sou-ke First Nation

- b) That staff be directed to refer proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016", as included in Appendix B, to the full CRD Board for a determination of consistency with the Regional Growth Strategy.

## 7. Adjournment

**MOVED** by Art Wynans, **SECONDED** by Roy McIntyre that the meeting adjourn.

The meeting adjourned at 7:36 p.m.

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Chair