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**Minutes of a Meeting of the Otter Point Advisory Planning Commission
Held March 1, 2016 at Juan de Fuca Local Area Services Building, 3-7450 Butler Road,
Otter Point, BC**

PRESENT: Al Wickheim (Chair), Bud Gibbons, Anne Miller, Stephen Smith
Staff: Emma Taylor, Planner; Wendy Miller, Recorder
ABSENT: Sid Jorna
PUBLIC: 4

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

1. Elections

Emma Taylor advised that Sid Jorna has provided written confirmation that he will stand as Vice Chair should he be nominated.

Emma Taylor called for nominations for the position of Chair of the Otter Point Advisory Planning Commission for 2016 and Al Wickheim's name was put forward. Emma Taylor called two times for further nominations and, as there were none, Al Wickheim was declared Chair.

Emma Taylor called for nominations for the position of Vice Chair of the Otter Point Advisory Planning Commission for 2016 and Sid Jorna's name was put forward. Emma Taylor called two times for further nominations and, as there were none, Sid Jorna was declared Vice Chair.

2. Approval of the Agenda and Supplementary Agenda

MOVED by Bud Gibbons, **SECONDED** by Anne Miller that the agenda and supplementary agenda be approved. **CARRIED**

3. Adoption of the Minutes of October 20, 2014

MOVED by Bud Gibbons, **SECONDED** by Anne Miller that the minutes of the meeting of October 20, 2014 be adopted. **CARRIED**

4. Planner's Report

Emma Taylor provided an update on the items considered at the October 2014 meeting. It was advised that Bylaw No. 3954 (Z-02-14) was adopted April 8, 2015, rezoning 4039 Otter Point from Rural Residential 3 to Rural Residential 2 to permit a two lot subdivision which is now in progress. It was further advised that Bylaw No. 3973 was adopted on May 13, 2015, amending Bylaw No. 2040.

It was reported that the Land Use Committee referred Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" to agencies for comment at its February meeting. It is anticipated that referral of Bylaw No. 4001, "Shirley – Jordan River Official Community Plan Bylaw No. 1, 2016" will follow this spring.

MOVED by Anne Miller, **SECONDED** by Bud Gibbons that the Planner's report be accepted. **CARRIED**

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)

Emma Taylor 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)*. Emma Taylor directed attention to the map for proposed Bylaw No. 4054, identifying the lot currently zoned M-2MM and the six lots being considered for rezoning. It was confirmed that lots within the Sooke Business Park are designated as an Industrial Development Permit Area.

Emma Taylor responded to questions from the APC advising that:

- Bylaw No. 2040 was amended in 2014 (Bylaw No. 3922) to define and regulate medical marihuana production facilities as intensive agriculture on lands within the Agricultural Land Reserve (ALR)
- the lot presently zoned M-2MM was rezoned in 2014 (Z-02-13)
- Health Canada's regulation addresses production, product type, security and quality control measures
- proposed Bylaw No. 4053 reflects the current regulation
- further bylaw amendments may be required to adhere to future changes to the regulation

Emma Taylor introduced the applicant. The applicant stated that:

- Lot 15 is occupied while the remaining 5 lots selected for rezoning are vacant
- the building on Lot 15 is steel construction
- local land use must support medical marihuana production for a license to be issued
- the industrial market is down with the exception of interest expressed in medical marihuana production
- rezoning is being pursued to eliminate the rezoning process on behalf of potential buyers
- the lots selected were also chosen to provide potential buyers with a range of lots varying in size
- medical marihuana production facilities are permitted on lands within the ALR and on lands zoned to M-2MM
- medical marihuana production facilities are a good use of industrial land
- the current facility on the M-2MM zoned parcel employs five workers

Ray Desveaux, Otter Point, questioned if the rezoning proposal reflects the image the community of Otter Point wishes to portray and questioned if the proposal will increase security issues in the community.

The applicant responded by advising that there have been no incidents/reports of theft at the current facility.

Emma Taylor reported that Health Canada's security measures are strict and include structural requirements, visual monitoring and fencing and that, under the regulation, local governments, local fire departments and the RCMP will now be aware of approved production facilities.

The applicant added that licensed facilities will be inspected as part of the building permit process, eliminating structural and electrical concerns related to unlicensed facilities.

The applicant responded to questions forwarded by the APC advising that:

- 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, allowing for inspection
- as West Coast Super Storage and the CRD building occupy more than one lot, more septic capacity is available than needed

Emma Taylor reported that covenants were registered on title at the time of subdivision addressing potential contamination issues. It was clarified that rezoning to M2-MM does not limit other permitted uses outlined in the zone and that lot coverage is sixty percent. It was stated that the number of licensed facilities will be driven by market demand and by the number of licenses supported by Health Canada.

Larry Swaykoski, Otter Point, questioned if it is the applicant's intent to develop and lease the lots.

The applicant responded by advising that lots are being marketed for development by the new owner. A building can be constructed at the purchaser's request; however, production facilities will not be constructed for rent or lease as there is no financial value in developing for a tenant.

APC comments included:

- the speaker for the rezoning in 2014 outlined the extensive requirements for security and waste
- precedent has been established as a facility is in operation
- licensed facilities appear to be the direction in which the federal government wishes to move
- concerns raised by residents appear to be addressed by Health Canada's regulations
- support for the lots being purchased as opposed to leased/rented
- adding Intensive Agriculture – Medical Marihuana Production as a permitted use is a sales incentive

MOVED by Bud Gibbons, **SECONDED** by Anne Miller that the Otter Point APC supports the application to rezone six properties from General Industrial (M-2) to General Industrial Medical Marihuana (M-2MM). **CARRIED**

Emma Taylor confirmed the supplementary submission supporting the application is from Sid Jorna, APC member. It was reported that no further submissions have been received from the public regarding the proposal.

6. Adjournment

MOVED by Anne Miller, **SECONDED** by Bud Gibbons that the meeting adjourn.

CARRIED

The meeting adjourned at 7:52 p.m.

Chair