

**OTTER POINT ADVISORY PLANNING COMMISSION**

Notice of Meeting on Tuesday, **March 5, 2019 at 7 p.m.**

Juan de Fuca Local Area Services Building, #3 – 7450 Butler Road, Otter Point, BC

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**AGENDA**

1. Approval of Agenda
2. Approval of the Supplementary Agenda
3. Adoption of Minutes of January 22, 2019
4. Planner's Report
5. Temporary Use Permit Application
  - a) TP000010 - Lot 4, Section 47, Otter District, Plan 23769 (7822 Tugwell Road)
6. Adjournment



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**Minutes of a Meeting of the Otter Point Advisory Planning Commission  
Held January 22, 2019 at Juan de Fuca Local Area Services Building, 3-7450 Butler Road,  
Otter Point, BC**

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**PRESENT:** Al Wickheim (Chair), Bud Gibbons, Sid Jorna, Anne Miller, Stephen Smith  
**Staff:** Emma Taylor, Planner; Wendy Miller, Recorder  
**PUBLIC:** 5

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

**1. Elections**

Emma Taylor called for nominations for the position of Chair of the Otter Point Advisory Planning Commission (APC) for 2019 and Al Wickheim's name was put forward. Emma Taylor called two times for further nominations and, as there were none, Al Wickheim was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the Otter Point APC for 2019 and Anne Miller's name was put forward. The Chair called two times for further nominations and, as there were none, Anne Miller was acclaimed Vice Chair.

**2. Approval of the Agenda**

**MOVED** by Bud Gibbons, **SECONDED** by Sid Jorna that the agenda be approved.

**CARRIED**

**3. Approval of the Supplementary Agenda**

**MOVED** by Sid Jorna, **SECONDED** by Anne Miller that the supplementary agenda be approved.

**CARRIED**

**4. Adoption of the Minutes of June 5, 2018**

**MOVED** by Anne Miller, **SECONDED** by Stephen Smith that the minutes of the meeting of June 5, 2018, be adopted.

**CARRIED**

**5. Planner's Report**

a) It was reported that 2019 marks the beginning of the next four year term for the APC membership.

b) A brief overview of the role of the APC was provided. It was noted that the APCs were established to make recommendations to the Land Use Committee (LUC) on land use planning matters referred to them relating to Part 14 of the *Local Government Act (LGA)*. The APC's recommendations are to reflect the input received from the community.

c) CRD Legislative Services will be scheduling an orientation to review Committee/Commission roles and conduct relative to CRD procedures/bylaws and the provincial *Freedom of Information and Protection of Privacy Act (FIPPA)*.

d) CRD website resources available to the APC and the public were reviewed.

- e) The APC will be asked to meet next on February 12 to consider an application for a temporary use permit to allow a federally licensed micro-cannabis cultivation facility on the subject property zoned Rural Residential 2 (RR-2).

**6. Temporary Use Permit Application**

**a) TP000009 - Lot 4, Section 47, Otter District, Plan VIP52344 (7861 Tugwell Road)**

Emma Taylor spoke to the staff report and the request for a temporary use permit to allow the expansion of a home based microbrewery on the subject property zoned Rural Residential 2 (RR-2).

Emma Taylor confirmed that the applicants propose to increase the indoor floor area to 96.7 m<sup>2</sup> (1,040 sq. ft.), and create 82 m<sup>2</sup> (884 sq. ft.) of covered, outdoor storage and that temporary use permits are supported by the Otter Point Official Community Plan, Bylaw No. 3819. Attention was directed to the draft permit, proposed permit conditions and building plans as included in the staff report and to the supplementary submission received from Lynda and Dr. Neil McKinney, Otter Point, supporting expansion of the local business. It was confirmed that no complaints have been received to date regarding noise, odour or traffic related to the existing use.

Emma Taylor responded to a question from the APC confirming that De Mamiel Creek does not run through the subject property.

Emma Taylor confirmed that the applicants were present.

The applicants advised that:

- expansion is intended to cover outdoor equipment and supplies including a forklift, pallet and kegs and to provide greater separation between the brewery and retail area
- it is anticipated the brewery operation will be running at full capacity this summer
- the brewery operation is roadside
- homes on adjacent properties are located behind the brewery and behind their house
- the brewery operates from 11:00 a.m. to 7:00 p.m. in the summer and from 12:00 p.m. to 6:00 p.m. in the winter
- grain waste is consumed by their neighbour's cows
- the sediment from the brewing process known as trub is composted on site
- waste water is treated prior to entering the septic field

The applicants responded to questions from the APC confirming that:

- the brewery is regulated by the provincial Liquor & Cannabis Regulation Branch and by Island Health
- Island Health requires water samples once a week
- water for the brewery comes from the property's well
- trucked water is used during the summer months up until mid-October
- the majority of clients are local
- during the summer approximately 50% of clients are tourists

Arnie Campbell, Otter Point, stated:

- no objection to the application
- the brewery, at its home based business scale, is an asset
- the applicants are respectful of water resources

**MOVED** by Bud Gibbons, **SECONDED** by Anne Miller that the Otter Point APC supports Temporary Use Permit TP000009.

**CARRIED**

## 7. Proposed Bylaw

### a) Cannabis Bylaw, Bylaw No. 4278, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 141, 2018”

Emma Taylor spoke to the staff report and the proposed amendment to Bylaw No. 2040 to reflect the current legislative framework for cannabis. Emma Taylor outlined the federal licence categories for cannabis growing, production, testing, research and sales.

Emma Taylor directed attention to the supplementary agenda which included Bylaw No. 4278, as revised, to eliminate the distinction between medical cannabis production and recreational cannabis production as supported by the LUC at its December 17, 2018 meeting. The revised bylaw supports this directive by amending the Sooke Business Park Industrial (M-SBP) zone to replace “Intensive Agriculture – Medical Marihuana Production” with “Cannabis Production – Commercial” as a permitted use.

Emma Taylor responded to a question from the APC confirming that the Juan de Fuca Electoral Area has no business license requirement.

The APC stated:

- support for the LUC considering applying the M-SBP zone to the entire Sooke Business Park
- support for Bylaw No. 4278 defining what type of processing is supported by the definition of “Cannabis Production”
- concern regarding reports of odour related to cannabis production in the Sooke Business Park
- concern for water pollution

Ian Laing, Sooke Business Park property owner, stated that processing is defined by Federal licence categories. Ian Laing outlined the differences between cannabis cultivation and cannabis processing and stated that:

- all properties in the Sooke Business Park are privately owned
- the *Cannabis Act and Regulations* include strict regulations for air intake/outtake
- reports of cannabis odour are not coming from licensed facilities
- he is pursuing rezoning of two properties to the M-SBP zone to support commercial cannabis production
- no cultivation or processing are taking place on his properties at this time as both of his properties are awaiting licence approval
- commercial cannabis production facilities are similar to food production facilities
- no herbicides or pesticides will be used

**MOVED** by Sid Jorna, **SECONDED** by Bud Gibbons that the Otter Point APC supports proposed Bylaw No. 4278, as revised.

**CARRIED**

**8. Rezoning Applications**

**a) RZ000255 - Strata Lots 13, 26 and 27, Section 16, Otter District, Plan VIS7096 (7450 Butler Road)**

Emma Taylor spoke to the staff report and proposed Bylaw No. 4234. It was advised that the APC first considered Bylaw No. 4234 at its meeting of June 5, 2018. At that time, Bylaw No. 4234 proposed rezoning three properties in the Sooke Business Park from the General Industrial (M-2) zone to the Sooke Business Park Industrial (M-SBP) zone. Bylaw No. 4234 was subsequently amended to reflect the federal legalization of cannabis and comments raised by the APC at its June 5, 2018 meeting. The revised bylaw was considered by the LUC at its meeting of December 17, 2018. At that time, the bylaw clarified that licensed cannabis processing is a general industrial use on properties that are not adjacent to institutional, rural or rural residential zoned land.

Emma Taylor directed attention to the supplementary agenda which included Bylaw No. 4234, as revised, to support the LUC's directive to eliminate the distinction between medical cannabis production and recreational cannabis production.

Further to the concerns raised by the APC at its June 5, 2018 meeting regarding water usage, site contamination, drainage and waste disposal as well as interference with radio-communication systems, Emma Taylor advised that there are regulatory bodies in place to monitor these concerns including CRD Building Inspection, CRD Bylaw Enforcement, Island Health, Technical Safety BC (electrical permits) and Industry Canada (radio communications). It was further advised that a Prohibited Uses covenant is registered on the title of all lots within the Sooke Business Park and that all lots in the Sooke Business Park are also designated an Industrial Development Permit Area which guides the form and character of industrial development including outdoor lighting.

The APC stated support for examining the caretaker dwelling unit permitted by the M-SBP zone. The APC noted that, at present, there is no size limit to the caretaker unit.

**MOVED** by Sid Jorna, **SECONDED** by Al Wickheim that the Otter Point APC supports rezoning application RZ0000255 and proposed Bylaw No. 4234, as revised.

**CARRIED**

**b) RZ000257 - Strata Lot 10, Section 16, Otter District, Plan VIS7096 (7450 Butler Road)**

Emma Taylor spoke to the staff report and proposed Bylaw No. 4276. It was advised that when the LUC considered the rezoning request at its December 17, 2018 meeting, the applicant was requesting to rezone from the General Industrial (M-2) zone to the General Industrial – Medical Marijuana (M-2MM) zone in order to permit a licensed medical cannabis cultivation facility. At that meeting, staff requested that the bylaw be revised prior to First Reading to apply Sooke Business Park Industrial (M-SBP) zone.

Emma Taylor directed attention to the supplementary agenda which included Bylaw No. 4276, as revised, to support staff's request and the LUC's directive to eliminate the distinction between medical cannabis production and recreational cannabis production.

**MOVED** by Bud Gibbons, **SECONDED** by Al Wickheim that the Otter Point APC supports rezoning application RZ000257 and proposed Bylaw No. 4276, as revised.

**CARRIED**

**9. Adjournment**

**MOVED** by Anne Miller, **SECONDED** by Sid Jorna that the meeting adjourn.

**CARRIED**

The meeting adjourned at 8:56 p.m.

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Chair



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE  
MEETING OF TUESDAY, JANUARY 15, 2019**

**SUBJECT**      **Temporary Use Permit for Lot 4, Section 47, Otter District, Plan 23769 –  
7822 Tugwell Road**

**ISSUE**

A request has been made for a temporary use permit to allow a federally licensed micro-cannabis cultivation facility in the Rural Residential 2 (RR-2) zone.

**BACKGROUND**

The subject property is currently zoned Rural Residential 2 (RR-2) in the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, and is adjacent to other RR-2 zoned properties to the east and west, Tugwell Road to the south, a Rural A property and DeMamiel Creek to the north (Appendix 1). The parcel is designated as Settlement Area One (SA1) and is partly within the Steep Slopes and Riparian Development Permit Areas (DPA) in the Official Community Plan (OCP) for Otter Point, Bylaw No. 3819.

There is an existing single-family dwelling on the property that was constructed in 1978, and Board of Variance approval (BV000348) was granted for the siting of farm building in 2002. The property is serviced by on-site septic and a groundwater well. There are no encumbrances on title.

The legalization of cannabis came into effect in October 2018. The *Cannabis Act and Regulation* establish multiple licence categories for cannabis cultivation, nursery, processing, analytical testing and sale for medical purposes. In response to an industry demand for smaller-scale, ‘craft’ cannabis products, federal licence categories for micro-cultivation and micro-processing have been established. All federal license holders are required to obtain local government land use approval.

The applicant has provided information about the proposal to establish a licenced micro-cultivation operation on the property (Appendix 2). The property would either need to be rezoned or the owner issued a temporary use permit to allow the proposed use. The owner has applied for a temporary use permit to authorize the facility on a trial basis. If successful, the applicant could apply to rezone to allow the use on a long-term basis.

**ALTERNATIVES**

*Alternative 1:*

That staff be directed to refer proposed Temporary Use Permit TP000010 to the Otter Point Advisory Planning Commission, to appropriate CRD departments and the following external agencies for comment:

BC Hydro	MFLNRORD – Archaeology Branch	RCMP
District of Sooke	MFLNRORD – Groundwater Protection Branch	T’Sou-ke First Nation
Island Health	Ministry of Transportation and Infrastructure (MoTI)	

*Alternative 2:*

That proposed Temporary Use Permit TP000010 not be referred.

*Alternative 3:*

That more information be provided by staff.

## **LEGISLATIVE IMPLICATIONS**

Section 492 of the *Local Government Act (LGA)* enables a local government to designate areas where temporary uses may be allowed and to specify general conditions regarding the issuance of temporary use permits in those areas. Temporary use permits may be issued throughout the Otter Point Official Community Plan (OCP) area as outlined in Bylaw No. 3819, and in accordance with Section 493 of the *LGA*.

If a local government proposes to pass a resolution to issue a temporary use permit, it must give notice in accordance with Section 494 of the *LGA*. Sections 494(3) and 494(4) require notice to be published in a newspaper at least 3 days and not more than 14 days before the adoption of the resolution to issue the permit, and to be given to each resident/tenant within a given distance as specified by bylaw. CRD Bylaw No. 3110, Development Procedures Bylaw, states that a notice of intent must be mailed to the owners and occupants of land adjacent to the site under consideration within a distance of not more than 500 m.

CRD Bylaw No. 3110, also provides for the Board to refer an application to an agency or organization for their comment. The CRD Board determines which bodies are consulted in accordance with the *LGA*.

Capital Regional District Ticket Information Authorization Bylaw, 1990, Bylaw No. 1857, should be amended to authorize the use of the municipal ticket information for the enforcement of the regulations established by Bylaw No. 4277, and to set certain fine amounts where the use is found to be in contravention of those regulations.

## **PUBLIC CONSULTATION IMPLICATIONS**

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them relating to Part 14 of the *LGA*; therefore, staff recommend referring the proposed amendment to the Otter Point APC.

## **PLANNING ANALYSIS**

The subject property is designated Settlement Area One (SA1), which indicates that the predominant land use should be rural residential; however, agriculture, resource extraction, commercial, industrial, tourism and park uses are also permitted. Additional uses that are ancillary to the primary residential use and are compatible with the community's character, such as home based businesses and home based industry, are supported and considered opportunities for additional economic activity for residents.

The Otter Point OCP directs that the following should be considered during the evaluation of a temporary use permit application:

- The use must be clearly temporary or seasonal in nature.
- The use should be compatible with adjacent uses.
- The potential impact of the proposed use on the natural environment.
- The intensity of the proposed use.
- The opportunity to conduct the proposed use on other land in the Plan area.
- Remedial measures to mitigate any impact to the natural environment.

The applicant is requesting a temporary use permit for a licenced cannabis micro-cultivation operation on the subject property. A micro-cultivation licence, issued by Health Canada, permits a maximum cultivation area of 200 m<sup>2</sup>, in which all cannabis plants must be contained. Such licences allow for cannabis possession, cultivation, propagation, harvesting, testing and authorized sales via shipping. The applicant is proposing the facility on a trial basis to determine feasibility and market demand for the product. A temporary use permit can be renewed once and rezoning would be required to permit the use long-term.



The adjacent uses are rural, rural residential and vacant agricultural. The proposed micro-cultivation facility is not anticipated to alter the residential character of the area as the subject property is fenced and private. Conditions of the permit have been included that require vegetative buffers and screening of the property. The proposed setbacks from the property lines for the facility are similar to what is required for agricultural buildings. Nuisance odour, light and noise will be restricted in a similar fashion to home based business regulations. Traffic and visitation to the property is also to be kept to a minimum and no retail sales are permitted from the facility.

The applicant proposes to construct a building for micro-cultivation outside of the DP areas. There is an existing groundwater well on the property that may require a provincial licence under the *Water Sustainability Act* if it is used for the proposed business. Alternatively, the applicant has proposed purchasing trucked water to supply the operation. The capacity of the septic system and electrical power will be evaluated as part of the building permit process, with upgrades conducted as required. Therefore, staff do not anticipate any negative impact to the environment as a result of this use.

In comparison with the federally licensed industrial-scale standard cultivation facilities, the intensity of the micro-cultivation facility is more in keeping with a rural residential home based business or small-scale agricultural use. However, there are still strict federal requirements for professional production practices including pest control, air filtration, sanitation, quality assurance, product disposal, packaging and labelling. Licence holders undergo security clearance reviews and are required to maintain records of individuals on site. Physical security measures are also required for micro-cultivation facilities that prevent unauthorized access and create a physical barrier around the site. The applicant proposes that these measures can be implemented while maintaining the rural residential character of the property.

No other land in the Juan de Fuca has been zoned to permit micro-cultivation of cannabis. Within the Sooke Business Park in Otter Point, there are 18 properties zoned to permit industrial-scale medical marijuana production facilities. However, the proposed facility is intended to be smaller in size and may not warrant occupying industrial zoned land. Since this is the first micro-cultivation operation to be proposed in the Juan de Fuca and the full range of impacts are not yet understood, staff recommend that the use be authorized through a temporary use permit, which can be revoked upon contravention of the conditions of the permit.

Staff have prepared proposed Temporary Use Permit TP000010 to permit cannabis micro-cultivation, in accordance with the *Cannabis Act*, on the subject property ancillary to the primary residential use. The permit stipulates conditions to require that the micro-cultivation use to be screened from the road and adjacent properties, to limit traffic flow, to establish 15 m setbacks, restrict nuisances and maintain the residential character. Staff recommend proceeding with referrals and public notification of the temporary use permit application.

## **CONCLUSION**

The application for a temporary use permit to authorize a licenced cannabis micro-cultivation facility is in keeping with the Otter Point OCP policies. Staff recommend proceeding with referrals and public notification of the application.

**RECOMMENDATION**

That staff be directed to refer proposed Temporary Use Permit TP000010 to the Otter Point Advisory Planning Commission, to appropriate CRD departments and to the following external agencies for comment:

BC Hydro	MFLNRORD – Archaeology Branch	RCMP
District of Sooke	MFLNRORD – Groundwater Protection Branch	T’Sou-ke First Nation
Island Health	Ministry of Transportation and Infrastructure (MoTI)	

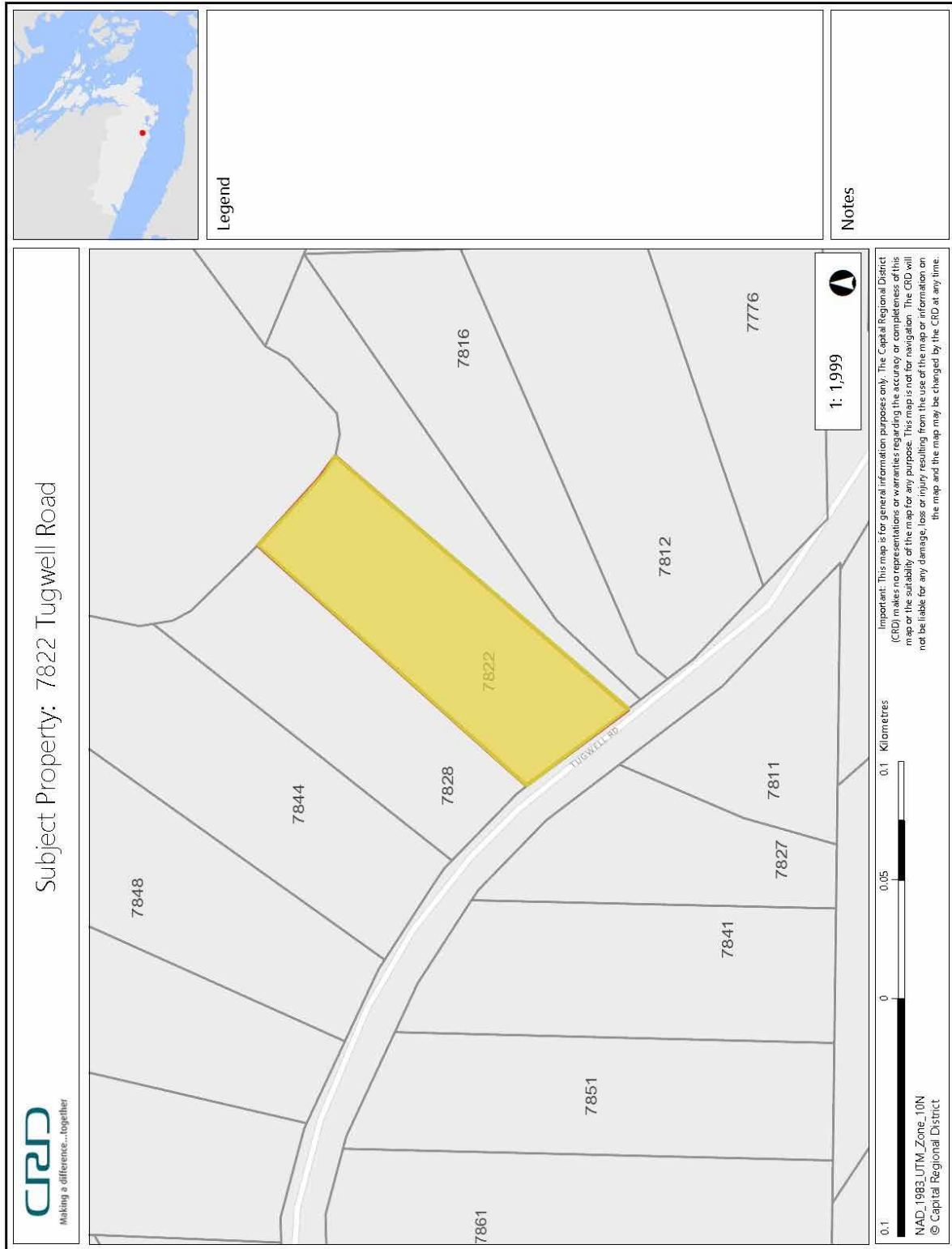
Submitted by:	Emma Taylor, MA, MCIP, RPP, Planner
Concurrence:	Iain Lawrence, MCIP, RPP, Manager, Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services

ET:wm

Attachments:

- Appendix 1. Subject Property Map
- Appendix 2. Applicant’s Proposal
- Appendix 3. Proposed Temporary Use Permit TP000010

Appendix 1: Subject Property Map



Appendix 2: Applicant's Proposal

**1) How the facility operates.**

Cannabis flowers are the primary product.

Cannabis is a dioecious plant, meaning that there are male and female plants. The pollen from males is used to produce seeds, but generally for medicinal or recreational purposes.

Most people focus on the female plant. The female flower tops in particular are the production item in question.

For a female plant to produce flowers the plant is grown vegetatively for a period of time, generally 10 days to several months. Once the females are the desired size as determined by the grower they are induced into a flowering light cycle.

This requires a change in the number of hours of light the plant receives. When the light cycle is "turned down" to 12 hours of light and 12 hours of darkness then the flowering stage of the plants life begins. For the female plants to become mature enough to be harvested requires generally 6-10 weeks of the flowering light cycle. Typically indoor growers will have 3-5 harvests in a calendar year.

The female plants are either started from seed or small plants, generally referred to as clones. Clones and seeds are available from existing health Canada approved producers or via online.

Once you have your female plant stock then generally a "Mothers room" is built to provide a growing area for the mothers. The mother plants require a different light cycle than the flowering plants. Typically this vegetative light cycle is between 18-24 hours of light per day. This light cycle will keep the females growing vegetatively indefinitely. These mother plants then are grown until they are big enough that smaller plants referred to as clones can be cut from them. As an example a female that is allowed to grow for a month or two will become big enough that dozens of small cutting/clones can be cut off the mother. Those cuttings are then placed in a propagation tray and after approximately 14 days they will have grown roots and will be able to become new plants.

Typically the complete cycle of how the grow room operates.

Then as mother plants are grown, clones are cut from the mother/s and then the clones are placed into the flowering room to complete the lifecycle and render the flower product.

The mothers always stay in their designated area under the 18-24 hours of light and continuously provide the clones that get rotated into the flowering room.

**2) Water consumption**

At full capacity the proposed micro cultivation license would use approximately 130 - 150 gallons per day. To put it into relevant terms this level of water consumption is less than what two typical North American adults use per day.

I have a well on my property that has been tested and approved as having clean potable water.

I also have a 3000 gallon cistern that I can have water delivered by South Island water.

**3) Disposal of waste water**

Typically in the "mothers" room or the area where Vegetative growth happens there is very little waste water. The plants receive some fertilizer inputs but there is little waste or run off water/fertilizer in this stage. Typically less than 5/gal per day.

In the flowering room there can be more waste fertilizer. The amount of waste water is largely dependent on the style of growing. In some cases there are techniques and practices where there is little to no waste water/fertilizer. Some organic cultivation techniques achieve this low/no waste water. In the case of my own personal cultivation practice there is typically 5-15 gallons of waste water every time there is a fertilization in the flowering room. Typically fertilization happens every second to third day. I use a mixture of peat moss and perlite as my growing medium. This is what is known as an inert media as it has almost no means of supporting plant life on its own without some kind of amendments to it. I use a combination of organic and salt based fertilizers as my inputs into my growing media. Typically the amount of fertilizers per fertilization is only enough to sustain the plants for a few

days then more inputs are required. This makes fertilizer efficiency fairly high. Waste water can be stored for reuse or disposed of to ground.

#### 4) Chemical products used.

Some of the fertilizers I use are salt based water soluble. Historically I have been producing medical marijuana and have been selective about using only inputs that are high quality, and contain minimal or no trace heavy metals.

Health Canada allows for some fungicides and pesticides.

I may be required to take the BC pesticide certification course as part of the Health Canada requirements. My practice uses good preventative measures in the vegetative stage so that no pesticides or fungicides are used in the flowering cycle. In the vegetative cycle a weekly regiment of vegetable based oil is used as a pest preventative foliar spray. No commercial fungicides or pesticides are used.

The air in the grow spaces is filtered with carbon filters that are set up as “scrubbers”.

The air in the room is filtered thru the scrubbers on a continuous basis to remove any smells, dust, pollen etc.

Similarly the air being vented out of the grow rooms is also filtered thru a carbon filter as it exists.

This practice eliminates any odors from being detectable outside or to neighbours.

#### 5) Waste disposal

There isn't very much waste disposal.

Used soil (the peat moss and perlite mix, also known as soilless mix) could be recycled and used again, composted or sent to landfill.

The parts of the plant that don't get used could be sent to landfill, composted or burned. This includes green compost as plants are pruned back during their growing cycle and the dried stalks after harvest.

#### 6) Workers/staff

You outlined that the premise of the home based business is that the residents and 2-3 workers are what make up the work force. This would be in keeping with how I foresee the micro cultivation operation working. Myself and 1-2 part time employees on a day to day basis.

At harvest time more help is required to cut and manicure all the plants into the finished product.

Hand trimming is performed at this stage and this is one of the distinctions between a micro or craft product and a product produced by the larger licensed producers. Hand trimming is required to maintain the highest level of product.

During harvest time typically an addition 5-6 people are employed to assist with the trimming and harvest. This would also include the transplanting that takes place to start another cycle of flowering plants. The addition 5-6 people are required for 5-8 days approximately every 10 weeks.

Health Canada's micro cultivation license requires that all employees and myself undergo a security clearance check.

#### 7) Security measures

As specified by Health Canada there needs to be a physical barrier (fence) around the property or production site. As my property is already fenced and gated I should meet this criteria.

The production facility and the surrounding property will all be under video surveillance as well.

This isn't innately required by Health Canada but it's important to me and fosters a greater security.

I am currently using Nest Cams and Canary cameras. Both of these security camera manufacturers provide cameras that will send push notifications to my phone if there is detected motion within the camera frame. I have a nest camera subscription that stores all motion video clips

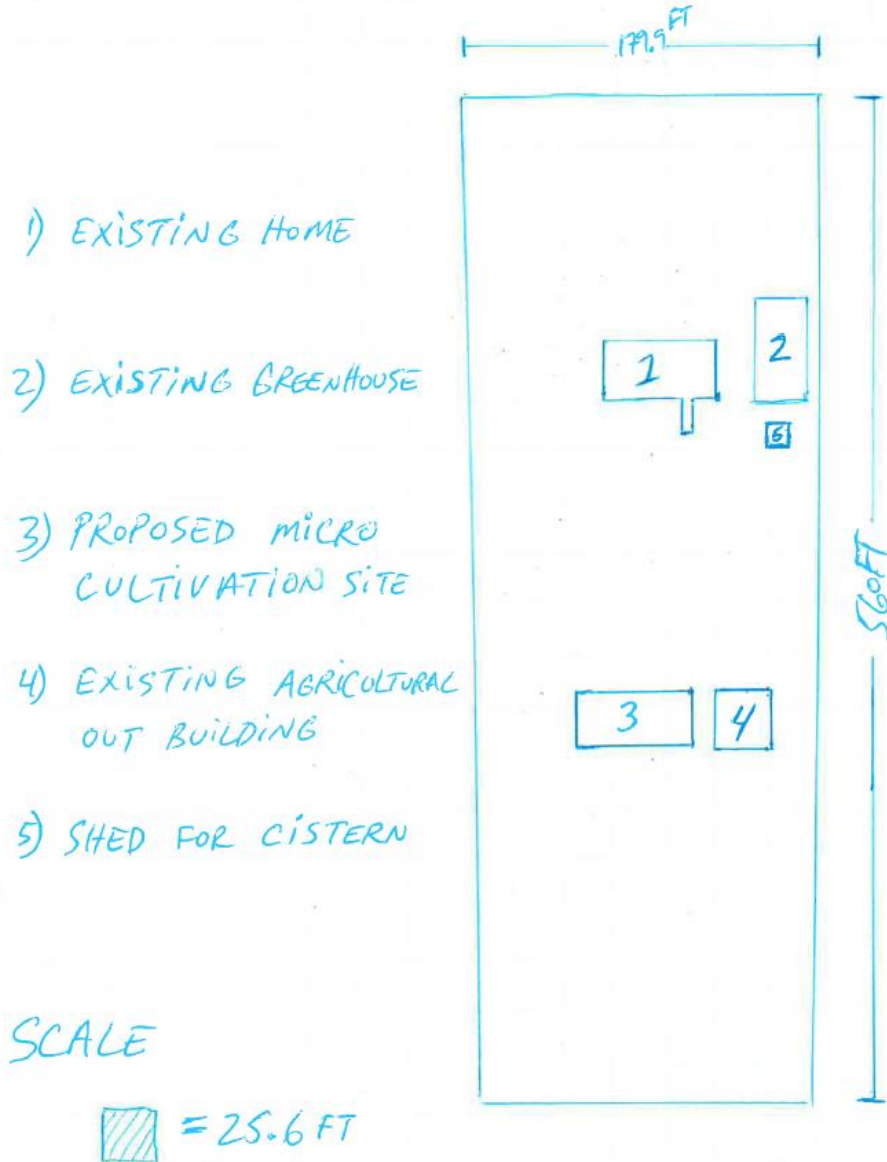
in the cloud for a 10 day period. Both camera types can provide real time video and audio feed to my phone at any time. The Canary cams also have a built in siren that can be activated remotely from my phone.

I currently have 10 nest cams that provide surveillance on all sides of the property. I have an additional 3 Canary cams in various locations too. I also have an additional 4 motion sensors that will provide push notifications to my phone if motion is detected.

There will be at least two highly secure doors to get into the production area and these will both be monitored by cameras.

7022 TUGWELL RD

Nov 20/2018



Appendix 3: Proposed Temporary Use Permit TP000010



**CAPITAL REGIONAL DISTRICT**

**TEMPORARY USE PERMIT NO. TP000010**

1. This Permit is issued under the authority of Section 493 of the *Local Government Act* and subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically authorized by this Permit.
2. This Permit applies to and only to those lands within the Regional District described below (legal description), and to any and all buildings, structures, and other development thereon:  
**PID: 001-679-503;**  
**Legal Description: Lot 4, Section 47, Otter District, Plan VIP23769 (the "Land")**
3. This Permit authorizes the operation of a cannabis micro-cannabis cultivation facility, including propagation, harvesting, testing and authorized sales via shipping (the "temporary use"), on the Land, in accordance with the plans submitted to the CRD and subject to the conditions set out in this Permit.
4. The conditions under which the temporary use referred to in section 3 may be carried out are as follows:
  - a) The temporary use shall occur at least 15 metres from the property boundaries;
  - b) The temporary use shall be screened from view the public road and adjacent properties through installation of a fence or natural coniferous landscaping;
  - c) The temporary use shall be conducted fully within an accessory building and occupy a floor area no greater than 200 m<sup>2</sup>;
  - d) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical or navigation interference;
  - e) Persons employed on the premises are limited to owners and residents of the property plus up to two non-resident employees;
  - f) Up to five additional temporary workers may be employed for a period of up to 7 days during a 60 day period;
  - g) There shall be no increase in vehicular traffic flow and parking by more than two additional vehicles at a time;
  - h) The use of commercial vehicles for the delivery of materials to and from the premises shall be limited to a maximum of two vehicles per day.
5. Notice of this Permit shall be filed in the Land Title Office at Victoria as required by Section 503 of the *Local Government Act*, and the terms of this Permit (TP000010) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit which shall form a part hereof.
7. The following plans and specifications are attached:  
Appendix 1: Site and Building Plans
8. In default of compliance with any of the provisions of this Permit, the Permit shall lapse.
9. The owner agrees to indemnify and save harmless the CRD against all costs and expenses incurred by the CRD, in default by the owner, in the conversion, demolition or removal of the temporary use, and/or legal costs incurred in pursuing such legal remedies as the CRD sees fit.



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TP000010

10. This Permit is NOT a Building Permit.

11. This Permit shall expire 3 years after the date of issuance of the permit.

**RESOLUTION PASSED BY THE BOARD, THE \_\_\_\_ day of \_\_\_\_\_, 2019.**

**ISSUED** this \_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Corporate Officer





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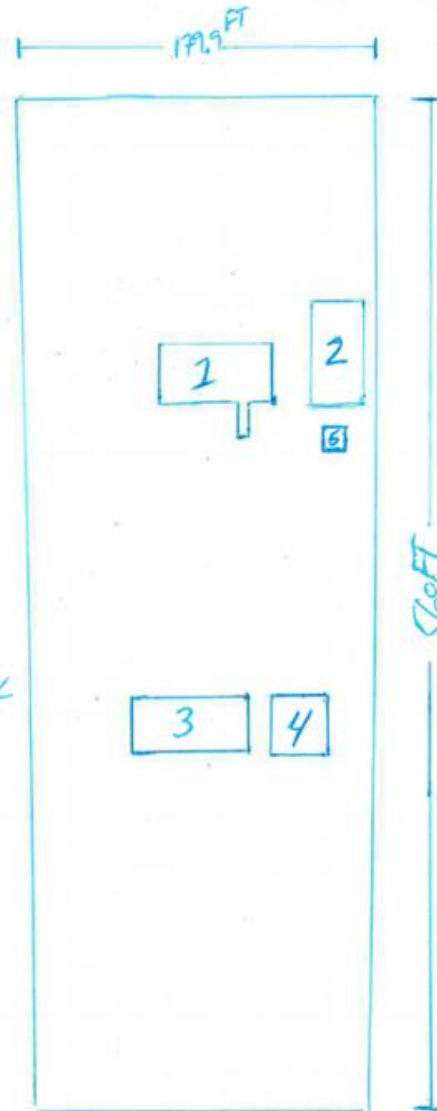
TP000010

Appendix 1: Site and Building Plans

7822 TUGWELL RD

Nov 20/2018

- 1) EXISTING HOME
- 2) EXISTING GREENHOUSE
- 3) PROPOSED MICRO CULTIVATION SITE
- 4) EXISTING AGRICULTURAL OUT BUILDING
- 5) SHED FOR CISTERN



SCALE

 = 25.6 FT