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**Minutes of a Meeting of the Otter Point Advisory Planning Commission
Held March 5, 2019 at Juan de Fuca Local Area Services Building, 3-7450 Butler Road,
Otter Point, BC**

PRESENT: Al Wickheim (Chair), Bud Gibbons, Sid Jorna, Anne Miller, Stephen Smith
Staff: Emma Taylor, Planner; Wendy Miller, Recorder
PUBLIC: 2

The meeting was called to order at 7:01 p.m.

1. Approval of the Agenda

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

CARRIED

2. Approval of the Supplementary Agenda

No supplementary items.

3. Adoption of the Minutes of January 22, 2019

MOVED by Anne Miller, **SECONDED** by Sid Jorna that the minutes of the meeting of January 22, 2019, be adopted.

CARRIED

4. Planner's Report

- a) It is anticipated that the Land Use Committee (LUC) will direct staff at its March 19, 2019 meeting to refer a proposed bylaw to the Advisory Planning Commission (APC) for consideration. At this time, staff is looking ahead to April 9, 2019 to schedule a meeting of the APC.
- b) It was advised that there is opportunity to subscribe on the CRD website to receive notice of when LUC agendas and minutes are added or updated.

5. Temporary Use Permit Application

a) TP000010 - Lot 4, Section 47, Otter District, Plan 23769 – 7822 Tugwell Road

Emma Taylor spoke to the staff report and the request for a temporary use permit to allow a federally licensed micro-cannabis cultivation facility on the subject property zoned Rural Residential 2 (RR-2).

Emma Taylor confirmed that a temporary use permit can be issued for up to three years and that the holder of the permit can apply to have a permit renewed once and that rezoning would be required to permit the use long-term. It was confirmed that no submissions have been received in response to the 500m notice mailed to adjacent property owners advising of the application.

Emma Taylor reported that the Otter Point Official Community Plan (OCP), Bylaw No. 3819, permits temporary use permits to be issued throughout the Plan area. Emma Taylor outlined the OCP's considerations for evaluating requests for temporary use permits and directed attention to the draft permit and permit conditions as included in the staff report.

Emma Taylor responded to questions from the APC confirming that:

- there is opportunity for the CRD to regulate odour nuisances and amend the Capital Regional District Ticket Information Authorization Bylaw, 1990, Bylaw No. 1857, to enforce the regulations and to set certain fine amounts where there are bylaw contraventions
- Health Canada requires applicants to notify local government, the RCMP and local fire departments of proposed cannabis licences
- the staff report with the proposed temporary use permit was referred to the Manager, CRD Electoral Area Fire and Emergency Programs for comment

Emma Taylor confirmed that the applicant was present.

The applicant stated that:

- he has spoken with neighbours and has the support of neighbours
- the property is well lit, day and night and he has not received complaints from neighbours
- there is no lighting along the fence line
- there is perimeter lighting along buildings
- additional lighting will be limited to servicing the proposed building (internal/security)
- the property is private and fully fenced
- the fence line is treed
- carbon filters will eliminate all odours
- all plants will be grown indoors
- waste water equates to approximately 1-5 gallons a day

Emma Taylor confirmed that the permit stipulates that the micro-cultivation use be screened from the road and adjacent properties and restricts nuisances including odour.

The APC stated:

- that policy statements in the OCP support the use of the best “green” techniques and materials when constructing/developing
- support for downward facing lighting
- support for waste water and growing medium recycling/reuse
- support for treatment of the waste water as to not impact De Mamiel Creek
- that the applicant has proposed purchasing trucked water to supply the operation
- trucking of water is not considered “green”

Emma Taylor confirmed that the capacity of the septic system will be evaluated as part of the building permit process.

The APC questioned if the applicant considered other locations for the operation including the Sooke Business Park.

The applicant responded to the APC stating that:

- he investigated options at the Sooke Business Park but the options were too cost prohibited for the proposed operation
- there is a 3000 gallon cistern on site
- he does not object to rain water collection

The APC stated that it would have liked to have been provided with letters of support from neighbours.

A Robinson Road resident stated that:

- she has concern regarding waste water runoff as her property is serviced by a surface well
- she supports the applicant adhering to the federal requirements for air filtration, although the operation considered temporary
- she has lost the enjoyment of her property due to cannabis odour in her neighbourhood

The resident responded to a question from the APC confirming that she does not know where the odour is originating from.

The APC noted that a condition of the permit addresses nuisance related to the emission of odours.

Emma Taylor advised that staff are exploring bylaw options to address obnoxious odours.

The applicant responded to questions from the APC confirming that:

- different cannabis cultivators have different odours
- he is already an authorized Health Canada licence holder
- no odours are coming from his operation
- growing medium is separated from vegetation
- stalks and roots are composted

MOVED by Bud Gibbons, **SECONDED** by Sid Jorna that the Otter Point APC supports Temporary Use Permit TP0000010 with additional permit conditions supporting protecting De Mamiel Creek from runoff related to the proposed operation and supporting the use of ground oriented lighting.

The APC stated support for the growth medium and vegetation being composted/reused on site as opposed to be trucked off site. The APC raised concern related to security issues relative to the value of the product on site.

The Chair called the question.

CARRIED

6. Adjournment

The meeting adjourned at 8:57 p.m.

Chair