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**Minutes of a Meeting of the Otter Point Advisory Planning Commission
Held April 9, 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: 3

The meeting was called to order at 7:00 pm

1. Approval of the Agenda

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

CARRIED

2. Approval of the Supplementary Agenda

No supplementary items.

3. Adoption of the Minutes of March 5, 2019

MOVED by Sid Jorna, **SECONDED** by Anne Miller that the minutes of the meeting of March 5, 2019, be adopted.

CARRIED

4. Planner's Report

The Advisory Planning Commission (APC) considered Bylaw No. 4278 (Cannabis Bylaw) and rezoning applications RZ000255 (Strata Lots 13, 26 and 27 – Sooke Business Park) and RZ000257 (Strata Lot 10 – Sooke Business Park) at its January 22, 2019 meeting. The CRD Board will consider recommending that these proposals proceed to public hearing at its April 10, 2019 meeting. Should these items proceed to public hearing, public hearings will be held on April 30, 2019 at the Juan de Fuca Local Area Services Building.

5. Proposed Bylaw

a) Bylaw No. 4290, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 143, 2019" (Sooke Business Park)

Emma Taylor spoke to the staff report and proposed Bylaw No. 4290 that would establish a consistent zone for parcels within the Sooke Business Park development by rezoning ten parcels from General Industrial (M-2), seven parcels from the General Industrial – Medical Marihuana (M-2MM) zone, and two common property areas from Rural A to the Sooke Business Park Industrial (M-SBP) zone.

Emma Taylor confirmed that:

- the bylaw amendment was initiated by the Juan de Fuca the Land Use Committee (LUC) in December 2018
- Bylaw No. 4290 would apply the M-SBP zone to all properties within the legal boundary of the Sooke Business Park development with the exception of the Juan de Fuca Local Area Services Building
- the properties in the Sooke Business Park that are zoned Rural A are common lands held by the strata and have no development potential

- Bylaw No. 4290 provides a maximum floor area of 90 m² for caretaker suites which is consistent with the regulations for suites in Bylaw No. 2040
- properties that are zoned General Industrial (M-2) and located outside of the Sooke Business Park development will not be affected by Bylaw No. 4290

The APC acknowledged the inclusion of a maximum floor area for caretaker suites, which had been discussed at previous APC meetings where the rezoning of land to the M-SBP zone had been considered.

The APC stated:

- support for a single zone being applied to the Sooke Business Park development, noting the number of rezoning applications considered by the APC
- concern regarding the recent fire in the Sooke Business Park development and the understanding that the fire may have been an electrical fire
- concern regarding resources available to enforce the regulations related to the uses permitted by the M-SBP zone
- concern for adjacent residents and the impact of nuisance issues, such as odour and lighting, in the Sooke Business Park development

Emma Taylor responded to questions from the APC confirming that:

- there is opportunity for the CRD to regulate nuisances
- Health Canada requires applicants to notify local government, the RCMP and local fire departments of proposed cannabis licences
- the CRD is working on an internal policy for addressing land use, building inspection and fire servicing when notice of a cannabis licence is received
- the strata for the Sooke Business Park development could impose its own bylaw to address nuisance issues
- cannabis licences cannot be issued until the building permit for a facility/building is fully finalized
- the owners of properties rezoned by Bylaw No. 4290 will not be required to pay the fees associated with a rezoning application
- BC Hydro Design advised that property owners should contact BC Hydro if plant/capacity is required to facilitate proposed uses to ensure that the extra capacity can be provided

Anthony Daniels, Otter Point, stated that:

- he is a partner in an analytical facility and is a Health Canada licence holder
- there is opportunity and interest in expanding botanical medicine beyond cannabis
- Health Canada licence holders have invested significant amounts of time and money to become licence holders
- Health Canada has the enforcement authority to shut down licenced facilities that are not in compliance
- licence holders do not want to lose their licences
- licence holders will report non-licenced activities to Health Canada
- he supports the CRD having a mechanism to report non-licenced activities to Health Canada

Bjorn Granberg, Otter Point, stated that:

- Health Canada has strict guidelines

- there is a licensing transition from medicinal cannabis growing to mirco cannabis growing
- cannabis facilities cannot get insurance without proof of a licence
- Health Canada licenced facilities are multimillion dollar investments

MOVED by Anne Miller, **SECONDED** by Al Wickheim that the Otter Point Advisory Planning Commission report to the Juan de Fuca Land Use Committee that it supports Bylaw No. 4290.

CARRIED

MOVED by Sid Jorna, **SECONDED** by Stephen Smith that the Otter Point Advisory Planning Commission recommend to the Juan de Fuca Land Use Committee that it supports a mechanism and guidelines for reporting issues and complaints related to Sooke Business Park permitted uses.

CARRIED

6. Adjournment

The meeting adjourned at 7:49 pm

Chair