

- the CRD's policy specifies that a distance of 300 m should be provided between the subject property and any sensitive uses
- the proposed retail store is not within 300 m of the school, day care facilities, community centres or parks
- consideration can be given in the future to limiting the number of licenced private cannabis retail stores in each community
- no comments have been received in response to the notice of intent mailed to adjacent property owners within 500 m of the subject property

The Chair confirmed that the applicant was present.

The applicant confirmed that access to the property is currently by easement over the adjacent parcel but that the subject property has frontage on Parkinson Road.

MOVED by Roy McIntyre, **SECONDED** by Sandy Sinclair that the Land Use Committee recommends to the CRD Board:

- a) That a resolution for the cannabis retail application LP000003 for Lot 1, District Lot 17, Renfrew District, Plan VIP65199, be forwarded to the Liquor and Cannabis Regulation Branch supporting the licence and requesting that the licence be withheld until completion of a building permit for the proposed retail store occupancy; and
- b) That the public comments received be forwarded to the Liquor and Cannabis Regulation Branch.

CARRIED

9. Temporary Use Permit Application

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

Iain Lawrence spoke to the staff report and the request for a temporary use permit to allow the proposed expansion of a home based microbrewery in the Rural Residential 2 (RR-2) zone.

Iain Lawrence confirmed that:

- the applicants have been issued a Manufacturer's Brewing Licence with Picnic Area endorsement for up to 30 patrons, from the Liquor and Cannabis Regulation Branch
- the brewery operation is serviced by a well on the property or via a truck during the summer
- it is anticipated that the Province will require the applicants to obtain a commercial licence for the well
- no comments have been received in response to the notice of intent mailed to adjacent property owners within 500 m of the subject property

Iain Lawrence directed attention to the permit conditions as included in the staff report and advised that the applicants have agreed to the conditions.

The Chair confirmed that the applicants were present.

The applicants stated that:

- the Manufacturer's Brewing Licence does not permit indoor seating
- seating is limited to the picnic area
- they will not be applying for a lounge license, which would permit indoor seating

- they hope to relocate the operation in the next two years
- homes on adjacent properties are located behind the brewery and behind their house
- the property is approximately 2.5 acres

Iain Lawrence confirmed that the temporary use permit is for three years and that the permit can be renewed once for another three years. Notice of the CRD Board's intent to issue the permit would be mailed to adjacent property owners within 500 m of the subject property.

MOVED by Sandy Sinclair, **SECONDED** by Stan Jensen that the Land Use Committee recommends to the CRD Board:

- a) That the referral of Temporary Use Permit TP000009, directed by the Juan de Fuca Land Use Committee on November 20, 2018, to the Otter Point Advisory Planning Commission, BC Hydro, District of Sooke, Island Health, the Ministry of Transportation and Infrastructure, the Ministry of Public Safety and Solicitor General – Liquor and Cannabis Regulation Branch, the RCMP and T'Sou-ke First Nation, be approved and the comments received; and
- b) That Temporary Use Permit TP000009, to allow the expansion of a home based microbrewery in the Rural Residential 2 (RR-2) zone, on Lot 4, Section 47, Otter District, Plan VIP52344, be approved; and
- c) That a covenant be registered prior to issuance of the permit and pursuant to Section 219 of the *Land Title Act* to permit the temporary use for the period of the permit. The covenant shall also include an agreement by the owner 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.

CARRIED

10. Proposed Bylaws

a) Juan de Fuca Board of Variance Bylaw, Bylaw No. 4288 "Juan de Fuca Board of Variance Bylaw No. 10, 2019"

Iain Lawrence spoke to the staff report and proposed Bylaw No. 4288 which would combine the Malahat and Willis Point Area Board of Variance with the Board of Variance for the remainder of the Juan de Fuca Electoral Area.

Iain Lawrence reported that:

- Bylaw No. 3839 established a board of variance for the areas of East Sooke, Otter Point, Shirley, Jordan River, Port Renfrew and the Rural Resource Lands
- due to the difficulty in obtaining members from Malahat and Willis Point communities, there is no active board of variance for that area
- applicants from Malahat and Willis Point wishing to make an appeal to the Board of Variance for minor variances have been required to submit applications for a development variance permit to the LUC for consideration

MOVED by Ron Ramsay, **SECONDED** Sandy Sinclair by that the Land Use Committee recommends to the CRD Board: