



**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, DECEMBER 13, 2017**

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**SUBJECT**     **Public Hearing Report on Bylaw No. 4187, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017”**

**ISSUE**

To receive the Report of the Public Hearing held November 6, 2017, for proposed Bylaw No. 4187, and to consider Bylaw No. 4187 for third reading.

**BACKGROUND**

At its meeting on October 11, 2017, the Capital Regional District (CRD) Board gave first and second reading to Bylaw No. 4187, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017”, and passed a resolution to delegate authority to the Regional Director to hold a Public Hearing with respect to Bylaw No. 4187.

Bylaw No. 4187 (Appendix 1) will amend Bylaw No. 2040, “Juan de Fuca Land Use Bylaw, 1992”, to rezone ten properties from the General Industrial (M-2) zone to a new Sooke Business Park Industrial (M-SBP) zone, in order to clarify allowable uses, respond to market demand and permit licensed medical marihuana production facilities pursuant to *Health Canada’s Access to Cannabis for Medical Purposes Regulations (ACMPR)*.

On November 6, 2017, a Public Hearing was held for Bylaw No. 4187. There was one person in attendance. The Report of the Public Hearing is attached (Appendix 2).

**ALTERNATIVES**

1. a) That the minutes that form the Report of the Public Hearing, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on November 6, 2017, for Bylaw No. 4187, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017”, be received;
- b) That Bylaw No. 4187 be read a third time; and
- c) That adoption of Bylaw No. 4187 be withheld pending
  - i) Approval of the Bylaw by the Ministry of Transportation and Infrastructure; and
  - ii) Registration of a restrictive covenant, to the satisfaction of the Chief Building Inspector, on the title of the subject properties, requiring remediation of buildings used for the production of medical marihuana at such time as the use is discontinued.
2. That the minutes that form the Report of the Public Hearing on Bylaw No. 4187, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on November 6, 2017 for Bylaw No. 4187, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017”, be received.

## **CONCLUSION**

A Public Hearing was held on November 6, 2017, for Bylaw No. 4187, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017”. The minutes are attached as the Report of the Public Hearing.

One person was in attendance at the public meeting. No one spoke against the proposal. No written submissions were received. Staff recommends Alternative 1 to receive the minutes and for the proposed bylaw to be given third reading and be withheld pending completion of outstanding conditions.

## **RECOMMENDATIONS**

- a) That the minutes that form the Report of the Public Hearing, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on November 6, 2017, for Bylaw No. 4187, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017”, be received;
- b) That Bylaw No. 4187 be read a third time; and
- c) That adoption of Bylaw No. 4187 be withheld pending
  - i) Approval of the Bylaw by the Ministry of Transportation and Infrastructure; and
  - ii) Registration of a restrictive covenant, to the satisfaction of the Chief Building Inspector, on the title of the subject properties, requiring remediation of buildings used for the production of medical marihuana at such time as the use is discontinued.

Submitted by:	Iain Lawrence, MCIP, RPP, Manager, Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

IL:wm

Appendix 1 – Proposed Bylaw No. 4187

Appendix 2 – Report of the Public Hearing November 6, 2017