

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4187**

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**A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"**  
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The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended as follows:

**A. SCHEDULE A, PART 1, SECTION 2.0 DEFINITIONS**

- (a) By adding a new definition for "FOOD AND BEVERAGE PROCESSING" before the word "FREEBOARD" as follows:

"FOOD AND BEVERAGE PROCESSING" means the use of a building or structure where food and beverages are processed or otherwise prepared for human consumption. Includes the production of beer, wine and spirits in accordance with all applicable Provincial regulations. Includes tasting and retail sales accessory to the principal food and beverage processing use. Includes catering operations, but does not include a restaurant use."

- (b) By adding a new definition for "HIGH TECH" before the word "HIGHWAY" as follows:

"HIGH TECH means the research, design, manufacture or production, testing, and servicing of goods or materials or things in the fields of bio-technology, computing, electronics, engineering, health care, multi-media, robotics, telecommunications, and related industries."

- (c) By deleting the definition for "INDUSTRIAL USE, GENERAL" in its entirety and replacing with the words:

"INDUSTRIAL USE, GENERAL means a use providing for the research, design, manufacture, testing, servicing, storage, transportation and distribution, wholesale, wrecking or salvaging of goods, materials or things. Includes vehicle paint and body shops, soil improvement operations, food and beverage processing and high tech."

**B. SCHEDULE A, PART 1, SECTION 3.0 ADMINISTRATION AND ENFORCEMENT**

- (a) By amending subsection 3.07 Zones by inserting the words, "M-SBP Sooke Business Park Industrial" after the words "M-2MM General Industrial Medical Marihuana".

**C. SCHEDULE A, PART 2 – ZONING DISTRICTS**

- (a) By creating a new zone, "Sooke Business Park Industrial – M-SBP", to be inserted after Section 27A.0, and to be read as follows:

**27B.0.0 SOOKE BUSINESS PARK INDUSTRIAL ZONE - M-SBP**

**27B.01 Permitted Uses**

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others are permitted in the Sooke Business Park Industrial (M-SBP) zone:

- (a) General industrial uses;
- (b) Business office and support services;
- (c) Athletic facilities;
- (d) Drive-in theatres;
- (e) Vehicle sales/rentals;
- (f) Equipment sales/rentals;
- (g) Auction rooms and places;

- (h) Unenclosed storage;
- (i) Retail sales of building and landscape supplies;
- (j) Retail sales accessory to a principal industrial use;
- (k) Intensive Agriculture – Medical Marihuana Production;
- (l) One dwelling unit for the use of a caretaker accessory to a principal use.

**27B.02 Prohibited Uses**

- (a) Kennels;
- (b) Uses for which a permit is required under the or *Environmental Management Act* or Regulation;
- (c) Refuse and garbage dumps, including transfer stations;
- (d) Salvage yards, including auto salvage;
- (e) The burning of vehicles and other salvage.

**27B.03 Minimum Lot Size for Subdivision Purposes**

The minimum lot size shall be 900 m<sup>2</sup>.

**27B.04 Minimum frontage for Subdivision Purposes**

The minimum lot frontage shall be 16 m.

**27B.05 Minimum Lot Width for Subdivision Purposes**

The minimum average lot width shall be 16 m.

**27B.06 Number of Dwelling Units**

One dwelling unit accessory to a principal use per lot is permitted.

**27B.07 Height**

- (a) Maximum height shall be 14 m for all buildings and structures;
- (b) Maximum height of any unenclosed storage use shall be 3.5 m within 30 m of a Residential Zone, Multiple Family Residential Zone, Commercial Zone, Rural Zone, Agricultural Zone or Institutional Zone.

**27B.08 Lot Coverage**

Maximum lot coverage shall be 60 percent.

**27B.09 Required Yards**

- (a) Front yards shall be a minimum of 7.5 m;
- (b) Side yards shall be a minimum of 4.5 m except:
  - (i) where the lot abuts a Residential, Rural Residential, or Multiple Family Residential Zone, the side yard shall be a minimum of 15 m;
  - (ii) where the lot abuts an Industrial Zone, the side yard may be 0 m;
  - (iii) where the lot abuts any other Zone, the side yard shall be a minimum of 3 m;
- (c) Flanking yards shall be a minimum of 6 m CTS;
- (d) Rear yards shall be a minimum of 7.5 m, except:
  - (i) where a rear lot line abuts a Residential, Rural Residential, or Multiple Family Residential Zone the rear yard shall be a minimum of 15 m;

- (ii) where a rear lot line abuts an Industrial Zone, the rear yard may be reduced to not less than 4.5 m.

**27B.10 Parking Setback**

For lots not fronting a public highway, parking spaces provided in accordance with this Bylaw may be located within the front yard setback.

**27B.11 Storage**

Storage shall not be permitted in required yards adjacent to any Residential or Multiple Family Residential Zone.

**D. SCHEDULE B, MAP NO. 2 – OTTER POINT ZONING MAP**

- (a) By deleting Strata Lots 6, 9, 11, 18, 19, 20, 21, 23 and 28, Section 16, Otter District, Plan VIS7096; and Lot A, Section 16, Otter District, Plan VIP89031, Except Part in Strata Plan VIS7096 from the General Industrial (M-2) zone, and adding those lots to the Sooke Business Park Industrial - M-SBP zone, as shown on Plan No. 1, attached to and forming part of this bylaw

2. This bylaw may be cited as "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 131, 2017".

READ A FIRST TIME THIS 11<sup>th</sup> day of October, 2017.

READ A SECOND TIME THIS 11<sup>th</sup> day of October, 2017.

READ A THIRD TIME THIS 13<sup>th</sup> day of December, 2017.

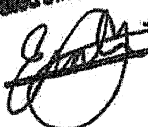
APPROVED by the Minister of Transportation and Infrastructure

THIS 18<sup>th</sup> day of January, 2018 <sup>AS</sup>

ADOPTED THIS 14<sup>th</sup> day of February, 2018

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CHAIR


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CORPORATE OFFICER

I hereby certify the foregoing to be a true and correct copy of the Bylaw which was given third reading by the Board on the 13<sup>th</sup> day of December, 2017.  
Dated this 16<sup>th</sup> day of January, 2018.  
 / Corporate Officer

Approved pursuant to section 52(3)(a) of the *Transportation Act*

this 18 day of January 2018

Ministry of Transportation and Infrastructure



**Plan No. 1 of Bylaw 4187, an amendment to Bylaw No. 2040**

Strata Lots 6, 9, 11, 18, 19, 20, 21, 23 and 28, Section 16, Otter District, Plan VIS7096; and Lot A, Section 16, Otter District, Plan VIP89031, Except Part in Strata Plan VIS7096 shown on this plan attached to and forming part of this bylaw.

