

b) DV000066 - Lot 2, Section 95, Sooke District, Plan 45068 (1021 Parkheights Drive)

Iain Lawrence spoke to the staff report and the request for a development permit with variance for a steep slopes, sensitive ecosystems, and riparian development permit with variance to reduce the requirement that 10% of the parcel fronts onto a highway for the purpose of creating a two-lot subdivision in the Rural Residential 6A (RR-6A) zone.

Iain Lawrence directed attention to the letters of support from Bev Benson, East Sooke, and Marjorie Schmidt, East Sooke, as included in the supplementary agenda.

Iain Lawrence responded to a question from the LUC confirming that where frontage requirements are not specified by local government bylaw, the requirement specified by the *Local Government Act (LGA)* would apply. In either case, the LUC would need to consider a variance to the required minimum. It was further confirmed that the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, outlines the requirements for panhandle lots and minimum frontage on the highway.

MOVED by Sandy Sinclair, **SECONDED** by Stan Jensen that the Land Use Committee recommends to the CRD Board that Development Permit with Variance DV000066, for Lot 2, Section 95, Sooke District, Plan 45068, to authorize a two-lot subdivision and to vary the Juan de Fuca Land Use Bylaw No. 2040, Part 1, Section 3.10(4) by reducing the frontage requirement for proposed Lot B from 58.6 m (10%) to 10.05 m (1.7%), be approved.

CARRIED

8. Cannabis Retail Application

a) LP000004 - Lot 2, Section 31, Otter District, Plan VIP39224 – 7875 West Coast Road

Iain Lawrence spoke to the staff report and the application received for a licenced private cannabis retail store in Otter Point.

Iain Lawrence directed attention to the supplementary agenda which includes a letter of opposition from Gunter Rieper and Rita Rieper, Otter Point, and the letters of support from Arlene Rose Stenvall, Otter Point, and Alexander Kalicki, Otter Point, as well as a letter from the applicant. It was confirmed that the letters of support and the letter from the applicant state support for retaining the bus stops located in front of retail establishment.

Iain Lawrence responded to a question from the LUC confirming that the evaluation criteria outlined in the Juan de Fuca Cannabis Retail Licence Application Policy allows for consideration of the proposed establishment relative to the location of sensitive uses such bus stops and exposure to youth.

LUC discussion ensued regarding the staff recommendation that the licence be withheld until completion of a building permit for the proposed retail store occupancy and the recommendation that the applicant and the Liquor and Cannabis Regulation Branch work with BC Transit and School District #62 to locate their bus stops in a suitable location.

The Chair stated support for not including that part of the recommendation regarding the licence being withheld as the applicant can work concurrently with the CRD to resolve building permit requirements, and also for not including the statement regarding the bus stops as the Province can address their location.

MOVED by Director Mike Hicks, **SECONDED** by Roy McIntyre that the Land Use Committee recommends to the CRD Board:

- a) That a resolution for the cannabis retail application LP000004 for Lot 2, Section 31, Otter District, Plan VIP39224, be forwarded to the Liquor and Cannabis Regulation Branch supporting the licence; and
- b) That the public comments received be forwarded to the Liquor and Cannabis Regulation Branch.

CARRIED

9. Temporary Use Permit Application

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

Iain Lawrence spoke to the staff report and the request for a temporary use permit to allow a federally licensed micro-cannabis cultivation facility in the Rural Residential 2 (RR-2) zone. Iain Lawrence outlined the comments received from referral agencies as included in the staff report. It was confirmed that the conditions of the temporary use permit have been revised to address the comments received from the Otter Point Advisory Planning Commission (APC).

The Chair confirmed that the applicant was present.

The applicant responded to questions from the LUC advising that the proposed building is located:

- approximately 45 ft from each adjacent property line
- approximately 150 ft from the residence on one side of the property
- approximately 250 ft from the residence on the other side of the property

In response to comment received from the Otter Point APC, the applicant reported that he has collected letters of support from neighbouring residents.

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

- a) That the referral of Temporary Use Permit TP000010, directed by the Juan de Fuca Land Use Committee on January 15, 2019, to the Otter Point Advisory Planning Commission, BC Hydro, District of Sooke, Island Health, the Archaeology Branch and Groundwater Protection Branch of Ministry of Forests Lands Natural Resource Operations and Rural Development, Ministry of Transportation and Infrastructure, RCMP, T'Sou-ke First Nation and appropriate CRD departments be approved and the comments received;
- b) That Temporary Use Permit TP000010, to allow a federally licensed micro-cannabis cultivation facility in the Rural Residential Two (RR-2) zone, on Lot 4, Section 47, Otter District, Plan 23769, be approved; and
- c) That a covenant be registered prior to issuance of the permit 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