

Appendix 3: Referral Comments

Wendy Miller

From: McFarlane, Penny <Penny.Mcfarlane@bchydro.com>
Sent: Monday, April 08, 2019 1:12 PM
To: Wendy Miller
Cc: Design, SVI; Mann, Elaine
Subject: RE: Proposed Bylaw No. 4290 (Sooke Business ParkI) - CRD Referral

Hello,

BC Hydro has no objections to the proposed land use change/designation from a Properties prospective, however; it appears that some additional BC Hydro plant/capacity may be required to facilitate some of the proposed uses under the new designation. I urge the proponents/CRD to contact BC Hydro Design to make sure the extra capacity can be provided (if needed) as part of this proposed change in and use designation.

Regards,

Penny

Wendy Miller

From: Nicholas Deibler <ndeibler@sooke.ca>
Sent: Monday, April 08, 2019 1:18 PM
To: Wendy Miller
Subject: RE: Proposed Bylaw No. 4290 (Sooke Business ParkI) - CRD Referral

Hi Wendy,

Thank you for sharing this referral regarding proposed Bylaw No. 4290, received by the District of Sooke on March 20, 2019.

The District of Sooke has no objections to the proposed zoning amendment pertaining to the Sooke Business Park development in Otter Point.

Regards,

Nicholas Deibler
Planner 1
District of Sooke
2205 Otter Point Rd
Sooke BC, V9Z 1J2
250-642-1645



Wendy Miller

From: Wilf Marquis
Sent: Friday, March 22, 2019 8:44 AM
To: Wendy Miller
Subject: RE: Proposed Bylaw No. 4290 (Sooke Business Park) - Referral

CRD Bylaw Enforcement Services has reviewed the staff report for proposed Bylaw No. 4290, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 143, 2019 and supports this Bylaw to establish and consolidate zoning for the Sooke Business Park.

Wilf MARQUIS
Senior Bylaw Officer

Bylaw and Animal Care Services
212-2780 Veterans Memorial Parkway, Victoria, BC, Canada V9B 3S6
Ph. 250.474.3351 ext. 22 \ Fax: 250.391.9727 \ TF: 800.665.7899
email: wmarquis@crd.bc.ca

Wendy Miller

From: Barroso, Sylvia L FLNR:EX <Sylvia.Barroso@gov.bc.ca>
Sent: Thursday, March 21, 2019 8:03 AM
To: Wendy Miller
Cc: Slater, Darryl FLNR:EX
Subject: RE: Proposed Bylaw No. 4290 (Sooke Business ParkI) - CRD Referral

Hi Wendy,
Thank you for the referral. It appears there are not currently wells on the site at present. If wells are constructed, they must meet the requirements of the *Water Sustainability Act* and Groundwater Protection Regulation. Apart from reiterating the water availability/licensing aspects addressed by Darryl, it appears no additional interests are affected by the proposal.
Sincerely,

Sylvia Barroso, MSc, PGeo
Regional Hydrogeologist, Water Protection, West Coast Region
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
2080A Labieux Rd Nanaimo BC V9T 6J9
Ph: (250) 751-3265 Fax: (250) 751-3103
Email: sylvia.barroso@gov.bc.ca

From: Slater, Darryl FLNR:EX
Sent: Wednesday, March 20, 2019 11:27 AM
To: 'Wendy Miller'
Cc: Barroso, Sylvia L FLNR:EX
Subject: RE: Proposed Bylaw No. 4290 (Sooke Business ParkI) - CRD Referral

Hi Wendy. Upon review of the information, I believe it is likely that the proponent would require a water licence, assuming they are planning to develop a system that would divert and use either water from a stream or groundwater and not connect to an existing waterworks system.

I will leave groundwater protection comments to Sylvia, in case she has any.

Thank you,

Darryl Slater
Water Authorizations Section Head
West Coast Region
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
P: 250.751.3239
F: 250.751.3103

Wendy Miller

From: Schneider, Nikki TRAN:EX <Nikki.Schneider@gov.bc.ca>
Sent: Thursday, March 21, 2019 3:00 PM
To: Wendy Miller
Subject: RE: Proposed Bylaw No. 4290 (Sooke Business ParkI) - CRD Referral

Good Afternoon Wendy,

Please accept this as official response from the Ministry of Transportation and Infrastructure in regards to Proposed Bylaw No. 4290; Ministry File 2019-01428.

The Ministry has no objections to the proposed bylaw and in favour of the CRD establishing a consistent land use zoning designation for those parcels within the Sooke Business Park Development.

Any new developments that would add significant traffic to Otter Point Road from the internal strata road (Butler Road) should be referred to this office as a Traffic Impact Study may be required. However there are no requirements of this nature at this time.

Should you have any questions or concerns, please do not hesitate to contact me.

Have a great day,

Nikki Schneider

Senior District Development Technician
Ministry of Transportation and Infrastructure – Vancouver Island District
Ph: 778-974-2633
Fx: 250-952-4508



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 Marijuana (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

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- 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

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- 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 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