



**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, JUNE 12, 2019**

SUBJECT **Public Hearing Report on Bylaw No. 4276, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018”**

ISSUE

To receive the Report of the Public Hearing held April 30, 2019, for proposed Bylaw No. 4276, and to consider Bylaw No. 4276 for third reading and adoption.

BACKGROUND

At its meeting on April 10, 2019, the Capital Regional District (CRD) Board gave first and second reading to Bylaw No. 4276, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018”, and passed a resolution to delegate authority to the Regional Director to hold a public hearing with respect to Bylaw No. 4276.

Bylaw No. 4276 (Appendix 1) will amend Bylaw No. 2040, “Juan de Fuca Land Use Bylaw, 1992”, by deleting Strata Lot 10, Section 16, Otter District, Plan VIS7096 from the General Industrial (M-2) zone, and adding said lot to the Sooke Business Park Industrial (M-SBP) zone to permit commercial cannabis production.

On April 30, 2019, a public hearing was held for Bylaw No. 4276. There were two people in attendance. No submissions regarding the proposal were received. The Report of the Public Hearing is attached (Appendix 2).

ALTERNATIVES

Alternative 1

- a) That the minutes that form the Report of the Public Hearing for Bylaw No. 4276, which is certified as a fair and accurate summary of the representations that were made at the public hearing held on April 30, 2019, for Bylaw No. 4276, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018”, be received; and
- b) That Bylaw No. 4276 be read a third time and adopted.

Alternative 2

That the minutes that form the Report of the Public Hearing for Bylaw No. 4276, which is certified as a fair and accurate summary of the representations that were made at the public hearing held on April 30, 2019, for Bylaw No. 4276, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018”, be received.

LAND USE IMPLICATIONS AND PLANNING ANALYSIS

The Otter Point Official Community Plan (OCP), Bylaw No. 3819, designates the subject property as Settlement Area. This designation specifies that the predominant land use is rural residential; however, industrial uses on lands zoned industrial or with a valid temporary use permit are also permitted in the Settlement Area designation. The subject property is currently zoned for general industrial uses and the proposed rezoning is consistent with the Settlement Area designation.

The Sooke Business Park Industrial (M-SBP) zone currently applies to 11 lots within the Sooke Business Park development at 7450 Butler Road. The M-SBP zone currently permits *intensive*

agriculture – medical marihuana production, as well as a limited set of commercial uses such as business office and support services, and allows parking within the front yard setback on lots that front an internal strata road.

There were two people in attendance at the public hearing. None of those in attendance provided comment and no submissions regarding the proposal were received as a result of the Notice of Public Hearing.

CONCLUSION

A public hearing was held on April 30, 2019, for Bylaw No. 4276, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018”. The minutes are attached as the Report of the Public Hearing.

There were two people in attendance at the public hearing. No submissions regarding the proposal were received.

Staff recommend Alternative 1 to receive the minutes and for the proposed bylaw to be given third reading and adopted.

RECOMMENDATIONS

- a) That the minutes that form the Report of the Public Hearing for Bylaw No. 4276, which is certified as a fair and accurate summary of the representations that were made at the public hearing held on April 30, 2019, for Bylaw No. 4276, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018 ”, be received; and
- b) That Bylaw No. 4276 be read a third time and adopted.

Submitted by:	Emma Taylor, MA, MCIP, RPP, Planner
Concurrence:	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

ET:wm

Appendix 1 – Proposed Bylaw No. 4276

Appendix 2 – Report of the Public hearing April 30, 2019