

Minutes of the public hearing held on June 28, 2018 in the CVRD boardroom, 550b Comox Road, Courtenay, BC commencing at 6:00 pm to consider Bylaw No. 537

PRESENT:

Chair:	B. Jolliffe	Baynes Sound – Denman/Hornby Islands (Electoral Area ‘A’)
Directors:	R. Nichol	Lazo North (Electoral Area ‘B’)
	E. Grieve	Puntledge – Black Creek (Electoral Area ‘C’)
Staff:	A. Mullaly	Acting General Manager of Planning and Development Services
	R. Holme	Long-Range Planner
	J. Martens	Manager of Legislative Services
	L. Dennis	Recording Secretary

Chair Jolliffe called the public hearing to order at 6:00 pm and read a prepared statement regarding the public hearing procedures. Approximately 10 members of the public were present for this public hearing.

**Bylaw No. 537, being the
“Comox Valley Zoning Bylaw 2005, Amendment No. 74”
(CVRD)**

R. Holme, Long-Range Planner, presented an overview of the application for Bylaw No. 537 being “Comox Valley Zoning Bylaw, 2005, Amendment No. 74” to prohibit the production and retail sale of non-medical cannabis in the electoral areas. Any proposed non-medical cannabis use would require a rezoning or a temporary use permit.

R. Holme summarized the written submissions from the following respondents:

- Mike Christison
- Royann J. Petrell

R. Holme also presented the following meeting minutes from the CVRD’s advisory planning commissions which considered Bylaw No. 537:

- Agricultural Advisory Planning Commission – June 21, 2018
- Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission – June 25, 2018
- Electoral Area B (Lazo North) Advisory Planning Commission – June 27, 2018
- Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission – June 27, 2018

Those submissions and those received during the public hearing are attached as Appendix A to these minutes.

Chair Jolliffe called for speakers regarding the proposed bylaw and advised that any written submissions regarding the proposed bylaws must be brought forward before the close of the public hearing.

Hugh Van Hech, Black Creek, lives nearby a medical cannabis grow operation and stated that there are times when he is unable to go outside, and there are often police at the facility. Mr. Van Hech expressed concern regarding proposed amendment no. 6 of the bylaw which references issuing temporary use permits or rezonings and questioned as to how this would be enforced. Mr. Van Hech believes that the benefits of permitting recreational cannabis production and sales will be short-lived. Those who live in rural areas near Agricultural Land Reserve land will be most affected.

Tom Spratt, Courtenay, spoke in support of Bylaw No. 537 and encouraged the directors to consider some negative aspects of cannabis use such as addiction, psychological and physical dependence, health impacts and impact on youth (Mr. Spratt's presentation is attached in Schedule A).

Randy Bennett, Courtenay, spoke regarding the benefits of cannabis use for seniors and those with addiction issues. Mr. Bennett encouraged the directors to wait and see what the government regulations look like before moving forward with an amendment to the zoning bylaw.

Chair Jolliffe called a second time for speakers to the public hearing and reminded the public that any written submissions regarding the proposed bylaws must be brought forward before the close of the public hearing.

Chair Jolliffe called for a final time for speakers and asked that all written submissions be brought forward. Hearing no speakers, the chair declared the public hearing terminated for Bylaw No. 537, being the "Comox Valley Zoning Bylaw, 2005, Amendment No. 74" (CVRD).

Time: 6:20 pm

Recorded by:

Confirmed:

Confirmed:

L. Dennis
Recording Secretary

A. Mullaly
Acting General Manager
of Planning &
Development Services

Director Jolliffe
Chair

3360-20 / RZ 1CV 18

From: Mike Christison
Sent: Wednesday, June 27, 2018 8:27 PM
To: planningdevelopment@comoxvalleyrd.ca
Subject: bylaw 537

I do not agree with the rezoning or temporary use permit. Rezoning is timely and costly....and temporary use only pushes things down the road and gives no confidence.

Retail stores should be located in already commercially zoned areas.....likewise Production should be kept to Agriculture/commercial zoned areas.

thanks
mike

Mike Christison

Royann J. Petrell
3177 Kentwood Road
Courtenay, B.C. V9N 9R1
June 27, 2018

Robyn Holme
Long-Range Planner
600 Comox Road
Courtenay, BC V9N 3P6

Re: Bylaw 537 "Comox Valley Zoning Bylaw 2005, Amendment No. 74

Dear Robyn Holme:

Thank you for this opportunity to comment on prohibiting non-medical cannabis production and retail in the Comox Valley. A year ago in the Comox Valley, I was inadvertently subjected to fumes escaping from a production facility. This caused permanent lung scarring as well as a protracted illness. I have read that such harmful fumes are common problems in production facilities, and often not controlled or managed (a problem in Washington State).

Due to health concerns related to the production of cannabis, I strongly agree that cannabis production be prohibited in the CVRD.

After the incidence mentioned above, I have become very sensitive to cannabis smoke. I, therefore, support a ban on smoking cannabis in public places. I am sure that I am only one of many who cannot tolerate the smoke.

Sincerely,

Royann J. Petrell, PhD, Peng

RECEIVED

File:

Submission re CVRD Public Hearing Notice

JUN 27 2018

June 28, 2018

To:

Tom Spratt
5397 Langlois Rd.

cc:

Courtenay, B.C.

V9J 1S8

Dear CVRD board members,

I would like to speak in favor of the adoption of Bylaw 537, Comox Valley Zoning Bylaw 2005, Amendment No.74

Although I realize that the laws of Canada are being changed to make marijuana legal, there are some points I would like to have the board consider.

1. Marijuana is an addictive substance and can negatively affect a person's health. Some of the known physical withdrawal symptoms include chills, sweats, cravings, insomnia, loss of appetite, nausea, anxiety and irritability.
2. Psychological dependence to marijuana is rising because of the increasing potency of genetically engineered plants: THC levels are at 20% and higher compared to 2-4% levels in earlier years. Also, there are negative effects from the production and use of concentrated products with THC levels of 40-80%. In addition, some users are using multiple times a day, leading to addiction.
3. We know the negative affects on human lungs of cigarette smoking. Should another form of smoking be facilitated?
4. In California, addiction treatment practitioners are seeing a surge in demand for help, particularly among adolescents. A common complaint by parents of adolescent users is that performance in school declines, along with involvement in sports and other extra-curricular activities.

In light of these points, it is my belief that we should do what we can to discourage marijuana use, and that bylaw 537, amendment 74 should be adopted.

If the bylaw should not be adopted, then I would recommend that outlets would be few in number, and low in profile.

Thank you for your consideration,
Tom Spratt



RECEIVED

File:

JUN 27 2018



Comox Valley REGIONAL DISTRICT

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

To:

The personal information contained on this form is collected under the authority of section 26(e) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purposes of planning and evaluating a program or activity of the Comox Valley Regional District. The information provided will become a matter of public record and may be published online. Inquiries about the collection, use and disclosure of this information can be made at the Planning and Development Services Branch at 600 Comox Road, Courtenay, BC 250-334-6000 or by email at planningdevelopment@comoxvalleyrd.ca.

Date: JUNE 28 / 18

To: Comox Valley Regional District

From: (Optional) Name (Please print): ROULEAUX JP

Street Address: KENTWOOD RD # 1345

Tel/Email: - -

Re: Bylaw No. #537 AMENDMENT # 74

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

NO PERMISSION - NO PERMIT X

NO TEMPORARY USE PERMIT X

RECEIVED

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
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File:

JUN 27 2018



Comox Valley
REGIONAL DISTRICT

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Date:

To: Comox Valley Regional District

From: (Optional)

Name (Please print): _____

Street Address: _____

Tel/Email: _____

Re: Bylaw No. 537

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

Well was looking to be employed by the government and create employment, by being a craft grower which would take many people out of the Black Market. These bylaws will keep many many growers in this valley which there is in the Black Market. Why not be legal and increase revenue in our valley and create

honest legal jobs
there would be many.

RECEIVED

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Date:

To: Comox Valley Regional District

From: (Optional)

Name (Please print): Adel Routledge

Street Address: 3145 Kentwood Rd

Tel/Email: _____

Re: Bylaw No. 537

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

no rezoning of residential Areas
for growing MARIJUANA.

Minutes of the meeting of the Agricultural Advisory Planning Commission (AAPC) of the Comox Valley Regional District held June 21, 2018 in the CVRD boardroom located at 500B Comox Road, Courtenay, BC commencing at 1:33 pm

PRESENT:	Chair:	Gerry McClintock via teleconference
	Members:	Chris Brown via teleconference
		Andrea Burch via teleconference
		Brad Chappell via teleconference
		Carl Goldscheider via teleconference
		Megan Halstead via teleconference
		Wendy Prothero
		Marc Vance via teleconference
ABSENT:	Members:	Arzeena Hamir
ALSO PRESENT:	Electoral Area Director, Area C	Edwin Grieve
	Rural Planner	Jodi MacLean
	Long-Range Planner	Robyn Holme

Agenda Items

Minutes of Advisory Planning Commission Meeting

PROTHERO/GOLDSCHIEDER: THAT the minutes of the Agricultural Advisory Planning Commission meeting held May 3, 2018 and May 24, 2018 be received.

CARRIED

3360-20/RZ 1CV 18 – Zoning Bylaw Amendment Application – To Prohibit Non-Medical Cannabis Retail and Production (CVRD)

GOLDSCHIEDER/CHAPPEL: THAT the Agricultural Advisory Planning Commission support Zoning Bylaw Amendment Application RZ 1CV 18 To Prohibit Non-Medical Cannabis Retail and Production as proposed.

Status update on AAPC recommendations

Jodi MacLean, Rural Planner, provided an update regarding Electoral Area Services Committee and board decisions related to AAPC recommendations.

Next Meeting Date

The next Agricultural Advisory Planning Commission meeting is scheduled for Thursday, July 26, 2018 in the CVRD boardroom located at 500B Comox Road, Courtenay, BC commencing at 1:30 pm.

Termination

The meeting terminated at 2:15 pm.

Recording Secretary:
Carl Goldscheider

Chair:
Gerry McClintock

Received by the Electoral Areas Services Committee on the _____ day of _____, 20____.

Minutes of the meeting of the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission of the Comox Valley Regional District held on Monday, June 25, 2018 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 pm

PRESENT:	Chair	Rodney Jones
	Members	Margaret McKenzie Karen Fouracre Bill Trussler
ABSENT:	Members	Pieter Rutgers David Stapley Janet Thomas
ALSO PRESENT:	Electoral Area Director	Bruce Jolliffe
	Alternate Director	Jim Argue
	Acting General Manager of Planning	Alana Mullaly

Agenda Items

Call to Order and Recognition of Traditional Territories

The Chair called the meeting to order and acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

Minutes of Advisory Planning Commission Meeting

MCKENZIE/FOURACRE: THAT the minutes of the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting held on Monday, May 28, 2018 be received with the removal of Bruce Livesey's name who has resigned from the Area A APC.

CARRIED

3360-20/RZ 1CV 18 – Zoning Bylaw Amendment Application – To Prohibit Non-Medical Cannabis Retail and Production (CVRD)

FOURACRE/MCKENZIE: THAT the Area A Advisory Planning Commission support Zoning Bylaw Amendment Application RZ 1CV 18 to prohibit non-medical cannabis retail and production (CVRD), as proposed.

CARRIED

3350-20/CP 1CV 18 – Official Community Plan Amendment Application – *Local Government Act* Section 514

TRUSSLER/MCKENZIE: THAT the Area A Advisory Planning Commission support Official Community Plan Amendment Application CP 1CV 18 to remove Section 44.(6) of the OCP that requires parcels proposed for subdivision, in accordance with Section 514 (subdivision to provide residence for a relative) of the *Local Government Act* (RSBC, 2015, c. 1), be two times the size of the minimum parcel size required in the zoning, as proposed.

Status update on APC recommendations

Alana Mullaly, Acting General Manager of Planning Services, provided an update regarding Electoral Area Services Committee and board decisions related to APC recommendations.

Next Meeting Date

The next Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting is scheduled for Monday, July 30, 2018 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 pm.

Termination

The meeting terminated at 7:50 pm.

Recording Secretary:
Karen Fouracre

Chair:
Rodney Jones

Received by the Electoral Areas Services Committee on the _____ day of _____, 20____.

Minutes of the meeting of the Electoral Area B Lazo North Advisory Planning Commission of the Comox Valley Regional District held on Thursday June 27, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 6:10 pm

PRESENT:	Chair	Stan Hartfelder
	Members	David Battle Dean Maxwell
ABSENT:	Members	Norman Reader Janet Crockett Danielle Fortosky
ALSO PRESENT:	Electoral Area Director	Rod Nichol
	Assistant Manager of Planning Services	Ton Trieu
	Proponent for DV 3B 18	Jonathon Woods

Agenda Items

Call to Order and Recognition of Traditional Territories

The Chair called the meeting to order and acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

Minutes of Advisory Planning Commission Meeting

BATTLE /MAXWELL: THAT the minutes of the Electoral Area B (Lazo North) Advisory Planning Commission meeting held on Thursday, March 22, 2018 be received.

CARRIED

3360-20/RZ 1CV 18 – Zoning Bylaw Amendment Application – To Prohibit Non-Medical Cannabis Retail and Production (CVRD)

BATTLE/MAXWELL: THAT the Area B Advisory Planning Commission support Zoning Bylaw Amendment Application RZ 1CV 18 to prohibit the production and retail sale of non-medical cannabis in the electoral areas, while noting areas of concern such as noise, traffic and use of prime agricultural land for non-food greenhouse production.

CARRIED

3060-20/ DV 3B 18 – Development Variance Permit Application – 2651 Baxter Road (Woods)

BATTLE/MAXWELL: THAT the Area B Advisory Planning Commission support Development Variance Permit Application DV 3B 18 for 2651 Baxter Road (Woods) as presented.

CARRIED

3350-20/CP 1CV 18 - Official Community Plan Amendment Application – *Local Government Act* Section 514

BATTLE/MAXWELL: THAT the Area B Advisory Planning Commission support Official Community Plan Amendment Application CP 1CV 18 to remove Section 44.(6) of the Official Community Plan (OCP) that requires parcels proposed for subdivision in the electoral areas, in accordance with Section 514 (subdivision to provide residence for a relative) of the *Local Government Act* (RSBC, 2015, c. 1) (LGA), be two times the size of the minimum parcel size required in the zoning.

CARRIED

Status update on APC recommendations

Ton Trieu, Assistant Manager of Planning Services, provided an update regarding Electoral Area Services Committee and board decisions related to APC recommendations.

Next Meeting Date

The next Electoral Area B (Lazo North) Advisory Planning Commission meeting is scheduled for Thursday, August 2, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

Termination

MAXWELL/BATTLE: THAT the meeting terminate.

CARRIED

Time: 7:00 pm

Recording Secretary:
David Battle

Chair:
Stan Hartfelder

Received by the Electoral Areas Services Committee on the ____ day of _____, 20__.

Minutes of the meeting of the Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission of the Comox Valley Regional District held on Wednesday, June 27, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:10 pm

PRESENT:	Acting Chair	John Milne
	Members	Jim Langridge
		Grant Gordon
		George Trousdell
		David Pacholuk
		James Derry
		Dan Thran
ABSENT:	Members	Pearl McKenzie
		Brad Chappell
ALSO PRESENT:	Electoral Area Director	Edwin Grieve
	Alternate Director	Curtis Scoville
	Assistant Manager of Planning Services	Ton Trieu

Agenda Items

Minutes of Advisory Planning Commission Meeting

PACHOLUK/THRAN: THAT the minutes of the Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission meeting held on Wednesday, May 2, 2018 be received.

CARRIED

3360-20/RZ 1CV 18 – Zoning Bylaw Amendment Application – To Prohibit Non-Medical Cannabis Retail and Production (CVRD)

Staff presented a proposal to implement a zoning bylaw which would allow the regional district to prohibit non-medical cannabis production and retail sales until such time as the implications of the federal and provincial legislation can be interpreted and implemented.

APC members were generally supportive of the proposal but were quite concerned regarding the potential negative impacts of any approval delay on local producers. Suggestions to minimize the delays included working closely with the provincial government through the Union of British Columbia Municipalities during the legislation drafting to ensure that local government considerations are facilitated and to ensure ease of implementation.

3350-20/CP 1CV 18 – Official Community Plan Amendment Application – *Local Government Act* Section 514

THRAN/PACHOLUK: THAT the Area C Advisory Planning Commission support Official Community Plan Amendment Application CP 1CV 18 to remove Section 44.(6) of the Official Community Plan (OCP) that requires parcels proposed for subdivision in the electoral areas, in accordance with Section 514 (subdivision to provide residence for a relative) of the *Local Government Act* (RSBC, 2015, c. 1) (LGA), be two times the size of the minimum parcel size required in the zoning

Status update on APC recommendations

Ton Trieu, Assistant Manager of Planning Services, provided an update regarding Electoral Area Services Committee and board decisions related to APC recommendations.

Next Meeting Date

The next Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission meeting is scheduled for Wednesday, August 1, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

Termination

GRANT/PACHOLUK: THAT the meeting terminate.

CARRIED

Time 9:03 pm.

Recording Secretary:
Jim Langridge

Acting Chair:
John Milne

Received by the Electoral Areas Services Committee on the _____ day of _____, 20____.