

- 5.9. [17-184](#) Building Conversion Strata Application ST-01-14 for Lot A, Section 9, Otter District, Plan 14072 - 8448 and 8450 West Coast Road

MOVED by Director Hicks, **SECONDED** by Director McIntyre,
That Building Conversion Strata ST-01-14 for Lot A, Section 9, Otter District, Plan 14072 to obtain individual title for each side of a two-family dwelling as shown on Strata Plan EPS4014, be given final approval.
CARRIED

- 5.10. [17-185](#) Consideration to Approve the Southern Gulf Islands Food and Agriculture Strategy

MOVED by Director Hicks, **SECONDED** by Director McIntyre,
That the draft Southern Gulf Islands Food and Agriculture Strategy be approved.
CARRIED

- 5.11. [17-212](#) Gardom Pond Dam

MOVED by Director Hicks, **SECONDED** by Director Tait,
1. That a financial plan be prepared for the lowest cost option, which would include:
a) completing the required works to lower the water level of the pond to its natural level, and providing vehicle access to the two properties that use the road on top of the dam;
b) confirming the approval of the Southern Gulf Islands Electoral Area Director to support funding \$100,000 from the Community Works Fund to support the works;
c) funding the Pender Island Parks and Recreation Committee portion of the works from the existing capital reserve;
d) estimating the annual borrowing costs of the remaining 5/6 of the project cost over a 15-year period;
e) estimating any required annual maintenance cost for the pond area and any ongoing costs required for the road access; and
2. That a petition be prepared to request the establishment of a Service Area consisting of the 5 private water licence holders' properties for the purpose of completing the works listed in Item 1 above.
CARRIED

- 5.12. [17-221](#) Grants-in-Aid

MOVED by Director Hicks, **SECONDED** by Director McIntyre,
That the following grant-in-aid applications be approved:
Mayne Island Conservancy Society (SGI): \$3,500
Mayne Island Fallow Deer Committee (SGI): \$3,500
Sooke Foodbank Society: \$1,000
CARRIED

Environmental Services Committee

- 5.13. [17-162](#) Environmental Services Committee Terms of Reference

MOVED by Director Hicks, **SECONDED** by Director Tait,
That the Environmental Services Committee 2017 Terms of Reference be

5.11. [17-212](#) Gardom Pond Dam

Recommendation: That the Electoral Area Services Committee recommend to the Capital Regional District Board:

1. That a financial plan be prepared for the lowest cost option, which would include:
 - a) completing the required works to lower the water level of the pond to its natural level, and providing vehicle access to the two properties that use the road on top of the dam;
 - b) confirming the approval of the Southern Gulf Islands Electoral Area Director to support funding \$100,000 from the Community Works Fund to support the works;
 - c) funding the Pender Island Parks and Recreation Committee portion of the works from the existing capital reserve;
 - d) estimating the annual borrowing costs of the remaining 5/6 of the project cost over a 15-year period;
 - e) estimating any required annual maintenance cost for the pond area and any ongoing costs required for the road access; and
2. That a petition be prepared to request the establishment of a Service Area consisting of the 5 private water licence holders' properties for the purpose of completing the works listed in Item 1 above.

(NWA)

Attachments: [Staff Report: Gardom Pond Dam](#)
[Appendix A: Southern Gulf Islands Community Works Funds](#)

5.12. [17-221](#) Grants-in-Aid

Recommendation: That the Electoral Area Services Committee recommend to the Capital Regional District Board:

That the following grant-in-aid applications be approved:

Mayne Island Conservancy Society (SGI): \$3,500
Mayne Island Fallow Deer Committee (SGI): \$3,500
Sooke Foodbank Society: \$1,000
(NWA)

Attachments: [Staff Report: Grants-in-Aid](#)
[Appendix A: Grant-in-Aid Requests](#)

Environmental Services Committee**5.13. [17-162](#) Environmental Services Committee Terms of Reference**

Recommendation: That the Environmental Services Committee recommend to the Capital Regional District Board:

That the Environmental Services Committee 2017 Terms of Reference be approved as presented.
(NWA)

Attachments: [Staff Report: Environmental Services Committee Terms of Reference](#)
[Appendix A: Draft ESC 2017 TOR](#)
[Appendix B: Climate Action Inter-Municipal Task Force TOR](#)
[Appendix C: Roundtable on the Environment 2016 TOR](#)



**REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, MARCH 15, 2017**

SUBJECT Gardom Pond Dam

ISSUE

To consider an alternative approach to the Gardom Pond Dam mitigation strategy.

BACKGROUND

The Capital Regional District (CRD) is 1 of 6 water licence holders (WLHs) tied to lands adjacent to Gardom Pond and held as part of the Pender Island Parks and Recreation Service. The WLHs have been advised by the provincial Dam Safety Officer that the Gardom Pond Dam, classified as "high consequence", is in poor condition and remedial works are required.

At its October 12, 2016 meeting, the CRD Board approved the following approach for rehabilitation of Gardom Pond dam:

1. *That a financial plan be prepared to remediate the dam, which would include:*
 - (a) *Completing the required works to update the dam to provincial standards including construction of a spill-way;*
 - (b) *Establishing a cost sharing formula whereby 1/6 of the costs would be apportioned to the 5 private water licence holders and 4/6 to the Pender Island Parks and Recreation Service, which would seek elector approval from residents within the entire service area to borrow this share of the funds;*
 - (c) *Confirming the approval of the Southern Gulf Islands Electoral Area Director to support funding of the remaining 1/6 of the capital project from the Electoral Area Community Works Fund, and;*
 - (d) *Estimating any required annual maintenance cost for the pond area.*
2. *That a loan authorization bylaw be prepared for the purpose of completing the capital works listed in 1. above; and*
3. *That a meeting with the water licence holders be held to propose this option and request their approval to proceed as listed above.*

A meeting with the water licence holders (WLHs) was held on Pender Island on December 2, 2016 to present this option and seek consensus. The Chair of the Pender Island Parks and Recreation Committee (PIPRC) indicated that on November 27, 2016, the PIPRC passed a motion to request the Electoral Area Director for the Southern Gulf Islands bring forward to the Board an additional option of decommissioning (naturalizing) the dam for the referendum.

CRD Legislative Services referred the matter of two options on a referendum to legal counsel who advised the approach is problematic and should not be pursued. Providing two opposing questions may also result in fragmenting the vote and offer a low likelihood of approval for either proposal.

Subsequently, CRD staff met with provincial staff from the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) to review the potential for naturalization of the pond. Naturalization of the pond would involve lowering the pond water level in a controlled manner and reestablishing an outlet at the original discharge stream bed. All elements of the dam would be removed. The existing road (Gardom Lane) would be maintained. It is estimated that the level of the pond would be reduced by approximately 2 metres, which would result in a remaining basin approximately 1-2 meters deep. The resulting exposed shoreline would be revegetated.

A meeting with 4 of the 5 private WLHs was held on Pender Island on February 24, 2017 to present this option and seek consensus. The remaining WLH was contacted via telephone on March 3, 2017. All 5 private WLHs have indicated broad support for naturalizing the pond.

ALTERNATIVES

That the Electoral Area Services Committee recommend to the CRD Board:

Alternative 1

1. That a financial plan be prepared for the lowest cost option, which would include:
 - a) completing the required works to lower the water level of the pond to its natural level, and providing vehicle access to the two properties that use the road on top of the dam;
 - b) confirming the approval of the Southern Gulf Islands Electoral Area Director to support funding \$100,000 from the Community Works Fund (CWF) to support the works;
 - c) funding the PIPRC portion of the works from the existing capital reserve;
 - d) estimating the annual borrowing costs of the remaining 5/6 of the project cost over a 15-year period;
 - e) estimating any required annual maintenance cost for the pond area and any ongoing costs required for the road access; and
2. That a petition be prepared to request the establishment of a Service Area consisting of the 5 private water licence holders' properties for the purpose of completing the works listed in Item 1 above.

Alternative 2

That staff work with the Board Solicitor to prepare a plan to decommission the dam and recover the costs from the individual water licence holders (5 private land owners and the Pender Community Parks Service) and bring the plan back to the Board for consideration.

FINANCIAL IMPLICATIONS

The cost of naturalization, estimated at approximately \$500,000, is significantly less than rehabilitation. Potential additional costs, yet to be determined, may include property acquisition, fire protection and environmental measures.

It is proposed that the project cost be funded \$100,000 from the CWF (see schedule in Appendix A), with the remaining \$400,000 to be divided between the 6 licencees according to the same weighting as the annual water quantity allocated to each licence (5 WLHs at 12.5% and 1 WLH at 37.5%). The CRD's share (approximately \$50,000) would be funded from the PIPRC

capital reserve fund, which had a balance of \$110,472 as of March 7, 2017, while the remaining \$350,000 would be funded by the 5 private WLHs through new MFA debt over 15 years. In order to secure the MFA borrowing, a new service must be established with the approval of the Inspector of Municipalities. The necessary bylaws will be brought back to the Board for approval once consent of the participants is achieved through formal petition.

RISK IMPLICATIONS

The CRD, as holder of a water licence, has statutory obligations under Section 31 of the *Water Sustainability Act*. As a result, the CRD, along with the other WLHs, would be responsible for a failure of the dam. By decommissioning, or naturalizing, the dam, the CRD is able ultimately to abandon the water licence and thus eliminate any statutory obligations arising from the regulatory authority.

ENVIRONMENTAL IMPLICATIONS

Naturalization of the Gardom Pond dam does not fully preserve current water levels of the pond and will impact local ecology; however, by removing the dam, the pond is restored to its natural water basin level. One of the properties has an environmental covenant attached to a portion of the property, restricting the use and allowable works. The Islands Trust has confirmed that, in spite of the covenant, they will allow the works needed to address the dam safety deficiencies, and will waive any clauses in conflict with the remediation.

CONCLUSION

Discussions with the water licence holders over the risk and condition of the dam have been ongoing for numerous years. The Dam Safety Officer requires that the WLHs address the dam safety issues identified with the Gardom Pond dam. Preliminary work has been completed on the option to naturalize the dam and a cost sharing formula is proposed that apportions costs to the 5 private licence holders and the Pender Community Parks Service, striking a balance that is fair and affordable for those directly impacted. Naturalization of the pond mitigates future risk and statutory obligations.

RECOMMENDATION

That the Electoral Area Services Committee recommend to the Capital Regional District Board:

1. That a financial plan be prepared for the lowest cost option, which would include:
 - a) completing the required works to lower the water level of the pond to its natural level, and providing vehicle access to the two properties that use the road on top of the dam;
 - b) confirming the approval of the Southern Gulf Islands Electoral Area Director to support funding \$100,000 from the Community Works Fund to support the works;
 - c) funding the Pender Island Parks and Recreation Committee portion of the works from the existing capital reserve;
 - d) estimating the annual borrowing costs of the remaining 5/6 of the project cost over a 15-year period;
 - e) estimating any required annual maintenance cost for the pond area and any ongoing costs required for the road access; and

2. That a petition be prepared to request the establishment of a Service Area consisting of the 5 private water licence holders' properties for the purpose of completing the works listed in Item 1 above.

| | |
|---------------|---|
| Submitted by: | Dan Telford, P.Eng., Senior Manager, Environmental Engineering |
| Concurrence: | Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services |
| Concurrence: | Robert Lapham, MCIP, RPP, Chief Administrative Officer |

PD/BM:ab

Attachment: 1 – Appendix A: Southern Gulf Islands Community Works Funds

| SOUTHERN GULF ISLANDS COMMUNITY WORKS FUNDS | | | | | |
|---|---|------------------------|---------------------|--|---|
| CWF PROJECT CATEGORY (GL:215093) | DESCRIPTION | APPROVAL DATE (M/Y) | AMOUNT APPROVED | COMPLETED/ CANCELLED/ PROJECT SURPLUS (Returned to SGI Account) | CWF BALANCE BASED ON FUNDING TO BE RECEIVED IN 2017 |
| Public Transit/Active Transportation | | | | | |
| Mayne Island Demo Trail | For development of a demonstration trail on Mayne Island | Nov-14 | \$ 60,000 | \$ - | |
| Mayne Island Bus Society | To acquire 2 busses for Galiano Island and North Pender Island | May-16 | \$ 50,000 | | |
| Magic Lake Estates Emergency Access/Egress Route | To construct a trail for recreational and safety purposes | Oct-16 | \$ 50,000 | | |
| Mayne Island Bus Society | To purchase a bus to replace an older vehicle. | Sep-16 | Defunded | | |
| Community Energy Systems | | | | | |
| PI Community Hall | Energy efficiency retrofit - scope analysis | Aug-11 | \$ 11,000 | \$ - | |
| PI Community Hall | Energy efficiency retrofit | Mar-12 | \$ 132,000 | \$ 8,912 | |
| Pender School Solar Roof Project | Installation of a solar roof energy system | Feb-16 | \$ 20,000 | | |
| Greening Satuma Community Hall | Energy audit and implementation of energy efficiency upgrades | Feb-16 | \$ 30,000 | | |
| Pender Library (part of SGI Library Service) | Installation of a solar roof energy system | Dec-16 | \$ 15,000 | | |
| Galiano Museum Society | Installation of a heat pump to heat the new museum building | Dec-16 | \$ 20,000 | | |
| Pender Library (part of SGI Library Service) | Installation of a heat pump to heat the library | Mar-17 | TBC: \$22,733 | | |
| Cultural Infrastructure | | | | | |
| Mayne Reading Centre Renovation Project | To help defray the costs (\$54K) of renovating the reading room | Feb-17 | \$ 4,000 | | |
| Disaster Mitigation | | | | | |
| Gardom Pond lower dam | For emergency repairs to Gardom Pond | Oct-14 | \$ 50,000 | | |
| Recreation | | | | | |
| Galiano Childcare Centre | For renovations to create a childcare centre in the Community School | Mar-17 | TBC \$34,500 | | |
| Short-Sea Shipping | | | | | |
| Miners Bay Dock Infrastructure Improvements | To fund development of design options | Dec-16 | \$ 15,000 | | |
| Water and Wastewater | | | | | |
| Water Meters | For the purchase of water metering equipment to be installed in a number of SGI water services on the SGI. | May-08 | \$ 265,700 | \$ - \$ - \$ - \$ - | |
| Infrastructure Inventory | Water and sewer infrastructure inventory , inclusive of a complete island-wide standpipe inventory. | Aug-11 | \$ 150,000 | \$ - | |
| Pender Islands Fire Hall No. 1 | Water supply infrastructure upgrade for the Fire Hall No. 1 | Apr-14 | \$ 75,000 | | |
| Lyall Harbour/Boot Cove | For the Lyall Harbour/Boot Cove water system project | Aug-12 | \$ 120,000 | | |
| Lyall Harbour/Boot Cove | For the Lyall Harbour/Boot Cove water system project | Mar-13 | \$ 20,000 | | |
| North Galiano Fire Hall Well | A well for potable water supply for Nth Galiano Fire Hall | Dec-13 | \$ 18,000 | | |
| Magic Lake Estates | For the Magic Lake Estates water system project. | May-14 | \$ 60,000 | | |
| Magic Lake Estates Septic System Upgrade | For phase 1 of the MLE septic system upgrade | Oct-14 | \$ 60,000 | | |
| Lyall Harbour/Boot Cove | For capital works to LHBC Money Lake #1 Dam | Nov-14 | \$ 112,000 | | |
| Magic Lake Estates Sewerage Treatment Options | As part of MLE sewer system renewal, the project involves analyzing alternative sewerage treatment system options | Aug-15 | \$ 15,000 | \$ 2,481 | |
| Solid Waste management | | | | | |
| Capacity Building | | | | | |
| Cycling/Pedestrian Trail Plan | Cycling and pedestrian trail plan for SGI | Dec-12 | \$ 60,000 | | |
| SGI Community Economic Sustainability Commission Economic Development Framework | For preparation of an economic development framework for SGI | Sep-16 | \$ 50,000 | \$ - | |
| Community Quality of Life and Needs Assessment | For a Community Quality of Life and Needs Assessment Inventory | Jul-13 | \$ 15,000 | \$ 14,755 | |
| Social Finance Model for SGI Economic Development | To develop a social finance model for the SGI; | Jul-14 | | \$ - | |
| SGI Food System and Agriculture Strategy | For development of a food system and agriculture strategy | Aug-13 | \$ 66,000 | | |
| Experience the Gulf Islands (ETGI) Concept Plan | To develop the plan | Mar-16 | \$ 35,000 | | |
| Housing Needs Assessment for the SGI | To conduct a housing needs assessment | Oct-16 | \$ 40,000 | | |
| SSI and SGI Regional Trails Plan | To expedite completion of the SSI and SGI Regional Trails Plan | Dec-16 | \$ 10,000 | | |
| SGI - Prioritization of Community Initiatives | Analysis of community priorities to assist with long-term planning | Mar-17 | TBC: \$16,000 | | |
| CWF 2005-2017: Summary | | | \$ 1,628,700 | \$ 26,148 | \$ 627,852 |