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**MINUTES OF A MEETING OF THE CAPITAL REGIONAL DISTRICT BOARD,  
held Wednesday, August 13, 2008 in the Board Room, 625 Fisgard Street, Victoria, BC**

**PRESENT:** **Directors:** D. Blackwell (Chair), S. Brice, M. Cardinal, C. Causton, L. Cross (for D. Amos), T. Daly, S. DeGryp, V. Derman, G. Holman, F. Leonard, J. Mar, J. Ranns, D. Saunders (for J. Twa), U. Schnarr (for E. Lund), D. Screech (for G. Hill), J. Sterk (for C. Clement) and L. Wergeland

**Staff:** K. Daniels, B. Lapham, D. Lokken, A. Orr, L. Rushton, R. Sharma and C. Thiel (Recorder)

**ABSENT:** Directors J. Brownoff and J. Evans

**REGRETS:** Directors A. Lowe, C. Coleman, D. Fortin and C. Thornton-Joe.

The meeting was called to order at 1:59 p.m.

**1. APPROVAL OF THE AGENDA**

MOVED by Director Derman, SECONDED by Director Ranns,  
that the agenda, supplementary agenda and speakers requests be approved.

**CARRIED**

**2. APPROVAL OF MINUTES OF THE MEETING OF JULY 9, 2008**

MOVED by Alternate Director Cross, SECONDED by Director Brice,  
that the minutes of the meeting of July 9, 2008 be amended to reflect the  
attendance of Alternate Director Christopher Graham in place of Director Mar,  
and that the minutes be adopted as amended.

**CARRIED**

**3. REPORT OF THE CHAIR**

The Chair had no report.

**4. PRESENTATIONS/DELEGATIONS**

**4.1 WestPac LNG Written Submission**

The Chair noted that the WestPac submission was included in the agenda package.

**4.2 Requests to Address CRD Board re: item 5.2(1) WestPac LNG Proposal, Texada Island**

- Mr. Colin Palmer, Chair of the Powell River Regional District, asked for CRD support for a ban on Liquefied Natural Gas tanker traffic in Juan de Fuca, Haro, Georgia and Malaspina Straits and support for Powell River Regional District's resolution to the Union of BC Municipalities.

- Mr. Chuck Childress, representing Texada Action Now, spoke in opposition to the siting of a LNG import terminal and gas-fired electricity generation plant on Texada Island and asked the Board to support the Powell River Regional District resolution.

MOVED by Director Holman, SECONDED by Director Derman, that Will Horter's request to address the Board be approved.

**CARRIED**

- Mr. Will Horter, representing the Alliance to Stop LNG, spoke to the potential safety and security risks of LNG tanker traffic in local waters and the environmental impacts of a gas-fired electricity generation plant. He noted that there is a 26,000 name petition, including signatures of many residents within the Capital Regional District, opposing the LNG proposal.

**4.3 Requests to Address CRD Board re: item 5.4(1) Transmittal of the Report of the Facilitator (RGS Amendment)**

- Mr. Bob McMinn, representing the Regional Planning Society, asked that proposed Amendment Bylaw 3344 to extend the Regional Urban Containment and Servicing Policy Area be incorporated into the five year review of the Regional Growth Strategy.

Alternate Director Saunders entered the meeting at 2:17 p.m.

Director Cardinal asked Mr. McMinn to forward him the names of the Directors of the Regional Planning Society.

- Ms. Vicky Husband supported the Board using one of the options presented in the facilitator's report and incorporating the proposed RGS amendment into the five year review, which would keep the issue at the Board level.

**5. REPORTS OF COMMITTEES**

**5.1 ELECTORAL AREA SERVICES COMMITTEE – August 6, 2008**

**1. Permissive Tax Exemption**

MOVED by Director DeGryp, SECONDED by Director Holman, that Bylaw No. 3554, "Tax Exemption (Permissive) Bylaw, 2008" be introduced and read a first time.

**CARRIED**

MOVED by Director DeGryp, SECONDED by Director Holman that Bylaw No. 3554 be read a second time.

**CARRIED**

MOVED by Director DeGryp, SECONDED by Director Holman, that Bylaw No. 3554 be read a third time.

**CARRIED**

MOVED by Director DeGryp, SECONDED by Director Holman, that Bylaw No. 3554 be adopted.

**CARRIED**

**2. Juan de Fuca Recreation Facility Fees and Charges 2008/2009**

MOVED by Alternate Director Schnarr, SECONDED by Director DeGryp, that Bylaw No. 3553, "Juan de Fuca Recreation Centre Fees and Charges Bylaw No. 1, 2002, Amendment Bylaw No. 5, 2008" be introduced and read a first time.

**CARRIED**

MOVED by Alternate Director Schnarr, SECONDED by Director DeGryp, that Bylaw No. 3553 be read a second time.

**CARRIED**

MOVED by Alternate Director Schnarr, SECONDED by Director DeGryp, that Bylaw No. 3553 be read a third time.

**CARRIED**

MOVED by Alternate Director Schnarr, SECONDED by Director DeGryp, that Bylaw No. 3553 be adopted.

**CARRIED****3. UBCM Community Excellence Awards for Best Practices – Grants Management Program**

MOVED by Director Holman, SECONDED by Director DeGryp, that the Board support the application for the 2008 UBCM Community Excellence Awards – Best Practices for the CRD Grants Management Program.

**CARRIED****4. Grants-In-Aid – Electoral Areas**

Director Holman indicated that he wished to make two changes to the grants-in-aid recommendation as follows:

- change the amount of the grant for the Institute for Sustainability Education and Action from \$5,000 to \$3,800; and
- delete the grant for Salt Spring Island Land Bank Society pending further consultation.

MOVED by Director Holman, SECONDED by Director DeGryp, that the following grants-in-aid be approved for payment:

- |    |  |            |
|----|--|------------|
| 1) | Juan de Fuca Electoral Area Grants-in-Aid as approved by Director Lund:  |            |
|    | East Sooke Blackberry Festival Society                                   | \$2,000.00 |
| 2) | Salt Spring Electoral Area Grants-in-Aid as approved by Director Holman: |            |
|    | Institute for Sustainability Education and Action                        | \$3,800.00 |
|    | Island Farmer's Institute Foundation                                     | 1,500.00   |
|    | SSI Residents for Responsible Land Use                                   | 1,500.00   |

**CARRIED**

**5. WestPac Liquid Natural Gas Proposal, Texada Island**

MOVED by Director Holman, SECONDED by Director DeGryp, that the Board support the recommendation in the WestPac LNG, Texada Island report to the Environment Committee on July 23, 2008 on behalf of the Electoral Areas.

**CARRIED****5.2 ENVIRONMENT COMMITTEE – July 23, 2008****1. WestPac LNG Proposal, Texada Island**

MOVED by Director Brice, SECONDED by Director Holman, that the CRD Board consider endorsing the following resolution:

- 1) that consistent with the Province's goal of energy self-sufficiency and clean power, the Board of the Capital Regional District urge the Provincial Government, as part of achieving the BC Energy Plan, to require zero greenhouse gas emissions from new gas-fired electricity generation stations and to support a federal government ban on the passage of LNG tankers in the waters of the Malaspina Strait, Strait of Georgia, Haro Strait and Boundary Passage; and
- 2) that the Board request the federal government to implement a ban on LNG tanker traffic as indicated above.

**CARRIED**

MOVED by Director Derman, SECONDED by Alternate Director Schnarr, that the Board endorse the resolution.

During discussion the following points were raised:

- the recommendation is directed at a level of principles and not specific to the WestPac LNG proposal;
- there are environmental, safety and security issues associated with the proposal;
- BC has adequate reserves of natural gas and does not need to import it with the associated risks;
- there are concerns with the proposal and its impact on climate change; and the substantial impact for a potential tanker accident in restricted waterways must be considered.

The motion was then put,

**CARRIED****5.3 JUAN DE FUCA LAND USE COMMITTEE – July 8, 2008****1. Development Permit Applications****a) DP-11-08 – Hayward – 2794 Sheringham Point Road (Renfrew District)**

MOVED by Alternate Director Schnarr, SECONDED by Director Mar,

- 1) that Development Permit DP-11-08 for the expansion of a commercial building on Lot 1, Section 55, Renfrew District, Plan 48700 as indicated on the attached site plan, be approved subject to the following conditions:

- a) that the building plan and site plan be amended to include minor alterations to accommodate the mature cedar tree adjacent to the existing restaurant and proposed landscaping to screen parking and outdoor storage areas;
- b) that the parking surface be finished with combination of hard surface pavers or alternate hard surface finish in travelled areas and permeable paver or other surfaces in parking areas;
- c) approval from Ministry of Transportation regarding the access and parking area;
- d) that no parking will be permitted within the front yard setback.

**CARRIED**

**b) DP-12-08 – Walters – 6629 Willis Point Road (Highland District)**

MOVED by Alternate Director Schnarr, SECONDED by Director Mar,

- 1) that staff update the Willis Point Comprehensive Community Plan to remove the wetland designation indicated in the vicinity of Lot 1, Section 46A, Highland District, Plan 21981, when the Plan is next updated.
- 2) that Development Permit DP-12-08, for the proposed subdivision on Lot 1, Section 46A, Highland District, Plan 21981, be approved subject to the following conditions:
  - a) that the development comply with the Willis Point Comprehensive Community Plan Steep Slope and Foreshore, Wetland and Riparian Area Development Permit Area Guidelines; and
  - b) that the McQuarrie Geotechnical Consultants Ltd. recommendations stated in the February 11, 2008 “Drainage Assessment” and the April 28, 2008 “Slope Stability Assessment” reports (Attachments 5 and 6) be set as conditions of the Development Permit.

**CARRIED**

**2. Development Variance Permit Applications**

**a) DVP-05-08 – Pocock – 6214 Llanilar Road (Sooke District)**

MOVED by Alternate Director Schnarr, SECONDED by Director Mar, that Development Variance Permit DVP-05-08 for Lot 2, Section 111, Sooke District, Plan VIP58288, to relax the allowable square footage for an accessory building from 100 m<sup>2</sup> (1076 ft<sup>2</sup>) to 149.4 m<sup>2</sup> (1608 ft<sup>2</sup>) and for a height relaxation from 4.0m (13 ft) to 5.61m (18.5 ft), as indicated on the applicant's drawing, be approved.

**CARRIED**

**b) DVP-10-08 – Kirk – 7995 West Coast Road (Otter District)**

MOVED by Alternate Director Schnarr, SECONDED by Director Mar, that the Regional Board approve the applicant's request to construct an accessory building for use as a Bed and Breakfast unit that exceeds the height, total floor area and size requirements, and:

1. that staff confirm that the accessory woodshed be removed prior to this application being considered by the CRD Regional Board;
2. that Development Variance Permit DVP-10-08 for Lot B, Section 31, Otter District, Plan 5884, except part in Plan 21155, to relax:
  - the total floor area of accessory buildings from 80 m<sup>2</sup> (861 ft<sup>2</sup>) to 84.4 m<sup>2</sup> (908.5 ft<sup>2</sup>);
  - the size of the total floor area of any accessory structure devoted to Bed and Breakfast Units from 45 m<sup>2</sup> (484 ft<sup>2</sup>) to 52 m<sup>2</sup> (559 ft<sup>2</sup>);
  - the height of the proposed accessory building from 4 m (13 ft) to 5.79 m (19 ft) as indicated on the applicant's drawing(s) be approved;
  - the slope for on-site sewage disposal systems, as indicated on the applicant's site plan, be approved.

**CARRIED**

**c) DVP-16-08 – Babcock/Hunter – Lot 11, Otter Ridge Drive (Otter District)**

MOVED by Alternate Director Schnarr, SECONDED by Director Mar, that Development Variance Permit DVP-16-08 for Lot 11, Section 10, Otter District, Plan VIP77477, to relax the Total Floor Area of a residential building from 418 m<sup>2</sup> (4499 ft<sup>2</sup>) to 515 m<sup>2</sup> (5543 ft<sup>2</sup>), as indicated on the applicant's building plan, be approved.

**CARRIED**

**5.4 Planning and Protective Services Committee – July 23, 2008**

**1. Transmittal of the Report of the Facilitator (RGS Amendment)**

MOVED by Director Cardinal, SECONDED by Director Wergeland,  
1) that the attached Report of the Facilitator be received for information;  
2) that staff be directed to notify the Minister that the facilitation process has concluded and no resolution was received.

Following a suggestion that the motion be amended to request that the RGS amendment be considered as part of the five year review, there was general discussion about the prescribed process set out by the Province for dealing with amendments to a regional growth strategy.

The motion was then put,

**DEFEATED**

MOVED by Director Derman, SECONDED by Director Ranns, that it be recommended to the Minister that this process be folded into the five year RGS review and a resolution sought through that process.

Debate ensued and it was pointed out that this is a deviation from the prescribed process and that the amendment process is flawed and cumbersome. It was suggested that with an arbitrator, who would have veto powers, a decision would be outside the purview of the Board.

The motion was then put,

**CARRIED**

Staff confirmed that this motion would be in the form of a request to the Minister.

## 6. ADMINISTRATION REPORTS

### 6.1 Islands Trust 2008 Election Services Agreement and Appointment of Chief Election Officer for the Conduct of the 2008 Local Government Election of Island Trustees

MOVED by Director DeGryp, SECONDED by Director Holman, that the Islands Trust 2008 Election Services Agreement between CRD and the Islands Trust Council be approved and authorized for execution

**CARRIED**

MOVED by Director DeGryp, SECONDED by Director Holman, that Pursuant to Section 41 of the Local Government Act, Thomas Frederic Moore be appointed Chief Election Officer with the power to appoint such other assistance as may be required for the administration and conduct of the 2008 election of island trustees; and that Carmen Thiel, Sheila Norton and Thomas David be appointed Deputy Chief Election Officers.

**CARRIED**

### 6.2 Result of Alternative Approval Process Related to Bylaw No. 3530, "Regional Service for Emergency Program Support Establishment Bylaw No. 1, 2008"

MOVED by Alternate Director Schnarr, SECONDED by Director Holman, that the Board receive the attached Certificate of Results of Alternative Approval Process re: Bylaw No. 3530.

**CARRIED**

MOVED by Alternate Director Schnarr, SECONDED by Director Holman, that Bylaw No. 3530 be adopted.

**CARRIED**

### 6.3 Result of Alternative Approval Process Related to Bylaw No. 3542, "Capital Regional District Park Disposal Bylaw No. 1, (Southern Gulf Islands), 2008"

MOVED by Director DeGryp, SECONDED by Alternate Director Schnarr, that the Board receive the attached Certificate of Results of Alternative approval Process re: Bylaw No. 3542.

**CARRIED**

MOVED by Director DeGryp, SECONDED by Alternate Director Schnarr, that Bylaw No. 3542 be adopted.

**CARRIED**

### 6.4 Community Action on Energy Efficiency (CAEE) Gold Program Grant for Salt Spring Island

MOVED by Director Holman, SECONDED by Director DeGryp, that the Fraser Basin Council be advised that the CRD Board supports the August 2008 application to the CAEE Gold Grant program for Salt Spring Island.

**CARRIED**

**7. BYLAWS AND RESOLUTIONS****Appointments to North Galiano Fire Protection Committee**

MOVED by Director DeGryp, SECONDED by Alternate Director Schnarr, that Roger Pettit, Rob Snape, Elizabeth Zook and Susan Phillips be appointed for a term to expire June 30, 2010.

**CARRIED**

MOVED by Alternate Director Schnarr, SECONDED by Director Derman, that the Board meeting adjourn at 2:51 p.m. to conduct *in camera* Hospital Board business.

**CARRIED**

The Board reconvened in open meeting at 2:53 p.m.

**8. MOTION TO MOVE IN CAMERA**

MOVED by Director Brice, SECONDED by Director DeGryp, that the Board close the meeting and move in camera in accordance with the Community Charter, Part 4, Division 3, 90(1)(e) acquisition or disposition of land or improvements; (f) law enforcement; and (g) litigation or potential litigation affecting the regional district.

**CARRIED**

The Board convened the in camera portion of the meeting at 2:53 p.m. and resumed in open session at 3:08 p.m. to rise and report.

**9. RISE AND REPORT**

The Board reported on the following:

- **Request for Approval to Commence Legal Action to Bring About Compliance with CRD Bylaw No. 1887 for Allowing the Property to Become and Remain in an Unightly Condition - 37143 Galleon Way, Pender Island**  
The CRD Board authorized commencement of legal proceedings against the owner(s) and/or occupier(s) of the property legally described as Lot 105, Section 10, Pender Island, Cowichan District, Plan 22273, PID 003-272-8267, for the purpose of obtaining compliance with the *Local Government Act*, *Community Charter* and the Bylaws of the Capital Regional District; and
- **Appointments to the Wilderness Mountain Water Service Commission**  
The Board appointed the following representatives to the Wilderness Mountain Water Service Commission until the Annual General Meeting in November 2008:
  - Dale Tallyn
  - Charles (Chuck) Taylor
  - Yale Shap

**10. ADJOURNMENT**

MOVED by Director Brice, SECONDED by Director Holman,  
that the meeting adjourn at 3:08 p.m.

**CARRIED**

**CERTIFIED CORRECT:**

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**CHAIR**

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**CORPORATE OFFICER**