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MINUTES OF A MEETING OF THE CAPITAL REGIONAL DISTRICT BOARD
Held Wednesday, August 8, 2012, in the Board room, 625 Fisgard Street, Victoria, BC

PRESENT: Directors: G. Young (Chair), M. Alto (2:15), D. Blackwell, A. Bryson, S. Brice, C. Coleman (for D. Fortin), J. Cullington (for C. Hamilton), V. Derman, B. Desjardins, P. Gerrard (for L. Wergeland), D. Howe, N. Jensen, R. Kasper (for W. Milne), F. Leonard, M. Loveless (1:32, for L. Cross), P. Madoff (for B. Isitt), W. McIntyre, J. Mendum, D. Murdock (for J. Brownoff), J. Ranns, D. Screech (for G. Hill) and W. Vowles (for M. Hicks)

Staff: K. Daniels, Chief Administrative Officer; J. Hull, General Manager, Integrated Water Services; L. Hutcheson, General Manager, Environmental Sustainability; D. Lokken, General Manager, Corporate Services; L. Rushton, General Manager, Parks and Community Services; M. Misek-Evans, Senior Manager, Regional and Strategic Planning; S. Santarossa, Corporate Officer, and S. Norton, Corporate Assistant, Legislative Services (Recorder)

ABSENT: Director: T. Daly

The Chair called the meeting to order at 1:30 pm.

1. APPROVAL OF THE AGENDA

MOVED by Director Brice, **SECONDED** by Director Derman,
That the agenda and supplementary agenda be approved.

CARRIED

2. ADOPTION OF MINUTES OF JULY 11, 2012

MOVED by Director Derman, **SECONDED** by Director Bryson,
That the minutes of the meeting of July 11, 2012 be adopted with the following amendments on page 4, Item 5.3.3:

- replace 'Alto' with 'Brownoff' as Secunder to the main motion;
- replace 'Hill' with 'Jensen' as Mover, and 'Alto' with 'Leonard' as Secunder to the amending motion.

CARRIED

3. REPORT OF THE CHAIR – No report

4. PRESENTATIONS/DELEGATIONS - None

5. REPORTS OF COMMITTEE

Alternate Director Loveless entered the meeting at 1:32 pm.

5.1 CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE – August 8, 2012

1. A Bylaw for the Establishment of a Commission to Administer the Core Area Wastewater Treatment Program

This item was withdrawn from the agenda because it was not forwarded from Committee.

2. Implications of New Federal Wastewater Systems Effluent Regulations

MOVED by Director Blackwell, **SECONDED** by Alternate Director Cullington,
That the report be received for information.

MOVED by Director Derman, **SECONDED** by Director Desjardins,
That the report be referred back to the Core Area Liquid Waste Management Committee
for further explanation on the rationale for the high risk rating for the Clover Point and
Macaulay Point outfalls.

J. Hull advised that the high risk rating is a result of large flow volumes and relatively high
carbonaceous biochemical oxygen demand (CBOD) and suspended solid concentrations.

The question on the referral motion was called.

Blackwell, Brice, Coleman, Cullington, Gerrard,
Jensen, Leonard, Murdock, Screech, Young **DEFEATED**
OPPOSED

The question on the main motion was called.

Derman **CARRIED**
OPPOSED

5.2 ELECTORAL AREA SERVICES COMMITTEE – July 18, 2012

1. North Galiano Island Fire Hall

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That a referendum be held in order to confirm the proposed service areas position
regarding the amended service establishment and loan authorization bylaws.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3843 cited as “North Galiano Island Fire Protection and Emergency
Response Service Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 4, 2012” be
introduced and read a first and second time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3843 be read a third time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3844 cited as “North Galiano Island Fire Hall Loan Authorization Bylaw No.
1, 2012” be introduced and read a first and second time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3844 be read a third time.

CARRIED

2. Appointment of Officers

MOVED by Director Blackwell, **SECONDED** by Director Jensen,
That pursuant to Section 200 of the Local Government Act and Section 28(3) of the
Offence Act and in accordance with Capital Regional District Bylaw No. 2681, Spencer
Morrison, Peter Stocker and Jevan Deigh be appointed as Auxiliary Assistant Bylaw
Officers.

CARRIED

3. Construction of Galiano Library and Community Use Building – Award of Contract 12-1739

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Contract 12-1739, Construction of Galiano Library and Community Use Building, be
awarded to Lake Construction Ltd., in the amount of \$814,128, including HST.

CARRIED

4. Cycling Infrastructure Partnership Grant – Lower Ganges Road Cycling Lanes

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That an application to the Cycling Infrastructure Partnership Program grant program in the
amount of \$100,000 toward the construction of the Lower Ganges Cycling Lanes on Salt
Spring Island be endorsed.

CARRIED

5. Infrastructure Planning Grant – Feasibility Study for Anaerobic Digester Treatment of Sewerage Biosolids

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That an application for \$7,500 to the Infrastructure Planning Grant program to study the
feasibility of using anaerobic digester technology for treatment of biosolids at the Burgoyne
Bay Septage Facility be endorsed, and that a further \$2,500 for the project be funded from
the 2012 Salt Spring Island liquid waste disposal capital upgrade project budget.

CARRIED

6. Infrastructure Planning Grant – Feasibility Study and Conceptual Design for a Constructed Wetland to Treat Liquid Effluent

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That an application for \$7,500 to the Infrastructure Planning Grant program to study the
feasibility of using a constructed wetland to treat the liquid effluent at the Burgoyne Bay
Facility be endorsed, and that a further \$2,500 for the project be funded from the 2012 Salt
Spring Island liquid waste disposal capital upgrade project budget.

CARRIED

7. Grants in Aid

MOVED by Director Howe, **SECONDED** by Director McIntyre,

That the following grants-in-aid applications be approved for payment:

Juan de Fuca Electoral Area Grants-in-Aid as approved by Director Hicks:

- | | |
|---------------------------------|---------|
| a. Scouts Canada – Camp Barnard | \$1,000 |
|---------------------------------|---------|

Southern Gulf Islands Electoral Area Grants-in-Aid as approved by Director Howe:

- | | |
|--|---------|
| a. Galiano Club Community Food Program | \$2,500 |
| b. Pender Island Restorative Justice | \$2,500 |

CARRIED

8. Feasibility Study on Broadband Connectivity for the Southern Gulf Island

MOVED by Director Howe, **SECONDED** by Director McIntyre,

That an allocation of \$25,000 from the Electoral Area Feasibility Reserve Fund to prepare a feasibility study regarding the creation of a service around the provision of broadband connectivity on the Southern Gulf Islands be approved.

CARRIED

5.3 ENVIRONMENTAL SUSTAINABILITY COMMITTEE – July 25, 2012

1. Strategy for Using Sewage Heat for District Energy Systems

MOVED by Director Desjardins, **SECONDED** by Director Derman,

That the draft Interim Strategy for Enabling Viable Sewage Heat Recovery and Use, as attached in Appendix A to the staff report, be approved.

CARRIED

2. Private, Non-Profit and Education Sector Information Updates

The need to keep current on new integrated resource recovery technologies was highlighted. The challenges of doing this under the current CRD governance structure whereby the solid waste function is regional and the liquid waste function is sub-regional, was raised. The reasons why the Core Area Liquid Waste Management Committee had already decided against this proposal were reiterated.

MOVED by Director Desjardins, **SECONDED** by Director Derman,

That consideration of the following item be postponed pending clarification of the Terms of Reference for the Environmental Sustainability and Core Area Liquid Waste Management Committees:

- 1) *That staff engage a consultant to issue a request for expression of interest to the private, non-profit and education sectors involved in resource recovery and integrated waste management, compile the information submitted and prepare a report; and*
- 2) *That:*
 - a) *The report be focused on solid waste management and be funded from the solid waste function; OR*
 - b) *The report include both solid and liquid waste management and be funded from the solid waste, core area and Saanich Peninsula liquid waste management plan budgets.*

CARRIED

Blackwell **OPPOSED**

5.4 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK A – July 17, 2012**1. Development Variance Application VAR-02-12 – Lot 1, Section 75, Renfrew District, Plan 33475, Plan 33475 (Lampe – 10925 West Coast Road)**

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That Development Variance Permit VAR-02-12 for Lot 1, Section 75, Renfrew District, Plan 33475 to vary Juan de Fuca Land Use Bylaw 1992, Bylaw No. 2040, Part 1, Section 4.20 (g) to permit a detached accessory suite in an existing two storey accessory building, not be approved.

CARRIED

2. Temporary Industrial Permit Application: TIP-01-10 - Lot 1 of Lot 123, Block 1299, Malahat District, Plan 20837, PID 003-521-958 (TimberWest Forest Corp. Inc.); TIP-02-10 – Lot 1, Block 1263 and of Lot 124, Malahat District, Plan 24436, PID 003-034-372 (TimberWest Forest Corp. Inc.); TIP-03-10 – Block 1234, Malahat and Cowichan Lake Districts, PID 009-377-298 (TimberWest Forest Corp. Inc.)

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That a renewal of Temporary Industrial Permits TIP-01-10, TIP-02-10 and TIP-03-10 for PID: 003-521-958, PID: 003-034-372 and PID: 009-377-298 for the purpose of constructing three 60 m meteorological towers be issued with the following conditions:

- a) For the purposes of this permit “Temporary Industrial Use” shall mean: “a use providing for the construction of one meteorological tower for the purpose of collecting wind speed data that is 60 m in height, occupies 4 m² of ground area, with 60 m guy-lines, to be painted red and white and meet Transport Canada standards for navigational safety”;
- b) That the applicant notify BC Hydro of any changes to the location of the towers;
- c) That the applicant refrain from using the access road near a sensitive wetland area as described by BC Hydro in the Attachment 2;
- d) That the applicant engage a qualified consulting archaeologist to determine whether an archaeological impact assessment is warranted on PID: 003-034-372 for TIP-02-10;
- e) That a covenant be registered pursuant to Section 219 of the Land Title Act to permit the temporary industrial use for a two year period from the date of issuance of the permit. The covenant shall also include an agreement by the owner to indemnify and save harmless the Capital Regional District (CRD) against all costs and expenses incurred by the CRD, in default by the owner, in the conversion, demolition or removal of the temporary industrial use, and/or legal costs incurred in pursuing such legal remedies as the CRD sees fit. The covenant shall be registered within 30 days of the date of issuance of the permit;
- f) That an Irrevocable Letter of Credit in the amount of \$10,000 be held for a period of two years;
- g) In default of compliance with any of the provisions of this permit, the permit shall lapse;
- h) The permit shall expire within two years of the date of issuance of the permit; and
- i) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire, or explosion hazard, electrical or navigation interference.

CARRIED

3. Bylaw No. 3839 – Proposed Amendment to the East Sooke, Otter Point and Shirley Area Board of Variance Bylaw No. 3377 and the Port Renfrew Board of Variance Bylaw No. 3380

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That Bylaw No. 3839 “Juan de Fuca Board of Variance Bylaw No. 1, 2012”, be introduced
and read a first time and second time.

CARRIED

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That Bylaw No. 3839 be read a third time.

CARRIED

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That Bylaw No. 3839 be adopted.

CARRIED

5.5 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK B – July 17, 2012

1. Development Permit with Variance – DP-05-11 – Lot 41, Section 43, Highland District, Plan 8166 (Strandlund – 6966 Mark Lane)

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,

- 1) That Steep Slopes and Foreshore, Wetlands and Riparian Areas development permit DP-05-11 for Lot 41, Section 43, Highland District, Plan 8166 be approved subject to the following conditions:
 - a) That the proposed development comply with the Steep Slopes, and Foreshore, Wetlands and Riparian Areas Development Permit Guidelines outlined in the Willis Point Comprehensive Community Plan, Bylaw No. 3027;
 - b) That the proposed development comply with the recommendations outlined in the professional geoscientist’s reports prepared by Thurber Engineering Ltd., dated September 27, 2011, (Appendix 4), and June 22, 2012, (Appendix 5);
 - c) That the professional geoscientist’s reports prepared by Thurber Engineering Ltd., dated September 27, 2011, and June 22, 2012, be secured via a restrictive covenant registered on title prior to the issuance of the Occupancy Permit; and
 - d) That the conditions of this development permit with variance be verified as part of the building permit process; and
- 2) That the Willis Point Comprehensive Community Plan, 2002, Bylaw No. 3027, Schedule ‘B’, Part IV, Section 22.2(f) be varied to reduce the rear yard setback for accessory buildings from 1.5 m to 0.73 m as shown on the attached site survey prepared by J.E. Anderson & Associates, dated May 1, 2012 (Appendix 2) in order to permit the siting of a “landing” adjacent to the rear parcel line.

CARRIED

5.6 PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE – July 25, 2012**1. Trail Link Extension Opportunity Through the Centre for Plant Health**

Chair Young noted that a letter from The Honourable Gerry Ritz, PC, MP, Minister of Agriculture, regarding the proposed closure of Centre for Plant Health and the CRD's interests, was distributed with the supplementary agenda.

MOVED by Director Ranns, **SECONDED** by Director Derman,
That staff be directed to write a letter to the Southern Railway of British Columbia and the Federal government to express interest in securing a trail right-of-way through or adjacent to, the lands of the Centre for Plant Health.

CARRIED

5.7 REGIONAL PARKS COMMITTEE – July 18, 2012**1. Western Forest Products Land Acquisition for Regional Park – Update on 2010 Purchase**

MOVED by Director Brice, **SECONDED** by Director Blackwell,
That the report be received for information.

CARRIED

6. ADMINISTRATION REPORTS**6.1 Public Hearing Report on Bylaw No. 3718, “Official Community Plan for East Sooke Bylaw No. 1, 2012”**

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That the attached minutes and submissions which are certified as a fair and accurate summary of the representations that were made at the Public Hearing held on July 18, 2012 respecting Bylaw No. 3718, “Official Community Plan for East Sooke Bylaw No. 1, 2012” be received.

CARRIED

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That Bylaw No. 3718, “Official Community Plan for East Sooke Bylaw No. 1, 2012”, be read a third time.

CARRIED

6.2 Public Hearing Report on Bylaw No. 3831, “Juan de Fuca Electoral Area Land Use Bylaw, 1992, Amendment Bylaw No. 111, 2012”

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That the attached minutes and submissions that form the Report of the Public Hearing, which are certified as a fair and accurate summary of the representations that were made at the Public Hearing held on July 18, 2012 respecting Bylaw No. 3831, “Juan de Fuca Electoral Area Land Use Bylaw, 1992, Amendment Bylaw No. 111, 2012” be received.

CARRIED

MOVED by Alternate Director Vowles, **SECONDED** by Director Howe,
That Bylaw No. 3831, "Juan de Fuca Electoral Area Land Use Bylaw, 1992, Amendment
Bylaw No. 111, 2012", be read a third time.

CARRIED

6.3 North Ganges Transportation Upgrade Project – Phase 1 Award of Contract 11-1724A

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That Contract 11-1724A North Ganges Transportation Upgrade Project – Phase 1 construction
be awarded to Bowerman Excavating Limited in the amount of \$1,288,607 including HST, and
that a construction contingency of \$50,000 be approved.

CARRIED

6.4 Priorities for the 2012 Corporate Strategic Plan

MOVED by Director Blackwell, **SECONDED** by Alternate Director Loveless,
That the strategic priorities, vision and mission statements described in Appendix 1 of Report
No. PPS/RP 2012-23 be approved with the following amendment: on p. 9, Regional
Environmental Stewardship, Goal 1, replace the word 'prevent' with 'mitigate, as follows:
1. Increase efforts to mitigate climate change.

CARRIED

**6.5 Western Economic Diversification Community Infrastructure Improvement Grant
Program – CRD Applications**

MOVED by Director Howe, **SECONDED** by Alternate Director Kasper,
That the two applications to the Western Economic Diversification Community Infrastructure
Improvement grant program be endorsed, including:
1) Fernwood Community Playing Fields in the amount of \$249,470
2) SEAPARC Arena Ice Plant Rehabilitation in the amount of \$80,000.

CARRIED

6.6 Lyall Harbour / Boot Cove Water System – Funding Request

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That a contribution of \$120,000 be authorized from the Southern Gulf Islands (SGI) portion of
the Gas Tax – Community Works Funds (CWF) to the Lyall Harbour/Boot Cove water system
project.

CARRIED

6.7 Security Issuing Bylaws

MOVED by Director Leonard, **SECONDED** by Director Blackwell,
That Bylaw No. 3850, "Security Issuing Bylaw No. 2, 2012", in the amount of \$1,299,500, be
introduced and read a first and second time,

CARRIED

MOVED by Director Leonard, **SECONDED** by Director Blackwell,
That Bylaw No. 3850 be read a third time.

CARRIED

MOVED by Director Leonard, **SECONDED** by Director Blackwell,
That Bylaw No. 3850 be adopted.

CARRIED

MOVED by Director Leonard, **SECONDED** by Alternate Director Kasper,
That Bylaw No. 3852, "Security Issuing Bylaw No. 3, 2012", in the amount of \$5,373,023, be
introduced and read a first and second time.

CARRIED

MOVED by Director Leonard, **SECONDED** by Alternate Director Kasper,
That Bylaw No. 3852 be read a third time.

CARRIED

MOVED by Director Leonard, **SECONDED** by Alternate Director Kasper,
That Bylaw No. 3852 be adopted.

CARRIED

MOVED by Director Leonard, **SECONDED** by Director Blackwell,
That Bylaw No. 3853, "Security Issuing Bylaw No. 4, 2012", in the amount of \$750,000, be
introduced and read a first and second time.

CARRIED

MOVED by Director Leonard, **SECONDED** by Director Blackwell,
That Bylaw No. 3853 be read a third time.

CARRIED

MOVED by Director Leonard, **SECONDED** by Director Blackwell,
That Bylaw No. 3853 be adopted.

CARRIED

6.8 Salish Express Commuter Rail Implementation Funding Plan Request

MOVED by Director Leonard, **SECONDED** by Director Derman,
That the Capital Regional District Board advise the requesting municipalities to consider
individual contributions, and that the Board write to BC Transit requesting that they coordinate
and integrate the proposed Salish Express Services with the regional transit system.

Examples were provided of two previous regional and sub-regional grants-in-aid that resulted
in the Board's current 'no regional grants-in-aid policy'.

Director Alto entered the meeting at 2:15 pm.

The question on the motion was called.

CARRIED

7. BYLAWS**7.1 Bylaw No. 3835, "Beddis Water Service Establishment Bylaw No. 1, 2004, Amendment Bylaw No. 1, 2012"**

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That Bylaw No. 3835 be adopted.

CARRIED

8. NEW BUSINESS**9. MOTION TO CLOSE THE MEETING**

MOVED by Director Blackwell, **SECONDED** by Director Brice,
That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 90(1) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district (Items 4.1, 4.2, 5.1); (e) the acquisition, disposition or expropriation of land or improvements (Items 3.1.1, 3.1.2; 90(2) (b) the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party (Item 4.3).

CARRIED

The Board closed the meeting at 2:23 pm and rose and reported at 3:20 pm.

10. RISE AND REPORT**Regional Deer Management Strategy Citizens Advisory Group**

The Terms of Reference for the Regional Deer Management Strategy (RDMS) Citizen's Advisory Group (CAG) were amended to reflect a quorum of 6 voting members from 7 voting members.

Appointment of Jack Hull as Interim Project Director of the Core Area Wastewater Treatment Program (CAWTP)

Mr. Jack Hull was appointed to a full-time term position, on an employee contract basis, as Interim Project Director of the Core Area Wastewater Treatment Program until December 31, 2013. The Capital Regional District will commence the process of recruiting a General Manager of Integrated Water Services.

Appointment to Southern Gulf Islands Community Economic Development Commission

Walter Kohli and John Simpson were appointed for a term to expire January 1, 2013; and Michael Hoebel and Richard De Armond were appointed for a term to expire January 1, 2014.

11. **ADJOURNMENT**

MOVED by Alternate Director Coleman, **SECONDED** by Alternate Director Cullington,
That the meeting be adjourned at 3:20 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER