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**Minutes of a Meeting of the Capital Regional District Board
Held Wednesday, March 13, 2013, in the Board Room, 625 Fisgard Street, Victoria, BC**

PRESENT: Directors: A. Bryson (Chair), D. Blackwell (Vice Chair), M. Alto, S. Brice, J. Brownoff, C. Coleman (for D. Fortin), L. Cross, T. Daly, V. Derman, B. Desjardins, C. Hamilton, G. Hill, D. Howe, M. Hicks, L. Helps (for G. Young), N. Jensen, R. Kasper (for W. Milne), F. Leonard, P. Madoff (for B. Isitt), W. McIntyre, J. Mendum (1:42 pm), J. Ranns, L. Seaton and L. Wergeland
Staff: R. Lapham, Chief Administrative Officer; J. Hull, Project Director, Core Area Treatment Project; L. Hutcheson, General Manager, Parks and Environmental Services D. Lokken, General Manager, Corporate Services; M. Misek-Evans, Acting General Manager, Planning and Protective Services; T. Robbins, Acting General Manager, Integrated Water Services; A. Orr, Senior Manager, Corporate Communications; S. Santarossa, Corporate Officer, and S. Norton, Deputy Corporate Officer (Recorder)

The Chair called the meeting to order at 1:31 pm.

1. APPROVAL OF THE AGENDA

MOVED by Director Blackwell, **SECONDED** by Director Desjardins,
That the agenda and supplementary agenda be approved.

CARRIED

2. ADOPTION OF MINUTES OF FEBRUARY 6 AND 13, 2013

MOVED by Director Seaton, **SECONDED** by Director Blackwell,
That the minutes of the meetings of February 6 and 13, 2013 be adopted.

CARRIED

3. REPORT OF THE CHAIR

MOVED by Director Blackwell, **SECONDED** by Director Alto,
That the Board receive for information the following appointments made by the Board Chair: Arts Committee - District of Saanich, Councillor Vicki Sanders; and Regional Housing Trust Fund Commission - District of Saanich, Councillor Paul Gerrard.

CARRIED

Chair Bryson:

- Acknowledged and recognized Bob Lapham as the new CRD Chief Administrative Officer.
- Received confirmation that he should continue in his role as Board Chair representing the CRD on the informal group of regional district chairs that are meeting regarding concerns with BC Ferries. He advised of a recent meeting of this group with the Minister of Transportation and Infrastructure and MLAs.

Director Mendum entered the meeting at 1:42 pm

4. PRESENTATIONS/DELEGATIONS

1. Monica Petrie, Pender Islands Conservancy Assoc. (PICA), re agenda item 5.9.2 – advised that PICA has raised \$152,000 to date for the preservation of Brooks Point, and have made a commitment to raise an additional \$150,000 from off-island sources. She asked the CRD Board to remove the resale option and retain the 2010 Brooks Point land acquisition in its entirety. Ms. Petrie's written submission is on file with Legislative Services.
2. Walter Kohlie, Poets Cove Resort & Spa, re agenda item 5.9.2 – spoke to significance of Brooks Point's unique eco-system and the importance of preserving it for the community and visitors to Pender Island. He noted the commitment of Poets Cove Resort & Spa to continue with fund raising and asked the Board to protect the property in its entirety. Mr. Kohli's written submission is on file with Legislative Services.
3. Zachary Doeding, Assoc. of BC Landowners, re agenda items 5.8.1 and 5.8.2 – noted the efforts of the community to review and update the Otter Point Official Community Plan. He spoke in favour of the recommendations (item 5.8.1) regarding changes to the density and water servicing policies in the Otter Point Official Community Plan to ensure consistency with the Regional Growth Strategy. Regarding item 5.8.2, he preferred the suggestion put forward to ask the Province to change the legislation to allow the same Regional Growth Strategy dispute mechanisms for the Juan de Fuca Electoral Area as municipalities. Mr. Doeding's written submission is on file with Legislative Services.

5. REPORTS OF COMMITTEES

5.1 CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE – March 13, 2013

1. CORE AREA LIQUID WASTE MANAGEMENT PLAN PROGRAMS – 2011 CONSOLIDATED ANNUAL REPORT

MOVED by Director Blackwell, **SECONDED** by Director Seaton,

That the following reports be received for information and staff be directed to forward each report to the appropriate agency:

- a) Core Area Liquid Waste Management Plan 2011 Consolidated Annual Report brochure;
- b) Gorge Waterway Initiative 2011 Annual Report; Esquimalt Lagoon Stewardship Initiative 2011 Annual Report; Trucked Liquid Waste Program 2011 Annual Report; executive summaries of the Macaulay and Clover Points Wastewater and Marine Environment Program 2011 Annual Report; Core Area Stormwater Quality Program 2011 Annual Report; Regional Source Control Program 2011 Annual Report; Core Area Inflow & Infiltration Program I&I Analysis Results April 2010 to March 2012; and Onsite Sewage Management Program 2011 Annual Report.

CARRIED

5.2 ELECTORAL AREA SERVICES COMMITTEE – February 20, 2013

1. Proposed Amendments to Bylaw No. 1465 “Animal Regulation and Impounding Bylaw No. 1, 1986”

MOVED by Director Hicks, **SECONDED** by Director Howe,
That Bylaw No. 3884, “Animal Regulation and Impounding Bylaw No. 1, 1986,
Amendment Bylaw No. 9, 2013”, be introduced and read a first time and second
time.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Howe,
That Bylaw No.3884 be read a third time.

CARRIED

2. Grants-In-Aid

MOVED by Director Hicks, **SECONDED** by Director Howe,
That the following grants-in-aid applications be approved for payment:
1) Juan de Fuca Electoral Area Grants-in-Aid as approved by Director Hicks
a) Willis Point Community Association \$3,000
2) Southern Gulf Islands Electoral Area Grants-in-Aid as approved by Director
Howe
a) MAP – Moving About Pender \$2,332.50

CARRIED

5.3 ENVIRONMENTAL SUSTAINABILITY COMMITTEE – February 27, 2013

1. Award of Contract – Wastewater, Groundwater and Surface Water Analytical Service Provider (EEP 13-01)

MOVED by Director Jensen, **SECONDED** by Director Mendum,
That Contract EPRO2012-006 Wastewater, Groundwater and Surface Water
Analytical Service Provider be awarded to Maxxam Analytics at a maximum of
\$979,389 (excluding HST) for three years with an option to extend for two years
upon satisfactory performance of the contract work.

CARRIED

2. Hartland Landfill Tipping Fee and Regulation Bylaw No. 3881(ERM 13-02)

MOVED by Director Jensen, **SECONDED** by Director Mendum,
That Bylaw No. 3881, “Hartland Landfill Tipping Fee and Regulation Bylaw No. 6,
2013”, be introduced and read a first and second time.

CARRIED

MOVED by Director Jensen, **SECONDED** by Director Mendum,
That Bylaw No. 3881 be read a third time, and be advertised.

CARRIED

3. Hartland Landfill Operational Service Options (ERM 13-03)

MOVED by Director Jensen, **SECONDED** by Director Mendum,
That staff tender the landfill equipment services work using a contract payment structure linked to performance and maximization of landfill air space.

CARRIED

5.4 FINANCE & CORPORATE SERVICES COMMITTEE – March 6, 2013

1. Island Corridor Foundation Funding - Update

Director Hill left the meeting at 2:00 pm citing a conflict of interest because of role as director on the Island Corridor Foundation Society.

MOVED by Director Alto, **SECONDED** by Director Desjardins,

- 1) That the Capital Regional District Board levy half the grant (\$600,000) through regional grants-in-aid in 2013, and commit these funds to the Island Corridor Foundation (ICF) for the rail infrastructure improvement project once the train service agreement between ICF and VIA Rail is established; and
- 2) That a letter be written from the Chair of the Capital Regional District Board to the relevant federal minister as well as to the VIA Rail Chair and its Chief Executive Officer, with a copy to the four other island regional district chairs, encouraging the federal government to bring to a quick resolution the train service agreement between the Island Corridor Foundation and VIA Rail.

CARRIED

Director Hill returned to the meeting at 2:01 pm.

5.5 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK A – February 19, 2013

1. Development Permit and Floodplain Setback Exemption Application – Board Voting Block A - DP-19-12 - Lot 3, Section 9, Otter District, Plan 15583 (Danes – 8603 West Coast Road)

MOVED by Director Hicks, **SECONDED** by Director Howe,
That Foreshore and Marine Shoreline Development Permit DP-19-12 and a floodplain setback exemption for Lot 3, Section 9, Otter District, Plan 15583, be approved subject to the following conditions:

- 1) That the proposed development comply with the Foreshore and Marine Shoreline Development Permit Guidelines outlined in the Otter Point Official Community Plan, Bylaw No. 3719;

- 2) That the proposed development comply with the recommendations outlined in the professional engineer's report prepared by Ryzuk Geotechnical Engineering, certified by Bruce Dagg, P.Eng., dated November 30, 2012, (Appendix 2);
- 3) That the proposed development be sited in conformity with the BC Land Surveyor's Building Locate Certificate, signed by Jordan Elliot Litke, BCLS, dated November 26, 2012 (Appendix 3);
- 4) That the professional engineer's report certified by Bruce Dagg, P.Eng., dated November 30, 2012, and the BCLS Building Location Certificate, signed by Jordan Elliot Litke, BCLS, dated November 26, 2012, be secured via a restrictive covenant registered on title as part of the building permit process; and
- 5) That the conditions of the development permit be verified as part of the building permit process.

CARRIED

2. Development Variance Permit Application – VAR-05-12 - Lot B (DD.EP307), Section 1, Township 11, Renfrew District, Plan 24755 (Hiles – 6654 Queesto Drive)

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Development Variance Permit VAR-05-12 for Lot B (DD.EP307), Section 1, Township 11, Renfrew District, Plan 24755 to vary Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109, Schedule 'B', Part 4, Section 22.2(g)(i), to reduce the required setback from a front parcel line from 6.0 m to 5.2 m, as shown on the attached site plan, for the purpose of legalizing the siting of an existing single-family dwelling in order to permit a 2-lot subdivision, be approved.

CARRIED

Chair Bryson left the meeting at 2:04 pm stating a potential conflict of interest because a family member owns a property that is affected by the proposed zoning amendment.
Vice Chair Blackwell assumed the chair.

3. Proposed Bylaw – Proposed Bylaw No. 3759, Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 107, 2013

MOVED by Director Hicks, **SECONDED** by Alternate Director Kasper,
That proposed Bylaw No. 3759, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 107, 2013", be referred to the appropriate CRD departments and the following agencies for comment:

BC Hydro	Pauquachin First Nation
Cowichan Tribes	Penelakut Tribe
District of Sooke	Private Managed Forest Lands Council
Esquimalt Nation	RCMP
Fisheries & Oceans Canada	Scia'new First Nation
Halalt First Nation	Shirley/Jordan River Advisory Planning Commission
Hul'qumi'num Treaty Group	Shirley Volunteer Fire Department
Lake Cowican First Nation	Sooke School District #62
Lyackson First Nation	

Malahat First Nation
Ministry of Environment
Ministry of Forests, Lands &
Natural Resource Operations
Ministry of Transportation &
Infrastructure
Pacheedaht First Nation

Stz'uminus First Nation
Te'Mexw Treaty Association
Tsartlip Indian Band
Tsawout First Nation
Tseycum Indian Band
T'Sou-ke First Nation
Vancouver Island Health Authority

CARRIED

Chair Bryson returned to the meeting at 2:05 pm and assumed the chair.

5.6 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK B – February 19, 2013

**1. Proposed Bylaw No. 3720, Comprehensive Community Plan for Willis Point
Bylaw No. 1, 2002, Amendment Bylaw No. 1, 2013**

MOVED by Director Hicks, **SECONDED** by Director Mendum,
That proposed Bylaw No. 3720 which amends the Comprehensive Community Plan
for Willis Point, Bylaw No. 3027, be referred to the appropriate CRD departments
and the following agencies for comment:

BC Hydro
Cowichan Tribes
District of Highlands
District of Central Saanich
District of Saanich
Halalt First Nation
Hul'qumi'num Treaty Group
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Ministry of Transportation &
Infrastructure
Pauquachin First Nation

Penelakut Tribe
RCMP
Saanich School District #63
Stz'uminus First Nation
Te'Mexw Treaty Association
Tsartlip Indian Band
Tsawout First Nation
Tseycum Indian Band
Vancouver Island Health Authority
Willis Point Advisory Planning
Commission
Willis Point Fire Department

CARRIED

**2. Proposed Bylaw No. 3874, Malahat Land Use Bylaw, 1981, Bylaw No. 980,
Amendment No. 143, 2013**

MOVED by Director Hicks, **SECONDED** by Director Mendum,

- 1) That proposed Bylaw No. 3874 which amends the Langford Electoral Area
Zoning Bylaw, 1981, Bylaw No. 980 be referred to the appropriate CRD
departments and the following agencies for comment:

City of Langford
City of View Royal
Cowichan Tribes
Cowichan Valley Regional District
District of Highlands

Ministry of Transportation &
Infrastructure
Penelakut Tribe
RCMP
Scia'new First Nation

Halalt First Nation	Sooke School District No. 62
Hul'qumi'num Treaty Group	Stz'uminus First Nation
Lake Cowichan First Nation	Te'Mexw Treaty Association
Lyackson First Nation	T'Sou-ke First Nation
Malahat Fire Department	Vancouver Island Health Authority
Malahat First Nation; and	

- 2) That in accordance with Section 237.1(2) of the Local Government Act, the Board authorize a public information meeting with respect to Bylaw No. 3874, to be held at a location outside of the Capital Regional District Boundary.

CARRIED

5.7 JUAN DE FUCA WATER DISTRIBUTION COMMISSION

1. Amendment to the Development Cost Charges Bylaw for Juan de Fuca Water Distribution

MOVED by Director Hicks, **SECONDED** by Director Hill,
That Bylaw No. 3893 "Development Cost Charges Bylaw (Juan de Fuca Water Distribution), Bylaw No. 1, 2000, Amendment Bylaw No. 6 , 2013", be introduced and read a first time and second time.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Hill,
That Bylaw No. 3893 be read a third time.

CARRIED

5.8 PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE – February 27, 2013

1. Otter Point Official Community Plan Update (PPS/JP 2013-01)

MOVED by Director Desjardins, **SECONDED** by Director Wergeland,
That the proposed amendments to the Otter Point OCP as described in Report No. PPS/JP 2013-01 be endorsed on the basis:

- 1) That the proposed amendment to the settlement areas are in keeping with the over-arching policies of the Regional Growth Strategy pertaining to the Rural/Rural Residential policy area, the Renewable Resource policy area and the Unprotected Green Space policy area; and
- 2) That the proposed amendment to the water servicing policy provides a policy framework for consideration of future water service extension, subject to Regional Growth Strategy amendments prior to any actual extension, and therefore does not conflict with the current growth strategy.

CARRIED

2. Juan de Fuca Electoral Area Regional Growth Strategy Dispute Resolution Process (PPS/JP 2013-02)

MOVED by Director Desjardins, **SECONDED** by Director Wergeland,

- 1) That the Juan de Fuca Electoral Area-RGS Consistency Dispute Resolution Process as outlined in Report PPS/JP 2013-02 be adopted, to deal with Regional Growth Strategy consistency disputes with the Juan de Fuca Electoral Area; and
- 2) That the Terms of Reference for the Development Planning Advisory Committee be amended to accommodate the new consistency dispute resolution process.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Seaton,

That a letter be written by the Board Chair to the Minister of Community, Sport and Cultural Development requesting the establishment of a Regional Growth land use dispute resolution mechanism for the Juan de Fuca Electoral Area and the Capital Regional District that is similar to the one presently in use between municipalities and the Capital Regional District.

CARRIED

5.9 REGIONAL PARKS COMMITTEE – February 20, 2013

1. Bylaw No. 3879, An Amendment of Capital Regional District Parks Regulation Bylaw No. 1; Bylaw No. 3880 An Amendment of Capital Regional District Ticket Authorization Bylaw 1990

MOVED by Director Brice, **SECONDED** by Director Daly,

That Bylaw No. 3879 "Capital Regional District Parks Regulation Bylaw No. 1, 2010, Amendment Bylaw No. 1, 2013" be introduced and read a first time and second time.

CARRIED

MOVED by Director Brice, **SECONDED** by Director Daly,

That Bylaw No. 3879 be read a third time.

CARRIED

MOVED by Director Brice, **SECONDED** by Director Daly,

That Bylaw No. 3880 "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 51, 2013" be introduced and read a first time and second time.

CARRIED

MOVED by Director Brice, **SECONDED** by Director Daly,

That Bylaw No. 3880 be read a third time.

CARRIED

2. Fundraising for Brooks Point Regional Park 2010 Land Acquisition

MOVED by Director Brice, **SECONDED** by Director Cross,
That the report "Fundraising for Brooks Point Regional Park 2010 Land Acquisition"
be received for information.

CARRIED

3. Ecosystem Offset Business Case Investigation

MOVED by Director Brice, **SECONDED** by Director Cross,
That staff proceed with the development of a Corporate Community Emissions
Reduction Project for the greenhouse gas reductions associated with the acquisition,
protection and management of select land parcels as shown in Attachment 1 of the
staff report.

CARRIED

6. ADMINISTRATION REPORTS

**6.1 Public Hearing Report on Bylaw No. 3870, "Juan de Fuca Land Use Bylaw, 1992,
Amendment Bylaw No. 115, 2013" (Voting Block A)**

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That the attached minutes that form the Report of Public Hearing and which are certified
as a fair and accurate summary of the representations that were made at the Public
Hearing on March 4, 2013 for Bylaw No. 3870, "Juan de Fuca Land Use Bylaw, 1992,
Amendment Bylaw No. 115, 2013", be received.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Bylaw No. 3870 be read a third time.

CARRIED

**6.2 Delegation Bylaw Amendment Bylaw No. 3894 - To Include the Core Area
Wastewater Treatment Commission**

MOVED by Director Blackwell, **SECONDED** by Director Brownoff,
That Bylaw No. 3894, "Capital Regional District Delegation Bylaw No. 1, 2001,
Amendment Bylaw No. 7, 2013", be introduced and read a first time and second time.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Brownoff,
That Bylaw No. 3894 be read a third time.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Brownoff,
That Bylaw No. 3894 be adopted.

CARRIED

7. BYLAWS

7.1 Bylaw No. 3721, "Official Community Plan for Malahat Bylaw No. 1, 2012" (Voting Block B)

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Bylaw No. 3721 be adopted.

CARRIED

8. NEW BUSINESS

8.1 Correspondence: Mayor Wendal Milne, District of Sooke re Request for Contribution toward Hosting of Association of Vancouver Island and Coastal Communities 2013 AGM and Convention

Director Cross left the meeting at 2:25 pm stating a conflict of interest as a member of the Association of Vancouver Island and Coastal Communities Board.

MOVED by Director Blackwell, **SECONDED** by Alternate Director Kasper,
That \$2,000.00 be approved as a contribution to the District of Sooke toward hosting the Association of Vancouver Island and Coastal Communities 2013 AGM and Convention.

CARRIED

Director Cross returned to the meeting at 2:26 pm.

8.2 Bylaw No. 3716, "Comprehensive Community Development Plan for Port Renfrew Bylaw No. 1, 2003, Amendment Bylaw No. 3, 2012" (Voting Block A)

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Bylaw No. 3716 be adopted.

CARRIED

8.3 Environmental Sustainability Committee – February 27, 2013

1. Update on the Packaging and Printed Paper Extended Producer Responsibility Program (ERM 13-04)

MOVED by Director Jensen, **SECONDED** by Director Mendum,
That the Chair of the Capital Regional District Board write the Minister of Environment stating that removing non-refundable glass from the CRD curbside program would be in direct opposition to the UBCM policy paper which states that existing levels of service be maintained or exceeded for those local governments that have established programs in place.

CARRIED

9. MOTION TO CLOSE THE MEETING

MOVED by Director Blackwell, **SECONDED** by Director Mendum,
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 3.2.2, 3.3.1, 4.1, 5.1); (e) the acquisition, disposition or expropriation of land or improvements (Items 3.1.2, 3.2.2, 3.5.1); and (m) a matter that, under another enactment, is such that the public may be excluded from the meeting (Item 3.1.1, 3.4).

CARRIED

The Board closed the meeting at 2:28 pm and rose and reported at 3:28 pm.

10. RISE AND REPORT

The Board reported on the following:

- Release of a Request for Qualifications to Design and Construct the McLoughlin Point Wastewater Treatment Plant Project, Core Area Wastewater Treatment Program
- The acquisition of 808 and 836 Viewfield Road as a potential Biosolids Energy Centre Site, Core Area Wastewater Treatment Program
- The signing of a contribution agreement with Pender Islands Conservance Association (PICA) to retain and protect a parcel of land at Brooks Point Regional Park
- Appointment to the Roundtable on the Environment of Nancy Wilkin Stephen Brydon, Stephanie Cairns, Jill Doucette, Neville Grigg, Gene Miller and Dale Wall for a two-year term
- Appointment of Ted Robbins as General Manager, CRD Integrated Water Services
- Appointment to the Southern Gulf Islands Community Economic Development Commission of Brian Dearden
- Appointment to the Victoria Family Court and Youth Justice Committee of Geanine Robey, Victoria Restorative Justice Society
- Appointment to the Royal and McPherson Theatres Society Board of Saanich Councillor Paul Gerrard

11. ADJOURNMENT

MOVED by Director Alto, **SECONDED** by Alternate Director Coleman,
That the meeting be adjourned at 3:28 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER