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# CAPITAL REGIONAL DISTRICT BOARD
## Notice of a Meeting to be held on Wednesday, January 14, 2015 following a meeting of the Hospital District Board which commences at 1:30 pm in the Board Room, 6th Floor, 625 Fisgard St., Victoria, BC

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## AGENDA

**1. APPROVAL OF THE AGENDA**

**2. ADOPTION OF MINUTES OF DECEMBER 10, 2014**

**3. REPORT OF THE CHAIR**

**1. Board Chair's Inaugural Speech**

**2. Appointments (Appointments to be distributed at Board meeting)**

- *That the Board receive the appointments and endorse the nominations and appointments put forward.*

(NWA)

**4. PRESENTATIONS/DELEGATIONS**

**4.1 PRESENTATIONS**

**4.2 DELEGATIONS**

**5. REPORTS OF COMMITTEES**

**5.1 CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE – JANUARY 7, 2014**

**1. Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee (EHQ 15-02)**

- *That the Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee be received for information.*

(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

**2. Seaterra Program and Budget Update No. 17**

- *That Seaterra Program and Budget Update No. 17 be received for information.*

(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

**Voting Key:**
**NWA** - Non-weighted vote of all Directors
**NWP** - Non-weighted vote of participants (as listed)
**WA** - Weighted vote of all Directors
**WP** - Weighted vote of participants (as listed)

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### 3. Seaterra Program and Budget Update No. 18

- *That Seaterra Program and Budget Update No. 18 be received for information.*
(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

### 4. Motion with Notice: Implementing a Process for Investigating Best Practices

- *That staff be directed to report back, at the next meeting of the Core Area Liquid Waste Committee, on how a process for a market sounding and other possible measures to investigate emerging technologies and best practices for wastewater technologies, as described in the rationale [attached], might be implemented.*
(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

### 5. Motion with Notice: Eastside Select Committee

- *That staff be directed to bring forward to the Board meeting of January 14, 2015, terms of reference for an eastside select committee to mirror the Westside Wastewater Treatment and Resource Recovery Select Committee.*
(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

## 6. ADMINISTRATION REPORTS

## 6.1 PUBLIC HEARING REPORT ON BYLAW NO. 3928, "COMPREHENSIVE COMMUNITY PLAN FOR WILLIS POINT, BYLAW NO. 1, 2002, AMENDMENT BYLAW NO. 2, 2014" – VOTING BLOCK A

- *1) That the minutes that form the Report of the Public Hearing, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on December 8, 2014 for Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014" be received; and*
- *2) That Bylaw No. 3928 be read a third time.*
*(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)*

## 6.2 PARCEL TAX ROLL REVIEW PANEL

- *That the Capital Regional District Board appoint the following individuals to the Parcel Tax Roll Review Panel on matters of parcel taxes for the year 2015 to be held on Wednesday, March 11, 2015 at 12:00 pm in Room 651 of the Capital Regional District offices, 625 Fisgard Street, Victoria, BC:*
  - Nils Jensen, CRD Board Chair
  - Mike Hicks, Director, Juan de Fuca Electoral Area
  - David Howe, Director, Southern Gulf Islands Electoral Area
  - Wayne McIntyre, Director, Salt Spring Island Electoral Area

(NWA)

## 6.3 REQUEST FOR APPROVAL FOR REMEDIAL ACTION TO REMOVE HAZARDOUS STRUCTURES AT 2661 FULFORD GANGES ROAD, SALT SPRING ISLAND, BC

- *That the Board order demolition of the structures and removal of all debris from the property to address the hazardous condition and to bring the property into compliance with the Provincial Building Regulation, the BC Fire Code, Section 5.6 of Division B and Bylaw under Division 2 of Part 21 of the Local Government Act [Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741)].*

(NWA)

## 6.4 APPOINTMENTS TO THE CAPITAL REGION HOUSING CORPORATION BOARD OF DIRECTORS

- *1) That the Capital Regional District (CRD) Board of Directors authorizes the Chair/Alternate of the CRD Board to act as the shareholder representative to the Capital Region Housing Corporation; and*
- *2) That the shareholder representative announces the appointment of four CRD Directors/Alternates to the Capital Region Housing Corporation Board for the term January 1 to December 31, 2015, and a community representative for the term of January 1, 2015, to December 31, 2016, at a special shareholder meeting to be held on January 27, 2015.*

(NWA)

## 6.5 ANIMAL CONTROL SERVICES AGREEMENT BETWEEN THE CAPITAL REGIONAL DISTRICT (CRD) AND THE CITY OF LANGFORD

- *That the Animal Control Services Agreement between the CRD and the City of Langford be approved and that the Board Chair and Corporate Officer be authorized to execute the Agreement.*

(WA)

## 6.6 2015 BOARD STANDING AND SELECT COMMITTEES – TERMS OF REFERENCE

- *1) That the terms of reference for the 2015 Board Standing Committees as attached in Appendix A be received and referred to the respective Standing Committees for review and approval;*
  *2) That the establishment and terms of reference for the Eastside Wastewater Treatment and Resource Recovery Select Committee be approved;*
  3) *That the Board Chair be authorized to establish and appoint a Special Task Force on First Nations Engagement to meet with CRD First Nations to develop options for bringing First Nations into the CRD governance framework and report back to the Chair and Governance Committee within 12 months.*

*(NWA)*

## 7. BYLAWS AND RESOLUTIONS

### 7.1 BYLAW 3917: HARTLAND LANDFILL TIPPING FEE AND REGULATION BYLAW NO. 6, 2013, AMENDMENT BYLAW NO. 1, 2014

- *That Bylaw No. 3917 be adopted.*

(WP All)

### 7.2 BYLAW 3926: LAND USE BYLAW FOR THE RURAL RESOURCE LANDS, BYLAW NO. 1, 2009, AMENDMENT BYLAW NO. 3, 2014 – VOTING BLOCK A

- *That Bylaw No. 3926 be adopted.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

### 7.3 BYLAW 3958: LAND USE BYLAW FOR THE RURAL RESOURCE LANDS, BYLAW NO. 1, 2009, AMENDMENT BYLAW NO. 4, 2014 – VOTING BLOCK A

- *That Bylaw No. 3958 be adopted.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

## 8. NEW BUSINESS

## 9. MOTION TO CLOSE THE MEETING

- *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; (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the regional district; and (g) litigation or potential litigation affecting the regional district.*

(NWA)

## 10. ADJOURNMENT

Making a difference...together

**Minutes of the Inaugural Meeting of the Capital Regional District Board**
**held Wednesday, December 10, 2014 in the Board Room, 625 Fisgard Street, Victoria, BC**

**PRESENT:** **Directors:** R. Atwell, M. Alto, D. Blackwell, S. Brice, J. Brownoff, V. Derman, B. Desjardins, A. Finall, C. Hamilton, L. Helps, M. Hicks, D. Howe, B. Isitt, N. Jensen, J. Loveday (for G. Young), W. McIntyre, C. Plant, S. Price, J. Ranns, D. Screech, L. Seaton, M. Tait, K. Williams and R. Windsor
**Staff:** R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; T. Robbins, General Manager, Integrated Water Services; K. Lorette, General Manager, Planning and Protective Services; A. Orr, Senior Manager, Corporate Communications; S. Hallatt, Manager, Aboriginal Initiatives; S. Santarossa, Corporate Officer; S. Norton, Deputy Corporate Officer (Recorder); N. More, Committee Clerk; P. Perna Committee Clerk
**Also Present:** Chief A. Thomas, Esquimalt Nation; M. Thomas, Spiritual Elder, Esquimalt Nation; C. Sam, Songhees Nation; Judge A.J. Palmer

1. **CALL TO ORDER** – Chief Administrative Officer

Mr. Lapham called the meeting to order at 1:30 pm and congratulated all Directors on their election and appointment to the CRD Board.

Mr. Lapham recognized that this meeting was taking place on the Traditional Territories of the Lekwungen. He acknowledged the following honoured guests: Chief Andy Thomas, Esquimalt Nation; Chief Ron Sam, Songhees Nation (unable to attend), Maryanne Thomas, Spiritual Elder, Esquimalt Nation; Christine Sam, Songhees Nation; and The Honourable Judge A. J. Palmer.

A blessing was performed by Maryanne Thomas and Christine Sam.

2. **OATH OF OFFICE** – The Honourable Judge A. J. Palmer

Mr. Lapham introduced Judge Parker. Judge Parker commented on the commitment to public service made by those who stand for election.

Oaths of Office were taken by Directors and witnessed by Judge Parker.

Mr. Lapham thanked Judge Parker for taking part in the ceremony.

3. **ELECTION OF CHAIR OF THE BOARD** (pursuant to Section 792 of the *Local Government Act*)

R. Lapham called for nominations for the position of Chair of the Capital Regional District Board for 2015. He noted that only one nominator is required and no seconder is necessary.

Director Hamilton nominated Director Desjardins. Director Desjardins accepted.

Director Brice nominated Director Jensen. Director Jensen accepted.

R. Lapham called for nominations a second and third time and hearing none declared nominations closed.

Directors Desjardins and Jensen spoke to their nominations.

Ballots were distributed by N. More and P. Perna, and collected by S. Norton. The ballots were counted by S. Santarossa and S. Norton.

R. Lapham declared Director Jensen Chair of the CRD Board for 2015.

**MOVED** by Director Blackwell, **SECONDED** by Director Brownoff,
That the ballots be destroyed.

**CARRIED**

Director Jensen assumed the Chair.

**4. ELECTION OF VICE CHAIR** (pursuant to Section 792 of the *Local Government Act*)

Chair Jensen called for nominations for the position of Vice Chair of the Board for 2015 for a first time.

Director McIntyre nominated Director Howe. Director Howe accepted.

Chair Jensen called for nominations a second time.

Director Finall left the meeting at 2:28 pm.

Director Desjardins nominated Director Ranns. Director Ranns declined.

Chair Jensen called for nominations a third time.

Chair Jensen declared Director Howe as Vice Chair of the CRD Board for 2015 by acclamation.

**5. SCHEDULE OF REGULAR BOARD MEETINGS**

**MOVED** by Director Brice, **SECONDED** by Director Brownoff,
That the regular Board meetings be scheduled on the second Wednesday of each month in 2015: January 14, February 11, March 11, April 8, May 13, June 10, July 8, August 12, September 9, October 14, November 4, December 9; and
That the following special Board meetings be scheduled on:

- Friday, January 30 for developing a new 2015-2018 Strategic Plan;
- Wednesday, March 25 for adoption of the 2015-2019 Financial Plan Bylaw;
- Friday, March 27 for developing a new 2015-2018 Strategic Plan.

**CARRIED**

## REGULAR BOARD MEETING

### 1. APPROVAL OF THE AGENDA

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

It was pointed out that there were land acquisition issues to be discussed related to item 6.9 that should take place in closed meeting.

**MOVED** by Director Hicks, **SECONDED** by Director Isitt,
That the agenda be amended to withdraw item 6.9. Verbal Update Jordan River BC Hydro Dam.

**CARRIED**

The question was called on the main motion, as amended.

**CARRIED**

### 2. ADOPTION OF MINUTES OF OCTOBER 22 AND NOVEMBER 12, 2014

**MOVED** by Director Brice, **SECONDED** by Director Blackwell,
That the minutes of the meetings of October 22, 2014 and November 12, 2014 be adopted.

**CARRIED**

### 3. REPORT OF THE CHAIR

Chair Jensen thanked the Board for its support, recognized those Directors who had previously served on the Board and were not returning, and noted the importance of running for office in a democratic society.

### 4. PRESENTATIONS/DELEGATIONS - None

### 5. REPORTS OF COMMITTEES

### 5.1 ELECTORAL AREA SERVICES COMMITTEE – November 19, 2014

#### 1. Grant Program: New Building Canada Fund – Small Communities Fund

**MOVED** by Director Hicks, **SECONDED** by Director Tait,
That the report regarding Grant Program: New Building Canada Fund – Small Communities Fund be received for information.

**CARRIED**

#### 2. Grants-In-Aid

**MOVED** by Director Hicks, **SECONDED** by Director Howe,
The following grant-in-aid application be approved for payment:
Juan de Fuca Electoral Area Grant-in-Aid as approved by Director Hicks

- Sooke Lions Canada Society $1,000

**CARRIED**

**3. Bylaw No. 3974: To Combine Two Sooke and Electoral Area Parks and Recreation Commission (SEAPARC) Services**

**MOVED** by Director Hicks, **SECONDED** by Director Tait,
That Bylaw No. 3974, cited as the "Sooke and Electoral Area Recreation and Facilities Services Combination Bylaw No. 1, 2014" be introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Hicks, **SECONDED** by Director McIntyre,
That Bylaw No. 3974 be read a third time.

**CARRIED**

**4. Gulf Islands and Port Renfrew Wastewater and Marine Environment Program – 2013 Annual Report**

**MOVED** by Director Hicks, **SECONDED** by Director McIntyre,
That the Gulf Islands and Port Renfrew Wastewater and Marine Environment Program 2013 Annual Report be received for information.

**CARRIED**

**MOVED** by Director McIntyre, **SECONDED** by Director Hicks,
That all affected local commissions and committees be forwarded a copy of the final report.

**CARRIED**

**MOVED** by Director Howe, **SECONDED** by Director Hicks,
That staff be directed to forward copies of the final report to the BC Ministry of Environment and all participating stakeholders, and post it on the CRD website.

**CARRIED**

**5. Shared Space Salt Spring Society – Feasibility Study**

A revised motion was put forward than that shown on the printed agenda.

**MOVED** by Director McIntyre, **SECONDED** by Director Hicks,
That up to $20,000 be approved for the Salt Spring Shared Space Society's study for a community hub on Salt Spring Island and that the required budget amendment be approved.

**CARRIED**

**6. Island Coastal Economic Trust (ICET) – Definition of Rural Areas**

**MOVED** by Director Hicks, **SECONDED** by Director Howe,
That the Capital Regional District write a letter to the Federal Minister responsible for Western Diversification, Community Futures Development, and the Provincial Minister responsible for Island Coastal Economic Trust (ICET), requesting a change in the definition of rural areas to include the Juan de Fuca, Salt Spring Island, and Southern Gulf Islands electoral areas.

**CARRIED**

**5.2 FINANCE COMMITTEE** – November 19, 2014

**1. Federal Gas Tax Program Summary 2005 – 2014**

**MOVED** by Director Brice, **SECONDED** by Director Helps,
That the Federal Gas Tax Program Summary 2005–2014 report be received for information.

**CARRIED**

**5.3 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK A** – November 18, 2014

**1. Rezoning Application – Board Voting Block A**
**Z-02-14 – Lot A, Section 51, Otter District, Plan VIP89485 (4039 Otter Point Road – Ireland)**

**MOVED** by Director Hicks, **SECONDED** by Director Tait,
That Bylaw No. 3964, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 121, 2014" be introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Hicks, **SECONDED** by Director Tait,
That in accordance with the provisions of Section 890 and 891 of the Local Government Act, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 3964, "Juan de Fuca Land Use Bylaw, 1992, Amendment No. 121, 2014".

**CARRIED**

**5.4 REGIONAL PARKS COMMITTEE** – November 19, 2014

**1. Results of Public Consultation Regarding the Proposed Connection to the District of Saanich Municipal Sewer Line from Elk/Beaver Lake Regional Park**

**MOVED** by Director Brice, **SECONDED** by Director Blackwell,
That the report on public consultation regarding the connection to the District of Saanich municipal sewer system from Elk/Beaver Lake Regional Park be received for information and forwarded to the District of Saanich.

**CARRIED**

**2. Brooks Point Regional Park Management Plan**

**MOVED** by Director Brice, **SECONDED** by Director Hicks,
That the 2014 Brooks Point Regional Park Management Plan be approved.

**CARRIED**

### 3. Proposed 2015 Lake Use Event Schedule for Elk/Beaver Lake

**MOVED** by Director Blackwell, **SECONDED** by Director Brice,
That the 2015 event schedule for Elk/Beaver Lake, as recommended by the Elk/Beaver Lake Recreational Use Advisory Group, be endorsed and forwarded for approval by Transport Canada.

**CARRIED**

### 4. Regional Parks 2013 Annual Report

Issues related to the increased usage of the Galloping Goose Regional Trail and the Lochside Trail were raised.

**MOVED** by Director Brice, **SECONDED** by Director Hicks,
That the Regional Parks 2013 Annual Report be approved.

**CARRIED**

## 6. ADMINISTRATION REPORTS

## 6.1 2014 GENERAL LOCAL ELECTION AND ASSENT VOTING RESULTS

**MOVED** by Director Hicks, **SECONDED** by Director Howe,
That the Chief Election Officer's Declaration of Official Election Results for the following be received:

1) 2014 General Local Elections for the office of Juan de Fuca, Southern Gulf Islands and Salt Spring Island Electoral Area Directors;
2) Assent Voting results for the Galiano Health Care Centre and Salt Spring Island Transportation Service;
3) 2014 General Local Elections for the Islands Trust Local Area Trustees; and
4) 2014 election for nominees to the Juan de Fuca Land Use Committee and Advisory Planning Commissions within the Juan de Fuca Electoral Area.

**CARRIED**

## 6.2 BYLAW 3955 "GALIANO HEALTH CARE CENTRE CONTRIBUTION SERVICE ESTABLISHMENT BYLAW NO. 1, 2014" – PRESENTATION OF ASSENT VOTING (REFERENDUM) RESULTS AND ADOPTION OF BYLAW

**MOVED** by Director Howe, **SECONDED** by Director Hicks,
That Bylaw No. 3955, "Galiano Health Care Centre Contribution Service Establishment Bylaw No. 1, 2014," be adopted.

**CARRIED**

## 6.3 BYLAW 3956 "SALT SPRING ISLAND COMMUNITY TRANSIT AND TRANSPORTATION SERVICE ESTABLISHMENT BYLAW NO. 1, 2007, AMENDMENT BYLAW NO. 3, 2014" – PRESENTATION OF ASSENT VOTING (REFERENDUM) RESULTS AND ADOPTION OF BYLAW

**MOVED** by Director McIntyre, **SECONDED** by Director Hicks,
That Bylaw No. 3956, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014", be adopted.

**CARRIED**

## 6.4 PROCUREMENT OF A FIRE TRUCK FOR THE EAST SOOKE FIRE DEPARTMENT

**MOVED** by Director Hicks, **SECONDED** by Director Tait,
That the fire truck acquisition from Smeal Fire Apparatus totalling $527,082 be approved.

**CARRIED**

## 6.5 CAPITAL REGIONAL DISTRICT PROPERTY INSURANCE RENEWAL

**MOVED** by Director Price, **SECONDED** by Director Brownoff,
That the property insurance with FM Global, including an earthquake sub-limit of $36 million with a basic $100,000 deductible, at an estimated premium of $284,716 (rate $0.0574/$100) be renewed.

**CARRIED**

## 6.6 AWARD OF CONTRACT 14-1815 – HARTLAND LANDFILL AND PORT RENFREW ROLL-OFF BIN SUPPLY AND HANDLING (ERM 14-65)

**MOVED** by Director Blackwell, **SECONDED** by Director Hicks,
That Contract 14-1815, Hartland Landfill and Port Renfrew Roll-off Bin Supply and Handling, be awarded to the low tenderer, Emterra Environmental, in the amount of $140,684.51 (exclusive of GST), for the CNG-fuelled truck for the first year of the contract (12 months), and adjusted annually by 1.5% for the remaining term of the contract (2 years).

**CARRIED**

## 6.7 AMENDMENT TO THE HARTLAND LANDFILL TIPPING FEE AND REGULATION BYLAW (BYLAW NO. 3881)

**MOVED** by Director Brice, **SECONDED** by Director Blackwell,
That Bylaw No. 3917, Hartland Landfill Tipping Fee and Regulation Amendment Bylaw No. 1, 2014, be introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Brice, **SECONDED** by Director Blackwell,
That Bylaw No. 3917 be read a third time and be advertised.

**CARRIED**

## 6.8 FIRST NATIONS PARTICIPATION - CORE AREA LIQUID WASTE MANAGEMENT PLAN COMMITTEE

It was noted that this was a first step toward the October 8, 2014 Board direction for bringing First Nations into the CRD governance framework.

**MOVED** by Director Desjardins, **SECONDED** by Director Isitt,
That Bylaw No. 3999, "Capital Regional District Board Procedures Bylaw, 2012, Amendment Bylaw No. 2, 2014" be introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Alto, **SECONDED** by Director Tait,
That Bylaw No. 3999 be read a third time.

**CARRIED**

**MOVED** by Director Alto, **SECONDED** by Director Isitt,
That Bylaw No. 3999 be adopted.

**CARRIED**

**MOVED** by Director Alto, **SECONDED** by Director Tait,
That the appointed representative and alternate from the Songhees Nation and Esquimalt First Nation receive the same remuneration for attendance at meetings as a CRD Alternate Director.

**CARRIED**

## 6.9 VERBAL UPDATE JORDAN RIVER BC HYDRO DAM

This item was removed from the open agenda.

## 7. BYLAWS AND RESOLUTIONS

## 7.1 APPOINTMENTS TO CRD COMMITTEE AND COMMISSIONS

**MOVED** by Director Blackwell, **SECONDED** by Director Tait,
That the following officials be appointed to the **Sooke and Electoral Area Parks and Recreation Commission**, for a term to expire December 31, 2015: Councillor B. Berger, District of Sooke;

That the following officials be appointed to the **Peninsula Recreation Commission**, for a term to expire December 31, 2015: Councillor N. Paltiel, District of Central Saanich; (Alternate) Councillor C. Graham, District of Central Saanich; Councillor H. Gartshore, District of North Saanich; (Alternate) Councillor M. Weisenberger, District of North Saanich; Councillor T. Chad, Town of Sidney; (Alternate) Councillor B. Fallot, Town of Sidney;

That the following officials be appointed to the **Saanich Peninsula Wastewater Commission**, for a term to expire December 31, 2015: Councillor Z. King, District of Central Saanich; (Alternate) Councillor N. Paltiel, District of Central Saanich; Councillor J. Thornburg, District of North Saanich; (Alternate) Councillor J. McClintock, District of North Saanich; Councillor P. Wainwright, Town of Sidney; (Alternate) Councillor B. Fallot, Town of Sidney.

**CARRIED**

**8. NEW BUSINESS** - None

**9. MOTION TO CLOSE THE MEETING**

**MOVED** by Director Hicks, **SECONDED** by Director Tait,
That the Board close the meeting, following adjournment of the Capital Regional Hospital District Board, 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 and 5.1); (e) the acquisition, disposition or expropriation of land or improvements (Item 7); (g) litigation or potential litigation affecting the regional district (item 3.1.1).

**CARRIED**

The Board adjourned at 2:53 pm to conduct Hospital Board business.

Following the Hospital Board meeting, the Board moved to closed meeting at 2:56 pm and rose and reported at 4:00 pm.

**10. RISE AND REPORT**

**10.1 APPOINTMENTS TO CRD COMMITTEE AND COMMISSIONS**

The following persons were appointed to the **Salt Spring Island Parks and Recreation Advisory Commission**, for a term to expire December 31, 2016: Sonja Collombin, Matt Kellow;

The following persons were appointed to the **Salt Spring Island Liquid Waste Disposal Local Service Commission**, for a term to expire December 31, 2016: Sharon Bywater, Peter Lake, Wayne Lee;

The following persons were appointed to the **Salt Spring Island Beddis Water Service Commission**, for a term to expire December 31, 2016: Simon Wheeler, Christine Malcolm;

The following persons were appointed to the **Salt Spring Island Cedar Lane Water Service Commission**, for a term to expire December 31, 2016: Rob Pingle, Jane Squier;

The following person was appointed to the **Salt Spring Island Cedars of Tuam Water Service Commission**, for a term to expire December 31, 2016: Peter Wypkema;

The following persons were appointed to the **Salt Spring Island Ganges Sewer Local Services Commission**, for a term to expire December 31, 2016: Rod Scotvold, Gary Utter;

The following persons were appointed to the **Salt Spring Island Fulford Water Service Commission**, for a term to expire December 31, 2015: Carole Eyles, Anthony Maud; and for a term to expire December 31, 2016: Gord Singbeil, Alan Martin;

The following person was appointed to the **Salt Spring Island Fernwood Water Local Service Commission**, for a term to expire December 31, 2016: Lorrie Hunt;

The following person was appointed to the **Salt Spring Island Highland Water and Sewer Services Commission**, for a term to expire December 31, 2016: Sharon Bywater;

The following person was appointed to the **Salt Spring Island Transportation Commission**, for a term to expire December 31, 2016: Robin Williams;

The following persons were appointed to the **Salt Spring Island Community Economic Development Commission**, for a term to expire December 31, 2016: Emma-Louise Elsey, Amber Quiring;

The following persons were appointed to the **Southern Gulf Islands Electoral Area Emergency Advisory Commission**, for a term to expire December 31, 2015: Charlie Boyte, Peter Kappele, Gaire MacLean, David Rees-Thomas, Sven Tjelta, Brian Wheeler; and for a term to expire December 31, 2016: Steve DeRousie, Gary Glover, Sean Luttmer, John Wiznuk;

The following persons were appointed to the **Saturna Island Parks and Recreation Commission**, for a term to expire December 31, 2016: Greg Robertson, Joan Hoskinson, Tom Kopochin, Erle Nelson;

The following persons were appointed to the **North Galiano Fire Protection and Emergency Response Service Commission**, for a term to expire December 31, 2015: Paul LeBlond, Phillip Buller; and for a term to expire December 31, 2016: Roger Pettit, Ben Mabberley, David Koster;

The following persons were appointed to the **Lyall Harbour/Boot Cove Water Local Services Commission**, for a term to expire December 31, 2015: Sara Collins, Ron Lewis; and for a term to expire December 31, 2016: Daniel Thachuck, Ian Rowe;

The following persons were appointed to the **Southern Gulf Islands Community Economic Development Commission**, for a term to expire December 31, 2015: Leigh Pullen, Priscilla Zimmerman; and for a term to expire December 31, 2016: Michael Hoebel;

The following persons were appointed to the **Port Renfrew Utility Services Commission**, for a term to expire December 31, 2015: John Wells; and for a term to expire December 31, 2016: Anne Tremblay, Maurice Tremblay, Wayne Smith;

The following persons were appointed to the **Wilderness Mountain Water Service Commission**, for a term to expire December 31, 2016: Yale Shap, Chuck Taylor;

The following persons were appointed to the **Willis Point Fire Protection and Recreation Facilities Commission** for a term to expire December 31, 2015: Joel Cotter, Ken Ilott, Jeff Irwin; for a term to expire December 31, 2016: Brent Kornelson, Brian McCandless, Vernon McConnell, Ken Smith;
The following person was appointed to the **West Shore Parks and Recreation Society Board**, for a term to expire December 31, 2016: Darren Wright;

The following persons were appointed to the **Juan de Fuca Land Use Commission**, for a term to expire December 31, 2018: Stan Jensen, Ted Dixon, Sandy Sinclair, Ron Ramsay, Art Wynans, Roy McIntyre;

The following persons were appointed to the **East Sooke Advisory Planning Commission**, for a term to expire December 31, 2018: Janice St. John, Adele Tomlinson, Lindsay Trowell, Rhonda Underwood, Juanita West;

The following persons were appointed to the **Otter Point Advisory Planning Commission**, for a term to expire December 31, 2018: Bud Gibbons, Sid Jorna, Anne Miller, Stephen Hirst Smith, Al Wickheim;

The following persons were appointed to the **Shirley/Jordan River Advisory Planning Commission**, for a term to expire December 31, 2018: Dominique Bernardet, Sonja De Wit, Pascale Knoglinger, Brenda Mark, Fiona McDannold;

The following person was appointed to the **Peninsula Recreation Commission** for a term to expire December 31, 2016: Brian Losie;

The following person was appointed to the **Saanich Peninsula Wastewater Commission,** for a term to expire December 31, 2015: Adrian Rowland.

## 11. ADJOURNMENT

**MOVED** by Director Blackwell, **SECONDED** by Director Brice,
That the meeting be adjourned at 4:00 pm.

**CARRIED**

_____
**CHAIR**

**CERTIFIED CORRECT:**

_____
**CORPORATE OFFICER**

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## Core Area Liquid Waste Management Committee's Report

**Victoria, BC January 7, 2015**

**To the Chair and Directors of the Capital Regional District Board:**

**The Core Area Liquid Waste Management Committee reports and recommends as follows:**

1. **Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee (EHQ 15-02)**

   That the Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee be received for information.

*(Background information can be found in the attached staff report.)*

2. **Seaterra Program and Budget Update No. 17**

   That Seaterra Program and Budget Update No. 17 be received for information.

*(Background information can be found in the attached staff report.)*

3. **Seaterra Program and Budget Update No. 18**

   That Seaterra Program and Budget Update No. 18 be received for information.

*(Background information can be found in the attached staff report.)*

4. **Motion with Notice: Implementing a Process for Investigating Best Practices**

   That staff be directed to report back, at the next meeting of the Core Area Liquid Waste Committee, on how a process for a market sounding and other possible measures to investigate emerging technologies and best practices for wastewater technologies, as described in the rationale [attached], might be implemented.

*(The original notice of motion with rationale is attached. Note that the Committee amended the motion as above.)*

5. **Motion with Notice: Eastside Select Committee**

   That staff be directed to bring forward to the Board meeting of January 14, 2015, terms of reference for an eastside select committee to mirror the Westside Wastewater Treatment and Resource Recovery Select Committee.

*(The original notice of motion is attached. Note that, rather than put the motion on the floor, the Committee carried a motion to "accept in principle the establishment of an eastside select committee with terms of reference to mirror the Westside Wastewater Treatment and Resource Recovery Select Committee terms of reference, with add-ons as determined by the Committee discussion", as well as the above recommendation.)*

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**EHQ 15-02**

**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE**
**MEETING OF WEDNESDAY, JANUARY 7, 2015**

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**SUBJECT** **PROGRESS REPORT – WESTSIDE WASTEWATER TREATMENT AND RESOURCE RECOVERY SELECT COMMITTEE**

## ISSUE

To provide the Core Area Liquid Waste Management Committee with a progress report on the activities of the Westside Wastewater Treatment and Resource Recovery Select Committee ("the Select Committee").

## BACKGROUND

At its meeting of October 8, 2014, the Capital Regional District (CRD) Board approved the formation of a subcommittee for the Westside participants following the Westside mayors from Colwood, Langford, View Royal and Esquimalt indicating a desire to establish a subcommittee to evaluate options and develop a subregional wastewater treatment and resource recovery plan as part of the Core Area Liquid Waste Management Plan. Staff determined the most appropriate governance structure under the CRD Procedural Bylaw is a select committee, which allows for non-Board members to participate. Under the committee's Terms of Reference, the Select Committee reports to the CRD Board through the Core Area Liquid Waste Management Committee and is supported by CRD staff, Westside staff, consultants and a technical working group.

Municipal, First Nations and regional staff worked collaboratively and together with facilitation consultants Aurora Innovations to establish a Project Framework, which guides the objectives, roles and timelines for the work of the Select Committee. The Project Framework is attached as Appendix A.

On November 18, 2014, the Select Committee approved a public consultation strategy and directed staff to begin engaging Westside residents. This strategy is being led by participating municipalities and First Nations and supported by the CRD.

The first stage of the public engagement strategy focuses on educating the public about wastewater, wastewater treatment options, resource recovery and potential benefits. The first of six open houses was held on Thursday, December 16, 2014 at the Songhees Nation Wellness Centre with approximately 50 people attending. A further five open houses, hosted by each of the Westside participants, will take place between January 14 and 29, 2015. During this stage of public engagement, a survey is being conducted in order to give the Select Committee an understanding of what public expectations and desires are for their wastewater treatment facilities.

The website www.westsidesolutions.ca was launched December 12, 2014. This website has been designed specifically for the Westside Solutions project. The website includes a link to the Westside Solutions Survey, highlights the dates of the open houses and provides information

about wastewater treatment for the Westside communities. This website will be updated as the Westside Solutions program develops.

Other tools that will be used during this first stage of engagement include Information Boards at open house events and a web-based rolling PowerPoint that may also appear at recreation centres, city halls and other public venues.

Through municipal technical staff supporting the Select Committee, a Request for Technical Information has been issued soliciting broad-based information from the wastewater industry regarding proven technologies that would be suitable for wastewater treatment for the Westside. These submissions will be assessed together with existing technical information and feedback from the public to work towards conceptual wastewater treatment options for the Westside.

## ALTERNATIVES

1. That the Core Area Liquid Waste Management Committee recommend to the Capital Regional District Board that the Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee be received for information.

2. That the Core Area Liquid Waste Management Committee request additional information prior to recommending to the Capital Regional District Board that the Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee be received for information.

## FINANCIAL IMPLICATIONS

Funding for the work of the Select Committee is drawn from the annual CRD capital funding requisition, cost shared on the basis of 2030 design capacity benefit, 70% average dry weather flow, and 30% average annual flow, as previously declared by each participant. An initial budget of $50,000 has been spent on activities to date, and an updated budget proposal will be brought forward to the Select Committee at its January 13, 2015 meeting.

## WESTSIDE STAFF WORKING GROUP

The Westside staff working group is in agreement with this information report.

## CONCLUSION

At its meeting of October 8, 2014, the CRD Board approved the formation of a subcommittee for Westside participants Colwood, Langford, View Royal and Esquimalt to evaluate options and develop a subregional wastewater treatment and resource recovery plan as part of the Core Area Liquid Waste Management Plan. Since then, the Select Committee has approved Terms of Reference, established a Project Framework, and undertaken a public engagement process aimed at educating the public about wastewater, wastewater treatment options, resource recovery and potential benefits. A Request for Technical Information has also been issued soliciting broad-based information from the wastewater industry regarding proven technologies that would be suitable for wastewater treatment for the Westside.

## RECOMMENDATION

That the Core Area Liquid Waste Management Committee recommend to the Capital Regional District Board that the Progress Report – Westside Wastewater Treatment and Resource Recovery Select Committee be received for information.

Larisa Hutcheson, P.Eng.
General Manager
Parks & Environmental Services

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

LH:cl

Attachment: Appendix A – Project Framework

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WESTSIDE SOLUTIONS

Westside Wastewater Treatment & Resource Recovery

# Staff Project Framework

- **Introduction**

On October 8, 2014 the Core Area Liquid Waste Management Committee (CALWMC) of the Capital Regional District (CRD) enabled municipalities to proceed with developing alternative options for wastewater treatment and resource recovery. The four (4) Westside municipalities (Esquimalt, View Royal, Colwood and Langford), and the Songhees Nation have formed the Westside Wastewater Treatment and Resource Recovery Select Committee to fulfil that direction. This Project framework applies only to the Westside municipalities and Songhees Nation. The CRD is responsible for integrating the results of this assessment with other municipalities in the Core Area Liquid Waste Management Plan

- **Project purpose**

Evaluate options and recommend site(s) for potential liquid waste treatment and resource recovery facilities for the Westside Municipalities as a conceptual amendment to the Capital Regional District's Liquid Waste Management Plan that will:

- optimize existing infrastructure, where practical
- be developed in a collaborative manner
- be environmentally sound
- based on the best business case scenario that maximizes benefit to the best value for taxpayers
- meet the unique needs of the Westside in a proactive and timely way
- the process will be efficient and cost effective
- engage and consult with Westside residents and First Nations
- meets deadlines and funding set by the Federal and Provincial governments

- **Guiding Principles**

- Undertake a fair and transparent process.
- Collaborate and achieve incremental consensus building amongst all participants
- Achieve value for money for taxpayers and meet the CRD's project budget.
- Fiscally equitable amongst participants based on design capacity benefit.
- Contribute to regional sustainability and respond to climate change.
- Optimize resource recovery, supported by prudent business case analysis. Consider use of effluent heat, reclaimed water, struvite, biogas and beneficial use of biosolids
- Integrate proposed wastewater treatment and resource recovery facilities within the community consistent with land use zoning and bylaws and official community plans
- Engage in a robust public consultation process at each phase of the planning process.

- Ensure that the planning process and revisions to the current approved LWMP resulting from the planning process are conducted under the umbrella of the CRD to preserve Federal and Provincial funding to the extent possible.
- Identify wastewater and residual solids treatment solutions for the four participating municipalities and the Songhees Nation that meet or exceed applicable regulatory requirements.
- Acknowledge that investments made by participants in community assets over and above the LWMP are outside the scope of the project.
- Acknowledge the following guidelines, which are designed to preserve the autonomy of the municipalities and First Nations while maintaining the requirement to provide a holistic regional sewage treatment solution under the umbrella of the CRD:
    - Each municipality/FN will have authority over zoning for treatment plants within that municipality/FN.
    - Each municipality/FN, not the CRD, will be responsible for either identifying a suitable site or sites within the municipality/FN or for collaborating with another municipality/FN that has agreed to host a site
    - Each municipality/FN hosting a site assumes primary responsibility for determining the public process required to obtain approval for that site. These public processes will be led by the municipalities.
    - Municipalities or groups of municipalities and FN will bring forward proposed conceptual amendments to the Core Area Liquid Waste Management Plan by March 31, 2015 or demonstrate that they will meet environmental and timeline requirements.
    - Costs will be allocated on the basis of actual costs to serve each participant. The cost of a plant serving only one municipality would be allocated entirely to that municipality, and similarly the cost of a plant and conveyance systems serving a sub- set of municipalities will be allocated entirely among those participants.
    - No municipality/FN will be obliged to share the cost of plant or conveyance system in another municipality/FN except by agreement between them, and the CRD as approved by the Board.
    - Individual municipalities or sub-systems will determine levels of treatment and resource recovery, provided they meet the standards required by regulators and funders.
    - Benefits of resource recovery will be allocated in the same way as costs. Grant funding should be allocated to reduce costs of systems on the basis of the current cost sharing formula and will be the basis of how future debt servicing costs are allocated among municipalities

## • Strategic Objectives

Public confidence in government's capability to deliver a viable plan for wastewater treatment for the core area of the CRD has been negatively impacted. At the same time the Federal and Provincial governments have been clear in their expectation that the Capital Regional District deliver wastewater treatment to meet both regulatory and financial deadlines. To meet these duel pressures the Westside Solutions Project will need to provide:

- Clear and concise information regarding the issue and possible solutions and make it readily available to the public
- Delivery of a thorough evaluation of net benefits, innovative and workable technologies for proposed treatment facility(s)
- Meaningful engagement and consultation of Westside residents and businesses in option development
- Delivery of an economically and environmentally viable solution for Westside wastewater treatment.

## • In Scope

Public engagement for wastewater and resource recovery options

Evaluation of existing technologies
Evaluation of treatment levels
Evaluation of resource recovery opportunities
Site selection criteria
Site selection

- **Out of Scope**

Previous liquid waste treatment site proposals
Challenging the regulatory requirements for wastewater treatment

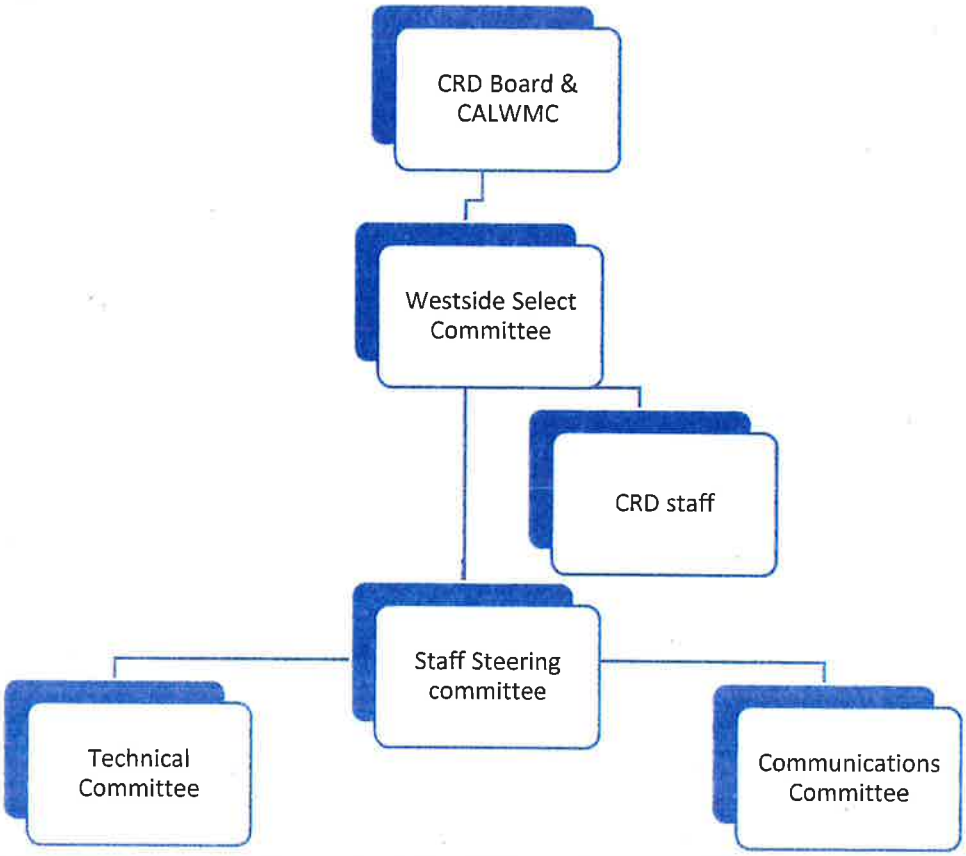
- **Assumptions**
  - Cooperation of participating municipal/regional/FNs governments
  - Viable technologies to meet public expectations
  - Involvement of communities outside the scope of the Westside project who share infrastructure
  - Public acceptance of solution – environmentally and economically

- **Roles and responsibilities**

| • CRD STAFF | • MUNICIPAL STAFF | • AURORA CONSULTANTS |
|---|---|---|
| • **Work collaboratively with municipalities/FNs to form the basis for an amendment to the LWMP**<br>• **Support public process in developing options for waste water treatment facility(s)**<br>• **Redraft LWMP amendment**<br>• **Negotiate funding with federal and provincial governments**<br>• **Ensure all applicable standards are met**<br>• **Undertake site analysis:**<br>• **Economic, technical, environmental**<br>• **Administer contracts for consultants approved by the Select Committee**<br>• **Negotiate costs with municipalities**<br>• **Resolve conflicts and overlaps**<br>• **Lead in information** | • **Work collaboratively with CRD staff to form the basis for an amendment to the LWMP**<br>• **Lead public process in developing options for waste water treatment facility(s)**<br>• **Lead site selection for treatment facility**<br>• **Support site analysis**<br>• **Seek efficiencies with other municipalities**<br>• **Support information for Select Committee**<br>• **Propose technical assessments required to evaluate waste water treatment and resource recovery** | • **Work collaboratively with staff to set, maintain and adapt project's strategic objectives.**<br>• **Provide technical and policy advice on project.**<br>• **Schedule and facilitate regular meetings.**<br>• **Coordinate project communication**<br>• **Liaise with politicians, staff and stakeholder groups.**<br>• **Review and coordinate comments and information.**<br>• **Work with Select Committee Co-Chairs**<br>• **Work with CRD** |

| | | |
|---|---|---|
| **going to Select Committee with support of municipal staff**<br>• **Make all relevant studies available to municipal staff and consultants**<br>• **Ensure integration of Westside proposed amendments to LWMP with those of other parts of the Core Area** | | **staff to prepare and present materials to the Select Committee**<br>• **Report regularly to the Select Committee.** |

- **Project Governance**




- **Key Stakeholders**

Environmental organizations
Community associations
Business associations
Business owners
Municipal governments
Regional Government
First Nation governments
Provincial government

Federal Government
Academics and Technical experts
Residents

- **Project timelines**

| Dates | Action |
|---|---|
| September - October | • Establish Select Committee<br>• Establish project framework/project charter<br>• Prepare Open House materials<br>• Develop blog communications material |
| November – January | • Deliver Open Houses<br>• Monitor and respond to written feedback<br>• Prepare Request for Information (RFI)<br>• Solicit information from technical private sector firms/professionals |
| January - February | • Analyse feedback from Open Houses<br>• Analyse responses from technical firms/professionals<br>• Develop recommendations/options<br>• Online public consultation of final options<br>• Final public meeting on options - Roundtables |
| February - March | • Prepare material on recommended option<br>• Prepare press material on recommended option<br>• Initiate amendment for LWMP |

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**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE**
**MEETING OF WEDNESDAY, NOVEMBER 12, 2014**

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**SUBJECT** **SEATERRA PROGRAM AND BUDGET UPDATE NO. 17**

## ISSUE

The Commission must report in writing, at least once every 30 days, on the progress of the Seaterra Program. During budget discussions, the Core Area Liquid Waste Management Committee (Committee) requested monthly financial reporting on the Seaterra Program.

## BACKGROUND

Attached is a monthly financial update for the Seaterra Program (Schedule A) year-to-date for September 2014. The 2014 Seaterra Financial Plan (Schedule B) is also attached for information. The report reflects actuals and commitments to the end of September 30, 2014.

At the July 9, 2014 Committee and Board meeting an information report was presented that discussed the Seaterra Program being placed on pause and options for reducing the workplan for 2014. The attached program summary report reflects the reduced service level as directed by the Committee.

The 2015 – 2019 Financial Plan will be adjusted for the current known delays in timing. This budget estimate will be revised as new information becomes available on core drivers and assumptions used in establishing the original program budget.

## ALTERNATIVES

1. That the Core Area Liquid Waste Management Committee receive Seaterra Program and Budget Update No. 17 for information.

2. That the Core Area Liquid Waste Management Committee request additional financial information.

## FINANCIAL IMPLICATIONS

The 2014 program expenditures, including expenditures as at September 30, 2014 are within the approved 2014 Financial Plan. The current projected reduction of $39.7 million is a direct result of the program service delivery being placed on pause.

## CONCLUSION

The Committee will continue to receive additional information in future updates.

## RECOMMENDATION

That the Core Area Liquid Waste Management Committee recommend to the Capital Regional District Board:

That Seaterra Program and Budget Update No. 17 be received for information.

Rajat Sharma, MBA, CPA, CMA
Senior Manager, Financial Services

Diana E. Lokken, CPA, CMA
General Manager, Finance and Technology Dept.

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Attachments: Schedule A – 2014 Program Summary Report
Schedule B – Program Financial Plan
Seaterra Program Progress Report No. 17

SCHEDULE A-1

# 2014 Program Summary Report
## Year to Date 31-September-2014

| | 2014 Budget | Year to Date Actuals | Commitments Unpaid (CU) | Total YTD Actuals + CU | Estimated Costs Oct-Dec 2014 | Forecast of Actuals 2014 | Variance Budget - Forecast | Projected CU Dec 31 2014 (Note 1) |
|---|---|---|---|---|---|---|---|---|
| WASTEWATER TREATMENT - MCLOUGHLIN | 14,166,000 | 427,272 | 1,541,413 | 1,968,685 | 72,728 | 500,000 | 13,666,000 | 0 |
| CONVEYANCING PIPES AND PUMPSTATIONS | 19,875,000 | 6,204,758 | 4,887,411 | 11,092,169 | 2,295,242 | 8,500,000 | 11,375,000 | 1,600,000 |
| RESOURCE RECOVERY CENTRE | 4,734,000 | 1,657,589 | 2,868,604 | 4,526,193 | 42,411 | 1,700,000 | 3,034,000 | 0 |
| COMMON COSTS | 8,112,000 | 2,777,127 | 4,224,116 | 7,001,243 | 423,169 | 3,200,296 | 4,911,704 | 0 |
| INTERIM FINANCING | 435,000 | 0 | 0 | 0 | 50,000 | 50,000 | 385,000 | 0 |
| PROGRAM CONTINGENCY | 6,399,000 | 0 | 0 | 0 | 0 | 0 | 6,399,000 | 0 |
| **TOTAL** | **53,721,000** | **11,066,746** | **13,521,544** | **24,588,290** | **2,883,550** | **13,950,296** | **39,770,704** | **1,600,000** |

Note 1: Work-in-progress to be completed in 2015.

SCHEDULE A-2

# Seaterra
## Program Management Expenditure Report
## Year to Date 30-September-2014

| | 2014 Budget | Year to Date Actuals | Estimated Costs Oct - Dec 2014 | Forecast Jan -Dec | Commitments (Note 1) |
|---|---|---|---|---|---|
| **CAPITALIZED COSTS** | | | | | |
| Salaries and Wages (Note 2) | 2,305,000 | 1,097,793 | 315,000 | 1,412,793 | |
| Consultants | 4,261,000 | 1,258,635 | 150,000 | 1,408,635 | 4,071,240 |
| Rentals and Leases | 372,000 | 194,972 | 66,000 | 260,972 | 65,730 |
| Operating - Other Costs | 829,000 | 102,896 | 15,000 | 117,896 | 87,146 |
| **TOTAL** | **7,767,000** | **2,654,296** | **546,000** | **3,200,296** | **4,224,116** |

Note 1: Includes multi year commitments
Note 2: Assumes no change to staffing levels September - December

SCHEDULE A-3

# Seaterra
## Commission Expenditure Report
## Year to Date 30-September-2014

| | 2014 Budget | Year to Date Actuals | Estimated Costs Oct - Dec 2014 | Forecast Jan- Dec | Commitments |
|---|---|---|---|---|---|
| **CAPITALIZED COSTS** | | | | | |
| Honoraria | 243,000 | 83,881 | 30,000 | 113,881 | 0 |
| Travel | 40,000 | 7,868 | 3,000 | 10,868 | 0 |
| Operating - Other Costs | 62,000 | 31,082 | 4,000 | 35,082 | 0 |
| **TOTAL** | **345,000** | **122,831** | **37,000** | **159,831** | **0** |

# Seaterra Program
# Financial Plan

SCHEDULE B

| | Estimated Costs to Date Dec 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | Total |
|---|---|---|---|---|---|---|---|
| **WASTEWATER TREATMENT - MCLOUGHLIN** | 9,612,000 | 14,166,000 | 72,460,000 | 141,844,000 | 39,926,000 | 553,000 | 278,561,000 |
| **CONVEYANCING PIPES & PUMP STATIONS** | 6,264,000 | 19,875,000 | 53,672,000 | 39,907,000 | 6,962,000 | 106,000 | 126,786,000 |
| **RESOURCE RECOVERY CENTRE** | 3,233,000 | 4,734,000 | 31,388,000 | 166,958,000 | 48,072,000 | 291,000 | 254,676,000 |
| **COMMON COSTS** | 4,786,000 | 8,302,000 | 9,460,000 | 9,593,000 | 11,234,000 | 6,962,000 | 50,337,000 |
| **INTERIM FINANCING** | 37,000 | 435,000 | 2,211,000 | 7,116,000 | 14,906,000 | 6,696,000 | 31,401,000 |
| **PROGRAM CONTINGENCY** | 0 | 6,399,000 | 9,560,000 | 19,944,000 | 4,922,000 | 100,000 | 40,925,000 |
| **TOTAL** | 23,932,000 | 53,911,000 | 178,751,000 | 385,362,000 | 126,022,000 | 14,708,000 | 782,686,000 |
| **SOURCES OF FUNDING** | | | | | | | |
| Government of Canada | 0 | 35,492,000 | 72,808,000 | 61,700,000 | 0 | 74,600,000 | 244,600,000 |
| Province of BC | 0 | 0 | 0 | 0 | 0 | 248,000,000 | 248,000,000 |
| CRD debt | 1,932,000 | 6,965,000 | 52,633,000 | 183,426,000 | 101,021,000 | (277,891,000) | 68,086,000 |
| Proponent financing | 0 | 1,454,000 | 38,310,000 | 120,236,000 | 0 | (60,000,000) | 100,000,000 |
| Requisition | 5,000,000 | 10,000,000 | 15,000,000 | 20,000,000 | 25,000,000 | 30,000,000 | 105,000,000 |
| CRD Capital | 17,000,000 | 0 | 0 | 0 | 0 | 0 | 17,000,000 |
| | 23,932,000 | 53,911,000 | 178,751,000 | 385,362,000 | 126,021,000 | 14,709,000 | 782,686,000 |

Note 1: Actual proponent financing will be determined at contract finalization

Note 2: The budget for 2014 does not include contract amounts commited in 2014 which will be paid in 2015-2018

Note 3: Costs to date reflect Seaterra implementation costs. Costs to date do not include CAWTP Program planning costs from 2006-2013.

Note 4: The PPP Canada grant is less than the maximum funding level of $83,400,000 by $8,800,000. Assumes $35,000,000 of risk costs will not be incurred.

# Seaterra Program
# Progress Report No. 17

## September 30, 2014
## Prepared by:
## Seaterra Program Management Office

**In addition to reporting on activities that are the responsibility of the Seaterra Program Commission, this progress report also includes updates on activities that are the responsibility of the Core Area Liquid Waste Management Committee (CALWMC) and the Capital Regional District (CRD) Board, namely, activities related to facility siting and agreements with municipalities or other government agencies. Those matters that are the direct responsibility of the CALWMC and CRD Board are clearly identified in the text as "CRD responsibility" and are identified in Section 1.2.**

## Table of Contents

**Program Matrix – Summary**
**Major Program Components Progress Map**

**1.0 Executive Summary**

1.1 Seaterra Program
1.2 Core Area Liquid Waste Management Committee (CALWMC)/Capital Regional District (CRD) Board Issues

**2.0 Activities – McLoughlin Point Wastewater Treatment Plant - Suspended**

**3.0 Activities – Resource Recovery Centre - Suspended**

**4.0 Activities – Macaulay Pump Station - Suspended**

**5.0 Activities – Craigflower Pump Station**

5.1 Construction Status
5.2 Schedule
5.3 Significant Issues/Decisions Pending

**6.0 Activities – Clover Pump Station - Suspended**

**7.0 Activities – Currie Pump Station - Suspended**

**8.0 Activities – Arbutus Road Attenuation Tank**

8.1 Design/Engineering Status
8.2 Procurement Status
8.3 Status of Approvals
8.4 Major Commitments This Period
8.5 Schedule
8.6 Significant Issues/Decisions Pending

**9.0 Activities – Clover Forcemain - Suspended**

**10.0 Activities – Currie Forcemain - Suspended**

**11.0 Activities – ECI/Trent Twinning - Suspended**

**12.0 Activities – Macaulay Forcemain - Suspended**

## 13.0 Program Updates

13.1 Program Cost/Budget Update
13.2 Program Schedule Update
13.3 Procurement
13.4 Major Commitments This Period
13.5 Project Controls
13.6 Environmental
13.7 Safety

## 14.0 Communications - Suspended

## 15.0 Program Financing - Suspended

Appendix A Monthly Program Cost Report

# Overall Program

## September 2014 Project Status

### SAFETY

- No Lost Time Incidents in the previous 3 months.

### COST

- Program on budget - <20% Program Contingency committed.

### SCHEDULE

- Procurement of McLoughlin DBF Contract delayed indefinitely.
- Uncertainty of site location has made the Program schedule unachievable. Additional delays anticipated.
- All activities suspended from June 27, 2014, with the exception of the construction of the Craigflower Pump Station and the design of the Arbutus Road attenuation tank.

### QUALITY

- No critical NCR's recorded.

### ENVIRONMENT

- No incidents or breach in regulatory compliance recorded.

### RISK

- The overall program completion of 2018 not possible as a result of the zoning impasse for the implementation of a wastewater treatment plant at McLoughlin Point.
- Potential withdrawal of funding as a result of no wastewater treatment plant site.

### COMMUNITY

- Public & Municipal engagement suspended.

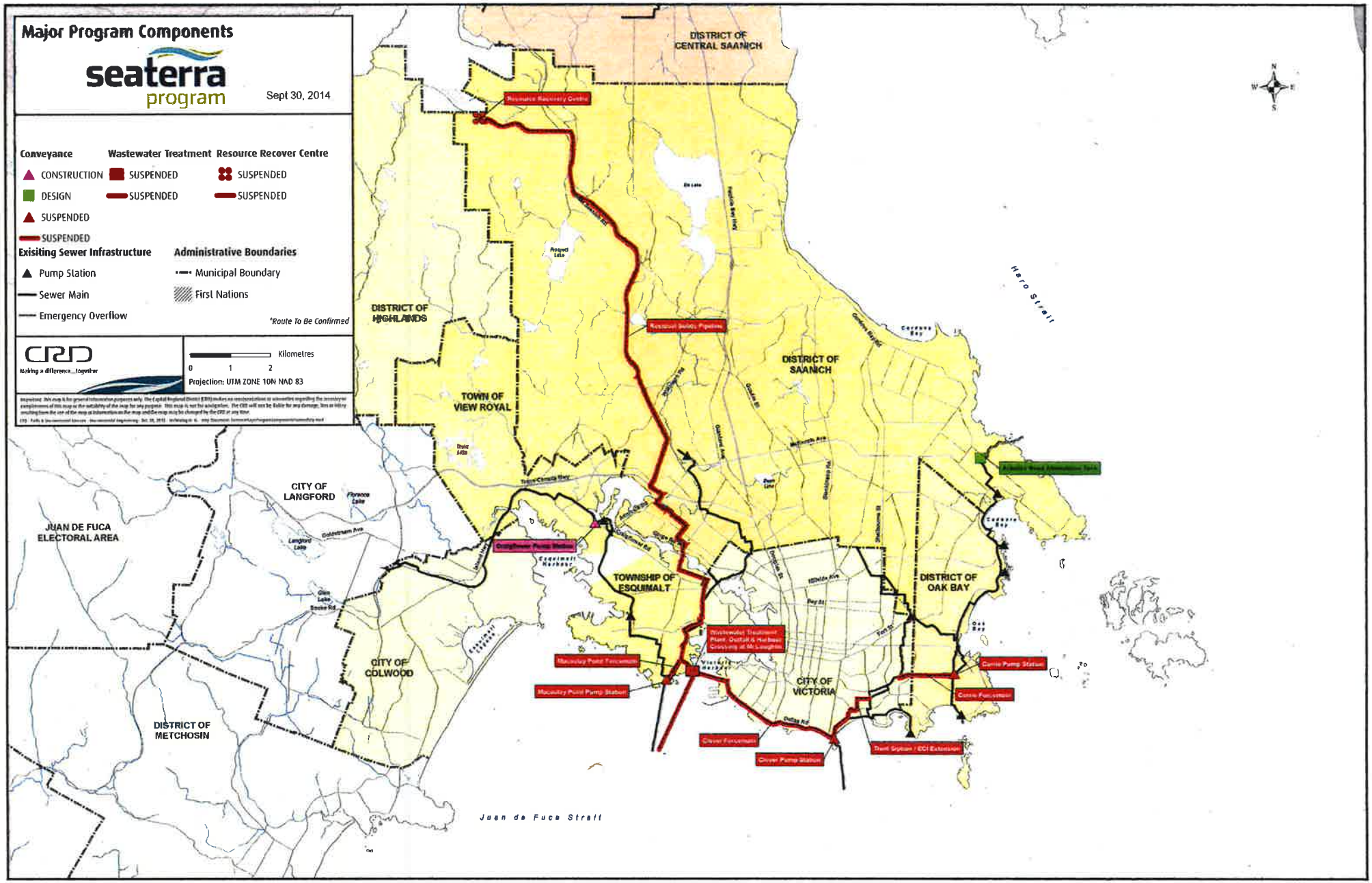
**Key Issues :**

- No site allocated for the implementation of the WWTP, jeopardizing the overall Program.
- Potential withdrawal of funding as a result of no WWTP site.
- All activities suspended from June 27, 2014, with the exception of the construction of the Craigflower Pump Station and the design of the Arbutus Road attenuation tank.

| Financial Summary | ($M) |
|---|---|
| Budget | 787.9 |
| Commitment To Date | 49.3 |
| Forecast at Completion | 787.9 |
| Variance | - |

| Schedule Key Dates | Target |
|---|---|
| **McLoughlin Pt, Outfall, Harbour Crossing** | |
| DBF Awarded | Q3 2014 |
| Construction Complete | Q2 2018 |
| Commissioning Complete | Q4 2018 |
| **Resource Recovery Centre & Pipeline** | |
| DBFO Awarded | Q1 2015 |
| Construction Complete | Q4 2017 |
| Commissioning Complete | Q1 2019 |
| **Conveyance Pump & Pipeline** | |
| Macaulay PS DB Awarded | Q4 2015 |
| Clover PS DB Awarded | Q3 2014 |
| All Conveyance Complete | Q3 2017 |

Legend: On Track | Delayed At Risk | Critical/Late


Major Program Components
seaterra program
Sept 30, 2014
Conveyance
CONSTRUCTION
DESIGN
SUSPENDED
SUSPENDED
Wastewater Treatment
SUSPENDED
SUSPENDED
Resource Recover Centre
SUSPENDED
SUSPENDED
Exisiting Sewer Infrastructure
Pump Station
Sewer Main
Emergency Overflow
Administrative Boundaries
Municipal Boundary
First Nations
*Route To Be Confirmed
CRD
Making a difference...together
Kilometres
0 1 2
Projection: UTM ZONE 10N NAD 83
DISTRICT OF CENTRAL SAANICH
DISTRICT OF HIGHLANDS
TOWN OF VIEW ROYAL
DISTRICT OF SAANICH
CITY OF LANGFORD
JUAN DE FUCA ELECTORAL AREA
TOWNSHIP OF ESQUIMALT
DISTRICT OF OAK BAY
CITY OF COLWOOD
CITY OF VICTORIA
DISTRICT OF METCHOSIN
Hero Strait
Juan de Fuca Strait

## 1. Executive Summary

### 1.1 Seaterra Program

1.1.1 Costs this period are $504,657 for a total cost to date of $35,805,569.

1.1.2 Commitments this period are $173,056 for a total commitment to date of $49,327,114 (approximately 6.3% of the Program budget).

1.1.3 Procurement activities on the Program remain suspended for the month of September 2014 following the Township of Esquimalt's rejection of the zoning required for the implementation of a wastewater treatment facility at McLoughlin Point. The CRD Board and Core Area Liquid Waste Management Committee (CALWMC) met September 10, 2014 to discuss next steps for the Program.

1.1.4 As a result of the suspension of procurement activities in June 2014, the Program schedule cannot be completed before the end of 2018. Acquisition of a new site and completion of any rezoning required followed by construction and commissioning of the wastewater treatment plant (WWTP) and the Resource Recovery Centre (RRC) are the activities that will determine and drive a revised Program critical path.

1.1.5 The selected preferred proponent for the McLoughlin Design-Build-Finance (DBF), Harbour Resource Partners has extended the validity of their bid, at no additional cost, to October 30, 2014. Negotiations for a further extension are scheduled for October 21, 2014.

1.1.6 The Clover Pump Station Design-Build (DB) Request for Proposals (RFP) closing scheduled for July 10, 2014 has been suspended indefinitely pending further direction on the entire Seaterra Program.

1.1.7 The RFP for Clover Forcemain (Conveyance Pipe) Design Consulting Services closed in May 2014. The evaluation of the proposals has been suspended indefinitely pending further direction on the entire Seaterra Program.

1.1.8 Construction related activities continued on the Craigflower Pump Station project. Trenchless crossing of Portage Inlet completed and backfilled. Forming and pouring of concrete pump bases completed and pumps installed. Commenced internal masonry walls. Mechanical and electrical installation ongoing.

1.1.9 Design continued on the Arbutus Road Attenuation Tank which is approximately 90% complete. The construction Request for Qualification (RFQ), scheduled to be issued in the last week of May 2014, has been suspended indefinitely pending further direction on the entire Seaterra Program.

Major Issues:

CRD:

- Approval of a WWTP site.
- The LWMP approved by the MOE July 3, 2014, includes a WWTP at McLoughlin Point and may require further amendment for changes to the Program resulting from the current inability to proceed with the implementation of a wastewater treatment facility at that site.
- The Clover Pump Station rezoning application remains on hold pending further direction on the entire Seaterra Program.
- Relocation of rock/gravel stockpile from the proposed site of the RRC at Hartland remains on hold.

Major Activities Planned – Next Period:

CRD:

- The CALWMC and CRD Board will meet on October 8, 2014 to discuss next steps of the Seaterra Program.

Commission/PMO:

- Awaiting direction from the CRD Board on an approved site for the WWTP and determining next steps for the Program.

### 1.2 Core Area Liquid Waste Management Committee/CRD Board Issues

1.2.1 Completion of Federal and Provincial Funding Agreements – pending final zoning approvals and sign off by the Ministers.

1.2.2 Potential invalidation of Federal and Provincial Funding Agreements due to the Ministers' decision to not intercede in the zoning impasse that exists for the implementation of a WWTP at McLoughlin Point.

1.2.3 Determine next steps for the Program.

## 2. Activities – McLoughlin Point Wastewater Treatment Plant Project - Suspended

## 3 Activities – Resource Recovery Centre (RRC) - Suspended

## 4. Activities – Macaulay Pump Station- Suspended

## 5. Activities – Craigflower Pump Station

### 5.1 Construction Status

5.1.1 Forming and pouring of above ground pump station walls was completed. Some remediation of walls is required due to a lack of sufficient vibration during the concrete pour. The pouring of the pump bases was completed

and pumps are installed. The trenchless crossing for the gravity sewer and forcemain is complete. Masonry wall work has commenced and the mechanical and electrical installation is ongoing.

### 5.2 Schedule

5.2.1 The shoring failure that occurred in November, together with other construction related issues has caused a 6 month delay in the construction schedule. The general contractor is now projecting a substantial completion date of March 16, 2015. There is no impact to the Program critical path.

### 5.3 Significant Issues/Decisions Pending

5.3.1 An insurance claim for the resulting costs of the shoring failure was compiled by the general construction contractor Jacob Bros Construction Ltd. (JBC) and presented to the insurance adjuster for review July 14, 2014.

## 6. Activities – Clover Pump Station - Suspended

## 7. Activities – Currie Pump Station - Suspended

## 8. Activities – Arbutus Road Attenuation Tank

### 8.1 Design/Engineering Status

8.1.1 KWL is continuing with the detailed design work which is now 90% complete. The 95% detailed design drawings and specification will be submitted for review early October 2014. An open house, to present design information, scheduled for early June 2014 has been deferred pending further direction on the entire Seaterra Program.

### 8.2 Procurement Status

8.2.1 A RFQ to prequalify construction contractors scheduled to be issued at the end of May 2014 has been suspended indefinitely pending further direction on the entire Seaterra Program.

### 8.3 Status of 3rd Party Approvals

8.3.1 LWMP Amendment No. 9 which includes updating the Arbutus Road Attenuation Tank size has been approved by the CRD Board and by MOE.

### 8.4 Major Commitments This Period

8.4.1 None this period.

### 8.5 Schedule

8.5.1 The detailed design for the Arbutus Road Attenuation Tank will be complete November 2014. The procurement process for the construction of the Arbutus Road Attenuation Tank construction has been suspended indefinitely pending further direction on the entire Seaterra Program.

### 8.6 Significant Issues/Decisions Pending

8.6.1 A decision was made not to proceed with construction while the existing zoning impasse for the WWTP at McLoughlin Point is being resolved.

## 9. Activities – Clover Forcemain - Suspended

## 10. Activities – Currie Forcemain - Suspended

## 11. Activities – ECI/Trent Twinning - Suspended

## 12. Activities – Macaulay Forcemain - Suspended

## 13. Program Updates

### 13.1 Program Cost/Budget Update

13.1.1 This report covers the period of September 2014.

13.1.2 Total Program budget is $787,907,200.

13.1.3 Costs this period are $1,162,585.

13.1.4 Costs to date are $35,805,569 (Appendix A).

13.1.5 Commitments to date are $49,327,114.

13.1.6 Commitments this period are $173,056.

- Commitment for this period include construction change orders on the Craigflower Pump Station, design changes on the Arbutus Road Attenuation Tank, CRD allocations and monthly program management office administration and operation costs.

### 13.2 Program Schedule Update

13.2.1 The status of the Program schedule continues to degrade. Overall the program schedule has suffered a minimum of a 6 month delay. The completion of the acceptance testing for the RRC is now April 2019 based

on the delays encountered by the Program. Program completion in 2018 is now not possible pending determination of a site for the WWTP.

13.2.2 Major activities and milestones achieved in September 2014 include the following:

- N/A

13.2.3 Major activities and milestones scheduled the next 90 days include the following:

McLoughlin WWTP:

- Determination of the Program status and resolution of the WWTP site issue.
- MOE approval of Environmental AIP Q4 2014.

Resource Recovery Centre (RRC):

- Determination of the Program status and resolution of the WWTP site issue.

Conveyance Infrastructure:

- Complete 95% detailed design for Arbutus Road Attenuation Tank and present information to the public at a future open house.
- Complete the structure of Craigflower Pump Station and continue with mechanical and electrical installation work.

## 13.3 Procurement this Period - Suspended

## 13.4 Major Commitments This Period - Suspended

## 13.5 Project Controls

13.5.1 Procurement activities on the Program are suspended.

13.5.2 A Risk Management Workshop, attended by all senior Seaterra management staff, will be conducted to reassess both systemic and project specific risks once direction has been received from the Seaterra Commission on program implementation.

## 13.6 Environmental

13.6.1 Activities:

- Craigflower Pump Station Project – JBC continues with building construction and sewer installation. Environmental site visits were conducted throughout the course of the month and no environmental issues or significant non-compliances were noted.

### 13.7 Safety

13.7.1 Site inspections continued on the Craigflower construction site.

13.7.2 There were no safety incidents to report this period.

## 14. Communications/Public Engagement - Suspended

## 15. Program Financing - Suspended

**Appendix A**

**Monthly Cost Report**

seaterra program

# Program Summary Report
## Month Ending 30-September-2014

| | Budget | Cost to Date | Commitments Unpaid | Total CTD + CU | Forecast to Complete | Forecast at Completion | Variance | Variance from Last Report |
|---|---|---|---|---|---|---|---|---|
| WASTEWATER TREATMENT - MCLOUGHLIN | 283,782,392 | 10,141,354 | 1,541,413 | 11,682,767 | 272,099,625 | 283,782,392 | 0 | 0 |
| CONVEYANCING -PUMP STATIONS & PIPES | 126,786,364 | 13,101,696 | 4,887,411 | 17,989,107 | 108,797,257 | 126,786,364 | 0 | 0 |
| RESOURCE RECOVERY CENTRE | 254,675,629 | 4,652,026 | 2,868,604 | 7,520,630 | 247,154,999 | 254,675,629 | 0 | 0 |
| COMMON COSTS | 50,337,316 | 7,873,893 | 4,224,117 | 12,098,010 | 38,239,306 | 50,337,316 | 0 | 0 |
| INTERIM FINANCING | 31,400,000 | 36,600 | 0 | 36,600 | 31,363,400 | 31,400,000 | 0 | 0 |
| PROGRAM CONTINGENCY | 40,925,499 | 0 | 0 | 0 | 40,925,499 | 40,925,499 | 0 | 0 |
| TOTAL | 787,907,200 | 35,805,569 | 13,521,545 | 49,327,114 | 738,580,086 | 787,907,200 | 0 | 0 |

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Making a difference...together

ITEM 5.1.3

**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE**
**MEETING OF WEDNESDAY, JANUARY 7, 2015**

---

**SUBJECT** **SEATERRA PROGRAM AND BUDGET UPDATE NO. 18**

## ISSUE

The Commission must report in writing, at least once every 30 days, on the progress of the Seaterra Program. During budget discussions, the Core Area Liquid Waste Management Committee (Committee) requested monthly financial reporting on the Seaterra Program.

## BACKGROUND

Attached is a monthly financial update for the Seaterra Program (Schedule A) year-to-date for November 2014. The 2014 Seaterra Financial Plan (Schedule B) is also attached for information. The report reflects actuals and commitments to the end of November 30, 2014.

At the July 9, 2014 Committee and Board meeting an information report was presented that discussed the Seaterra Program being placed on pause and options for reducing the workplan for 2014. The attached program summary report reflects the reduced service level as directed by the Committee.

The 2015 – 2019 Financial Plan will be adjusted for the current known delays in timing. This budget estimate will be revised as new information becomes available on core drivers and assumptions used in establishing the original program budget.

## ALTERNATIVES

1. That the Core Area Liquid Waste Management Committee recommend to the CRD Board that Seaterra Program and Budget Update No. 18 be received for information.
2. That the Core Area Liquid Waste Management Committee request additional financial information.

## FINANCIAL IMPLICATIONS

The 2014 program expenditures, including expenditures as at November 30, 2014 are within the approved 2014 Financial Plan. The current projected reduction of $40.9 million is a direct result of the program service delivery being placed on pause.

## CONCLUSION

The Committee will continue to receive additional information in future updates.

## RECOMMENDATION

That the Core Area Liquid Waste Management Committee recommend to the Capital Regional District Board:

That Seaterra Program and Budget Update No. 18 be received for information.

Diana E. Lokken, CPA, CMA
General Manager, Finance and Technology

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

DL:sb

Attachments: Schedule A – 2014 Program Summary Report
Schedule B – Program Financial Plan
Seaterra Program Progress Report No. 18

# 2014 Program Summary Report
# Year to Date 30-November-2014

SCHEDULE A-1

| | 2014 Budget | Year to Date Actuals | Commitments Unpaid (CU) | Total YTD Actuals + CU | Estimated Costs Dec 2014 | Forecast of Actuals 2014 | Variance Budget - Forecast | Projected CU Dec 31 2014 |
|---|---|---|---|---|---|---|---|---|
| WASTEWATER TREATMENT - MCLOUGHLIN | 14,156,000 | 427,642 | 1,541,413 | 1,969,055 | 2,358 | 430,000 | 13,736,000 | 1,540,000 |
| CONVEYANCING PIPES AND PUMPSTATIONS | 19,875,000 | 7,589,604 | 3,511,345 | 11,100,949 | 110,396 | 7,700,000 | 12,175,000 | 3,000,000 |
| RESOURCE RECOVERY CENTRE | 4,734,000 | 1,657,768 | 2,868,424 | 4,526,192 | 2,232 | 1,660,000 | 3,074,000 | 2,860,000 |
| COMMON COSTS | 8,302,000 | 3,022,152 | 4,115,480 | 7,137,632 | 146,000 | 3,168,152 | 5,133,848 | 4,055,000 |
| INTERIM FINANCING | 435,000 | 13,115 | 0 | 13,115 | 16,885 | 30,000 | 405,000 | 0 |
| PROGRAM CONTINGENCY | 6,399,000 | 0 | 0 | 0 | 0 | 0 | 6,399,000 | 0 |
| **TOTAL** | **53,911,000** | **12,710,281** | **12,036,662** | **24,746,943** | **277,871** | **12,988,152** | **40,922,848** | **11,455,000** |

SCHEDULE A-2

# Seaterra
## Program Management Expenditure Report
## Year to Date 30-November-2014

| | 2014 Budget | Year to Date Actuals | Estimated Costs Dec 2014 | Forecast Jan -Dec | Commitments (Note 1) |
|---|---|---|---|---|---|
| **CAPITALIZED COSTS** | | | | | |
| Salaries and Wages | 2,305,000 | 1,185,140 | 85,000 | 1,270,140 | |
| Consultants | 4,261,000 | 1,322,354 | 25,000 | 1,347,354 | 4,006,520 |
| Rentals and Leases | 372,000 | 236,132 | 22,000 | 258,132 | 21,910 |
| Operating - Other Costs | 829,000 | 141,453 | 5,000 | 146,453 | 87,051 |
| **TOTAL** | **7,767,000** | **2,885,079** | **137,000** | **3,022,079** | **4,115,481** |

Note 1: Includes multi year commitments

SCHEDULE A-3

# Seaterra
# Commission Expenditure Report
# Year to Date 30-November-2014

| | 2014 Budget | Year to Date Actuals | Estimated Costs Dec 2014 | Forecast Jan- Dec | Commitments |
|---|---|---|---|---|---|
| **CAPITALIZED COSTS** | | | | | |
| Honoraria | 243,000 | 98,123 | 7,000 | 105,123 | 0 |
| Travel | 40,000 | 7,868 | 1,000 | 8,868 | 0 |
| Operating - Other Costs | 62,000 | 31,082 | 1,000 | 32,082 | 0 |
| **TOTAL** | **345,000** | **137,073** | **9,000** | **146,073** | **0** |

# Seaterra Program
# Financial Plan

SCHEDULE B

| | Estimated Costs to Date Dec 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | Total |
|---|---|---|---|---|---|---|---|
| **WASTEWATER TREATMENT - MCLOUGHLIN** | 9,612,000 | 14,166,000 | 72,460,000 | 141,844,000 | 39,926,000 | 553,000 | 278,561,000 |
| **CONVEYANCING PIPES & PUMP STATIONS** | 6,264,000 | 19,875,000 | 53,672,000 | 39,907,000 | 6,962,000 | 106,000 | 126,786,000 |
| **RESOURCE RECOVERY CENTRE** | 3,233,000 | 4,734,000 | 31,388,000 | 166,958,000 | 48,072,000 | 291,000 | 254,676,000 |
| **COMMON COSTS** | 4,786,000 | 8,302,000 | 9,460,000 | 9,593,000 | 11,234,000 | 6,962,000 | 50,337,000 |
| **INTERIM FINANCING** | 37,000 | 435,000 | 2,211,000 | 7,116,000 | 14,906,000 | 6,696,000 | 31,401,000 |
| **PROGRAM CONTINGENCY** | 0 | 6,399,000 | 9,560,000 | 19,944,000 | 4,922,000 | 100,000 | 40,925,000 |
| **TOTAL** | 23,932,000 | 53,911,000 | 178,751,000 | 385,362,000 | 126,022,000 | 14,708,000 | 782,686,000 |
| **SOURCES OF FUNDING** | | | | | | | |
| Government of Canada | 0 | 35,492,000 | 72,808,000 | 61,700,000 | 0 | 74,600,000 | 244,600,000 |
| Province of BC | 0 | 0 | 0 | 0 | 0 | 248,000,000 | 248,000,000 |
| CRD debt | 1,932,000 | 6,965,000 | 52,633,000 | 183,426,000 | 101,021,000 | (277,891,000) | 68,086,000 |
| Proponent financing | 0 | 1,454,000 | 38,310,000 | 120,236,000 | 0 | (60,000,000) | 100,000,000 |
| Requisition | 5,000,000 | 10,000,000 | 15,000,000 | 20,000,000 | 25,000,000 | 30,000,000 | 105,000,000 |
| CRD Capital | 17,000,000 | 0 | 0 | 0 | 0 | 0 | 17,000,000 |
| | 23,932,000 | 53,911,000 | 178,751,000 | 385,362,000 | 126,021,000 | 14,709,000 | 782,686,000 |

Note 1: Actual proponent financing will be determined at contract finalization
Note 2: The budget for 2014 does not include contract amounts commited in 2014 which will be paid in 2015-2018
Note 3: Costs to date reflect Seaterra implementation costs. Costs to date do not include CAWTP Program planning costs from 2006-2013.
Note 4: The PPP Canada grant is less than the maximum funding level of $83,400,000 by $8,800,000. Assumes $35,000,000 of risk costs will not be incurred.

# Seaterra Program
# Progress Report No. 18

## October 31, 2014
## Prepared by:
## Seaterra Program Management Office

**In addition to reporting on activities that are the responsibility of the Seaterra Program Commission, this progress report also includes updates on activities that are the responsibility of the Core Area Liquid Waste Management Committee (CALWMC) and the Capital Regional District (CRD) Board, namely, activities related to facility siting and agreements with municipalities or other government agencies. Those matters that are the direct responsibility of the CALWMC and CRD Board are clearly identified in the text as "CRD responsibility" and are identified in Section 1.2.**

**Table of Contents**

**Program Matrix – Summary**
**Major Program Components Progress Map**

**1.0 Executive Summary**

1.1 Seaterra Program
1.2 Core Area Liquid Waste Management Committee (CALWMC)/Capital Regional District (CRD) Board Issues

**2.0 Activities – McLoughlin Point Wastewater Treatment Plant - Suspended**

**3.0 Activities – Resource Recovery Centre - Suspended**

**4.0 Activities – Macaulay Pump Station - Suspended**

**5.0 Activities – Craigflower Pump Station**

5.1 Construction Status
5.2 Schedule
5.3 Significant Issues/Decisions Pending

**6.0 Activities – Clover Pump Station - Suspended**

**7.0 Activities – Currie Pump Station - Suspended**

**8.0 Activities – Arbutus Road Attenuation Tank**

8.1 Design/Engineering Status
8.2 Procurement Status
8.3 Status of Approvals
8.4 Major Commitments This Period
8.5 Schedule
8.6 Significant Issues/Decisions Pending

**9.0 Activities – Clover Forcemain - Suspended**

**10.0 Activities – Currie Forcemain - Suspended**

**11.0 Activities – ECI/Trent Twinning - Suspended**

**12.0 Activities – Macaulay Forcemain - Suspended**

**13.0 Program Updates**

13.1 Program Cost/Budget Update
13.2 Program Schedule Update
13.3 Procurement
13.4 Major Commitments This Period
13.5 Project Controls
13.6 Environmental
13.7 Safety

**14.0 Communications - Suspended**

**15.0 Program Financing - Suspended**

Appendix A Monthly Program Cost Report

# Overall Program

seaterra program

## October 2014 Project Status

### SAFETY

- No Lost Time Incidents in the previous 3 months.

### COST

- Program on budget - <20% Program Contingency committed.

### SCHEDULE

- Procurement of McLoughlin DBF Contract delayed indefinitely.
- Uncertainty of site location has made the Program schedule unachievable. Additional delays anticipated.
- All activities suspended from June 27, 2014, with the exception of the construction of the Craigflower Pump Station and the design of the Arbutus Road attenuation tank.

### QUALITY

- No critical NCR's recorded.

### ENVIRONMENT

- No incidents or breach in regulatory compliance recorded.

### RISK

- The overall program completion of 2018 not possible as a result of the zoning impasse for the implementation of a wastewater treatment plant at McLoughlin Point.
- Potential withdrawal of funding as a result of no wastewater treatment plant site.

### COMMUNITY

- Public & Municipal engagement suspended.

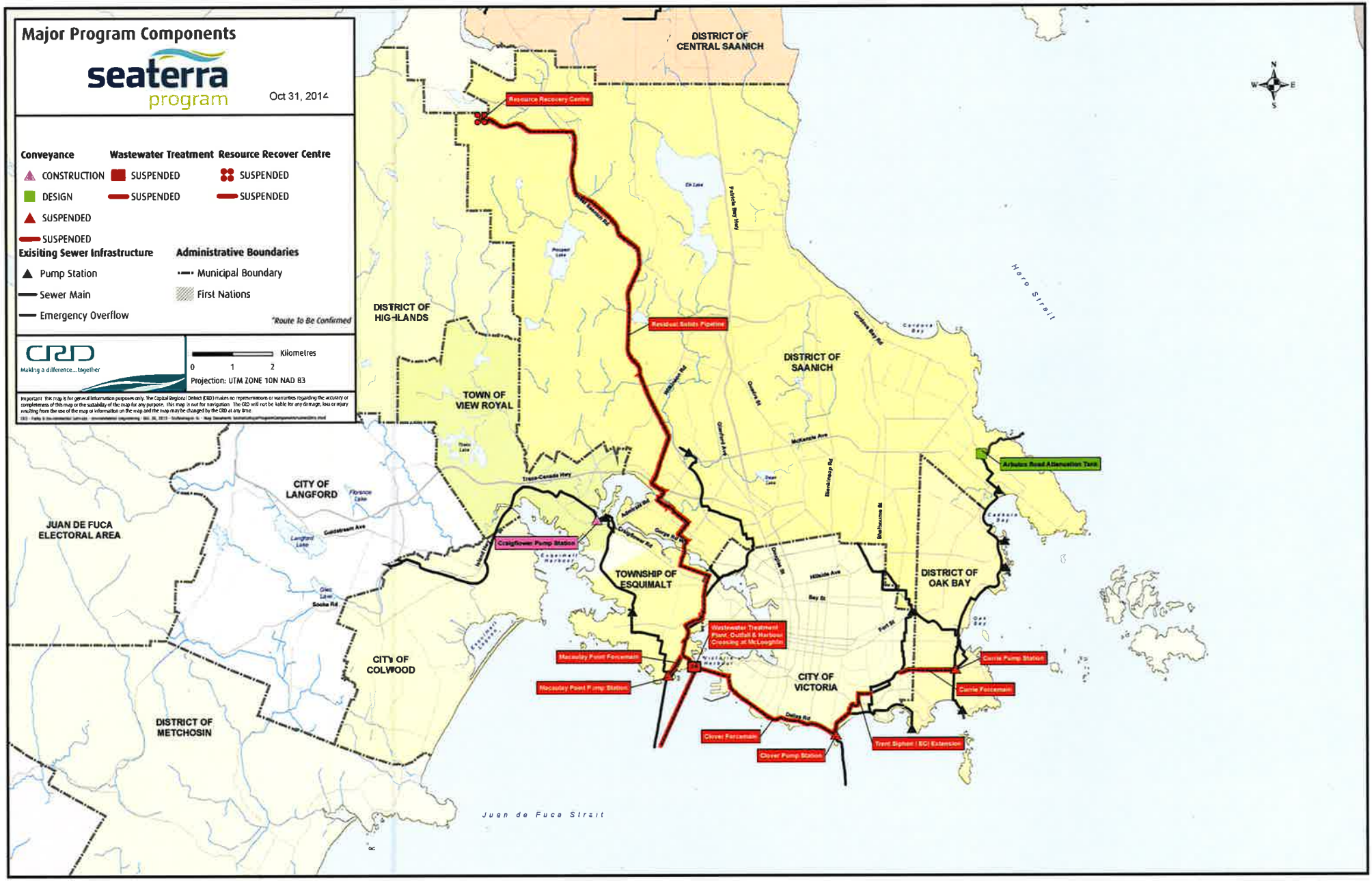
**Key Issues :**

- No site allocated for the implementation of the WWTP, jeopardizing the overall Program.
- Potential withdrawal of funding as a result of no WWTP site.
- All activities suspended from June 27, 2014, with the exception of the construction of the Craigflower Pump Station and the cesign of the Arbutus Road attenuation tank.

| Financial Summary | ($M) |
|---|---|
| Budget | 787.9 |
| Commitment To Date | 49.4 |
| Forecast at Completion | 787.9 |
| Variance | - |

| Schedule Key Dates | Target |
|---|---|
| **McLoughlin Pt, Outfall, Harbour Crossing** | |
| DBF Awarded | Q3 2014 |
| Construction Complete | Q2 2018 |
| Commissioning Complete | Q4 2018 |
| **Resource Recovery Centre & Pipeline** | |
| DBFO Awarded | Q1 2015 |
| Construction Complete | Q4 2017 |
| Commissioning Complete | Q1 2019 |
| **Conveyance Pump & Pipeline** | |
| Macaulay PS DB Awarded | Q4 2015 |
| Clover PS DB Awarded | Q3 2014 |
| All Conveyance Complete | Q3 2017 |

Legend: On Track | Delayed At Risk | Critical/Late


Major Program Components
seaterra program
Oct 31, 2014
Conveyance
CONSTRUCTION
DESIGN
SUSPENDED
SUSPENDED
Wastewater Treatment
SUSPENDED
SUSPENDED
Resource Recover Centre
SUSPENDED
SUSPENDED
Exisiting Sewer Infrastructure
Pump Station
Sewer Main
Emergency Overflow
Administrative Boundaries
Municipal Boundary
First Nations
*Route to Be Confirmed
CRD
Making a difference...together
Kilometres
0 1 2
Projection: UTM ZONE 10N NAD 83
Important: This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.
DISTRICT OF CENTRAL SAANICH
Resource Recovery Centre
DISTRICT OF HIGHLANDS
Residual Solids Pipeline
DISTRICT OF SAANICH
TOWN OF VIEW ROYAL
Arbutus Road Attenuation Tank
CITY OF LANGFORD
JUAN DE FUCA ELECTORAL AREA
Craigflower Pump Station
TOWNSHIP OF ESQUIMALT
DISTRICT OF OAK BAY
Wastewater Treatment Plant, Outfall & Harbour Crossing at McLoughlin
Macaulay Point Forcemain
Macaulay Point Pump Station
Currie Pump Station
Currie Forcemain
CITY OF COLWOOD
CITY OF VICTORIA
Clover Forcemain
Clover Pump Station
Trent Siphon / EGI Extension
DISTRICT OF METCHOSIN
Haro Strait
Juan de Fuca Strait

## 1. Executive Summary

### 1.1 Seaterra Program

1.1.1 Costs this period are $1,008,732 for a total cost to date of $36,814,301.

1.1.2 Commitments this period are $101,626 for a total commitment to date of $49,428,740 (approximately 6.3% of the Program budget).

1.1.3 Procurement activities on the Program remain suspended for the month of October 2014 following the Township of Esquimalt's rejection of the zoning required for the implementation of a wastewater treatment facility at McLoughlin Point. The CRD Board and Core Area Liquid Waste Management Committee (CALWMC) met October 8, 2014 to discuss next steps for the Program.

1.1.4 As a result of the suspension of procurement activities in June 2014, the Program schedule cannot be completed before the end of 2018. Acquisition of a new site and completion of any rezoning required followed by construction and commissioning of the wastewater treatment plant (WWTP) and the Resource Recovery Centre (RRC) are the activities that will determine and drive a revised Program critical path.

1.1.5 The selected preferred proponent for the McLoughlin Design-Build-Finance (DBF), Harbour Resource Partners has conditionally extended the validity of their bid to March 31, 2015.

1.1.6 The Clover Pump Station Design-Build (DB) Request for Proposals (RFP) closing scheduled for July 10, 2014 has been suspended indefinitely pending further direction on the entire Seaterra Program.

1.1.7 The RFP for Clover Forcemain (Conveyance Pipe) Design Consulting Services closed in May 2014. The evaluation of the proposals has been suspended indefinitely pending further direction on the entire Seaterra Program.

1.1.8 Construction related activities continued on the Craigflower Pump Station project. Preparation for the pouring of the suspended roof slab commenced. Internal masonry walls, mechanical and electrical installation ongoing.

1.1.9 Detailed Design for the Arbutus Road Attenuation Tank is approximately 95% complete. The construction Request for Qualification (RFQ), scheduled to be issued in the last week of May 2014, has been suspended indefinitely pending further direction on the entire Seaterra Program.

Major Issues:

CRD:

- Approval of a WWTP site.

- The LWMP approved by the MOE July 3, 2014, includes a WWTP at McLoughlin Point and may require further amendment for changes to the Program resulting from the current inability to proceed with the implementation of a wastewater treatment facility at that site.
- The Clover Pump Station rezoning application remains on hold pending further direction on the entire Seaterra Program.
- Relocation of rock/gravel stockpile from the proposed site of the RRC at Hartland remains on hold.

Major Activities Planned – Next Period:

CRD:

- The CALWMC and CRD Board will meet on November 12, 2014 to discuss next steps of the Seaterra Program.

Commission/PMO:

- Awaiting direction from the CRD Board on an approved site for the WWTP and determining next steps for the Program.

### 1.2 Core Area Liquid Waste Management Committee/CRD Board Issues

1.2.1 Completion of Federal and Provincial Funding Agreements – pending final zoning approvals and sign off by the Ministers.

1.2.2 Potential invalidation of Federal and Provincial Funding Agreements due to the Ministers' decision to not intercede in the zoning impasse that exists for the implementation of a WWTP at McLoughlin Point.

1.2.3 Determine next steps for the Program.

## 2. Activities – McLoughlin Point Wastewater Treatment Plant Project - Suspended

## 3 Activities – Resource Recovery Centre (RRC) - Suspended

## 4. Activities – Macaulay Pump Station- Suspended

## 5. Activities – Craigflower Pump Station

### 5.1 Construction Status

5.1.1 Remediation of exterior concrete walls continued due to a lack of sufficient vibration during the concrete pour. The suspended roof slab has been formed and rebar installation is ongoing. Masonry walls to the underside of the suspended slab complete and installation of stairwell walls ongoing. Valve Chamber and Pipe Inlet Chamber works ongoing. Mechanical and electrical installation ongoing. The Shoreline Drive gravity sewer piping through the parking lot was completed.

### 5.2 Schedule

5.2.1 The shoring failure that occurred in November 2013, together with other construction related issues has caused a 6 month delay in the construction schedule. The general contractor continues to forecast a substantial completion date of March 2015. There is no impact to the Program critical path.

5.2.2 The Town of View Royal Building Permit expired and has been extended.

### 5.3 Significant Issues/Decisions Pending

5.3.1 An insurance claim for the resulting costs of the shoring failure was compiled by the general construction contractor Jacob Bros Construction Ltd. (JBC) and presented to the insurance adjuster for review July 14, 2014. No settlement has yet been finalized.

## 6. Activities – Clover Pump Station - Suspended

## 7. Activities – Currie Pump Station - Suspended

## 8. Activities – Arbutus Road Attenuation Tank

### 8.1 Design/Engineering Status

8.1.1 KWL completed the 95% detailed design drawings and specifications. Package has been issued for review and approval. An open house, to present design information, scheduled for early June 2014 has been deferred pending further direction on the entire Seaterra Program.

### 8.2 Procurement Status

8.2.1 A RFQ to prequalify construction contractors scheduled to be issued at the end of May 2014 has been suspended indefinitely pending further direction on the entire Seaterra Program.

### 8.3 Status of 3rd Party Approvals

8.3.1 LWMP Amendment No. 9 which includes updating the Arbutus Road Attenuation Tank size has been approved by the CRD Board and by MOE.

### 8.4 Major Commitments This Period

8.4.1 None this period.

### 8.5 Schedule

8.5.1 The detailed design for the Arbutus Road Attenuation Tank will be reviewed and finalized by November 2014. The procurement process for the

construction of the Arbutus Road Attenuation Tank construction has been suspended indefinitely pending further direction on the entire Seaterra Program.

### 8.6 Significant Issues/Decisions Pending

8.6.1 A decision was made not to proceed with construction while the existing zoning impasse for the WWTP at McLoughlin Point is being resolved.

## 9. Activities – Clover Forcemain - Suspended

## 10. Activities – Currie Forcemain - Suspended

## 11. Activities – ECI/Trent Twinning - Suspended

## 12. Activities – Macaulay Forcemain - Suspended

## 13. Program Updates

### 13.1 Program Cost/Budget Update

13.1.1 This report covers the period of October 2014.

13.1.2 Total Program budget is $787,907,200.

13.1.3 Costs this period are $1,008,732.

13.1.4 Costs to date are $36,814,301 (Appendix A).

13.1.5 Commitments to date are $49,428,740.

13.1.6 Commitments this period are $101,626.

- Commitments for this period include construction change orders on the Craigflower Pump Station, CRD allocations and monthly program management office administration and operation costs.

### 13.2 Program Schedule Update

13.2.1 The status of the Program schedule continues to degrade. Overall the program schedule has suffered an 8 month delay. The completion of the acceptance testing for the RRC is now Q3, 2019 based on the delays encountered by the Program. Program completion in 2018 is now not possible and a new date is pending determination of a site for the WWTP.

13.2.2 Major activities and milestones achieved in October 2014 include the following:

- MOE approved the Environmental AIP for McLoughlin October 7, 2014.

13.2.3 Major activities and milestones scheduled the next 90 days include the following:

McLoughlin WWTP:

- Determination of the Program status and resolution of the WWTP site issue.

Resource Recovery Centre (RRC):

- Determination of the Program status and resolution of the WWTP site issue.

Conveyance Infrastructure:

- Finalize 95% detailed design for Arbutus Road Attenuation Tank and present information to the public at a future open house.
- Complete the structure of Craigflower Pump Station and continue with mechanical and electrical installation work.

**13.3 Procurement this Period - Suspended**

**13.4 Major Commitments This Period - Suspended**

**13.5 Project Controls**

13.5.1 Procurement activities on the Program are suspended.

13.5.2 A Risk Management Workshop, attended by all senior Seaterra management staff, will be conducted to reassess both systemic and project specific risks once direction has been received from the Seaterra Commission on program implementation.

**13.6 Environmental**

13.6.1 Activities:

- Craigflower Pump Station Project – JBC continues with building construction and sewer installation. Environmental site visits were conducted throughout the course of the month and no environmental issues or significant non-compliances were noted.

**13.7 Safety**

13.7.1 Site inspections continued on the Craigflower construction site.

13.7.2 There were no safety incidents to report this period.

## 14. Communications/Public Engagement - Suspended

## 15. Program Financing - Suspended

## Appendix A

## Monthly Cost Report

seaterra program

# Program Summary Report
## Month Ending 31-October-2014

| | Budget | Cost to Date | Commitments Unpaid | Total CTD + CU | Forecast to Complete | Forecast at Completion | Variance | Variance from Last Report |
|---|---|---|---|---|---|---|---|---|
| WASTEWATER TREATMENT - MCLOUGHLIN | 283,782,392 | 10,141,354 | 1,541,413 | 11,682,767 | 272,099,625 | 283,782,392 | 0 | 0 |
| CONVEYANCING -PUMP STATIONS & PIPES | 126,786,364 | 13,959,119 | 4,038,677 | 17,997,796 | 108,788,568 | 126,786,364 | 0 | 0 |
| RESOURCE RECOVERY CENTRE | 254,675,629 | 4,652,206 | 2,868,424 | 7,520,630 | 247,154,999 | 254,675,629 | 0 | 0 |
| COMMON COSTS | 50,337,316 | 8,025,022 | 4,165,925 | 12,190,947 | 38,146,369 | 50,337,316 | 0 | 0 |
| INTERIM FINANCING | 31,400,000 | 36,600 | 0 | 36,600 | 31,363,400 | 31,400,000 | 0 | 0 |
| PROGRAM CONTINGENCY | 40,925,499 | 0 | 0 | 0 | 40,925,499 | 40,925,499 | 0 | 0 |
| TOTAL | 787,907,200 | 36,814,301 | 12,614,439 | 49,428,740 | 738,478,460 | 787,907,200 | 0 | 0 |

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# Notice of Motion – Core Area Liquid Waste Committee

Director Vic Derman – August 13, 2014 (Updated October, 2014)

## Rationale

It appears that one or more municipalities or groups of municipalities are moving to investigate "individualized" solutions to sewage treatment. Within this changing environment, likely involving a number of solutions, the CRD could play a positive role by undertaking a "**Best Practices Sounding**".

Such a sounding would involve a broad scan of the best technologies currently available as well as the best system designs applying those technologies. In addition, a sounding should **actively seek** submissions from organizations, companies and individuals, large and small, who have shown particular knowledge, expertise and leadership in leading edge designs including distributed systems. A final report should be accompanied by an appendix containing unedited versions of all submissions received.

This process need not incur the time and expense involved in a full scale Request for Proposals (RFP). A much swifter and less expensive process should be able to give a credible evaluation of "what is out there". If carried out appropriately, this could result in a "**toolkit for sewage treatment options**", something that could only serve to inform individual municipalities or groups of municipalities embarking on sub-regional projects. To insure such a "sounding" is seen as credible and above reproach, terms of reference should insure that it is:

1. ***open*** *to all ideas, technologies and designs*
2. ***active*** *in reviewing the literature and seeking to encourage submissions,*
3. ***comprehensive*** *in presenting all technologies, approaches and opportunities,*
4. ***leading edge*** *without being "bleeding edge"*
5. ***independent and objective*** *with no connections to special interests or "traditional" interests in the sewage industry*

Furthermore, the terms of reference should go beyond secondary treatment required by federal regulations and look at solutions that:

1. **MAXIMIZE response to climate change**. Given the unfolding crisis that climate change presents, it is absolutely unacceptable to plan and build any major project without insuring that our response to climate change, especially greenhouse gas reduction, is optimized.
2. **MAXIMIZE opportunities for resource recovery**. This is critical for an appropriate climate change response. Also, life cycle costs and can be reduced and scarce resources recovered.
3. **Accomplish a high standard of treatment.** Tertiary disinfected treatment providing high quality effluent and substantially deals with emerging chemicals should be seen as essential.

4. **Provide best value for money to taxpayers.** Value for money is accomplished by achieving benefit substantial enough to justify money spent. It is possible a different approach could have higher initial capital costs. However, accomplishing much higher environmental benefit, including very substantial climate change mitigation and potential lower life cycle costs, could still provide superior value for money to taxpayers.

5. **Look for opportunities to integrate other parts of the waste stream.** Existing gasifier technology might, for example, be able to handle biosolids on a relatively small site for a cost in the order of $50 million. This contrasts with nearly $300 million projected for the biosolids solution in the Seaterra project. In addition, gasifiers are relatively compact and could be located to maximize opportunities for resource recovery. Finally, in addition to biosolids, gasifiers could likely use kitchen scraps as a feedstock. This would deal with two CRD "waste" problems in an environmentally appropriate and fiscally prudent manner.

6. **Restore public trust in regional government.** There is little doubt that the sewage issue has caused much of the general public to question the effectiveness of the CRD. A new, clearly objective, and efficient process of investigation resulting in a comprehensive best practices sounding could do much to restore public confidence in the value of regional government.

Finally, the sounding should insure that all advantages of a given design are considered in decisions made. A distributed system might, for example, present the ability to:

1. Phase in capacity on a "just in time" basis. Thereby making expenditures as needed.

2. Provide greater flexibility to incorporate future innovation by equipping plants designed for new capacity with "the latest and greatest".

3. Provide greater resiliency through redundancy. A major catastrophe such as an earthquake could render virtually an entire centralized system inoperable. There is a much greater chance that a distributed system would be able to maintain at least some level of operability.

4. Provide better opportunities for resource recovery and lower life cycle costs. Distributed plants can be located close to where resources are actually used. This advantage makes substantial resource recovery much more likely.

It is important to note that the **Best Practices Sounding** would not be intended as prescriptive for municipalities or groups of municipalities. Instead, it would provide them with valuable due diligence and research that would remove the need for each group and municipality to carry out such a process themselves.

**Moved –** That staff be directed to report back, at the next meeting of the Core Area Liquid Waste Committee, on how a process for investigating best practices, as described in the rationale above, might be implemented.

## Notice of Motion from Director Young

### CALWMC - Draft Terms of Reference for East Side

That the CRD Board approve the formation of a subcommittee for the Saanich, Victoria and Oak Bay ("East side") participants to evaluate options and develop a subregional wastewater treatment and resource recovery plan as part of the Core Area Liquid Waste Management Plan.

That the subcommittee be a Select Committee.

That the Select Committee report to the CRD Board through the Core Area Liquid Waste Management Committee and be supported by CRD staff, municipal staff, consultants and a technical working group.

That the Terms of Reference for the East Side Wastewater Treatment and Resource Recovery Select Committee be the same as those of the West Side committee (with appropriate wording changes) with the following exceptions:

- Added to the "Purpose" would be that the committee is tasked with working with the West side committee and West side municipalities to explore potential common facilities and use of current CRD assets.
- The composition of the committee would consist of the ten CRD directors from the East side who sit on the CALWMC.
- Alternates would be the CRD alternates.
- Meetings would be held in the CRD boardroom.

It should be repeated in the "procedures" section that all meetings will be public and be governed by the same in camera and procedural rules (and webcasting) as other Board committee meetings.

Additional "procedures" should be added to specify that:

- Results of work done by individual municipalities (as for example work now being done by Victoria) would be reported to the Committee as instructed by those individual councils.
- Similarly, work done by the Committee that affects individual municipalities would be reported back to those councils. In order to enable the Select Committee to share closed information with participant Councils or potentially with the West Side Select Committee of the Board this will need to be set out in the terms of reference and a resolution would be required for each item being shared at the Committee level. This would presumably be the process used by participating Councils as well.

—November 24, 2014

For reference purposes, attached is a copy of the Westside Wastewater Treatment and Resource Recovery Select Committee Terms of Reference.

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# Terms of Reference

## WESTSIDE WASTEWATER TREATMENT AND RESOURCE RECOVERY SELECT COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Westside Wastewater Treatment and Resource Recovery Select Committee is a select committee established by the CRD Board and will report to the Board through the Core Area Liquid Waste Management Committee (CALWMC) regarding a sub-regional wastewater treatment and resource recovery plan.

The Committee's official name is to be:

**Westside Wastewater Treatment and Resource Recovery Select Committee**

### 1.0 PURPOSE

The mandate of the committee is to:

- evaluate options and develop a conceptual plan for a wastewater treatment and resource recovery plan for participating jurisdictions
  - the conceptual plan will:
    - optimize existing infrastructure, where practical
    - be developed in a collaborative manner with the participants
    - be environmentally sound
    - decisions will be based on the best business case scenario that maximizes benefit to the best value for taxpayers
    - meet the unique needs of the Westside in a proactive and timely way
    - the process will be efficient and cost effective
    - form the basis for an amendment to the Core Area Liquid Waste Management Plan (CALWMP)
- engage and consult with Westside residents

### 2.0 ESTABLISHMENT AND AUTHORITY

- The Co-Chairs will be elected from among its membership;
- The committee will report its findings to the Board for consideration through the Core Area Liquid Waste Management Committee (CALWMC); and
- The committee will continue until it has made its final report to the Board.

## 3.0 COMPOSITION

- The membership is comprised of the designated number of representatives from each of the following municipalities or First Nations that are participants in the Core Area Liquid Waste Management Plan:

  - Colwood (1)
  - Esquimalt (1)
  - Langford (2)
  - View Royal (1)
  - Songhees Nation (1)

- The alternate representative shall be appointed by their Council and is invited to participate at all open and closed committee meetings. Voting privileges can only be exercised in the absence of the designated representative.

## 4.0 PROCEDURES

- The CRD Board Procedures Bylaw will apply;
- The committee shall meet as required at the call of the Chair at least once monthly;
- Meetings will be held at CRD Integrated Water Services, 479 Island Highway, or Westside municipal halls/First Nations halls. As required, meetings will be held at CRD Headquarters, 625 Fisgard Street;
- The agenda will be finalized in consultation between CRD staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;
- With the approval of the CALWMC Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- A quorum of 50% plus one of the committee membership is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager of Parks & Environmental Services will lead the coordination and allocation of resources to the Committee;
- CRD staff, Westside staff, consultants and the technical working group will provide support to the committee;
- A Technical Working Group Implications Section will form part of the report to the CALWMC and the Board
- Staff from Integrated Water Services and Parks & Environmental Services will provide primary administrative support with support from other departments as required; and

- Minutes and agendas are prepared and distributed by the Integrated Water Services Department.

Approved by Core Area Liquid Waste Management Committee on November 12, 2014
Approved by CRD Board on November 12, 2014.

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**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD**
**MEETING OF WEDNESDAY, JANUARY 14, 2015**

**SUBJECT** **PUBLIC HEARING REPORT ON BYLAW NO. 3928, "COMPREHENSIVE COMMUNITY PLAN FOR WILLIS POINT, BYLAW NO. 1, 2002, AMENDMENT BYLAW NO. 2, 2014"**

## ISSUE

To receive the Report of the Public Hearing held December 8, 2014 for proposed Bylaw No. 3928 and to consider Bylaw No. 3928 for third reading.

## BACKGROUND

The Capital Regional District (CRD) Board gave first and second reading to Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014" on May 14, 2014, and a resolution was made to delegate authority to the Regional Director to hold a Public Hearing with respect to Bylaw No. 3928.

Bylaw No. 3928 (Appendix 1) will amend the Comprehensive Community Plan for Willis Point by defining medical marihuana production facilities as Intensive Agriculture – Medical Marihuana and by defining Medical Marihuana Licensed Producer.

On December 8, 2014, a Public Hearing was held for Bylaw No. 3928. There were five people in attendance. The Report of the Public Hearing is attached (Appendix 2).

## ALTERNATIVES

1. a) That the minutes that form the Report of the Public Hearing, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on December 8, 2014 for Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014" be received; and

   b) That Bylaw No. 3928 be read a third time.

2. That the minutes that form the Report of the Public Hearing on Bylaw No. 3928, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on December 8, 2014 for Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014" be received.

## CONCLUSION

A Public Hearing was held on December 8, 2014 for Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014". The minutes are attached as the Report of the Public Hearing.

Five people were in attendance at the public meeting. No one spoke against the proposal. One submission was received supporting the amendment bylaw. Staff recommends Alternative 1 to receive the minutes and for the proposed bylaw to proceed to third reading.

## RECOMMENDATIONS

1. a) That the minutes that form the Report of the Public Hearing, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on December 8, 2014 for Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014" be received; and

   b) That Bylaw No. 3928 be read a third time.

June Klassen, MCIP, RPP
Manager, Local Area Planning Services

Kevin Lorette, P.Eng., MBA
General Manager
Planning and Protective Services
Concurrence

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Appendix 1 – Proposed Bylaw No. 3928
Appendix 2 – Report of the Public Hearing December 8, 2014

Appendix 1: Proposed Bylaw 3928

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3928

A BYLAW TO AMEND BYLAW NO. 3027,

THE "COMPREHENSIVE COMMUNITY PLAN FOR WILLIS POINT BYLAW NO. 1, 2002"

The Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 3027, being the "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002" is hereby amended:

A. SCHEDULE B, PART 1, SECTION 1.0 DEFINITIONS

(a) By adding a new definition for "INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION" before the words "INTERIOR SIDE PARCEL LINE" as follows:

"INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION means a use related to the growing, production, possessing, selling, provision, shipping, delivering, transporting, destroying, research, exporting and/or importing of marihuana for medical purposes undertaken by a medical marihuana licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119*, on lands within the Agricultural Land Reserve or where the use is expressly permitted by a zone."

(b) By adding a new definition for "MEDICAL MARIHUANA LICENSED PRODUCER" before the words "NATURAL BOUNDARY" as follows:

"MEDICAL MARIHUANA LICENSED PRODUCER means a licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119* authorized to grow, produce, possess, sell, provide, ship, deliver, transport, destroy, research, export and/or import marihuana for medical purposes."

2. This bylaw may be cited as Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014".

| | | | |
|---|---|---|---|
| READ A FIRST TIME | THIS | DAY OF | 2014 |
| READ A SECOND TIME | THIS | DAY OF | 2014 |
| READ A THIRD TIME | THIS | DAY OF | 2014 |
| APPROVED by the Minister of Transportation and Infrastructure | | | |
| | THIS | DAY OF | 2014 |
| ADOPTED | THIS | DAY OF | 2014 |

CHAIR

CORPORATE OFFICER

1526791

Appendix 2: Report of the Public Hearing

**REPORT OF PUBLIC HEARING**
held at the Willis Point Fire Hall
6933 Willis Point Road, Victoria, BC
December 8, 2014 at 7:00 p.m.

**SUBJECT:** **BYLAW NO. 3928**, cited as Bylaw No. 3928, "Comprehensive Community Plan for Willis Point, Bylaw No. 1, 2002, Amendment Bylaw No. 2, 2014"

**PRESENT:** **Director M. Hicks**, Chair by Resolution of the Capital Regional District Board on Wednesday, May 14, 2014
**CRD Staff:** J. Klassen, Manager, Local Area Planning; W. Miller, Recorder

**PURPOSE OF THE HEARING:**

Bylaw No. 3928 will amend the Comprehensive Community Plan for Willis Point by defining medical marihuana production facilities as Intensive Agriculture – Medical Marihuana and by defining Medical Marihuana Licensed Producer.

**NOTICE:** Notices were inserted in two (2) consecutive issues of the Goldstream Gazette appearing on November 28 and December 3, 2014.

**ATTENDANCE:** There were five people in attendance.

The Chair declared the Public Hearing open at 7:05 p.m. The guidelines and procedures of the Public Hearing and Notice of Public Hearing were read to those present and the Chair called for comments from those in attendance.

June Klassen advised that one submission was received from Patricia Sloan supporting the amendment bylaw.

The Chair called three times for further discussion on the bylaw and hearing none closed the Public Hearing on Bylaw No. 3928 at 7:08 p.m.

CHAIR, Director M. Hicks

RECORDING SECRETARY, W. Miller

**Wendy Miller**

**From:** June Klassen
**Sent:** Monday, December 08, 2014 3:04 PM
**To:** Wendy Miller
**Subject:** FW: re ByLaw No. 3928

June Klassen, Manager Local Area Planning Planning and Protective Services | JDF Electoral Area | 250.642.8101 Capital Regional District | 3-7540 Butler Road, Sooke BC V9Z 1N1

-----Original Message-----
From: Patricia M Sloan
Sent: Monday, December 08, 2014 3:03 PM
To: June Klassen
Subject: re ByLaw No. 3928

To:

June Klassen
Juan de Fuca Electoral Area Planning

Re: ByLaw No. 3928 to amend ByLaw No. 3027

As a property owner at Willis Point, I am in full support of the proposed amendment.

Yours sincerely,

Patricia M. Sloan

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Making a difference...together

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD**
**MEETING OF WEDNESDAY, JANUARY 14, 2015**

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**SUBJECT** **PARCEL TAX ROLL REVIEW PANEL**

## ISSUE

To meet the requirements of the Community Charter in order to requisition parcel tax revenues by establishing annually a Parcel Tax Roll Review Panel, which includes:

- appointing three directors and one alternate to review, confirm and authenticate the Parcel Tax Roll, and
- establishing the time and place for the sitting of the panel.

## BACKGROUND

The Capital Regional District (CRD) requisitions revenues by parcel tax in 26 service areas located throughout the Juan de Fuca, Salt Spring Island and Southern Gulf Island electoral areas.

Before a parcel tax can be levied, the Parcel Tax Roll Review Panel must consider any complaints respecting the parcel tax roll and must authenticate the roll in accordance with Sections 204 and 205 of the Community Charter.

A person may make a complaint to the Parcel Tax Roll Review Panel on one or more of the following grounds:

a) an error or omission respecting a name or address on the parcel tax roll;
b) an error or omission respecting the inclusion of a parcel;
c) an error or omission respecting the taxable area or the taxable frontage of a parcel; or
d) an exemption that has been improperly allowed or disallowed.

The 2015 Parcel Tax Roll Review is scheduled for Wednesday, March 11, 2015 at 12:00 pm, the same day as the regular March 2015 CRD Board meeting.

## ALTERNATIVES

1. That the Capital Regional District Board appoint the following individuals to the Parcel Tax Roll Review Panel on matters of parcel taxes for the year 2015 to be held on Wednesday, March 11, 2015 at 12:00 pm in Room 651 of the Capital Regional District offices, 625 Fisgard Street, Victoria, BC:

    - Nils Jensen, CRD Board Chair
    - Mike Hicks, Director, Juan de Fuca Electoral Area
    - David Howe, Director, Southern Gulf Islands Electoral Area
    - Wayne McIntyre, Director, Salt Spring Island Electoral Area

2. That the Board appoint alternate directors to the Parcel Tax Roll Review Panel.

## FINANCIAL IMPLICATIONS

In 2014, parcel tax revenues comprised $2.4 million of the CRD's requisition to the Property Taxation Branch. In 2015, 26 CRD service areas will requisition revenues by parcel tax. The amount of the requisition will be known when the participating service area budgets are finalized.

## CONCLUSION

The Community Charter requires the CRD to appoint a Parcel Tax Roll Review Panel to adjudicate any complaints, confirm and authenticate the Parcel Tax Roll for taxation purposes.

## RECOMMENDATION

That the Capital Regional District Board appoint the following individuals to the Parcel Tax Roll Review Panel on matters of parcel taxes for the year 2015 to be held on Wednesday, March 11, 2015 at 12:00 pm in Room 651 of the Capital Regional District offices, 625 Fisgard Street, Victoria, BC:

- Nils Jensen, CRD Board Chair
- Mike Hicks, Director, Juan de Fuca Electoral Area
- David Howe, Director, Southern Gulf Islands Electoral Area
- Wayne McIntyre, Director, Salt Spring Island Electoral Area

DJ Bridgewood, CPA, CMA
Business Analyst, Senior Financial Officer

Amber Genero, MA, CPA, CMA
Manager, Accounting Services

Diana E. Lokken, CPA, CMA
General Manager, Finance & Technology
Concurrence

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

DJB:djb

**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD**
**MEETING OF WEDNESDAY, JANUARY 14, 2015**

**SUBJECT** **REQUEST FOR APPROVAL FOR REMEDIAL ACTION TO REMOVE HAZARDOUS STRUCTURES AT 2661 FULFORD GANGES ROAD, SALT SPRING ISLAND, BC**

## ISSUE

The purpose of this staff report is to request that the Capital Regional District (CRD) Board authorize remedial action proceedings against the owner for hazardous conditions on the above property.

## BACKGROUND

The Building Inspection Division received complaints regarding the nature of the hazardous condition at Parcel C (DD 380051) of Section 13, Range 1, South Salt Spring Island, Cowichan District. The hazardous condition contravenes the Provincial Building Regulation and Bylaw under Division 2 of Part 21 of the *Local Government Act* [Capital Regional District Regulation Bylaw No. 5, 2010 (Building Bylaw 3741)] Pursuant to Section 698 of the *Local Government Act* and Division 12 of Part 3, Section 73 of the *Community* Charter. The building is shown in the attached photographs.

On August 13, 2014 the Board authorized the following motion:

> *"That the Board order remedial action, as outlined in attachment 2 of the staff report, to address the hazardous condition and to bring the property into compliance with the Provincial Building Regulation, the BC Fire Code, Section 5.6 of Division B and Bylaw under Division 2 of Part 21 of the Local Government Act [Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741)].*

As a result of the recent occupancy of the building by a group of trespassers wanting to create a communal living space, the removal and ongoing re-entry of those individuals, the cost of securing the building and ongoing costs for the security and monitoring the building, the Senior Manager of the Building Inspection Division advises that he is of the opinion that the building is creating a hazard.

Further to the CRD Board approval for our previous request which included the installation of fencing and barricades, Building Inspection staff contracted to have all building access openings sealed securely with plywood, and contracted the services of a security firm to monitor the site. From October 31 to November 24, 2014 the site was monitored four times per day and from that day to present the site is being monitored two times per day. The fencing and barricades would not likely keep trespassers out of the building and they could be exposed to undue risks. The Chief Building Inspector is recommending that the building be demolished and removed from the property and the site made safe.

Building Inspection staff has discussed options with the owner who has agreed to the demolition and removal of the structures.

## ALTERNATIVES

1. That the CRD Board order demolition of the structures and removal of all debris from the property to address the hazardous condition and to bring the property into compliance with the Provincial Building Regulation and Bylaw under Division 2 of Part 21 of the *Local Government Act* [Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741)].

2. Not proceed with consideration of remedial action allowing the owner to continue to violate the Provincial Building Regulation and Bylaw under Division 2 of Part 21 of the *Local Government Act* [Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741)].

## FINANCIAL IMPLICATIONS

The costs associated with carrying out remedial action if in default by the owner/occupier/tenant, and if unpaid on December 31 of the year the work has been undertaken, shall form part of the taxes payable in respect of the real property in question, as taxes in arrears, or be collected as a debt.

## LEGAL IMPLICATIONS

If remedial action is not approved for the hazardous conditions relating to the structures constructed contrary to the Provincial Building Regulation and Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741) the CRD may be liable for issues that arise from such hazardous conditions being allowed to remain, being the authority having jurisdiction over such matters.

## CONCLUSION

As this matter has not been resolved, staff recommends that the CRD Board impose remedial action against the owner of the property legally described as Parcel C (DD 380051) of Section 13, Range 1, South Salt Spring Island, Cowichan District, to demolish the structures and remove all debris from the property, with notice to the Lessees of 30 days to remedy the situation or if in default that this remedial action will be done by the CRD or by its authorized agents at the expense of the person(s) defaulting.

## RECOMMENDATION

1. That the Capital Regional District Board order demolition of the structures and removal of all debris from the property to address the hazardous condition and to bring the property into compliance with the Provincial Building Regulation, the BC Fire Code, Section 5.6 of Division B and Bylaw under Division 2 of Part 21 of the *Local Government Act* [Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741)].

Robert Gutierrez, RBO
Senior Manager, Building Inspection

Kevin Lorette, P.Eng., MBA
General Manager
Planning and Protective Services
Concurrence

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Attachments: 2

1. History
2. Photos

Attachment 1: History

| | |
|---|---|
| Aug 13, 2014 | Request for CRD Board approval to commence remedial action to remove the hazardous structure at 2661 Fulford Ganges Road, Salt Spring Island (SSI). Approval was granted. |
| Aug 25, 2014 | A letter was sent to the registered owner notifying him/her of the CRD Board Resolution that was passed at the August 13, 2014 meeting. |
| Aug 28, 2014 | Building inspection staff emailed owner, attaching copy of letter, and advising that a process server was having difficulty in serving the letter of August 25, 2014. The owner was also asked to contact the Senior Manager, CRD Building Inspection to discuss the contents of the letter. The owner contacted the Senior Manager, CRD Building Inspection and advised it was his/her intention to remove the building. |
| Sep 10, 2014 | Senior Manager, Building Inspection spoke with the owner regarding what was required to ensure the health and safety of people and the building. |
| Oct 08, 2014 | Follow up letter was sent to the registered owners confirming the previous conversation and the details regarding work to be carried out on their behalf. |
| Oct 30, 2014 | Building Inspection staff was made aware of an invitation that was being circulated for a potluck feast to be held within the Fulford Inn. The invitation went out to SSI residents. The invitation also stated that a group of people were already occupying the Fulford Inn and had been for several weeks. |
| Oct 31, 2014 | Building Inspection staff became concerned that not only could damage be done to the building but the existing hazards within building could threaten the safety of the people occupying the building. RCMP were contacted and, with their help, the people were escorted out of the building. Once the building was vacated a contactor was hired to secure all building openings (doors and windows) with plywood. RCMP staff spoke to the owner and they were advised that no permission had been given for the building to be occupied. A "no trespassing order" was given to the people vacated from the building. |
| Oct 31, 2014 | Building monitoring and security contract was arranged with TLC Enterprises Inc. to include four site visits each day to ensure the building had not been re-occupied. |
| Oct 31, 2014 | Request for Quotations (RFQ) was advertised. The scope of work included the recommendations received and approved at the August 13, 2014 CRD Board meeting. |
| Nov 01, 2014 | Re-entry of the building into the back entrance. Re-secured by the contractor. |
| Nov 04, 2014 | Owner met with the Senior Manager of Building Inspection and applied for a demolition permit at that time. A condition of the permit was that the work to be completed by November 20, 2014. |
| Nov 05, 2014 | Building Inspector met with prospective bidders on site to review the scope of work. |
| Nov 12, 2014 | Tender closed and two bids were received; one for $99,883.35 and the other for $94,494.75. |
| Nov 12, 2014 | Senior Manager of Building Inspection advised staff to hold off with awarding the contract until after the demolition permit deadline of November 20, 2014. |
| Nov 20, 2014 | Email from Senior Manager of Building Inspection to staff to cancel current RFQ and to create a new RFQ to demolish the building. |
| Nov 20, 2014 | Building Inspection staff was notified that the building had been listed for sale. |
| Nov 24, 2014 | RFQ cancelled and monitoring reduced to twice daily. |
| Nov 24, 2014 | Security company advised Building Inspection staff the building had been breached. Building Inspector arranged for contractor to re-secure opening. |
| Dec 04, 2014 | CRD staff, subcontractor and RCMP attended the Fulford Inn to open up and grant access to the trespassers/occupiers to allow them to collect their belongings. Although the date and time was pre-arranged they did not show up. |
| Dec 10, 2014 | One more attempt was made to give trespassers an opportunity to collect their belongings. RCMP were required to remove a trespasser as he became aggressive and would not leave on his own. He became more aggressive and threatening over a two and one half hour period of time. |

Attachment 2: Photos

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ITEM 6.4

Report PPS/CRHC 2015-01

**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD**
**MEETING OF WEDNESDAY, JANUARY 14, 2015**

**SUBJECT** **APPOINTMENTS TO THE CAPITAL REGION HOUSING CORPORATION BOARD OF DIRECTORS**

## PURPOSE

To authorize the Chair or Alternate of the Capital Regional District (CRD) Board of Directors to act as a shareholder representative to the Capital Region Housing Corporation (CRHC); and that the shareholder representative announces the appointment of five directors to the CRHC Board.

## BACKGROUND

The CRD is the sole shareholder of the CRHC. The Articles of Incorporation require the shareholders and/or the Chair of the CRD to announce the appointment of a board of directors for the CRHC at a special shareholder meeting or at the annual general meeting of CRHC.

The CRHC Board of Directors consists of seven members; four CRD Directors/Alternates and three community representatives, one of which is a tenant of CRHC. CRD Directors are appointed to the CRHC Board for a one-year term and community members are appointed for a two-year term. CRHC Board of Directors are eligible to serve a maximum of six years on the Board.

Four CRD Directors/Alternates must be appointed to the CRHC Board for 2015, and one community member appointment is required for the term January 1, 2015 to December 31, 2016. At a meeting of the CRHC Board on December 2, 2014, a community member was nominated by the CRHC Board to be considered by the shareholder for appointment to the CRHC Board.

## RECOMMENDATION

1. a) That the Capital Regional District (CRD) Board of Directors authorizes the Chair or Alternate of the CRD Board to act as the shareholder representative to the Capital Region Housing Corporation (CRHC); and

   b) That the shareholder representative announces the appointment of four CRD Directors/Alternates to the CRHC Board for the term January 1 to December 31, 2015 and a community representative for the term of January 1, 2015 to December 31, 2016 at a special shareholder meeting to be held on January 27, 2015.

Christine Culham
Senior Manager
Capital Region Housing Corporation

Kevin Lorette, P.Eng., MBA
General Manager
Planning and Protective Services
Concurrence

Robert Lapham, MCIP, RPP
Chief Executive Officer
Concurrence

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**REPORT TO CAPITAL REGIONAL DISTRICT BOARD**
**MEETING OF WEDNESDAY, JANUARY 14, 2015**

**SUBJECT** **ANIMAL CONTROL SERVICES AGREEMENT BETWEEN THE CAPITAL REGIONAL DISTRICT (CRD) AND THE CITY OF LANGFORD**

## ISSUE

The purpose of this report is to recommend that the Board approve and authorize for execution an agreement between the City of Langford (Langford) and the CRD for the provision of animal control services.

## BACKGROUND

The CRD has provided the City of Langford animal control bylaw enforcement services since the Langford's incorporation in 1992. The current agreement expired on December 31, 2014, and Langford wishes to renew the agreement on a month-to-month basis for a one-year period while it reviews the service. The agreement sets out the terms and conditions under which the CRD will provide bylaw enforcement services to Langford in relation to Langford's Animal Control Bylaw. A copy of the agreement is attached as Appendix A.

## ALTERNATIVES

1. That the Animal Control Services Agreement between the CRD and the City of Langford be approved and that the Board Chair and Corporate Officer be authorized to execute the Agreement.

2. That the Agreement be referred back to staff for further review.

## IMPLICATIONS

The City of Langford will pay the CRD $7,400 each month for the services provided. The City of Langford will also pay over to the CRD costs recovered through enforcement activities.

## CONCLUSION

A new agreement is required to facilitate the CRD's continued provision of animal control bylaw enforcement services to the City of Langford.

## RECOMMENDATION

That the Animal Control Services Agreement between the CRD and the City of Langford be approved and that the Board Chair and Corporate Officer be authorized to execute the Agreement.

Travis Whiting
Senior Manager
Planning and Protective Services

Kevin Lorette, P.Eng., MBA
General Manager
Planning and Protective Services
Concurrence

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Attachment: Appendix A, Animal Control Services Agreement

## ANIMAL CONTROL SERVICES AGREEMENT

This Agreement dated for reference the day of , 2015

BETWEEN:

CAPITAL REGIONAL DISTRICT
P.O. Box 1000
625 Fisgard Street
Victoria, B.C. V8W 2S6

(the "CRD")

OF THE FIRST PART

AND:

THE CITY OF LANGFORD
2nd Floor, 977 Goldstream Rd.
Victoria, BC V9B 2X8

("Langford")

OF THE SECOND PART

**WITNESSES THAT WHEREAS:**

A. A local government may make and enforce regulations in relation to animals;

B A local government may enter into an agreement with another public authority respecting enforcement of regulations enacted by a party to the agreement;

C. Langford and the CRD wish to enter into an agreement for the enforcement of the Langford Animal Control Bylaw by the CRD;

**NOW THEREFORE** in consideration of the premises and the terms and conditions hereinafter contained, the sufficiency of which is hereby acknowledged by both parties, the CRD and Langford covenant and agree each with the other as follows:

### 1.0 DEFINITIONS

1.1 In this Agreement,

"Bylaw" means Langford *Animal Control Bylaw* as amended from time to time.

"Services" means the enforcement and administration of the Bylaw, the administration and marketing of dog licences, and including without limitation the following work, carried out and delivered to the equivalent level of similar

services provided by the CRD within the municipalities and electoral areas in which it provides such work:

(a) in accordance with the Bylaw and all other applicable enactments, the seizure, impounding and destruction of cats, dogs and other domestic animals in Langford that come to the attention of the Animal Control or Bylaw Enforcement Officers of the CRD, which are at large, or in other circumstances authorized by the Bylaw or other applicable legislation or regulations;

(b) the full range of enforcement activities under the Bylaw including, but not limited to regular patrol of streets, parks and other public areas within Langford, complaint response, emergency call-out and police assistance.

**2.0 TERM**

2.1 This Agreement is on a month to month basis commencing at 12:00 AM, January 1, 2015, and continuing until a new agreement is signed.

**3.0 RENEWAL**

3.1 This Agreement shall be deemed to be automatically renewed each month in 2015, unless either party has given the other notice of termination pursuant to Section 4.

**4.0 TERMINATION**

4.1 This agreement may be terminated by either party by notice in writing delivered to the other party not later than the 15th day of the current month.

**5.0 AMENDMENT**

5.1 Unless otherwise agreed by the parties, amendments to the terms and conditions of this Agreement proposed by either party to take effect the next month shall be requested by so notifying the other party in writing not later than the 15th day of the preceding month. Nothing in this provision shall oblige either party to agree to or accept any amendment proposed by the other party

**6.0 CRD COVENANTS**

6.1 For the purposes of this Agreement, and in consideration of the Costs paid or agreed to be paid by Langford pursuant to Section 7.1, the CRD shall provide the Services to Langford in a competent, careful and professional manner, and shall without limitation:

(a) maintain an office within the Capital Regional District which is open to the public during normal business hours for inquiries relating to the Services;

(b) for the purpose of the poundkeeper component of the Services, maintain a pound facility in a location approved by the host local government, which facility and the operation thereof shall be and remain in compliance with all applicable regulations, bylaws and other enactments, and in particular shall be maintained in a sanitary condition providing for humane treatment of the animals impounded;

(c) administer and enforce the Bylaw including without limitation any required court appearances and legal proceedings generally, engaging the professional legal counsel which may be required in connection therewith, and shall exercise the enforcement authority contained within the Bylaw for and on behalf of Langford, except for any powers that remain to be exercised exclusively by Langford pursuant to this Agreement or statute or common law applicable to local government;

(d) receive and retain all revenue from CRD dog licences, impoundment fees, violation fees, municipal ticket information fines, fees from sale of animals, and fine and court costs recovered through enforcement of the Bylaw;

(e) keep a detailed record of accounts and activities in relation to the Services; prepare and deliver to Langford not less than quarterly a report including the following information:

- number of tickets, offence notices and warning notices issued;
- number of animals impounded;
- impoundment and boarding revenues received; and
- number and types of complaints received; and
- number of hours spent on patrols in Langford.

including such information for both the reporting period and the year-to-date;

(f) comply with reasonable instructions from Langford with respect to the provision of the Services, including requests for special attention to particular geographical areas as required from time to time;

(g) pursue on Langford's behalf dog destruction orders in relation to the Services.

(h) obtain proof that a current Langford licence has been obtained and paid for before releasing any impounded dog;

(i) maintain a monthly pound log in which shall be recorded, on a daily basis, all pound-related transactions, including a description of every animal impounded, the date and place where the animal was impounded, the date when the animal was redeemed or otherwise disposed of, the disposition of the animal and the amount of money, if any, recovered in respect of the animal;

(j) maintain a monthly record of any reported dog bites which have occurred in that month, including information concerning the severity of the bite, the breed of the dog, the name and address of the dog owner if known, the name of the person bitten and the details of any charges under the Bylaw;

(k) ensure that CRD Animal Control and Bylaw Enforcement Officers are thoroughly informed of the provisions of the Bylaw and also the fine levels and offence descriptions set out in the Langford Ticket Information Utilization Bylaw;

(l) allow officers and employees of Langford, at all reasonable times, access to all records, books and documents maintained by the CRD under this Agreement; and

(m) provide after hours emergency call-out service for serious incidents, including assistance to the Langford police service, attacks by dogs on people or animals, injured animals and unusual situations deemed to involve public safety in relation to domestic animals;

(n) maintain and administer a dog licensing system and sell dog licences to Langford residents.

## 7.0 LANGFORD COVENANTS

7.1 In consideration of the performance by the CRD of the Services, Langford shall pay the CRD $7400.00 monthly.

7.2 For each month of the Agreement Langford shall pay the amounts required to be paid under Sections 7.1 upon receipt of an invoice from the CRD.

7.3 Langford hereby designates the Chief Administrative Officer of Langford, and in his absence the Manager of Bylaw Enforcement of Langford, as the primary contact with CRD staff with respect to the services. The parties acknowledge that the intent of this provision is to avoid unnecessary duplication of effort by the CRD, as well as conflicting instructions from Langford to the CRD. Other officers of employees of Langford, including members of the Municipal Council, may contact the CRD Chief Bylaw Enforcement Officer directly but only for the purpose of making inquiries and not to give direction;

7.5 Langford shall appoint those persons designated by CRD to enforce the Bylaws as authorized officers under Section 16 of the *Community Charter*, and appoint these persons as Bylaw Enforcement Officers for the purpose of enforcing the provisions of Langford's Animal Control Bylaw, and for the purpose of issuing MTI tickets in relation to that Bylaw under the Langford Ticket Information Utilization Bylaw;

7.6 Langford shall pay over to the CRD, within thirty (30) days of receipt by Langford from the Provincial Court Registry or directly from the offender, fine and court costs recovered through enforcement of the Bylaw by the CRD.

## 8.0 MUTUAL INDEMNIFICATION

8.1 Except to the extent that a claim, loss, action, suit or demand, and legal fees and expenses associated therewith, is a result of a party's negligence or breach of its obligations under this Agreement, the other party shall indemnify and hold harmless the first mentioned party and its officers, employees and contractors from and against all such claims, losses, actions, suits, demands, fees and expenses arising out of this Agreement.

## 9.0 INSURANCE

9.1 The CRD through its self-insurance program, and Langford through the firm of Hendry Swinton McKenzie, shall each maintain sufficient liability coverage to meet its indemnification obligations under Section 8, and more particularly in the case of Langford shall maintain liability insurance coverage in an amount not less than Two Million Dollars ($2,000,000.00) per single occurrence, with the CRD to be added as an additional insured as defined in the Hendry Swinton McKenzie Liability Protection Agreement. In the event that the CRD ceases to be self-insuring, it shall meet the same liability insurance policy requirements assumed by Langford under this Agreement, with the necessary changes and as applicable.

9.2 Neither party shall cancel or materially change its insurance coverage without first providing the other with thirty (30) days written notice thereof.

9.3 Any liability insurance required hereunder must contain cross liability coverage in the event that both parties claim coverage under the same policy.

## 10.0 REGULATORY CHANGES

10.1 Langford shall provide the CRD with written notice of any pending amendment to or revision of the Bylaw not less than ten (10) days prior to the date of adoption thereof.

## 11.0 CONTRACTOR STATUS

11.1 The parties agree that the CRD is an independent contractor engaged by Langford for the sole purpose of providing the Services. Neither the CRD nor

any of its personnel is engaged by Langford as an employee, servant or agent. The CRD is solely responsible for payment of Workers Compensation premiums and compliance with all WCB Regulations, and shall bear sole responsibility for the safety of its officers and employees and any costs whatsoever arising out of employee injuries or claims records. The CRD shall make all payroll payments or deductions required by law or collective agreement. Nothing in this Agreement shall be construed as creating an agency, partnership or joint venture between Langford and the CRD.

**12.0 REFERENCE TO CRD**

12.1 The CRD agrees to permit the use of its name and bylaw enforcement office telephone number and address in any Langford notices and advertising relating to animal control.

**13.0 SETTLEMENT**

13.1 The parties acknowledge that they have a common goal of providing public service and will attempt to settle any differences arising in the administration of this Agreement amicably through discussion in good faith with a view to providing quality public service at a reasonable cost.

**14.0 NOTICE**

14.1 Unless otherwise specified herein, any Notice required to be given hereunder by any party shall be deemed to have been well and sufficiently given if mailed by ordinary mail, faxed to or delivered at the address of the other party set forth on the first page of this Agreement or at such other address as the other party may from time to time direct in writing, and any such Notice shall be deemed to have been received if mailed seventy-two (72) hours after the time of mailing and, if faxed or delivered, upon the date of faxing or delivery.

**15.0 ASSIGNMENT**

15.1 This Agreement is not assignable by either party without the express written consent of the other.

**16.0 POLICE AUTHORITY**

16.1 Nothing in this Agreement shall operate so as to prevent, limit or derogate from the authority of a municipal police officer to take enforcement action under the Bylaw, in which case revenues from any violation fees, municipal ticket information fines or other pecuniary penalties or assessments shall be retained by Langford.

**17.0 BINDING EFFECT**

17.1 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and permitted assignees.

IN WITNESS WHEREOF the Parties hereto have caused these presents to be executed the day, month and year first above written.

The Corporate Seal of THE CITY OF LANGFORD was hereunto affixed in the presence of:

Authorized Signatory Lillian Szpak
Acting Mayor

Authorized Signatory Jim Bowden
Corporate Officer

c/s

**Executed on behalf of the** CAPITAL REGIONAL DISTRICT
by its authorized signatures on this

_____ day of _____, 20

_____
Authorized Signatory

_____
Authorized Signatory

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ITEM 6.6

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD**
**MEETING OF WEDNESDAY, JANUARY 14, 2015**

---

**SUBJECT** **2015 BOARD STANDING AND SELECT COMMITTEES – TERMS OF REFERENCE**

## ISSUE

To establish the terms of reference for the 2015 Board Standing and Select Committees.

## BACKGROUND

Section 795(2) of the *Local Government Act* allows the Chair to establish standing committees "for matters the chair considers would be better dealt with by committee and may appoint persons to those committees". In addition, section 26(1) of the CRD Board Procedures Bylaw allows the Chair to "establish a Board Standing Committee as a regular permanent committee whose mandate will be in relation to a CRD service or potential service".

In accordance with the above, the Board Standing Committees for 2015 have been established as follows:

- Committee of the Whole
- Core Area Liquid Waste Management
- Electoral Area Services
- Environmental Services
- Finance
- Governance
- Planning, Transportation and Protective Services
- Regional Parks

Attached for the Board's information are the proposed terms of reference for the 2015 Board Standing Committees (Appendix A).

In addition to the above Standing Committees, the following Select Committees have been previously established:

- Transportation Select
- Westside Wastewater Treatment and Resource Recovery Select

At its recent meeting, the Core Area Liquid Waste Management Committee approved in principle the establishment of an Eastside Wastewater Treatment and Resource Recovery Select Committee that mirrors the Westside select committee with the understanding that terms of reference would be prepared for this Board meeting based on a Notice of Motion presented at the committee. The terms of reference for the new Eastside select committee as well as the existing select committees are attached in Appendix B.

The Core Area Liquid Waste Management Committee approved their terms of reference at their meeting held January 7, 2015, but the terms have been further amended to include reference to the Eastside Wastewater Treatment and Resource Recovery Select Committee.

In addition to the above committees, the Board Chair also considered the establishment of a First Nations Standing Committee or Select Committee as result of the following Board resolution adopted October 8, 2014.

***"THEREFORE BE IT RESOLVED THAT** the Capital Regional District Board recommend to the incoming Board and Board Chair to consider establishing either a First Nations Relations Standing Committee or Select Committee of the Board, with First Nations representation and membership, and in the interim, direct staff to prepare a report to the incoming Board on options for bringing First Nations into the CRD governance framework."*

## ALTERNATIVES

*Alternative 1:*

1. That the terms of reference for the 2015 Board Standing Committees as attached in Appendix A be received and referred to the respective Standing Committees for review and approval;
2. That the establishment and terms of reference for the Eastside Wastewater Treatment and Resource Recovery Select Committee be approved;
3. That the Board Chair be authorized to establish and appoint a Special Task Force on First Nations Engagement to meet with CRD First Nations to develop options for bringing First Nations into the CRD governance framework and report back to the Chair and Governance Committee within 12 months.

*Alternative 2:*
That the terms of reference be referred back to staff for further review.

## IMPLICATIONS

The terms of reference that have been developed for each committee identify the mandate/purpose of the committee, its establishment and authority, the composition, procedures and staff resources. For the most part, the committees are structured around specific service areas and the terms of reference identify the primary staff liaison(s) for each committee. Where applicable, other committees that report through each of the committees have been identified. The terms of reference for the majority of the committees remain unchanged from 2014 with the exception of the following:

*Core Area Liquid Waste Management Committee (CALWMC):*
The purpose of the committee has been amended to include consideration of recommendations to the Board from the select committees established to develop core area subregional wastewater treatment and resource recovery options and Liquid Waste Management Plan amendments. The terms of reference were approved by the CALWMC but have since been further amended to include specific reference to the Eastside Wastewater Treatment and Resource Recovery Select Committee.

The composition has also been changed to reflect the recent Procedures Bylaw amendment to allow for the appointment of an elected representative and alternate from each of the Songhees Nation and Esquimalt First Nation Councils.

*Environmental Services Committee:*
The Ministry of Environment requires a Plan Monitoring Advisory Committee (PMAC) to monitor the implementation of the CRD's Solid Waste Management Plan. To date, this role has been fulfilled by the Solid Waste Advisory Committee (SWAC) and involves a regular review of all programs.

The work of the SWAC is temporarily on hold as staff works on a new Integrated Solid Waste and Resource Management Plan. Ministerial support has been received for the Environmental Services Committee to perform the role of the PMAC while this work is underway.

*Director Attendance at Standing Committee Meetings:*
At its meeting held November 12, 2014, the Board approved the following recommendation:

*"That staff be directed to prepare the appropriate policy or procedure bylaw amendment that would allow a Board member to participate in the discussion, but not vote, at a standing committee meeting on an item that has local significance."*

Language has been included in each of the terms of reference that would allow Board members to participate in committee meetings, to which they have not been appointed, when an item of local significance is on the agenda. This provision does not permit Board members to vote on the matter unless they are an appointed member of the committee.

*Eastside Wastewater Treatment and Resource Recovery Select Committee:*
As directed by the CALWMC, the attached terms of reference have been developed to mirror those of the Westside Select Committee with the following exceptions:

- The committee will consider the results of work done by individual councils as instructed by those Councils and will report any work done by the Eastside committee to the affected municipality
- The committee will work with the Westside committee and municipalities to explore potential common facilities and use of current CRD assets
- Administrative/procedural matters:
  - Chair and Vice Chair model vs. Co-chair
  - Alternates will be CRD Alternate Directors
  - Meetings are open to the public unless closed in accordance with legislation
  - Meetings to be webcast and held in CRD Boardroom

The terms of reference also specify that the committee may share in camera information with the Westside committee or affected municipalities by way of resolution only. It will be necessary to ensure that the CALWMC and the Board are made aware of the in camera information that is being shared with other parties. A further review of how to facilitate the sharing of in camera information between the CRD Board and its member municipalities will be considered by the Governance Committee.

*Special Task Force on First Nations Engagement:*
The establishment of this Special Task Force will initiate the work directed by the Board to bring First Nations into the CRD governance framework by meeting with CRD First Nations and determining options for engagement that would be appropriate for both parties.

The Procedures Bylaw allows for the Board to delegate to the Chair the establishment of a Select Committee and appoint its members.

## CONCLUSION

The terms of reference for the 2015 Board Standing and Select Committees are attached for the Board's consideration. They will serve to clarify the mandate, responsibilities and procedures governing each Board committee.

## RECOMMENDATIONS

1. That the terms of reference for the 2015 Board Standing Committees as attached in Appendix A be received and referred to the respective Standing Committees for review and approval;
2. That the establishment and terms of reference for the Eastside Wastewater Treatment and Resource Recovery Select Committee be approved;
3. That the Board Chair be authorized to establish and appoint a Special Task Force on First Nations Engagement to meet with CRD First Nations to develop options for bringing First Nations into the CRD governance framework and report back to the Chair and Governance Committee within 12 months.

Sonia Santarossa, MA
Senior Manager,
Legislative & Information Services

Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

ss

Attachments: Appendix A – Standing Committee Terms of Reference
Appendix B – Select Committee Terms of Reference

# Terms of Reference

## COMMITTEE OF THE WHOLE

### PREAMBLE

In accordance with the Board Procedures Bylaw, the Capital Regional District (CRD) Board may resolve into Committee of the Whole at any time to examine and provide advice to the Board on various matters of regional interest.

The Committee's official name is to be:

Committee of the Whole

### 1.0 PURPOSE

The purpose of the Committee of the Whole is to consider items of regional interest and/or that apply to more than one Board standing committee such as, but not limited to:

- Annual Budget deliberations – Departmental Service Plans to be considered by respective standing committees
- Development of Strategic Plan
- Climate Action Strategy
- Policy changes that have a regional impact
- Changes to Board meeting procedures
- Aboriginal and Métis relationship building, engagement and treaty matters
- Forum of Councils
- Matters relating to Board governance; and
- Any other matter as determined by a committee chair in consultation with the Board Chair that would be better considered at a Committee of the Whole meeting

With the consent of the Board Chair, the Committee of the Whole may act as a forum in which the Board would receive delegations from the public and presentations from staff related to items requiring more in depth explanation, discussion and Board feedback.

The Board Chair may wish to discuss Board standing committee structure with the CoW.

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for review, comment and decision.

- The Board Chair may act as Chair or appoint another Member to preside at the meeting.

### 3.0 COMPOSITION

Committee members will be all CRD Directors.

## 4.0 PROCEDURES

- The Committee shall meet at the call of the Chair, in consultation with the Chief Administrative Officer and Corporate Officer.
- The Chair shall determine the agenda for meetings, and any member may request that a matter be placed on the agenda.
- At the request of a committee chair and with the consent of the Board Chair, items that fall within the mandate of one or more committee or are regional in nature, may be considered by the Committee of the Whole.
- At the request of a member and with the consent of the Chair, guests or delegations may be invited to attend and participate in the meeting.
- The bulk of discussion and debate of pertinent issues will take place at the committee, with all necessary recommendations forwarded to the Board for consideration and final decision-making.
- All votes are unweighted with each director having one vote
- In accordance with the CRD Board Procedures Bylaw, a motion to rise and report shall be adopted at the Committee of the Whole meeting. A Board meeting will convene immediately following the Committee of the Whole meeting where the Chair shall report to the Board to adopt the recommendation or postpone consideration to the next regularly scheduled Board meeting.

## 5.0 RESOURCES AND SUPPORT

- The Chief Administrative Officer will provide strategic support and act as a liaison;
- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department;
- The Executive Leadership Team (ELT) will provide additional administrative support as required.

## 6.0 RELATIONSHIP WITH OTHER BOARD COMMITTEES

- Matters considered by the Committee of the Whole will often involve projects or programs which may be fall within the jurisdiction of another standing committee(s) but are of regional significance. Consideration of these items will remain with the Committee of the Whole unless otherwise directed by the Board Chair.

# Terms of Reference

## CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Core Area Liquid Waste Management Committee (CALWMC) is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding the Core Area Liquid Waste Management Plan and certain aspects of the Core Area Wastewater Treatment Program (CAWTP).

The Committee's official name is to be:

**Core Area Liquid Waste Management Committee**

### 1.0 PURPOSE

The mandate of the committee is to oversee and make recommendations to the Board regarding the:

- Administration and regulatory reporting for the Core Area Liquid Waste Management Plan
- Core area trunk sewers and sewage disposal systems
- Opportunities for resource recovery

In relation to the CAWTP, the mandate of the committee is as outlined in section 11 of Core Area Wastewater Treatment Commission Bylaw No. 1, 2012 (Bylaw No. 3851). Appendix A outlines how the CAWTP Commission will liaise with the Committee and the Regional Board.

The committee will act as the steering committee of the Technical and Community Advisory Committee, as outlined in Appendix B.

In addition, the committee will consider recommendations to the CRD Board from Select committees established to develop core area subregional wastewater treatment and resource recovery options and Liquid Waste Management Plan amendments, as outlined in Appendix C.

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for consideration
- The Board Chair will appoint the Committee Chair, Vice Chair and committee members

## 3.0 COMPOSITION

The membership is comprised of all directors on the CRD Board from the following municipalities that are participants in the Core Area Liquid Waste Management Plan:

- Colwood
- Esquimalt
- Langford
- Oak Bay
- Saanich
- Victoria
- View Royal

An elected representative and alternate from each of the Songhees Nation and Esquimalt First Nation Councils may be appointed to the committee (Board Procedures Bylaw No. 3828).

All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

## 4.0 PROCEDURES

- The committee shall meet monthly except August and December and have special meetings as required at the call of the Committee Chair
- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda
- With the approval of the Committee Chair and Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration
- A quorum is a majority of the committee membership and is required to conduct committee business

## 5.0 RESOURCES AND SUPPORT

- The General Manager Integrated Water Services will provide administrative support with support from other departments as required
- Corporate Communications will assist the department in the delivery of Core Area Liquid Waste Management Plan communication services
- Minutes and agendas are prepared and distributed by the Legislative and Information Services department

**APPENDIX A**

## LIAISON BETWEEN CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE (CALWMC) AND CORE AREA WASTEWATER TREATMENT PROGRAM (CAWTP) COMMISSION

In accordance with Capital Regional District (CRD) procedures and the Core Area Wastewater Treatment Commission Bylaw No. 1, 2012 (Bylaw No. 3851), the CAWTP Commission will liaise with the CALWMC and/or CRD Board as follows:

- Prior to appointing a Program Director
- Preparing a monthly written report to update and make the CALWMC and the Board aware of the progress of the Program and any significant issues
- Collaborating with the CALWMC to draft the sections of the Request for Proposals that promote innovation
- Preparing an annual Program cash flow forecast before September 30 each year as part of its comprehensive financial accounting reporting
- Preparing draft reports as required to permit the Board to report to senior governments
- Providing additional information to the CALWMC and/or Board upon request
- All documents and reports to be considered by the Board as outlined in section 10 of the Commission Bylaw are to be reviewed by the CALWMC

**APPENDIX B**

## STEERING THE TECHNICAL AND COMMUNITY ADVISORY COMMITTEE CORE AREA AND WEST SHORE SEWAGE TREATMENT

In accordance with the Terms of Reference of the Technical and Community Advisory Committee Core Area and West Shore Sewage Treatment (TCAC) approved by the Capital Regional District Board (CRD), August 14, 2013, the Core Area Liquid Waste Management Committee (CALWMC) will steer the TCAC as follows:

- Make recommendations to the CRD Board to appoint TCAC members
- Make requests to TCAC for appropriate technical and community consultation advice and input in order to facilitate informed decision-making in a variety of CAWTP matters, including:
  - Plant design criteria and treatment technology, including:
    - opportunities for resource recovery
    - sludge management
    - odour control
    - general plant design criteria
  - Number and location of treatment plants
  - Timing/scheduling of treatment
- Receive for information or consideration of recommendations such technical and community consultation reports from TCAC as requested by CALWMC
- Dissolve the TCAC at the end of the planning stage of the Core Area and West Shore sewage treatment project or at a time determined by the CALWMC

**APPENDIX C**

## WASTEWATER TREATMENT AND RESOURCE RECOVERY SELECT COMMITTEES

In accordance with the Terms of Reference of the Westside Wastewater Treatment and Resource Recovery Select Committee (the "Select committee") approved by the CRD Board, November 12, 2014, the Select committee will report its findings to the Board through the Core Area Liquid Waste Management Committee (CALWMC). The mandate of the Select committee is to:

- Evaluate options and develop a conceptual plan for a wastewater treatment and resource recovery plan for participating jurisdictions. The conceptual plan will:
  - optimize existing infrastructure, where practical
  - be developed in a collaborative manner with the participants
  - be environmentally sound
  - have decisions based on the best business case scenario that maximizes benefit to the best value for taxpayers
  - meet the unique needs of the Westside in a proactive and timely way
  - be an efficient and cost effective process
  - form the basis for an amendment to the Core Area Liquid Waste Management Plan
- Engage and consult with Westside residents

The committee will continue until it has made its final report to the Board.

In accordance with the Terms of Reference of the Eastside Wastewater Treatment and Resource Recovery Select Committee (the "Select committee") approved by the CRD Board, the Select committee will report its findings to the Board through the Core Area Liquid Waste Management Committee (CALWMC). The mandate of the Select committee is to:

- Evaluate options and develop a conceptual plan for a wastewater treatment and resource recovery plan for participating jurisdictions. The conceptual plan will:
  - optimize existing infrastructure, where practical
  - be developed in a collaborative manner with the participants
  - be environmentally sound
  - decisions will be based on the best business case scenario that maximizes benefit to the best value for taxpayers
  - meet the unique needs of the Eastside in a proactive and timely way
  - the process will be efficient and cost effective
  - form the basis for an amendment to the Core Area Liquid Waste Management Plan (CALWMP)
- Engage and consult with Eastside residents

The Committee will also:

- Consider the results of work done by individual councils as instructed by those Councils
- Report any work done by the Committee to the affected municipality

The Committee is tasked with working with the Westside committee and Westside municipalities to explore potential common facilities and use of current CRD assets.

# Terms of Reference

## ELECTORAL AREA SERVICES COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Electoral Area Services Committee is a standing committee established by the CRD Board and will oversee services in the electoral areas.

The Committee's official name is to be:

Electoral Area Services Committee

### 1.0 PURPOSE

The mandate of the Committee includes overseeing and making recommendations to the Board regarding services in the electoral areas including, but not limited to:

- building inspection
- bylaw enforcement
- animal control
- grants-in-aid
- soil deposit and removal
- stormwater quality
- fire protection
- local emergency management
- economic development

The Committee also has the authority as delegated by the Board in section 6 of Bylaw No. 2864 (consolidated), "CRD Delegation Bylaw No. 1, 2001" to:

- hold a hearing to file or cancel a Notice on Title (s. 57 & 58 of the *Community Charter)*
- modify, assign or release a covenant registrable under s. 219 of the *Land Title Act*

The local service area committees and commissions as outlined in Appendix A will report through the Electoral Area Services Committee.

Any other matter that relates to the electoral areas may be referred to the Committee for consideration.

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board; and

- The Board Chair will appoint the Committee Chair, Vice Chair and committee members.

## 3.0 COMPOSITION

- Committee members will include the Director from each of the electoral areas: Juan de Fuca; Salt Spring Island and Southern Gulf Island

- All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

## 4.0 PROCEDURES

- The committee shall meet on a monthly basis, except August and December, and have special meetings as required;

- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;

- With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and

- A quorum is a majority of the committee membership is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Managers of the Finance & Technology and Planning & Protective Services Departments will provide administrative support; and

- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department.

## APPENDIX A

Juan de Fuca Electoral Area Local Service Area Commissions/Committees:

- East Sooke Fire Protection & Emergency Response Service Commission
- Juan de Fuca Economic Development Commission
- Juan de Fuca Electoral Area Parks & Recreation Advisory Commission
- Otter Point Fire Protection & Emergency Response Service Commission
- Port Renfrew Fire Protection & Emergency Response Service Commission
- Port Renfrew Utility Services Commission
- Shirley Fire Protection & Emergency Response Service Commission
- Wilderness Mountain Water Service Commission
- Willis Point Fire Protection & Emergency Response Service Commission

Salt Spring Island Electoral Area Local Service Area Commissions/Committees:

- Beddis Water Serivce Commission
- Cedar Lane Water Service Commission
- Cedars of Tuam Water Service Commission
- Fernwood Dock Management Commission
- Fulford Water Service Commission
- Ganges Sewer Local Services Commission
- Highland/Fernwood Water Local Service Commission
- Highland (Maliview) Sewer Services Commission
- Salt Spring Island Economic Development Commission
- Salt Spring Island Electoral Area Emergency Program Advisory Commission
- Salt Spring Island Liquid Waste Disposal Local Service Commission
- Salt Spring Island Parks & Recreation Advisory Commission
- Salt Spring Island Transportation Commission

Southern Gulf Islands Electoral Area Local Service Area Commissions/Committees:

- Galiano Island Parks & Recreation Commission
- Lyall Harbour/Boot Cove Water Local Services Committee
- Magic Lake Estates Water & Sewer Committee
- Mayne Island Parks & Recreation Commission
- North Galiano Fire Protection & Emergency Response Service Commission
- Pender Island Community Parks & Recreation Commission
- Saturna Island Parks & Recreation Commission
- Skana Water Service Committee
- Southern Gulf Islands Electoral Area Emergency Advisory Commission
- Southern Gulf Islands Harbours Commission
- Southern Gulf Islands Public Library Commission
- Sticks Allison Water Local Service Committee
- Surfside Park Estates Water Service Committee

# Terms of Reference

## ENVIRONMENTAL SERVICES COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Environmental Services Committee is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding waste management, resource recovery, climate change and other environmental matters.

The Committee's official name is to be:

Environmental Services Committee

### 1.0 PURPOSE

The mandate of the Committee includes overseeing and making recommendations to the Board regarding the following functions:

- Policy matters pertaining to liquid waste management, i.e. beneficial use of biosolids, regional source control and energy recovery from sewage and treated effluent
- Regional solid waste function
- Waste diversion and recycling programs
- Hartland operations
- Resource recovery opportunities
- Integrated waste management planning issues
- Stormwater quality function for the Core area, Gulf Islands, Sooke, and Juan de Fuca Electoral Area
- Climate action
- Roundtable on the Environment (RTE), including its members, terms of reference
- Millstream Meadows Remediation
- Environmental and sustainability matters
- Integrated watershed management planning

The Committee will also:

- serve as the Plan Monitoring Advisory Committee for the current Solid Waste Management Plan (SWMP)
- stand as the Steering committee for the revised SWMP

The following committees will report through the Environmental Services Committee:

- Climate Action Steering Committee
- Integrated Solid Waste and Resource Management Plan Public and Technical Advisory Committee (PTAC)
- Roundtable on the Environment

## 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for consideration; and
- The Board Chair will appoint the Committee Chair, Vice Chair and committee members.

## 3.0 COMPOSITION

- The Chair, Vice Chairs and members are appointed annually by the Board Chair.
- All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

## 4.0 PROCEDURES

- The committee shall meet on a monthly basis, except August and December, and have special meetings as required;
- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;
- With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- A quorum is a majority of the committee membership and is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager Parks and Environmental Services will provide administrative support; and
- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department.

# Terms of Reference

## FINANCE COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) **FINANCE COMMITTEE** is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding a number of financial initiatives.

The Committee's official name is to be:

Finance Committee

### 1.0 PURPOSE

The mandate of the Committee includes providing advice and making recommendations to the Board regarding the following functions:

- Corporate budget process
- Departmental Service Plan
- Corporate financial management and audit
- Risk, property and facility management
- Information technology
- Financial policies

The Committee will also provide advice and make recommendations to the Board regarding corporate functions that have a financial impact, including, but not limited to:

- Labour relations and human resource matters
  - Exempt staff compensation
  - Union bargaining

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for consideration; and

- The Board Chair will appoint the Committee Chair, Vice Chair and committee members on an annual basis.

## 3.0 COMPOSITION

- The committee should be comprised of the Chairs of the other Board standing committees and one Director from each of the following geographic areas:
    - Core
    - Peninsula
    - Western communities
- All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

## 4.0 PROCEDURES

- The committee shall meet on a monthly basis, except August and December, and have special meetings as required;
- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;
- With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- A quorum is a majority of the committee membership and is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager Finance and Technology will provide administrative support; and
- Minutes and agendas are prepared and distributed by the Legislative and Information Services Department.

# Terms of Reference

## GOVERNANCE COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Governance Committee is a standing committee established by the CRD Board to make recommendations to the Board regarding items related to governance and corporate administration. The committee will also provide advice to the Board on agenda items for Committee of the Whole meetings.

The Committee's official name is to be:

Governance Committee

### 1.0 PURPOSE

To consider matters and make recommendations to the Board or to the Committee of the Whole as required or directed by the Chair, regarding:

- Board governance and meeting procedures
- General governance issues such as communication, access and accountability processes
- Corporate administration and operations such as but not limited to:
  - Administrative, personnel and labour management matters
  - Internal and external communications systems
  - Intergovernmental relations
- Identification of items of regional interest and/or items that are relevant to more than one standing committee that are better suited for consideration at a Committee of the Whole meeting

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Committee of the Whole for consideration;
- The Board Chair will appoint the Committee Chair, Vice Chair and committee members; and
- It is expected the committee will meet at the call of the Chair.

## 3.0 COMPOSITION

- The Chair, Vice Chair and members are appointed annually by the Board Chair;
- The committee may include current and past CRD Board Chairs.
- All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

## 4.0 PROCEDURES

- The Committee shall meet at the call of the Committee Chair, in consultation with the Corporate Officer; and
- The agenda will be finalized in consultation between staff and the Committee Chair and any Committee member may make a request to the Chair to place a matter on the agenda.
- With the approval of the Committee Chair and Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration
- A quorum is a majority of the committee membership and is required to conduct committee business

## 5.0 RESOURCES AND SUPPORT

- The CAO and Corporate Officer will provide strategic support and act as a liaison;
- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department; and
- The Executive Services Department will provide additional administrative support as required.

# Terms of Reference

## PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Planning, Transportation and Protective Services Committee is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding matters related to planning, transportation, protective services, emergency management, health facilities, and housing.

The Committee's official name is to be:

Planning, Transportation and Protective Services Committee

### 1.0 PURPOSE

The mandate of the Committee includes overseeing and making recommendations to the Board regarding the following functions:

- Regional planning
- Regional Sustainability Strategy
- Regional transportation planning
- Protective services – including 911, fire dispatch and hazmat
- Emergency Preparedness
- Health facilities – capital planning and financing for Capital Regional Hospital District
- Community health planning and regulations
- Housing

The Committee may also consider matters referred by the CRD Roundtable on the Environment (RTE).

The following committees will report through the Planning, Transportation & Protective Services Committee:

- Development & Planning Advisory Committee
- Local Government Emergency Program Advisory Commission
- Regional Emergency Coordinators Commission
- Traffic Safety Commission

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for consideration; and
- The Board Chair will appoint the Committee Chair, Vice Chair and committee members.

## 3.0 COMPOSITION

- The Chair, Vice Chair and members are appointed annually by the Chair of the Board.

- All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

## 4.0 PROCEDURES

- The committee shall meet on a monthly basis, except August and December, and have special meetings as required;

- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;

- With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and

- A quorum is a majority of the committee membership and is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager of the Planning and Protective Services Department will provide administrative support; and

- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department.

# Terms of Reference

## REGIONAL PARKS COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Regional Parks Committee is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding matters related to regional parks.

The Committee's official name is to be:

Regional Parks Committee

### 1.0 PURPOSE

The mandate of the Committee includes overseeing and making recommendations to the Board regarding the following functions:

- Regional Parks including land acquisition, management, operations and programs
- Regional Parks Strategic Plan

### 2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for consideration; and
- The Board Chair will appoint the Committee Chair, Vice Chair and committee members.

### 3.0 COMPOSITION

- The Chair, Vice Chair and members are appointed annually by the Chair of the Board.
- All Board members are permitted to participate in standing committee meetings, but not vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

### 4.0 PROCEDURES

- The committee shall meet on a monthly basis, except August and December, and have special meetings as required;

- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;

- With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and

- A quorum is a majority of the committee membership and is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager of the Parks and Environmental Services Department will provide administrative support; and

- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department.

# THE TRANSPORTATION SELECT COMMITTEE
# TERMS OF REFERENCE

## PREAMBLE

The Capital Regional District (CRD) Select Committee on Regional Transportation will examine current transportation and public transit governance and funding arrangements in the region to determine how these should be changed to facilitate a greater role for the region in transportation planning and investment decisions. The Select Committee will report to the Board at the end of its term with its recommendations.

The Committee's official name is to be:

**The Transportation Select Committee**

## 1.0 PURPOSES

1.1. To review and provide input into the work of the feasibility study for a CRD public transit and transportation service which the Board directed staff to prepare at the June 15, 2011 meeting.

1.2. To review the findings of the CRD/BC Transit Joint Task Force on Local Funding Options for Light Rail Transit (LRT), and recommend how these may be applied to support transit infrastructure priorities.

1.3. To review and provide input into the Governance Options and Funding Strategy phases of the CRD Regional Transportation Plan.

1.4. To make recommendations to the Board on a regional transportation service, including transit.

1.5. To make recommendations to the Board relative to encouraging a strong regional voice on regional transportation matters.

## 2.0 ESTABLISHMENT AND AUTHORITY

2.1. The committee's role is to act in an advisory capacity to the work of the Transportation Feasibility Study and LRT Task Force on Local Funding Options, and to forward its recommendations to the Board for review, comment and decision.

2.2. The Board Chair will recommend the appointment of the Committee Chair and Committee members.

2.3. The committee will cease to exist once it has reported its findings and recommendations to the Board.

## 3.0 COMPOSITION

3.1. The committee shall represent all areas of the CRD.

3.2. At least one member of the committee will be a liaison member of the Planning, Transportation and Protective Services Committee.

## 4.0 PROCEDURES

4.1. The committee shall meet at the call of the chair with the number and frequency of meetings varying according to the work plan undertaken.

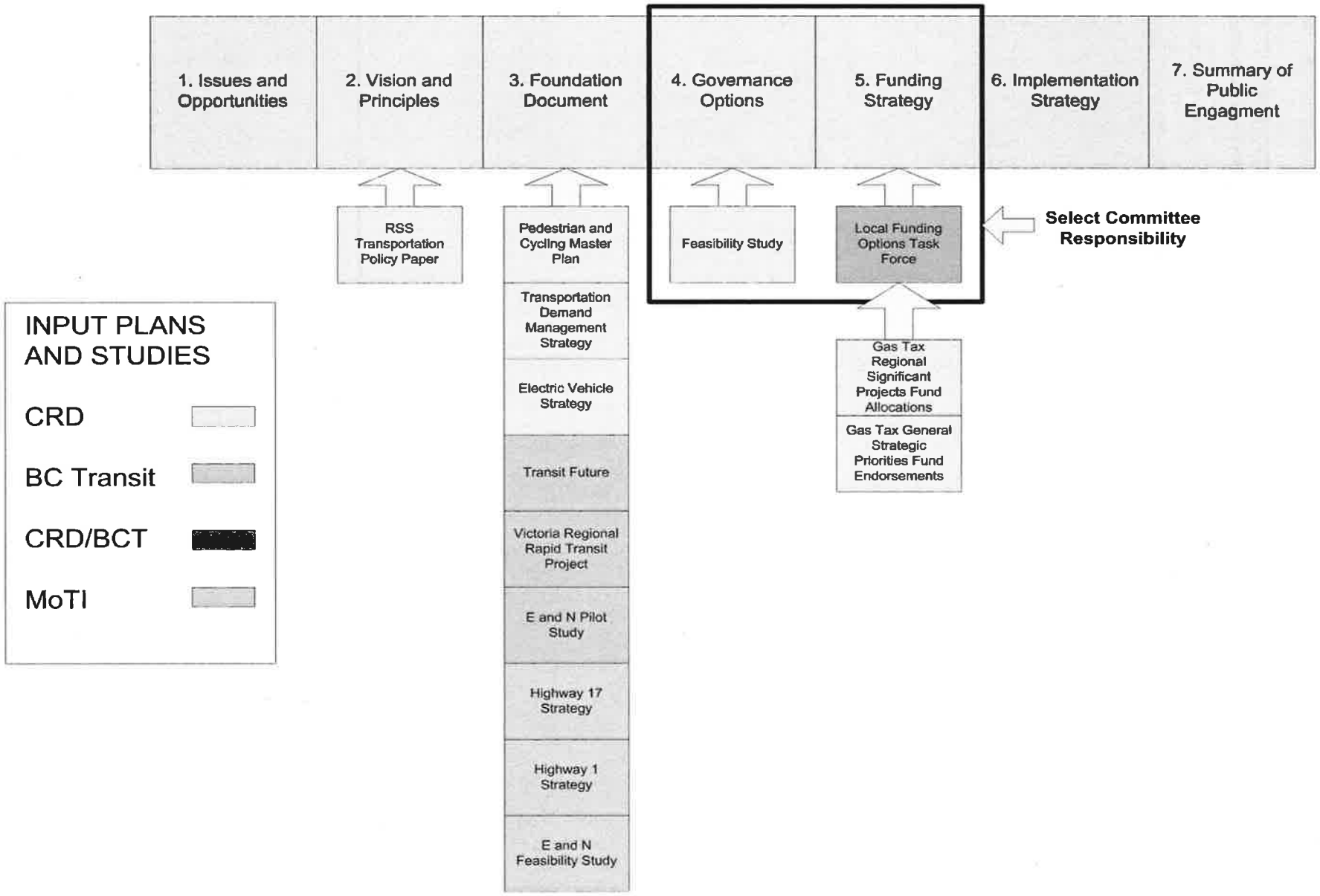
4.2. The agenda and minutes of the committee meetings will be provided to the Board for consideration of receipt.

## 5.0 RESOURCES AND SUPPORT

The General Manager, Planning and Protective Services will provide strategic support and act as a liaison on ongoing major transportation projects. CRD Regional Planning Division will provide administrative, technical and human resources to support the work of the committee.

**Appendix 2**

# CRD REGIONAL TRANSPORTATION PLAN COMPONENTS



# Terms of Reference

## WESTSIDE WASTEWATER TREATMENT AND RESOURCE RECOVERY SELECT COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Westside Wastewater Treatment and Resource Recovery Select Committee is a select committee established by the CRD Board and will report to the Board through the Core Area Liquid Waste Management Committee (CALWMC) regarding a sub-regional wastewater treatment and resource recovery plan.

The Committee's official name is to be:

**Westside Wastewater Treatment and Resource Recovery Select Committee**

### 1.0 PURPOSE

The mandate of the committee is to:

- evaluate options and develop a conceptual plan for a wastewater treatment and resource recovery plan for participating jurisdictions
  - the conceptual plan will:
    - optimize existing infrastructure, where practical
    - be developed in a collaborative manner with the participants
    - be environmentally sound
    - decisions will be based on the best business case scenario that maximizes benefit to the best value for taxpayers
    - meet the unique needs of the Westside in a proactive and timely way
    - the process will be efficient and cost effective
    - form the basis for an amendment to the Core Area Liquid Waste Management Plan (CALWMP)
- engage and consult with Westside residents

### 2.0 ESTABLISHMENT AND AUTHORITY

- The Co-Chairs will be elected from among its membership;
- The committee will report its findings to the Board for consideration through the Core Area Liquid Waste Management Committee (CALWMC); and
- The committee will continue until it has made its final report to the Board.

## 3.0 COMPOSITION

- The membership is comprised of the designated number of representatives from each of the following municipalities or First Nations that are participants in the Core Area Liquid Waste Management Plan:

  - Colwood (1)
  - Esquimalt (1)
  - Langford (2)
  - View Royal (1)
  - Songhees Nation (1)

- The alternate representative shall be appointed by their Council and is invited to participate at all open and closed committee meetings. Voting privileges can only be exercised in the absence of the designated representative.

## 4.0 PROCEDURES

- The CRD Board Procedures Bylaw will apply;
- The committee shall meet as required at the call of the Chair at least once monthly;
- Meetings will be held at CRD Integrated Water Services, 479 Island Highway, or Westside municipal halls/First Nations halls. As required, meetings will be held at CRD Headquarters, 625 Fisgard Street;
- The agenda will be finalized in consultation between CRD staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;
- With the approval of the CALWMC Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- A quorum of 50% plus one of the committee membership is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager of Parks & Environmental Services will lead the coordination and allocation of resources to the Committee;
- CRD staff, Westside staff, consultants and the technical working group will provide support to the committee;
- A Technical Working Group Implications Section will form part of the report to the CALWMC and the Board
- Staff from Integrated Water Services and Parks & Environmental Services will provide primary administrative support with support from other departments as required; and

- Minutes and agendas are prepared and distributed by the Integrated Water Services Department.

Approved by Core Area Liquid Waste Management Committee on November 12, 2014
Approved by CRD Board on November 12, 2014.

# Terms of Reference

## EASTSIDE WASTEWATER TREATMENT AND RESOURCE RECOVERY SELECT COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Eastside Wastewater Treatment and Resource Recovery Select Committee is a select committee established by the CRD Board and will report to the Board through the Core Area Liquid Waste Management Committee (CALWMC) regarding a sub-regional wastewater treatment and resource recovery plan.

The Committee's official name is to be:

**Eastside Wastewater Treatment and Resource Recovery Select Committee**

### 1.0 PURPOSE

The mandate of the committee is to:

- evaluate options and develop a conceptual plan for a wastewater treatment and resource recovery plan for participating jurisdictions
  - the conceptual plan will:
    - optimize existing infrastructure, where practical
    - be developed in a collaborative manner with the participants
    - be environmentally sound
    - decisions will be based on the best business case scenario that maximizes benefit to the best value for taxpayers
    - meet the unique needs of the Eastside in a proactive and timely way
    - the process will be efficient and cost effective
    - form the basis for an amendment to the Core Area Liquid Waste Management Plan (CALWMP)
- engage and consult with Eastside residents

The Committee will also:

- consider the results of work done by individual councils as instructed by those Councils
- report any work done by the Committee to the affected municipality

The Committee is tasked with working with the Westside committee and Westside municipalities to explore potential common facilities and use of current CRD assets.

### 2.0 ESTABLISHMENT AND AUTHORITY

- The Chair and Vice Chair will be elected from among its membership;
- The Committee will report its findings to the Board for consideration through the Core Area Liquid Waste Management Committee (CALWMC); and

- The Committee will continue until it has made its final report to the Board.

## 3.0 COMPOSITION

- The membership is comprised of the designated number of representatives from each of the following municipalities that are participants in the Core Area Liquid Waste Management Plan:

  - Oak Bay (1)
  - Saanich (5)
  - Victoria (4)

- The alternate representative shall be the appointed CRD Alternate Director and is invited to participate at all open and closed committee meetings. Voting privileges can only be exercised in the absence of the designated representative.

## 4.0 PROCEDURES

- The CRD Board Procedures Bylaw will apply;
- The committee shall meet as required at the call of the Chair at least once monthly;
- Meetings will be held in the Boardroom at CRD Headquarters, 625 Fisgard Street;
- All meetings will be open to the public and may only be closed in accordance with s. 90 of the *Community Charter;*
- All open meetings will be webcast;
- Any in camera information to be shared with the Westside committee or affected municipalities shall be authorized only by way of a resolution;
  - the CALWMC and Board shall be kept apprised of the in camera information that has been shared
- The agenda will be finalized in consultation between CRD staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;
- With the approval of the CALWMC Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- A quorum is a majority of the committee membership and is required to conduct committee business.

## 5.0 RESOURCES AND SUPPORT

- The General Manager of Parks & Environmental Services will lead the coordination and allocation of resources to the Committee;
- CRD staff, Eastside staff, consultants and the technical working group will provide support to the committee;

- A Technical Working Group Implications Section will form part of the report to the CALWMC and the Board
- Staff from Integrated Water Services and Parks & Environmental Services will provide primary administrative support with support from other departments as required; and
- Minutes and agendas are prepared and distributed by the Parks & Environmental Services Department.

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**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3917**

**********

**A BYLAW TO AMEND BYLAW NO. 3881 BEING "HARTLAND LANDFILL TIPPING FEE AND REGULATION BYLAW NO. 6, 2013"**

**********

**WHEREAS:** the Board of the Capital Regional District wishes to limit the disposal of certain types of compostable waste at the Hartland landfill;

**NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 3881, "Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013", is amended as follows:

   a) By replacing the definition in Section 1 of **"Commercial Hauler"** with the following:

   "**Commercial Hauler**" means a person whose business includes the collection or receiving of Refuse, Voluntary Recyclable Material, Mandatory Recyclable Material, Extended Producer Responsibility Products, Weeds, for Disposal of Small Loads at the Public Drop Off Area or a person whose business generates Voluntary Recyclable Material, Mandatory Recyclable Material, Extended Producer Responsibility Products except for Printed Paper and Packaging, and who delivers those materials for Disposal of Small Loads at the Public Drop Off Area.

   b) By inserting the following definition in Section 1 between **"Ignitable"** and **"Invasive Species Plant"**:

   **"Industrial Commercial Institutional"** includes any industrial or commercial operations of any size including manufacturing, processing and packing and small businesses with one or more employees such as retail stores, offices, strip malls, vacation facilities, hotels, motels and resorts and institutional operations such as schools, student residences, correctional facilities, churches, community buildings, hospitals, licensed care facilities and hospices, but does not include residential premises.

   c) By inserting the following definitions in Section 1 between the definitions for **"Invasive Species Plants"** and **"Knotweed"**:

   **"Kitchen Scraps"** means compostable waste generated by residential, business, institutional and commercial sources such as fruits, vegetables, meat, meat by-products, dairy products, baked goods, cereal, grains, pasta, bones, egg shells, coffee grounds and filters, tea bags, nuts and shells, houseplants and cut and dried flowers, and soiled paper products such as paper towels, tissues, food packaging, plates and cups but does not include **Controlled Waste**.

   **"Kitchen Scraps Transfer Station"** means a facility at Hartland landfill designated for receipt and the transfer of **Kitchen Scraps** to another location.

d) By inserting the following definition in Section 1 between the definitions for "**Mixed Paper**" and "**Noxious Weeds**":

"**Non-EPR**" means a material that is not in the specific form or category set out in the Extended Producer Responsibility Product list in Schedule "G".

e) By inserting the following definition in Section 1 between the definitions for **"PCB"** and **"Prohibited Waste"**:

**"Printed Paper and Packaging"** means the materials listed in Schedule "G" of this Bylaw under the heading **Printed Paper and Packaging originating from residential premises**.

f) By inserting the words "Kitchen Scraps" between the words "Prohibited Waste" and "Hazardous Waste" in the definition in Section 1 of **"Refuse"**.

g) By inserting the following definition in Section 1 between the definitions for "**Regional Board**" and "**Rubble**":

"**Residential Premises**" includes houses, apartments, condominiums, townhomes and other premises in which persons reside but does not include institutional or commercial accommodations.

h) By replacing the definition in Section 1 of **"Rubble"** with:

"**Rubble**" means gravel, brick, Concrete block, refractory material, road asphalt or rock, or a combination of any or all of these.

i) By inserting the words "Kitchen Scraps" between the words "Weeds" and "Hazardous Waste" in the definition in Section 1 of **"Solid Waste"**.

j) By replacing Section 2.11 with the following:

2.11 Despite section 2.8, a person may Dispose of Waste Asbestos at a Designated Location provided that:

(a) it is manifested as required by the Capital Regional District, British Columbia Ministry of Environment and Transport Canada;
(b) the Disposal is in accordance with the Occupational Health and Safety Regulation BC Reg 296/97 enacted pursuant to the Workers Compensation Act;
(c) the Disposal is in accordance with the Hazardous Waste Regulation.
(d) the Disposal is in accordance with the Transportation of Dangerous Goods Regulation.
(e) documentation has been submitted upon request of the Manager to confirm the presence of waste asbestos in the load.
(f) an appointment for Disposal is made with Capital Regional District staff a minimum of twenty-four (24) hours prior to Disposal, regular waste asbestos appointment hours are Monday to Friday 9 a.m. to 2:30 p.m. excluding statutory holidays.

k) By replacing section 2.16 with the following:

A person may Dispose of Voluntary Recyclable Material at the Active Face as Refuse or at the Disposal Site at a Designated Location in the Public Drop Off Area provided that it is:

(a) a Small Load; and
(b) Source-separated.

l) By inserting the words "other than those" between the words "Extended Producer Responsibility Product" and "listed in Schedule 'G'" and the word "and" between the words "Schedule 'G'" and "other than at" in section 2.20.

m) By inserting the following in Section 2 after Section 2.26:

2.27 Effective January 1, 2015, no person shall deposit Kitchen Scraps at the Disposal Site except at the Kitchen Scraps Transfer Station and provided that they are Source-separated.

2.28 No person shall deposit Solid Waste at the Disposal Site that is not Source-separated when this Bylaw requires that it be Source-separated.

n) By inserting a new section 2.3 in Schedule "B" as follows:

2.3 A person must ensure that all Loads are ready for Disposal, including being Source-separated, before the Disposal Site closes for the day; otherwise they will not be permitted to Dispose of the Load.

o) By replacing Schedule "C", with the following:

**SCHEDULE "C"**

**TIPPING FEES**

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3881**

**FEES**

1. The fees for depositing solid waste at the Disposal Site are:

| Waste Type | Disposal Site Designated Location | Tipping Fee (per tonne) | Other Fees | Minimum Tipping Fee |
|---|---|---|---|---|
| Bicycle tires and tubes | Public Drop Off Area | No fee | $6 recycling area entry fee | No fee |
| Bulky Waste | Active Face | $254 | | $10 |
| Clean Wood Waste | As directed by CRD staff | $110 | $10 bin fee | |
| Controlled Waste | As directed by CRD staff | As listed in Schedule "E" | | $20 |
| Cooking oil and grease | Public Drop Off Area | No fee | | No fee |
| Extended Producer Responsibility Product listed in Schedule "G" (excluding tires on rims) | Public Drop Off Area | No fee | | No fee |
| Extended Producer Responsibility Product listed in Schedule "G" tires on rims | Public Drop Off Area | No fee | $6 recycling area entry fee | No fee |
| Household Hazardous Waste | Public Drop Off Area | No fee | | No fee |
| Kitchen Scraps | Kitchen Scraps Transfer Station | $110 | | |
| Mattresses and boxsprings | Public Drop Off Area | $110 | $10 bin fee | |
| Propane tanks and fire extinguishers | Public Drop Off Area | No fee | | No fee |
| Recyclable Material excluding Scrap Metal, mattresses and boxsprings, Yard and Garden Material and Clean Wood Waste (by non-commercial hauler) | Public Drop Off Area | No fee | $6 recycling area entry fee $20 per white good which contains or contained refrigerant | No fee |

| Waste Type | Disposal Site Designated Location | Tipping Fee (per tonne) | Other Fees | Minimum Tipping Fee |
|---|---|---|---|---|
| Recyclable Material excluding Scrap Metal, mattresses and boxsprings, Yard and Garden Material and Clean Wood Waste (by Commercial Hauler) | Public Drop Off Area | No fee | $26 recycling area entry fee $20 per white good which contains or contained refrigerant | No fee |
| Refuse (including Kitchen Scraps until January 1, 2015) | Active Face | $110 | | $10 |
| Refuse (including Kitchen Scraps until January 1, 2015) | Public Drop Off Area | $110 | $10 bin fee | |
| Scrap Metal | Public Drop Off Area | No fee | No fee | |
| Small Load Uncontaminated Demolition Waste | Public Drop Off Area | $110 | $10 bin fee | |
| Stumps and Branches | As directed by CRD staff | $110 | | $10 |
| Waste Asbestos | As directed by CRD staff | $157 | | $20 |
| Waste Asbestos which originates outside the CRD | As directed by CRD staff | $311 | | $20 |
| Weeds (Source separated) | Active Face | $59 | | $10 |
| Weeds (not Source – separated in Refuse) | Active Face | $110 | | $10 |
| Weeds (not Source – separated in Refuse) | Public Drop Off Area | $110 | $10 bin fee | |
| Weeds (Source separated) | Public Drop Off Area | $59 | | $10 |
| Yard and Garden Materials | As directed by CRD staff | $59 | | $10 |
| Uncovered or unsecured loads | All fees applicable to the Load are doubled | | | |

**GENERAL**

2. Per tonne fees are based on weight as measured on the scale, based on the difference in weight between the loaded weight and the weight of the empty Vehicle.

3. Where a dollar amount per tonne is indicated, it is to be interpreted as allowing a proportionate fee for a portion of a tonne in 10 kg increments.

4. All fees shall be rounded up or down to the nearest quarter of a dollar.

5. In the event that the weigh scales provided at the Disposal Site are not operational, or in the event of traffic congestion, or at the discretion of the Manager, weights shall be as estimated based on volume by the Manager or Capital Regional District staff.

6. If a person disposes a Load containing Source-separated Recyclable Materials, Extended Producer Responsibility Products, Yard and Garden Material, Household Hazardous Waste or other Refuse at the Public Drop Off Area and chooses not to weigh out after disposal of each class of material, they are subject to pay a tipping fee for Refuse for the entire Load.

7. All fees payable under this Bylaw shall be paid to the Capital Regional District in cash, by cheque, debit or credit card at the time the disposal is made.

8. Notwithstanding Section 7, any person disposing Solid Waste, except Recyclable Materials, at the Disposal Site on a regular basis may apply to the Capital Regional District for credit and, if the treasurer is satisfied of the credit worthiness of the person, he or she may grant credit to that person, in which case payment of the fee imposed under Section 1 shall be made and the credit extended on the following conditions:

   (a) the person receiving credit shall pay to the Capital Regional District all fees in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The Capital Regional District will invoice monthly for Solid Waste disposed during the preceding month. The invoice amount will be based on the total quantity of Solid Waste delivered during the month and the posted disposal rates in effect at the time of delivery;

   (b) late payment(s) will be subject to an interest penalty fee of 1.5% per month;

   (c) the Capital Regional District reserves the right to cancel, upon five (5) days' notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the treasurer;

   (d) if the person receiving credit fails to pay to the Capital Regional District all fees in full within thirty (30) days of the last day of the month in which an invoice has been issued, the Capital Regional District may withhold monies equivalent to those fees, plus interest, that are owed by the Capital Regional District to the person receiving credit under a separate contract, agreement or offer between the Capital Regional District and the person receiving credit; and

   (e) the Capital Regional District reserves the right to refuse access to the Disposal Site to a person receiving credit until outstanding fees are paid.

p) By replacing Schedule D with the following:

**SCHEDULE "D"**

**PROHIBITED WASTE**

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3881**

| **Prohibited Waste** |
|---|
| Aggregate |
| Asphalt and Rubble |
| Biomedical Waste |
| Clean Soil |
| Concrete |
| Contaminated Demolition Waste |
| Gypsum Board or Wallboard, except as permitted in this bylaw |
| Ignitable Waste |
| Kitchen Scraps, except as permitted in this Bylaw |
| Liquids, except as permitted in this Bylaw |
| Motor vehicle bodies and farm implements |
| Radioactive Waste |
| Reactive wastes |
| Sharps, except as permitted in this Bylaw |
| Specified Risk Material |
| Waste that is on fire or smouldering |
| Waste containing PCBs, except as permitted in this bylaw |

q) By replacing Schedule E with the following:

**SCHEDULE "E"**

**CONTROLLED WASTE**

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3881**

The fees, for disposing of Controlled Waste at the Disposal Site are:

| Controlled Waste | Disposal Fee |
|---|---|
| Animal Fecal Waste | $157 per tonne |
| Catch Basin Waste | $157 per tonne |
| Commercial Load of Uncontaminated Demolition Waste | $110 per tonne |
| Condemned or Spoiled Foods | $157 per tonne |
| Contaminated Gypsum Board or Wallboard | $311 per tonne |
| Contaminated Gypsum Board or Wallboard originating outside the CRD | $311 per tonne |
| Contaminated Soil | $157 per tonne |
| Dead Animal | $254 per tonne |
| Fibre Optic Cable | $157 per tonne |
| Food Processing Wastes | $157 per tonne |
| Health Hazard Waste | $157 per tonne |
| Knotweed | $59 per tonne |
| Miscellaneous Controlled Waste | $157 per tonne |
| Pumpings from septage treatment facilities containing residual sludge | $157 per tonne |
| Pumpings from sewage treatment plants, pump stations and sewer lines | $157 per tonne |
| Screenings from sewage treatment plants, septage treatment facilities and pump stations | $157 per tonne |
| Sharps | $254 per tonne |
| Slurries which may contain non-hazardous solids, soil, sand, gravel, fibres, fats, oils and grease or mineral oil and grease | $157 per tonne |
| Soot and Ash | $157 per tonne |
| Spent charcoal from water purification plants and odour filters | $157 per tonne |
| Surface Coating Waste | $157 per tonne |
| Vehicle Washing Facility Waste | $157 per tonne |
| Waste Sludge from sewage treatment plants containing no more than 80% total moisture | $121 per tonne |

r) By replacing Schedule F with the following:

**SCHEDULE "F"**

**RECYCLABLE MATERIALS**
**RECEIVED AT HARTLAND LANDFILL AT A DESIGNATED LOCATION**
**AT THE PUBLIC DROP OFF AREA (SMALL SOURCE SEPARATED LOADS)**

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3881**

| **Mandatory Recyclable Material** |
|---|
| Non-EPR Corrugated Cardboard |
| Propane Tanks and fire extinguishers |
| White Goods |
| Non-EPR Mixed Paper |
| Scrap Metal |
| Yard and Garden Material |
| |
| **Voluntary Recyclable Material** |
| Clean Wood Waste |
| Non-EPR Film plastic |
| Non-EPR Glass containers |
| Large rigid plastic |
| Mattresses and boxsprings |
| Rigid plastic containers |
| Non-EPR Polystyrene |
| Non-EPR Polycoated containers |
| Bicycle tubes and tires |

s) By replacing Schedule G with the following:

**SCHEDULE "G"**

**EXTENDED PRODUCER RESPONSIBILITY PRODUCTS**
**RECEIVED AT HARTLAND LANDFILL AT A DESIGNATED LOCATION**
**AT THE PUBLIC DROP OFF AREA (SMALL SOURCE SEPARATED LOADS)**

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3881**

| Product Category | Materials Accepted at Hartland |
|---|---|
| Beverage container | • ready-to-serve beverage containers made of aluminium, glass, paper, plastic and/or steel |
| Solvent and flammable liquids, | • flammables, |
| Gasoline, | • gasoline and pesticides |
| Pesticide, | |
| Lubricating oil, | • lubricating oil and empty oil containers |
| oil filter, | • used oil filters |
| Paint product, | • paint |
| Lead acid battery, | • lead acid batteries |
| antifreeze | • antifreeze |
| Electronic and electrical | • display products and accessories (TV, monitor, remote)<br>• desktop computers and accessories (CPU, keyboard, mouse, cable)<br>• portable computers and accessories (laptop, netbook, tablet)<br>• printing, scanning and multifunction devices (printer, fax machine, scanner)<br>• audio products and accessories (radio, record player/stereo, walkie talkie, MP3, earphones)<br>• video products and accessories (camera, video console, VCR/DVD/PVR)<br>• video gaming systems and accessories (game console, controller, joystick, cable)<br>• non-cellular telephones and answering machines<br>• aftermarket vehicle audio and video systems (speaker, vehicle display, GPS)<br>• electronic musical instruments (guitar, drum set, keyboard)<br>• IT and Telecom devices (router, Ethernet switch, telecom bridge, cash register<br>• medical monitoring and control devices (thermometer, blood pressure device, stethoscope, microscope)<br>• small appliances and power tools (kitchen countertop, personal care, floor cleaning, weight measurement, garment care, air treatment, |

| | |
|---|---|
| | time measurement, sports and leisure, power tools, sewing and textile, exercise machines)<br>• residential lights (fluorescent tubes and bulbs (CFLs), halogen and incandescent lamps, light emitting diode (LED) lamps, light ballasts (that may contain PCB), High Intensity Discharge (HID) and other mercury containing lamps)<br>• residential light fixtures and products (bike lights, ceiling fixtures, chandeliers, flashlights, floor lamps, light strings, outdoor fixtures, recessed/pot lights)<br>• batteries for use in electronic and electrical products listed in this section including primary and rechargeable batteries |
| Tire | • automotive tires (unrimmed) |
| **Printed Paper and Packaging** from Residential Premises but not from **Industrial Commercial Institutional** operations | • Newspapers<br>• Newspaper Inserts<br>• Magazines<br>• Catalogues<br>• Telephone Directories<br>• Other Printed Media<br>• Residential Printed Paper<br>• Miscellaneous Printed Paper<br>• Old Corrugated Cardboard<br>• Paper cup (hot) (Polycoated liner)<br>• Paper Cup (hot) (biodegradable liner)<br>• Paper Cup (cold) (waxed)<br>• Paper Cup (cold) (2-sided Polycoated)<br>• Polycoated Milk Cartons<br>• Aseptic Containers<br>• Multi-laminated Paper Packaging<br>• Old Boxboard (OBB)<br>• Wet Strength Boxboard<br>• Moulded Pulp<br>• Kraft Papers<br>• Polycoated Boxboard<br>• High-density polyethylene Films<br>• Low-density polyethylene / Linear Low-density polyethylene Films<br>• Polystyrene Clamshells Expanded polystyrene<br>• Polystyrene Trays/Plates Expanded polystyrene<br>• Polystyrene Meat Trays Expanded polystyrene<br>• Polystyrene Hot Drink Cups Expanded polystyrene<br>• Polystyrene Cushion Packaging Expanded polystyrene<br>• Polyethylene terephthalate Bottles (non-beverage)<br>• Polyethylene terephthalate Jars<br>• Polyethylene terephthalate Clamshells<br>• Polyethylene terephthalate Trays<br>• Polyethylene terephthalate Tubs & Lids<br>• Polyethylene terephthalate Cold Drink Cups<br>• High-density polyethylene Bottles (non-beverage)<br>• High-density polyethylene Jars |

| | |
|---|---|
| | • High-density polyethylene Pails<br>• High-density polyethylene Trays<br>• High-density polyethylene Tubs & Lids<br>• High-density polyethylene Planter Pots<br>• Polyvinyl chloride Bottles<br>• Polyvinyl chloride Jars<br>• Polyvinyl chloride Trays<br>• Polyvinyl chloride Tubs & Lids<br>• Low-density polyethylene Bottles (non-Beverage)<br>• Low-density polyethylene Jars<br>• Low-density polyethylene Tubs & Jars<br>• Polypropylene Bottles (non-beverage)<br>• Polypropylene Jars<br>• Polypropylene Clamshells<br>• Polypropylene Trays<br>• Polypropylene Tubs & Lids<br>• Polypropylene Cold Drink Cups<br>• Polypropylene Planter Pots<br>• Polystyrene Bottles (non-beverage)<br>• Polystyrene Clamshells (rigid)<br>• Polystyrene Trays (rigid)<br>• Polystyrene Tubs & Lids (rigid)<br>• Polystyrene Tubs & Lids (high impact)<br>• Polystyrene Cold Drink Cups (rigid)<br>• Polystyrene Planter Pots<br>• Other1 Plastic Bottles (non-beverage)<br>• Other Plastic Jars<br>• Other Plastic Clamshells<br>• Other Plastic Trays<br>• Other Plastic Tubs & Lids<br>• Other Plastic Cold Drink<br>• Other Plastic Planter Pots<br>• Steel Cans (non-beverage)<br>• Steel Aerosol Cans<br>• Spiral Would Cans (steel ends)<br>• Aluminum Cans (non-beverage)<br>• Aluminum Aerosol Cans<br>• Aluminum Foil and Foil Containers<br>• Bimetal Containers/Aerosols<br>• Clear Glass Bottles and Jars (non-beverage)<br>• Coloured Glass Bottles and Jars (non-beverage) |

[1] 'Other' plastic packaging is typically: manufactured from a combination of recycled resins; manufactured with a barrier layer; or, lacking a resin code mark.

**Citation**

2. This Bylaw may be cited as the "Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 1, 2014"

| | | | |
|---|---|---|---|
| READ A FIRST TIME THIS | 10th | day of December | 2014 |
| READ A SECOND TIME THIS | 10th | day of December | 2014 |
| READ A THIRD TIME THIS | 10th | day of December | 2014 |
| ADOPTED THIS | th | day of | 2015 |

CHAIR

CORPORATE OFFICER

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**CAPITAL REGIONAL DISTRICT**
**BYLAW NO. 3958**

**********

**A BYLAW TO AMEND BYLAW NO. 3602, THE "LAND USE BYLAW FOR THE RURAL RESOURCE LANDS, 2009"**

**********

The Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 3602 being the "Land Use Bylaw for the Rural Resource Lands, 2009" is hereby amended:

**A. II. DEFINITIONS**

(a) By deleting the definition of "OUTDOOR RECREATION" and replacing with a new definition as follows:

"OUTDOOR RECREATION means a recreational activity undertaken where the outdoor setting and landscape and the density of recreational users are not significant elements in the activity; excludes tourist lodges and cabins, marinas, recreational vehicle sites, resorts, and drive-in campgrounds."

2. This bylaw may be cited as Bylaw No. 3958, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 4, 2014".

| | | | | |
|---|---|---|---|---|
| READ A FIRST TIME THIS | 8th | day of | October, | 2014. |
| READ A SECOND TIME THIS | 8th | day of | October, | 2014. |
| READ A THIRD TIME THIS | 12th | day of | November, | 2014. |
| APPROVED by the Minister of Transportation and Infrastructure THIS | 8th | day of | January, | 2015. |
| ADOPTED THIS | | day of | , | 2015. |

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**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3926**

**********

**A BYLAW TO AMEND BYLAW NO. 3602, THE "LAND USE BYLAW FOR THE RURAL RESOURCE LANDS, BYLAW NO. 1, 2009"**

**********

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 3602 being the "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009" is hereby amended:

**(a) Schedule A, Section II, DEFINITIONS**

i. By adding a new definition for "AGRICULTURE, INTENSIVE – MEDICAL MARIHUANA PRODUCTION" after the definition for "AGRICULTURE, INTENSIVE" as follows:

"AGRICULTURE, INTENSIVE – MEDICAL MARIHUANA PRODUCTION means a use related to the growing, production, processing, selling, provision, shipping, delivering, transporting, destroying, research, exporting and/or importing of marihuana for medical purposes undertaken by a medical marihuana licensed producer pursuant to the Marihuana for Medical Purposes Regulation, *SOR/2013-119*."

ii. By adding a new definition for "MEDICAL MARIHUANA LICENSED PRODUCER" after the definition for "MARINA" as follows:

"MEDICAL MARIHUANA LICENSED PRODUCER means a licensed producer pursuant to the Marihuana for Medical Purposes Regulation, *SOR/2013-119* authorized to grow, produce, possess, sell, provide, ship, deliver, transport, destroy, research, export and/or import marihuana for medical purposes."

**(b) Schedule A, Part 4, Section 4.4 AGRICULTURE (AG) –**

i. By adding to Section 4.4.1 the words "e) Intensive Agriculture - Medical Marihuana Production is permitted on lands within the Agricultural Land Reserve."

ii. By adding to Section 4.4.2 before the words "Additional Requirements" the following:

"Setbacks for Intensive Agriculture and Intensive Agriculture – Medical Marihuana Production Buildings

Setbacks for Intensive Agriculture and Intensive Agriculture – Medical Marihuana Production Buildings are as follows:

a) 30m of a front parcel line;
b) 30m of an interior or exterior side parcel line; and
c) 30m of a rear parcel line."

2. This bylaw may be cited as Bylaw No. 3926, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 3, 2014".

| | | | | |
|---|---|---|---|---|
| READ A FIRST TIME THIS | 9th | day of | July, | 2014. |
| READ A SECOND TIME THIS | 9th | day of | July, | 2014. |
| READ A THIRD TIME THIS | 12th | day of | November, | 2014. |
| APPROVED by the Minister of Transportation and Infrastructure THIS | 8th | day of | January, | 2015. |
| ADOPTED THIS | | day of | , | 2015. |

CHAIR

CORPORATE OFFICER