

## Meeting Minutes

### Capital Regional District Board

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Wednesday, February 22, 2017

9:30 AM

6th Floor Boardroom  
625 Fisgard Street  
Victoria, BC

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#### Special Meeting

**PRESENT:**

**DIRECTORS:** B. Desjardins (Chair), D. Howe (Vice Chair), M. Alto, R. Atwell, D. Blackwell, S. Brice, J. Brownoff, V. Derman, B. Desjardins, C. Hamilton, M. Hicks, B. Isitt, W. McIntyre, C. Plant, S. Price, J. Ranns, D. Screech, L. Seaton, R. Kasper (for M. Tait) K. Williams, R. Windsor, G. Young

**STAFF:** R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; K. Lorette, General Manager, Planning and Protective Services; T. Robbins, General Manager, Integrated Water Systems; B. Reems, Corporate Officer; and E. Gorman, Deputy Corporate Officer (Recorder)

**ALSO PRESENT:** J. Bird, Chair, Core Area Wastewater Treatment Project Board

**REGRETS:** Director Finall, Director Helps, Director Jensen

The meeting was called to order at 9:32 a.m.

#### 1. APPROVAL OF THE AGENDA

Director Ranns entered the meeting at 9:34 a.m.

**MOVED** by Director Brownoff, **SECONDED** by Director Brice,  
That the agenda be amended to address item 5.1 as an emerging issue and to add a Notice of Motion from Director Atwell.

**CARRIED**

**MOVED** by Director Alto, **SECONDED** by Director Helps,  
That the agenda be revised to move item 4.2 to follow item 3.3, and that the agenda be adopted as amended.

**CARRIED**

#### 2. PRESENTATIONS/DELEGATIONS

**2.1.** Delegation: Marg Gardiner, James Bay Neighbourhood Association, item 3.1

Ms. Gardner spoke to a presentation that included the involvement of James Bay in the project to date, and the potential impacts to the neighbourhood.

**MOVED** by Director Plan, **SECONDED** by Director Isitt,

That Ms. Gardiner be permitted 4 additional minutes for her presentation.

**CARRIED**

**OPPOSED: Price, Blackwell, Hicks, Howe, Kasper, Seaton, Jensen, and Screech**

**2.2.** Delegation: Joan Looy, re item 3.1

Ms. Looy spoke to the impacts of the treatment plant, and the current impacts of other nearby activities including the Heliport, cruise ship terminals and music across the harbour in Esquimalt. The delegation noted that the odors and traffic issues could impact potential repeat visitors.

**2.3.** Delegation: Deborah M. Dickson, re item 3.8

Ms. Dickson spoke to the Federal mandate to make healthy coastlines a priority, including the protection of water and the maintenance of shipping lines. She mentioned that the Salish Sea is a particularly sensitive area with several under threat species, including porpoises, and an increase in underwater noise.

**2.4.** Delegation: Marion Cumming, re item 3.8

Ms. Cummings spoke to 2017 being the year of reconciliation with First Nations, and their dependence on the sea. She also commented that the sensitive sea area and noted the many recent efforts and opportunities to protect it and maintained that these efforts deserve endorsement by the CRD.

Director Windsor entered the meeting at 9:47 a.m.

### **3. REPORTS OF COMMITTEES**

#### **Core Area Liquid Waste Management Committee**

**3.1.** Report from the Core Area Wastewater Treatment Project Board - February 2017

On the motion, the following issues were discussed:

- Amenities and impacts to a variety of neighbourhoods and municipalities,
- Gasification and other methods of addressing biosolids that could minimizing conveyance,
- Consultation related to zoning, and
- Allowing the Project Board to develop the project plan and have an opportunity to provide information.

In response to questions, J. Bird advised that:

- Information related to summary of industry best practices and impact mitigation could be provided,
- The business case contained existing terms for the project and had been approved by senior levels of government,
- Focus has been on the plant so far however many other elements that will require considerations for impacts in other areas, and
- Extensive consultation had been done in many municipalities, and a consultation plan had been developed for each community, and
- The Integrated Resource Management Request for Expressions of Interest

had been released.

**MOVED by Director Brice, SECONDED by Director Howe,  
That this report be received for information.**

**CARRIED**

**OPPOSED: Atwell**

**3.2.** Budget Reconciliation Between Seaterra Program Budget and Business Case Budget

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

**CARRIED**

**OPPOSED: Atwell**

**3.3.** Core Area Liquid Waste Management Project Board Remuneration

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

**CARRIED**

**OPPOSED: Atwell**

**4.3.** Resolutions to Accept / Not Accept 2016 Regional Growth Strategy (RGS) Bylaw 4017 and Initiate RGS Dispute Resolution

K. Lorette spoke to the report.

Discussion ensued regarding:

- The non-binding resolution process and the requirement for unanimous approval
- The likelihood of reaching consensus without binding arbitration
- The input and representation of the Juan de Fuca Electoral Area
- The level of analysis and opportunity for discussion at the municipal level
- Different processes and timelines for binding and non-binding options
- Addressing the smaller items of disparity through non-binding arbitration

In response to questions, staff clarified the role of the Juan de Fuca Electoral Area and the role of the Ministry in the arbitration or mediation process, and the commented on the various options and associated costs.

**Moved by Director Plant, Seconded by Director Brice,  
That the municipal resolutions to accept or not accept Bylaw 4017 "Capital Regional District Regional Growth Strategy Bylaw No.1, 2016" be received;  
and that the Minister of Community, Sport and Cultural Development be notified of the resolutions to not accept Bylaw 4017 in accordance with section 439 of the Local Government Act; and that the Minister be advised of a CRD preference for final proposal binding arbitration.**

**DEFEATED**

**Opposed: Young, Brice, Isitt, Windsor, Williams, Atwell, Blackwell, Hicks, Desjardins, Alto, Kasper, Hamilton, Ranns, Seaton, Plant and Derman.**

**Moved by Director Plant, Seconded by Director Windsor,  
That the municipal resolutions to accept or not accept Bylaw 4017 "Capital Regional District Regional Growth Strategy Bylaw No.1, 2016" be received,  
and that the Minister of Community, Sport and Cultural Development be**

notified of the resolutions to not accept Bylaw 4017 in accordance with section 439 of the Local Government Act, with the suggestion of a preference for a mediated process.

**CARRIED**

Moved by Director Alto, Seconded by Director Kasper,  
That the CRD Board write to the Minister to include the Director of the Juan de Fuca Electoral Area in the discussion in a way that allows his participation in the process, as equal as possible given the legislation.

**CARRIED**

### **Electoral Area Services Committee**

#### **3.4. Appointment of Officers**

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,  
That for the purpose of Section 200 of the Local Government Act and Section 28(3) of the Offence Act and in accordance with Capital Regional District Bylaw No. 2681, Donald Peden, Shane MacDonald and Lori Horne be appointed as Assistant Bylaw Officers.

**CARRIED**

### **Environmental Services Committee**

#### **3.5. 2016 Solid Waste Stream Composition Study Results**

**MOVED** by Director Derman, **SECONDED** by Director Blackwell,  
That this report be received for information.

**CARRIED**

#### **3.6. Regional Source Control Program - Emerging Contaminants Reduction Plan**

**MOVED** by Director Derman, **SECONDED** by Director Windsor,  
That this report be received for information.

**CARRIED**

#### **3.7. The Right to a Healthy Environment in the Capital Regional District**

Discussed ensued regarding:

- The peninsula municipalities having previously supported similar motions, and
- Access to water and piped water.

**MOVED** by Director Blackwell, **SECONDED** by Director Windsor,  
That this report be received for information.

**CARRIED**

#### **3.8. Correspondence: Letter from Minister of Transport Marc Garneau to Board Chair Desjardins re Designation of the Salish Sea as a Particularly Sensitive Sea Area (January 4, 2017)**

On the motion, it was pointed out that the designation was an initiative that was dormant under the previous Federal Government. Discussion ensued on environmental impacts and the expectation that the federal government would

consult with the CRD on implementation of the Ocean Protection Plan.

**MOVED by Director Plant, SECONDED by Director Screech,  
That the Capital Regional District Board respond to the Government of  
Canada by stating that although the CRD supports the protection of the Salish  
Sea, the Capital Regional District wants to be directly involved and consulted  
on the implementation of the Ocean Protection Plan.**

**MOVED by Director Isitt, SECONDED by Director Hicks,  
That the motion be amended to include "and the national marine  
conservation initiative of Parks Canada."  
CARRIED**

The motion as amended was called to question:  
**MOVED by Director Plant, SECONDED by Director Hicks,  
That the Capital Regional District Board respond to the Government of  
Canada by stating that although the CRD supports the protection of the Salish  
Sea, the Capital Regional District wants to be directly involved and consulted  
on the implementation of the Ocean Protection Plan, and the national marine  
conservation initiative of Parks Canada.  
CARRIED**

## **Governance Committee**

### **3.9. Enhance Webstreaming of Board and Committee Meetings**

In response to questions, staff advised that the operational budget increase for the proposed camera was to accommodate additional bandwidth.

Director Howe left the meeting at 11:01 and returned at 11:03 p.m.

**MOVED by Director Hicks, SECONDED by Director Screech,  
That staff be directed to proceed with the implementation of an enhanced  
web streaming capacity by the purchase of one PTZ camera with encoder,  
installation of the accompanying wire changes and human interface  
upgrades, audio and video integration, and to incur the additional web  
streaming costs.  
CARRIED  
OPPOSED: Derman and Windsor**

### **3.10. Regional Parks and Regional Trails Naming Convention Policy**

**MOVED by Director Hicks, SECONDED by Director Screech,  
That the attached Regional Parks and Regional Trails Naming Convention  
Policy be approved as amended by staff to include a provision in section 5(C.)  
specifying that a commemorative or honourific name will not be used until a  
person has been deceased for a period of at least two years.  
CARRIED**

### **3.11. Opening the Sea to Sea and Sooke Hills Wilderness Regional Park Reserves**

**MOVED by Director Hicks, SECONDED by Director Screech,  
That this report be received for information.  
CARRIED**

#### 4. ADMINISTRATION REPORTS

- 4.1. Bowker Creek Initiative - Grant Application to the Infrastructure Planning Grant Program

**MOVED by Director Derman, SECONDED by Director Brownoff, That the Capital Regional District Board endorse the CRD's application for \$10,000 in grant funds through the Infrastructure Planning Grant Program to complete a daylighting feasibility study for the enclosed sections of Bowker Creek.**

**CARRIED**

- 4.3. Community Works Fund Request - Hydrology Study - Planning and Design Phase - Drake Road Housing Development

**MOVED by Director Derman, SECONDED by Director Howe, That the Capital Regional District Board motion of January 18, 2017, regarding the Drake Road Affordable Housing Development be amended by deleting the words "Water Alternative Feasibility Study" and replace them with the words "Hydrology Study - Planning and Design Phase".**

**CARRIED**

#### 5. NOTICE OF MOTION

- 5.1. Notice of Motion: Urge the Federation of Canadian Municipalities to Call on the Government of Canada to Stop its Push for the Privatization of Canada's Airports (Director Brownoff)

On the motion, it was noted that the federal finance division is looking for funds towards major airports. It was also noted that the local government voice was missing in the discussion and the Federation of Canadian Municipalities (FCM) could that voice nationally through the upcoming FCM conference.

**MOVED by Director Brownoff, SECONDED by Director Blackwell, That the Capital Regional District Board urge the Federation of Canadian Municipalities (FCM) to immediately call on the Government of Canada to stop its push for the privatization of Canada's airports; and to begin consultations with Canadian local governments and other stakeholders to develop an air transport policy that reflects the true needs and aspirations of Canadians and Canadian communities.**

**CARRIED**

- 5.2. Motion with Notice: Core Area Wastewater Treatment Project

Director Atwell read the following Notice of Motion into the record:  
As elected stewards of the public purse responsible for political oversight over the Project, Bylaw No. 4109 "A Bylaw For The Establishment Of The Core Area Wastewater Treatment Project Board To Administer The Core Area Wastewater Treatment Project" and Bylaw No. 4110 "A Bylaw To Delegate Powers, Duties And Functions Of The Capital Regional District Board To The Core Area Wastewater Treatment Project Board" be modified to return financial oversight to the CRD Board on matters related the Core Area Wastewater Treatment Project in so far as contracts and funding agreements between the CRD and other parties

are concerned, instead of delegating this authority to the project board, and that, The Project Board be given direction to negotiate an increase to the level of P3 Canada.

**6. MOTION TO CLOSE THE MEETING**

**6.1. Motion to Close the Meeting**

**MOVED** by Director Blackwell, **SECONDED** by Director Alto,  
That the meeting be closed 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, (c) labour relations or other employee relations, (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, (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; and 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.  
**CARRIED**

**7. ADJOURNMENT**

**MOVED** by Director Brownoff, **SECONDED** by Director  
That the meeting be adjourned at 11:37 a.m.  
**CARRIED**

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**CHAIR**

**CERTIFIED CORRECT:**

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**CORPORATE OFFICER**