

Meeting Minutes

Capital Regional District Board

Wednesday, March 14, 2018

1:35 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT:

DIRECTORS: S. Price (Chair), D. Screech (Vice Chair), M. Alto, R. Atwell, D. Blackwell, S. Brice, J. Brownoff (in at 1:36 pm), B. Desjardins, C. Hamilton, L. Helps, M. Hicks, B. Maberley (for D. Howe out at 3:18 pm), J. Loveday (for B. Isitt), N. Jensen (out at 2:53 pm) W. McIntyre, D. Murdock, C. Plant (in at 1:44 pm), B. Gramigna (for J. Ranns), D. Screech, L. Seaton, M. Tait, K. Williams, G. Young.

REGRETS: Director Finall.

STAFF: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; K. Lorette, General Manager, Planning and Protective Services; L. Hutcheson, General Manager, Environmental Sustainability; T. Robbins, General Manager, Integrated Water Services; C. Nielson, Senior Manager, Human Resources; K. Morley, General Manager, Corporate Services; E. Gorman, Deputy Corporate Officer; J. Cuthbert, Committee Clerk (Recorder)

The meeting was called to order at 1:35 p.m.

1. APPROVAL OF THE AGENDA

MOVED by Director Alto, **SECONDED** by Director Helps,
That the agenda be approved with the following amendments:
- Moving items 8.1 and 8.2 ahead of Reports of Committees
- Addition of two more delegations
CARRIED

2. ADOPTION OF MINUTES

2.1. [18-187](#) Minutes from the February 14, 2018 Capital Regional District Board meeting.

MOVED by Director Helps, **SECONDED** by Director Alto,
That the minutes from the February 14, 2018 Capital Regional District Board meeting be adopted as circulated.
CARRIED

3. REPORT OF THE CHAIR

The Chair welcomed Alternate Directors Loveday, Gramigna, and Maberley. He spoke to the CRD being recognized as one of BC's top 100 employers for 2018 and to the hard work by Mr. Lapham, Chief Administrative Officer, to instill a positive corporate culture. The Chair also spoke to the SEAPARC Leisure Complex in Sooke, which will be

expanded thanks to a grant from the UBCM and to the unanimous municipal acceptance of the Regional Growth Strategy.

4. PRESENTATIONS/DELEGATIONS

4.1 Presentations

- 4.1.1. [18-011](#) Victoria Airport Authority - Report to Nominators 2017
Mr. Colin Smith, CRD Nominee to VAA & Mr. Geoff Dickson, VAA President and CEO
- Mr. Smith gave a presentation which is on file with Legislative and Corporate Services.
Director Desjardins spoke to the work that has been done by Mr. Smith during his term as the CRD nominee.

4.2 Delegations

- 4.2.1. [18-180](#) Delegation: Lynn Thomson Re: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.2. [18-179](#) Delegation: Helen Rodney Re: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.3. [18-181](#) Delegation: Sheila Protti RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.4. [18-182](#) Delegation: Cheryl Shoji RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.5. [18-183](#) Delegation: Scott Chapman RE: 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.6. [18-184](#) Delegation: Julie Budgen RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.7. [18-185](#) Delegation: Mary Doody Jones RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.8. [18-186](#) Delegation: Gene Miller RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.9. [18-188](#) Delegation: Louis Horvat RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.10. [18-190](#) Delegation: Brian Atchison RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park
- 4.2.11. [18-191](#) Delegation: James Anderson RE: Regional Transportation Bylaw

- 4.2.12. [18-203](#) Delegation: Rita Isaac RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill
- 4.2.13. [18-204](#) Delegation: Marion Cumming RE: Item 5.16 Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill

8. MOTION WITH NOTICE

- 8.1. [18-161](#) Motion with Notice: Protecting Use and Enjoyment of Gonzales Hill Regional Park (Director Isitt)

Alternate Director Loveday spoke to the report.

Mr. Lapham spoke to the report regarding the BOV.

A discussion ensued regarding the following:

- how would approving this motion effect staff's work on the matter
- there is an ad hoc vibe to the motion
- the lack of supporting documentation

MOVED by Director Loveday, **SECONDED** by Director Windsor,

1. That the Board provide the following comments to the City of Victoria Board of Variance in relation to the application for the property at 1980 Fairfield Place, adjacent to Gonzales Hill Regional Park, to supplement comments provided by CRD staff:

Gonzales Hill Regional Park is the only regional park located within the boundaries of the City of Victoria and District of Oak Bay, comprised of 1.8 hectares of land serving a population of 103,000 people (27% of the regional population, with 0.015% of the land base of regional parks located within these municipal borders). The requested variance to increase the total floor area of each floor in the building will substantially affect the use and enjoyment of the general public accessing Gonzales Hill Regional Park, due to the proximity of the subject parcel to the park boundary, the prominent location of the building site adjacent to the park boundary, and the small size of the park, by permitting a larger building with a larger upper floor, and therefore greater massing adversely affecting the public's use and enjoyment of the regional park.

c. The requested variance to the rear-yard setback will adversely affect the public's use and enjoyment of Gonzales Hill Regional Park, by permitted the building to be sited substantially further to the east than is permitted under the existing zoning, creating a significant obstruction to the public's views of the surrounding landscape, including the Haro Strait and San Juan Islands, from various points within the park.

The requested variance to the total floor area of the building will adversely affect the natural environment in the immediate vicinity of Gonzales Hill Regional Park, authorizing a building with a larger footprint than is permitted under the existing zoning, and which will have a correspondingly greater encroachment on the biological diversity of this natural area.

As per section 542(1)(c) of the Local Government Act, the Board of Variance may only grant a minor variance if is of the opinion that the variance does not:

- (ii) adversely affect the natural environment;
- (iii) substantially affect the use and enjoyment of adjacent land.

DEFEATED

OPPOSED: Directors Gramigna, Hamilton, Tait, Hicks, Blackwell, Williams, McIntyre, Brownoff, Screech, Brice, Jensen, Desjardins, Seaton, Atwell, and Price.

- 8.2. [18-158](#) Motion with Notice: CRD Support for the Songhees Nation Bid for the 2020 North American Indigenous Games (Director Alto)

Director Alto spoke to the report.

MOVED by Director Alto, **SECONDED** by Director Helps,
That the Capital Regional District support, in principle, the bid by the Songhees Nation for the 2020 North American Indigenous Games, contingent on sustaining funding, as set out by the NAIG Council bid requirements, from the provincial and federal governments.

That the CRD Board Chair write immediately to Chief Ron Sam and the Songhees Nation confirming this support and the Motion as adopted.

That, should the Songhees Nation be awarded the 2020 North American Indigenous Games, and once sustaining provincial and federal funding has been confirmed, the Capital Regional District will enter into conversation with the Songhees Nation about opportunities for administrative, in-kind and/or financial support from the CRD.

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That the motion be amended to omit and/or financial support.

DEFEATED

OPPOSED: Directors Gramigna, Williams, Windsor, Young, Brownoff, Screech, Price, Alto, Helps, Jensen, Loveday, and Desjardins.

The question was called on the main motion:

MOVED by Director Alto, **SECONDED** by Director Helps,
That the Capital Regional District support, in principle, the bid by the Songhees Nation for the 2020 North American Indigenous Games, contingent on sustaining funding, as set out by the NAIG Council bid requirements, from the provincial and federal governments.

That the CRD Board Chair write immediately to Chief Ron Sam and the Songhees Nation confirming this support and the Motion as adopted.

That, should the Songhees Nation be awarded the 2020 North American Indigenous Games, and once sustaining provincial and federal funding has been confirmed, the Capital Regional District will enter into conversation with the Songhees Nation about opportunities for administrative, in-kind and/or financial support from the CRD.

CARRIED

5. REPORTS OF COMMITTEES

Electoral Area Services Committee

- 5.1. [18-142](#) Saturna Island FireSmart Grant Application

MOVED by Director McIntyre, **SECONDED** by Alternate Director Maberley,
That a submission of a grant application for up to \$10,000 to the Union of British Columbia Municipalities Strategic Wildfire Prevention Initiative for the Saturna Island FireSmart Project be approved and that the Board support this project throughout its duration and willingness to provide overall grant management.

CARRIED

- 5.2. [18-146](#) Bylaw 4231: Establishment of a Contribution Service for the Saturna Island Medical Clinic

MOVED by Alternate Director Maberley, SECONDED by Director Tait, That Bylaw No. 4231, "Saturna Island Medical Clinic Contribution Service Establishment Bylaw No. 1, 2018" be introduced and read a first and second time.

CARRIED

MOVED by Alternate Director Maberley, SECONDED by Director Tait, That Bylaw No. 4231 be read a third time.

CARRIED

MOVED by Alternate Director Maberley, SECONDED by Director Tait, That CRD staff be directed to implement the elector approval process under Section 344 of the Local Government Act in concurrence with the 2018 General Local Election.

CARRIED

- 5.3. [18-141](#) Grants-in-Aid

MOVED by Director McIntyre, SECONDED by Alternate Director Maberley, That the following grant-in-aid applications be approved:

Sooke Community Arts Council - \$1000.00

Juan de Fuca Rural Publication Society - \$2000.00

Saturna Island Marine Research & Education Society (SIMRES) - \$3500.00

Salish Sea Inter Island Transportation Society (SSIITS) - \$5000.00

CARRIED

Environmental Services Committee

- 5.4. [18-075](#) Award of Contract 17-1938 - Hauling and Processing of Kitchen Scraps

MOVED by Director Brownoff, SECONDED by Director Blackwell, That Contract 17-1938, Hauling and Processing Kitchen Scraps, be awarded to D.L. Bins Ltd. from March 1, 2018 to February 28, 2021, at the rate of \$143.73 per tonne and an estimated cost of \$934,245 per year.

That the Hartland tipping fee rate for kitchen scraps be maintained at \$120 per tonne.

CARRIED

OPPOSED: Director Desjardins

Finance Committee

- 5.5. [18-028](#) Resumption of a Subcommittee of Finance to Provide Oversight for the Service Budgets of the Royal & McPherson Theatres Society

Director Alto spoke to the motion

MOVED by Director Alto, SECONDED by Director Brice, That the Royal and McPherson Theatre Society Advisory Committee (RMTSAC) Terms of Reference be approved as attached and amended.

MOVED by Director Alto, **SECONDED** by Director Helps,
That advisory committee members will include at least one member of the
finance committee and may include elected councilors from participating
municipalities who are not CRD Directors.

CARRIED

The question was called on the main motion as amended:

MOVED by Director Alto, **SECONDED** by Director Brice,
That the Royal and McPherson Theatre Society Advisory Committee
(RMTSAC) Terms of Reference be approved as attached and further
amended.

CARRIED

5.6. [18-125](#) Audit Planning Discussion

MOVED by Director Brice, **SECONDED** by Director Helps,
That the 2017 Capital Regional District Audit Plan developed by KPMG be
approved.

CARRIED

5.7. [18-135](#) Capital Regional District External Grants Update

MOVED by Director Brice, **SECONDED** by Director Screech,
That the Capital Regional District External Grants Update be received for
information.

CARRIED

5.8. [18-143](#) Bylaw 4232: 2017 to 2021 Financial Plan, Amendment Bylaw No. 4,
2018

Mr. Chan spoke to the report.

MOVED by Director Brice, **SECONDED** by Director Screech,
That Bylaw 4232, cited as "2017 to 2021 Financial Plan, Amendment Bylaw
No. 4, 2018" be introduced and read a first and second time.

CARRIED

MOVED by Director Brice, **SECONDED** by Director Helps,
That Bylaw No. 4232 be read a third time.

CARRIED

MOVED by Director Brice, **SECONDED** by Director Screech,
That Bylaw No. 4232 be adopted.

CARRIED

Governance Committee

5.9. [18-122](#) Board Standards of Conduct

Mr. Neilson spoke to the report.

A discussion ensued regarding the intent, which is to establish measures for a
respectful workplace.

MOVED by Director Windsor, **SECONDED** by Director Tait,

- a) this report be received for information; and
- b) that Board Directors be provided a updated orientation of the requirements of the Respectful Workplace Policy.

OPPOSED: Director Young

Juan De Fuca Land Use Committee

- 5.10. [18-055](#) Development Variance Permit for Lot A, Block 453, Malahat District, Plan EPP72720 - 1499 Trail Way

MOVED by Director Hicks, SECONDED by Director Blackwell,
That Development Variance Permit VA000144 to reduce the front yard setback for agricultural buildings from 30 m to 10.4 m, as specified by Malahat Land Use Bylaw, 1981, Bylaw No. 980, Section 3.4.04(4), for the purpose of allowing the siting of a greenhouse on Lot A, Block 453, Malahat District, Plan EPP72720, be approved.

CARRIED

Regional Parks Committee

- 5.11. [18-066](#) Bylaw No. 4227 - Capital Regional District Parks Services and Facilities Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 8, 2018

MOVED by Director Screech, SECONDED by Director Windsor,
That Bylaw No. 4227, Capital Regional District Parks Services and Facilities Fees and Charges Bylaw No. 1, 2010, Amendment Bylaw No. 8, 2018, be introduced and read a first and second time.

CARRIED

MOVED by Director Screech, SECONDED by Director Windsor,
That Bylaw No. 4227 be read a third time.

CARRIED

MOVED by Director Screech, SECONDED by Director Windsor,
That Bylaw No. 4227 be adopted.

CARRIED

- 5.12. [18-068](#) Repealing and Replacing of Regional Parks Regulation Bylaw No. 3682 and Ticket Information Authorization Bylaw No. 1857, Schedule 18

MOVED by Director Screech, SECONDED by Director Brownoff,
That Bylaw No. 4225, "Capital Regional District Parks Regulation Bylaw No. 1, 2018", be introduced and read a first and second time;

CARRIED

MOVED by Director Screech, SECONDED by Director Brownoff,
That Bylaw No. 4225, be read a third time;

CARRIED

That Bylaw No. 4225, be adopted.

CARRIED

MOVED by Director Screech, SECONDED by Director Windsor,
That Bylaw No. 4226, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 63, 2018", be introduced and read a first and second time;

CARRIED

MOVED by Director Screech, **SECONDED** by Director Windsor,
That Bylaw No. 4226, be read a third time;

CARRIED

MOVED by Director Screech, **SECONDED** by Director Windsor,
That Bylaw No. 4226, be adopted.

CARRIED

5.13. [18-069](#) Gulf Islands Regional Trails Plan

It was requested that a copy of the plan be shared with Tourism Victoria.

MOVED by Director Screech, **SECONDED** by Director Brownoff,
That the Gulf Islands Regional Trails Plan be approved.

CARRIED

5.14. [18-070](#) Matthews Point Regional Park Management Plan - Initial Public
Participation Report

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

CARRIED

5.15. [18-086](#) 2017 Regional Parks and Trails Resident Survey

MOVED by Director Screech, **SECONDED** by Director Brownoff,
That the Regional Parks and Trails Resident Survey staff report be received
for information.

CARRIED

5.16. [18-097](#) Proposed Zoning Variance for Residential Development Adjacent to
Gonzales Hill Regional Park

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

CARRIED

6. ADMINISTRATION REPORTS

6.1. [18-152](#) Public Hearing Report on Bylaw No. 4179, "Juan de Fuca Land Use Bylaw,
1992, Amendment Bylaw No. 130, 2017"

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
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 January 24, 2018, for Bylaw No. 4179, "Juan de Fuca Land Use
Bylaw, 1992, Amendment Bylaw No. 130, 2017", be received; and
That Bylaw No. 4179 be withdrawn.

CARRIED

- 6.2.** [18-153](#) Public Hearing Report on Bylaw No. 4188, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 132, 2017"

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
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 January 24, 2018, for Bylaw No. 4188, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 132, 2017", be received.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Bylaw No. 4188 be read a third time.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Bylaw No. 4188 be adopted.

CARRIED

- 6.3.** [18-171](#) 2018 Terms of Reference

MOVED by Director Windsor, **SECONDED** by Director Helps,
That the follow recommendations from the 2018 Standing Committees on their Terms of Reference be adopted:

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

That the Terms of Reference for the 2018 Core Area Liquid Waste Management Committee, as attached in Appendix A, be approved as amended to include under section 1.0 an addition item (c) receipt of monthly updates from the Project Board and to monitor ongoing budget and risks.

That the Electoral Area Services Committee recommend to the Capital Regional District Board:

That the Terms of Reference for the 2018 Electoral Area Services Committee, as attached in Appendix A, be approved.

That the Environmental Services Committee recommend to the Capital Regional District Board:

That the Terms of Reference for the 2018 Environmental Services Committee, as attached in Appendix A, be approved as amended to remove the Integrated Solid Waste and Resource Management Plan Public and Technical Advisory Committee (PTAC).

That the Finance Committee recommend to the Capital Regional District Board:

That the 2018 Terms of Reference, as attached in Appendix A, be approved.

That the Governance Committee recommend to the Capital Regional District Board:

That the Terms of Reference for the 2018 Governance Committee, as attached in Appendix A, be approved as amended to change the meetings from bi-monthly to monthly.

That the Hospitals and Housing Committee recommends to the Capital Regional District Board:

That the Terms of Reference for the 2018 Hospitals and Housing Committee, as

attached in Appendix A, be approved.

That the Integrated Resource Management Committee recommend that the Environmental Services Committee recommend to the Capital Regional District Board:

That the Terms of Reference for the 2018 Integrated Resource Management Advisory Committee, as attached in Appendix A, be approved as amended under 1.0 Purpose to remove bullets a) and b) and add to the first sentence after "...the Board regarding", "waste to resource programs for biosolids, kitchen scraps and/or municipal solid waste including integrated resource management options."

That the Planning and Protective Services Committee recommend to the Capital Regional District Board:

That the Terms of Reference for the 2018 Planning and Protective Services Committee as attached in Appendix A be approved as amended to change the bullets to numerical or alphabetical, and amending the first bullet under 4.0 Procedures from "shall meet on a monthly basis," to shall meet on a bi-monthly basis".

That the Regional Parks Committee recommend to the Capital Regional District Board:

That the terms of reference for the 2018 Regional Parks Committee as attached in Appendix A be approved.

CARRIED

6.4. [18-172](#)

Board Strategic Priorities and Corporate Plan Initiatives - Priorities Dashboard Progress Report No. 1, 2018

Mr. Lapham spoke to the report.

A discussion ensued regarding the following:

- risk management dashboards
- needing to be clear when using red, yellow, and green as most projects at some point get into those ranges
- where there has been change in timeline, helpful to strike original timing and also have current timing.

MOVED by Director Screech, SECONDED by Director Brice,

That the Priorities Dashboard Progress Report No. 1 - 2018 as attached in Appendix A be confirmed.

CARRIED

6.5. [18-163](#)

Adoption of Regional Growth Strategy Bylaw No. 4017

Director Desjardins spoke to First Nation involvement.

Director Hicks spoke to the report and the benefits for the Juan de Fuca and thanked staff for all of their hard work.

A discussion ensued regarding the Official Community Plan timeline.

MOVED by Director Windsor, SECONDED by Director Tait,

That the Capital Regional District (CRD) Board give third reading to Bylaw No. 4017 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016".

CARRIED

MOVED by Director Windsor, SECONDED by Director Helps,

That Bylaw No. 4017 be adopted.

CARRIED

MOVED by Director Windsor, **SECONDED** by Director Helps,
That the CRD Board direct staff to bring forward, for Board approval, a framework to guide Board consideration of Regional Context Statements as soon as possible; and

That the CRD Board hold consideration of any Regional Context Statements for acceptance until a framework to guide their evaluation has been approved.

CARRIED

6.6. [18-166](#)

Municipal Consideration of Proposed Transportation Service Bylaw

Director Brice spoke to the report.

MOVED by Director Desjardins, **SECONDED** by Director Blackwell,
That the Capital Regional District Board defeat the January 10, 2018 postponed motion to "Direct staff to initiate a region-wide Alternate Approval Process (AAP) as identified in Section 345 of the Local Government Act to meet the legislative requirement for voter approval in relation to Bylaw 4093."; and

That the Capital Regional District Board direct staff to cease work on advancing a regional transportation service.

CARRIED

MOVED by Director Helps, **SECONDED** by Director Plant,
That the Board request that the Chair reply to the Minister thanking her for her commitment to working with the region on the creation of a seamless transportation network in the region and indicating that we look forward to her presenting a detailed road map to move forward after the municipal election in October.

CARRIED

7. BYLAWS

There were none.

9. NEW BUSINESS

There was none.

10. MOTION TO CLOSE THE MEETING

10.1. [18-176](#)

Motion to Close the Meeting

MOVED by Director Plant, **SECONDED** by Director Helps,
That the meeting be closed in accordance with the Community Charter, Part 4, Division 3, s. 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 person 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; (g) litigation or potential litigation affecting the regional district; and s. 90 (2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality 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

The Board moved to the closed session at 3:45 pm.
The Committee rose from the closed session at 4:15 pm.

RISE AND REPORT

Be it resolved that the Capital Regional District Board Rise and Report on the following items:

3.1: That staff report back to the CRD Governance and Hospitals and Housing Committees on a revised governance structure for the Capital Region Housing Corporation that will improve the alignment of decision making with the CRD's other legal entities.

3.2: Solid Waste Advisory Committee - Revised Terms of Reference and Recommended Membership Appointments.

3.3: Appointments to CRD Committees and Commissions -
In accordance with Bylaw No. 3561, that the following persons be appointed to the Pender Island Parks and Recreation Commission:
For a term to expire December 31, 2019
Derek Wolff Pender Island, BC

12. ADJOURNMENT

MOVED by Director Blackwell, SECONDED by Director Tait,
That the meeting be adjourned at 3:45 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER