

Meeting Minutes

Capital Regional District Board

Wednesday, April 10, 2019

1:10 PM

**6th Floor Boardroom
625 Fisgard Street
Victoria, BC**

PRESENT:

Directors: C. Plant (Chair), M. Alto (for G. Young), D. Blackwell (Vice-Chair), S. Brice, L. Collins (for J. Loveday), B. Desjardins, Z. de Vries (for N. Taylor), F. Haynes, L. Helps, M. Hicks, G. Holman, B. Isitt, C. McNeil-Smith, B. Maberley (for D. Howe), R. Martin, R. Mersereau, K. Murdoch, G. Orr, J. Ranns, D. Screech, L. Seaton, M. Tait, B. Thompson (for R. Windsor), K. Williams

Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; K. Morley, General Manager, Corporate Services; L. Hutcheson, General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; T. Robbins, General Manager, Integrated Water Services; S. Bagh, Senior Manager, Regional and Strategic Planning; J. Weightman, Planner, Regional and Strategic Planning; E. Gorman, Deputy Corporate Officer; S. Closson, Committee Clerk (Training); P. Perna, Committee Clerk (Recorder)

The meeting was called to order at 1:06 pm.

1. APPROVAL OF THE AGENDA

**MOVED by Director Helps, SECONDED by Alternate Director Collins,
That the agenda for the April 10, 2019 Capital Regional District Board meeting be
approved as amended to add item 5.4. to the Consent Agenda.
CARRIED**

2. ADOPTION OF MINUTES

2.1. [19-366](#) Minutes for Adoption

**MOVED by Director Blackwell, SECONDED by Director Mersereau,
That the minutes from the July 11, 2018 and February 13, 2019 Capital Regional
District Board meeting and the minutes from the March 13, 2019 and March 20,
2019 Special Capital Regional District Board meeting be adopted as circulated.
CARRIED**

3. REPORT OF THE CHAIR

The Chair reported on the following:
- the recent passing of former Capital Regional District Director Nils Jensen,
offering collective condolences to his family, friends, and the community of Oak
Bay, and provided an overview of Director Jensen's service to the Capital
Regional District

- the District of Sooke's Alternate Director Brenda Parkinson's announcement of a brain tumor and offered positive thoughts and support during her battle with this tumor
- the meatless potluck meal on Monday, April 29th co-hosted by the Capital Regional District and the Youth for Climate Action Group - Our Earth Our Future, to encourage residents to consider making Monday's Meatless to reduce our greenhouse gas impact
- appreciation of staff for the timely provision of the Corporate Plan

4. PRESENTATIONS/DELEGATIONS

4.1 Presentations

- 4.1.1. [19-284](#) Presentation: Victoria Family Court and Youth Justice Committee, Chair Cynthia Day

C. Day, Councilor, City of Colwood, spoke to a presentation regarding the Victoria Family Court and Youth Justice Committee.

4.2 Delegations

- 4.2.1. [19-398](#) Delegation: Julia Ford, Urban Food Table, Re: Agenda Item 7.13 - Regional Foodlands Access Program Feasibility Study

J. Ford spoke in support of the Regional Foodlands Access Program Feasibility Study.

5. CONSENT AGENDA

MOVED by Director Helps, **SECONDED** by Alternate Director Alto,
That the consent agenda be approved as amended to add item 5.4.
CARRIED

- 5.1. [19-316](#) Pike Lake and Kapoor Land Acquisitions

That this report be received for information.

- 5.2. [19-315](#) Invasive Species Program Update

That the CRD Board Chair write a letter to the Province of BC (Ministry of Forests, Lands and Natural Resource Operations and Rural Development) requesting an update to the Weed Control Regulation, Schedule A: Regional Weeds List, to include regionally-specific species of concern.

- 5.3. [19-370](#) Grants-in-Aid

That the following grant-in-aid applications be approved:

1. Juan de Fuca Rural Publication Society: \$2,000
2. Juan de Fuca Regional Park Watch Society: \$500
3. Amber Academy Youth Fine Arts Society: \$500
4. Sooke Shelter Society: \$500
5. South Pender Historical Society: \$2,850
6. Salish Sea Inter-Island Transportation Society: \$5,000

7. Galiano Club: \$3,400
8. Gulf Islands Food Co-op: \$6,000
9. Saturna Community Club: \$4,954
10. Ptarmigan Arts Society: \$4,500
11. Salt Spring and Southern Gulf Islands Community Services Society: \$4,000
12. Salt Spring Community Health Society: \$4,000
13. Gulf Island Horseman's Association: \$4,000
14. Salt Spring Historical Society: \$1,240
15. Copper Kettle Community Partnership: \$4,000

5.4. **19-418** Infrastructure Planning Grant for the North Salt Spring Water Works District

That authorization be given for the submission of an application for an infrastructure Planning grant for the North Salt Spring Water Works District to assess the improvement district water infrastructure, operations, and financial position.

6. ADMINISTRATION REPORTS

6.1. [19-363](#) 2019-2022 Corporate Plan

R. Lapham provided an overview of the report.

MOVED by Director Helps, **SECONDED** by Director Isitt,
That the 2019-2022 Corporate Plan be received for information.
CARRIED

6.2. [19-359](#) CAO Quarterly Report No. 1 - 2019

R. Lapham provided an overview of the report and spoke to a presentation with photographs of Corporate Activities and Initiatives.

N. Chan spoke to the highlights of the 2019 Federal Budget.

Discussion ensued on the following:

- a possible recession impacting the Capital Regional District and the steps in place to protect the CRD
- opportunities to leverage additional funds for housing projects

MOVED by Director Seaton, **SECONDED** by Director Tait,
That the CAO Quarterly Report No. 1 - 2019 be received for information.
CARRIED

7. REPORTS OF COMMITTEES

Electoral Areas Committee

7.1. [19-378](#) Fernwood Dock Management Commission

MOVED by Director Holman, **SECONDED** by Director Hicks,
That Bylaw No. 4293, "Juan de Fuca and Salt Spring Island Parks and Recreation Advisory Commission Bylaw No. 1, 2011, Amendment Bylaw No. 1, 2019" be introduced and read a first, second and third time.
CARRIED

MOVED by Director Holman, **SECONDED** by Director Hicks,
That Bylaw No. 4293 be adopted.
CARRIED

- 7.2. [19-377](#) Request to Purchase CRD Land - Lot B, Section 76, South Salt Spring Island, Cowichan District, Plan 17642

MOVED by Director Holman, **SECONDED** by Director Hicks,
That staff be directed to dispose of the land on Salt Spring Island described as Lot B, Section 76, South Salt Spring Island, Cowichan District, Plan 17642, PID 003-961-729 (Lot B), through a land sale to the adjoining land owner in accordance with the Local Government Act and established CRD policies and procedures for disposing of CRD land, with the following conditions:

1. That the Chief Administrative Officer will respond to the Jacques' lawyer advising them of the disposition process,
2. That the value of Lot B be based on a market appraisal,
3. That Lot B will be consolidated with the adjoining Lot A, Section 76, South Salt Spring Island, Cowichan District Plan 17642,
4. That the purchaser pay for an appraisal; and
5. That staff will confirm that the waterworks have been appropriately abandoned,
6. That the Chief Administrative Officer be authorized to negotiate, execute and do all things incidental to finalizing the sale.

CARRIED

Juan De Fuca Land Use Committee

- 7.3. [19-237](#) Proposed Bylaw No. 4278 - Cannabis Bylaw

MOVED by Director Hicks, **SECONDED** by Director Tait,
a) That the referral of the proposed bylaw directed by the Juan de Fuca Land Use Committee to the Otter Point Advisory Planning Commission; BC Hydro; District of Sooke; Island Health; MFLNRORD - Archaeology Branch; MFLNRORD - Groundwater Protection Branch; Ministry of Transportation and Infrastructure (MoTI); RCMP; T'Sou-ke First Nation; and appropriate CRD departments be approved and the comments received;
b) That proposed Bylaw No. 4278, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 141, 2018", as amended, be introduced and read a first time and read a second time; and
c) That in accordance with the provisions of Section 469 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. 4278.

CARRIED

- 7.4. [19-238](#) Zoning Amendment Application for Strata Lot 10, Section 16, Otter District, Plan VIS7096

MOVED by Director Hicks, **SECONDED** by Director Tait,
a) That the referral of the proposed bylaw directed by the Juan de Fuca Land Use Committee on December 17, 2018 to the Otter Point Advisory Planning Commission; BC Hydro; District of Sooke; Island Health; Ministry of Transportation and Infrastructure; RCMP; T'Sou-ke First Nation; and

appropriate CRD departments be approved and the comments received;
b) That proposed Bylaw No. 4276, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 139, 2018", be introduced and read a first time and read a second time; and
c) That in accordance with the provisions of Section 469 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. 4276.

CARRIED

- 7.5. [19-243](#) Development Permit with Variance for Strata Lot 9, Section 16, Otter District, Strata Plan VIS7096 - #16 - 7450 Butler Road

MOVED by Director Hicks, **SECONDED** by Director Tait,
That Development Permit with Variance DV000064, for Strata Lot 9, Section 16, Otter District, Strata Plan VIS7096 to vary the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 27B.09(c) by reducing the flanking yard setback requirement from 6.0 m CTS to 4.8 m CTS, for the purpose of constructing a 543.05 m² steel building be approved.

CARRIED

- 7.6. [19-272](#) Cannabis Retail Application for Lot 1, District Lot 17, Renfrew District, Plan VIP65199 - 17293 Parkinson Road

MOVED by Director Hicks, **SECONDED** by Director Tait,
a. That a resolution for the cannabis retail application LP000003 for Lot 1, District Lot 17, Renfrew District, Plan VIP65199, be forwarded to the Liquor and Cannabis Regulation Branch supporting the licence and requesting that the licence be withheld until completion of a building permit for the proposed retail store occupancy; and
b. That the public comments received be forwarded to the Liquor and Cannabis Regulation Branch.

MOVED by Director Hicks, **SECONDED** by Director Tait,
That the main motion be amended to remove the wording in a. "and requesting that the licence be withheld until completion of a building permit for the proposed retail store occupancy;" and

CARRIED

The question was called on the main motion as amended.

MOVED by Director Hicks, **SECONDED** by Director Tait,
a. That a resolution for the cannabis retail application LP000003 for Lot 1, District Lot 17, Renfrew District, Plan VIP65199, be forwarded to the Liquor and Cannabis Regulation Branch supporting the licence; and
b. That the public comments received be forwarded to the Liquor and Cannabis Regulation Branch.

CARRIED

- 7.7. [19-287](#) Proposed Juan de Fuca Board of Variance Bylaw No. 4288

MOVED by Director Hicks, **SECONDED** by Director Tait,
That Bylaw No. 4288 be introduced and read a first time, a second time and a third time.

CARRIED

MOVED by Director Hicks, SECONDED by Director Tait,
That Bylaw No. 4288 be adopted.
CARRIED

MOVED by Director Hicks, SECONDED by Director Tait,
That in accordance with Bylaw No. 4288, the following persons be appointed
to the Juan de Fuca Board of Variance for a term to expire April 10, 2022:
Paul Clarkston, Axel Joosting, Greg Whincup.
CARRIED

- 7.8. [19-288](#) Zoning Amendment Application for Strata Lots 13, 26 and 27, Section
16, Otter District, Plan VIS7096

MOVED by Director Hicks, SECONDED by Director Tait,
a) That the referral of the proposed bylaw directed by the Juan de Fuca Land
Use Committee on April 18, 2018 and December 17, 2018 to the Otter Point
Advisory Planning Commission; BC Hydro; District of Sooke; Island Health;
Ministry of Transportation and Infrastructure; RCMP; T'Sou-ke First Nation;
and appropriate CRD departments be approved and the comments received;
b) That proposed Bylaw No. 4234, "Juan de Fuca Land Use Bylaw, 1992,
Amendment Bylaw No. 133, 2018" be introduced and read a first time and
read a second time; and
c) That in accordance with the provisions of Section 469 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. 4234.
CARRIED

- 7.9. [19-289](#) Temporary Use Permit for Lot 4, Section 47, Otter District, Plan
VIP52344 - 7861 Tugwell Road

MOVED by Director Hicks, SECONDED by Director Tait,
a) That the referral of Temporary Use Permit TP000009, directed by the Juan
de Fuca Land Use Committee on November 20, 2018, to the Otter Point
Advisory Planning Commission, BC Hydro, District of Sooke, Island Health,
the Ministry of Transportation and Infrastructure, the Ministry of Public Safety
and Solicitor General - Liquor and Cannabis Regulation Branch, the RCMP
and T'Sou-ke First Nation, be approved and the comments received; and
b) That Temporary Use Permit TP000009, to allow the expansion of a home
based microbrewery in the Rural Residential 2 (RR-2) zone, on Lot 4, Section
47, Otter District, Plan VIP52344, be approved; and
c) That a covenant be registered prior to issuance of the permit and pursuant
to Section 219 of the Land Title Act to permit the temporary use for the period
of the permit. The covenant shall also include an agreement by the owner to
indemnify and save harmless the CRD against all costs and expenses
incurred by the CRD, in default by the owner, in the conversion, demolition or
removal of the temporary use, and/or legal costs incurred in pursuing such
legal remedies as the CRD sees fit.
CARRIED

Parks and Environment Committee

7.10. [19-317](#) Land Acquisition Fund Priorities Survey

MOVED by Director Isitt, **SECONDED** by Director Screech,

- 1. That staff bring back criteria for future land acquisitions that reflect regional park significance, representing the diverse geography and environments within the context of the entire region;**
- 2. That staff report back to committee on the status of the Landscape Evaluation Project; and**
- 3. That staff report back on options during the 2020 budget process for service level adjustments to sustain the Regional Parks service.**
- 4. Direct staff to report back on considering opportunities to partner with other organizations to leverage funding and increase acquisitions. In these circumstances ensure CRD interests are met through covenants and joint ownership opportunities.**

CARRIED

7.11. [19-307](#) Climate Action Advocacy to Senior Levels of Government

Discussion ensued on the following:

- concerns regarding unknown costs to taxpayers or whether they will be supportive
- amendments to Regional Growth Strategies and *the Local Government Act*
- reporting through the Federation of Canadian Municipalities (FCM) and the Union of British Columbia Municipalities (UBCM) to the Provincial Government

MOVED by Director Isitt, **SECONDED** by Director Helps,

- 1. That the CRD Board Chair write a letter to the Premier of British Columbia in regard to provincial policies and programs and to the federal Minister of Environment and Climate Change in regard to federal action, and that the CRD Board Chair send a motion to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration, as articulated in Part 1, #1-3, in Appendix A.**
- 2. That staff be directed to engage with their appropriate provincial and federal ministry counterparts to advance the programs and policies found in Part 2, #1-10, in Appendix A.**
- 3. That staff be directed to engage with their appropriate provincial and federal ministry counterparts to understand and advance long-term opportunities requiring legislative change, as articulated in Part 3, #1-3, in Appendix A.**
- 4. Request that the Chair work with staff to prepare an amendment for consideration by AVICC relating to the Climate Emergency Declaration and bring the amendments forward to the April 10th Board meeting for consideration.**

MOVED by Director Helps, **SECONDED** by Director Haynes,

That the main motion be amended to add item 5. "That the priorities be sent to the President of UBCM as part of their ongoing climate action work."

CARRIED

The question was called on the main motion as amended.

MOVED by Director Isitt, **SECONDED** by Director Helps,

1. That the CRD Board Chair write a letter to the Premier of British Columbia in regard to provincial policies and programs and to the federal Minister of Environment and Climate Change in regard to federal action, and that the CRD Board Chair send a motion to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration, as articulated in Part 1, #1-3, in Appendix A.

2. That staff be directed to engage with their appropriate provincial and federal ministry counterparts to advance the programs and policies found in Part 2, #1-10, in Appendix A.

3. That staff be directed to engage with their appropriate provincial and federal ministry counterparts to understand and advance long-term opportunities requiring legislative change, as articulated in Part 3, #1-3, in Appendix A.

4. Request that the Chair work with staff to prepare an amendment for consideration by AVICC relating to the Climate Emergency Declaration and bring the amendments forward to the April 10th Board meeting for consideration.

5. That the priorities be sent to the President of UBCM as part of their ongoing climate action work.

CARRIED

OPPOSED: Ranns and Seaton

Peninsula Recreation Commission

7.12. [19-390](#) CRD Director Alternate Roles on the Peninsula Recreation Commission

MOVED by Alternate Director Thompson, **SECONDED** by Director McNeil-Smith,

That Section 1 (h) of the Peninsula Recreation Commission Bylaw No. 1, 1996, Amendment Bylaw No. 4, 2016, be amended to allow Alternate Commissioners for Directors to be appointed by their respective Councils and not necessarily be the same as the CRD Board Alternate Directors.

CARRIED

Planning and Protective Services Committee

7.13. [19-154](#) Regional Foodlands Access Program Feasibility Study

Discussion ensued on the following:

- concern of food security
- labour costs for farming
- formation of a co-op to pool labour and provide mentorship
- other types of lands available for use in the farmland trust
- ensuring farmers farming their own lands are not hindered financially and competitively by those farming on leased land at a cost savings

The question was divided at the call of the Chair.

MOVED by Director Williams, **SECONDED** by Director Haynes,

1. That the Foodlands Access Program Feasibility Study be received for information.

CARRIED

Director Screech left the meeting at 2:43 pm and did not vote on the remaining recommendations.

MOVED by Director Williams, **SECONDED** by Director Haynes,

2. a) That staff be directed to canvas all municipalities to assess whether there is a desire to have the CRD operate a foodlands trust in partnership with a non-profit organization.

CARRIED

OPPOSED: Desjardins, Hicks, Martin, Blackwell, Murdoch, Ranns, and Seaton

MOVED by Director Williams, **SECONDED** by Director Haynes,

b) That staff be directed to canvass whether any municipal lands could be made available for inclusion in a trust.

CARRIED

MOVED by Director Williams, **SECONDED** by Director Haynes,

3. That staff, upon receiving municipal feedback (due May 31, 2019), report back to the Capital Regional District Board.

CARRIED

Sooke and Electoral Areas Parks and Recreation Commission

7.14. [19-348](#)

SEAPARC Fitness Gym and Multi-Purpose Space Addition - Tender Result and Recommendation

MOVED by Director Tait, **SECONDED** by Director Hicks,

1. That the amended SEAPARC 2019-23 Capital Plan, as presented in Appendix A, be approved;

2. That the SEAPARC Fitness Gym and Multi-Purpose Space Addition project budget be increased by an additional \$660,000. Increased funding will come from \$60,000 in 2019 climate action grant; \$200,000 in 2019 and \$400,000 in 2020 Capital Reserve Funds; and

3. That Contract 18-1957 SEAPARC Fitness Gym and Multi-Purpose Space Addition Contract be awarded to Knight Contracting Ltd. in the amount of \$2,857,631.

CARRIED

8. CORRESPONDENCE

8.1. [19-374](#)

Correspondence from District of Highlands

Director Williams provided an overview of the correspondence.

MOVED by Director Williams, **SECONDED** by Director Hicks,

That the Capital Regional District Board Directors and Alternate Directors become involved in the Local Government Survivor Climate Challenge.

MOVED by Director Isitt, **SECONDED** by Director Williams,

That the main motion be amended to add "and invite other Regional Districts in the Province to take up the challenge."

CARRIED

MOVED by Director Williams, SECONDED by Director Hicks,
That the Capital Regional District Board Directors and Alternate Directors become involved in the Local Government Survivor Climate Challenge and invite other Regional Districts in the Province to take up the challenge.
CARRIED

9. BYLAWS

9.1. [19-389](#) Proposed Amendment to Bylaw 2397, Peninsula Recreation Commission

Director Hicks left the meeting at 3:21 pm.

MOVED by Director McNeil-Smith, SECONDED by Alternate Director Thompson,
That Bylaw No. 4297, "Peninsula Recreation Commission Bylaw No. 1, 1996, Amendment Bylaw No. 5, 2019" be introduced and read a first, second and third time.
CARRIED

MOVED by Director McNeil-Smith, SECONDED by Alternate Director Thompson,
That Bylaw No. 4297 be adopted.
CARRIED

9.2. [19-373](#) Bylaw No. 4296: 2019 to 2023 Financial Plan, Amendment Bylaw No. 1, 2019

N. Chan provided an overview of the bylaw amendments.

MOVED by Alternate Director Alto, SECONDED by Director Mersereau,
That Bylaw No. 4296, "2019 to 2023 Financial Plan, Amendment Bylaw No. 1, 2019" be introduced and read a first, second, and third time.
CARRIED

MOVED by Alternate Director Alto, SECONDED by Director Mersereau,
That Bylaw No. 4296 be adopted.
CARRIED

10. MOTION WITH NOTICE

10.1. [19-382](#) Motion with Notice: Climate Action Bonds

MOVED by Director Helps, SECONDED by Alternate Director Collins,
That staff request that Municipal Finance Authority (MFA) provide the Board an update on the Socially Responsible Investment (SRI) initiative at the May Board Meeting.
CARRIED

11. NEW BUSINESS

There was no new business.

12. MOTION TO CLOSE THE MEETING

12.1. [19-396](#) Motions to Close the Meeting

MOVED by Director Blackwell, **SECONDED** by Director Murdoch,

1. That the meeting be closed for a Legal and Human Resources Item under sections 90 (1) (a) and (g) of the Community Charter [1 item].

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Murdoch,

2. a) That the meeting be closed for Land Acquisitions under section 90 (1)(e) of the Community Charter. [1 item]

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Murdoch,

b) That the item could reasonably be expected to harm the interests of the Regional District.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Murdoch,

That the meeting be closed for Appointments under Section 90 (1)(a) of the Community Charter. [2 items]

CARRIED

13. OTHER MEETING MATTERS

The Board moved to the closed session at 3:29 pm.

The Board reconvened from the closed session at 3:56 pm.

13.1. [19-399](#)

Viewfield Properties Temporary Borrowing (Bylaw 3888) Request for Extension

MOVED by Director Mersereau, **SECONDED** by Director Helps,

That the request for a two-year extension on temporary borrowing (Bylaw 3888) from the Municipal Finance Authority be approved.

CARRIED

14. RISE AND REPORT

The Board rose and reported on the following items from the closed session meeting:

3.3. Water Advisory Committee Appointments

1. That the following persons be reappointed to the Water Advisory Committee for a term to expire December 31, 2010: David Blundon, Tom Wood, and Sandy Sinclair

2. That the following persons be appointed to the Water Advisory Committee for a term to expire December 31, 2020: Ron Hunsinger, David Timothy, Patrick Lennox, and Tayler Krawczyk

3.4. Appointments to CRD Committees and Commissions:

BE IT RESOLVED:

In accordance with Bylaw No. 3749, that the following persons be appointed to the Southern Gulf Islands Electoral Area Emergency Advisory Commission:

For a term to expire December 31, 2020: Gary Glover, Sean Luttmmer, John Wiznuk, Don Munroe, and Linda Cunningham

These items were adopted.

14. ADJOURNMENT

MOVED by Director Tait, **SECONDED** by Director Blackwell,
That the April 10, 2019 Capital Regional District Board meeting be adjourned at
3:58 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER