

Meeting Minutes

Capital Regional District Board

Wednesday, February 12, 2020

1:10 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT

Directors: C. Plant (Chair), D. Blackwell (Vice-Chair), S. Brice, M. Brame (for B. Desjardins), F. Haynes, L. Helps, M. Hicks, G. Holman, D. Howe, B. Isitt, J. Loveday, C. McNeil-Smith, R. Martin, R. Mersereau, K. Murdoch, G. Orr, J. Ranns, D. Screech, L. Seaton, M. Tait, N. Taylor, 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; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; T. Robbins, General Manager, Integrated Water Services; G. Harris, Senior Manager, Environmental Protection; E. Gorman, Deputy Corporate Officer; S. Closson, Committee Clerk (Recorder)

The meeting was called to order 1:08 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

Director Mersereau provided a Territorial Acknowledgement in the preceding meeting.

2. APPROVAL OF THE AGENDA

**MOVED by Alternate Director Brame, SECONDED by Director Hicks,
That Larry Layne be added as a delegation to the agenda.
CARRIED**

**MOVED by Director Martin, SECONDED by Director Seaton,
That the agenda for the February 12, 2020 Session of the Capital Regional District
Board be approved as amended.
CARRIED**

3. ADOPTION OF MINUTES

3.1. [20-111](#) Minutes of the January 8, 2020 Capital Regional District Board Meeting

**MOVED by Director McNeil-Smith, SECONDED by Director Windsor,
That the minutes of the Capital Regional District Board meeting of January 8,
2020 be adopted as circulated.
CARRIED**

4. REPORT OF THE CHAIR

The Chair acknowledged the recent tragedy in Sooke where three young men

lost their lives and offered collective condolences to the families and the District of Sooke, their Mayor and Council.

The Chair also spoke to the two (2) main issues that are being debated today and requested a respectful and effective debate. Clarification was given to delegates on Item 8.5., Kings Road Nature Space and to adhere to the two (2) recommendations on the agenda as the option to provide \$2 million from the Land Acquisition Fund has been tabled.

5. PRESENTATIONS/DELEGATIONS

5.1 Presentations

There were no presentations.

5.2 Delegations

- 5.2.1.** [20-130](#) Delegation - Nitya Harris; Resident of Langford: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park
Nitya Harris spoke in favour of retaining the current Land Acquisition Strategy under Item 8.5.
- 5.2.2.** [20-131](#) Delegation - Alastair Craighead; Resident of Victoria: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park
Alastair Craighead spoke in favour of retaining the current Land Acquisition Strategy under Item 8.5.
- 5.2.3.** [20-132](#) Delegation - Phillippe Lucas; Representing Biosolid Free BC: Re: Agenda Item 7.1: Beneficial Use of Biosolids - Contingency Planning
Phillipe Lucas spoke in opposition to land application as a Beneficial Use of Biosolids under Item 7.1.
- 5.2.4.** [20-133](#) Delegation - Thomas Maler; Resident of Victoria: Re: Agenda Item 7.1. Beneficial Use of Biosolids - Contingency Planning
Thomas Maler spoke in opposition to land application as a Beneficial Use of Biosolids under Item 7.1.
- 5.2.5.** [20-134](#) Delegation - Isabel Cordua-von Specht; Representing Save Kings Park/Nature Space Community Group: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park
Isabela Cordua-von Specht spoke in favour of Options towards the CRD Contribution Acquisition of Kings Road Park under Item 8.5.
- 5.2.6.** [20-135](#) Delegation - Soren Henrich; Resident of Victoria: Re: Agenda Item 7.1: Beneficial Use of Biosolids - Contingency Planning

Soren Heinrich spoke in opposition to land application as a Beneficial Use of Biosolids under Item 7.1.

- 5.2.7.** [20-136](#) Delegation - Bryan Gilbert; Resident of Victoria: Re: Agenda Item 6.2 Wastewater Treatment Project Q3 2019 Quarterly Report and 7.1: Beneficial Use of Biosolids - Contingency Planning

Bryan Gilbert spoke in opposition to land application as a Beneficial Use of Biosolids under Items 6.2 and 7.1.

- 5.2.8.** [20-137](#) Delegation - Adam Kreek; Resident of Saanich: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Adam Kreek spoke in favour of Options towards the CRD Contribution Acquisition of Kings Road Park under Item 8.5. and to updating the Land Acquisition Fund strategy and criteria.

- 5.2.9.** [20-138](#) Delegation - Christopher Mavrikos; Resident of Victoria: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Christopher Mavrikos spoke in favour of Options towards the CRD Contribution Acquisition of Kings Road Park under Item 8.5. and to updating the Land Acquisition Fund strategy and criteria.

- 5.2.10.** [20-139](#) Delegation - Deanna Pfeiffer; Resident of Saanich: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Deanna Pfeiffer spoke in favour of Options towards the CRD Contribution Acquisition of Kings Road Park under Item 8.5. and to updating the Land Acquisition Fund strategy and criteria.

- 5.2.11.** [20-140](#) Delegation - Vicky Husband; Resident of Central Saanich: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Vicky Husband spoke in opposition to land application as a Beneficial Use of Biosolids under Item 7.1. and in favour of retaining the current Land Acquisition Strategy under Item 8.5.

- 5.2.12.** [20-141](#) Delegation - Rob Vanzella; Resident of Central Saanich: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Rob Vanzella spoke in favour of Options towards the CRD Contribution Acquisition of Kings Road Park under Item 8.5. and to updating the Land Acquisition Fund strategy and criteria.

- 5.2.13.** [20-142](#) Delegation - Ian Graeme; Resident of Saanich: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Ian Graeme spoke in favour of Options towards the CRD Contribution

Acquisition of Kings Road Park under Item 8.5. and to updating the Land Acquisition Fund strategy and criteria.

5.2.14. [20-143](#)

Delegation - Allison Spriggs; Resident of Saanich: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Allison Spriggs spoke in favour of retaining the current Land Acquisition Strategy under Item 8.5.

5.2.15. [20-144](#)

Delegation - Claire Reynolds; Representing Saanich Legacy Foundation: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Claire Reynolds spoke in favour of Options towards the CRD Contribution Acquisition of Kings Road Park under Item 8.5. and changes to the land acquisition fund to include urban areas.

5.2.16. [20-145](#)

Delegation - Dr. Nicole Shukin; Resident of Metchosin: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Dr. Nicole Shukin spoke in favour of retaining the current Land Acquisition Strategy under Item 8.5.

5.2.17. [20-146](#)

Delegation - Kayla Vandermolen; Resident of Juan de Fuca Electoral Area: Re: Agenda Item 7.1.: Beneficial Use of Biosolids - Contingency Planning

Kayla Vandermolen spoke in opposition to land application as a Beneficial Use of Biosolids under Item 7.1.

5.2.18.

Delegation - Larry Layne: Re: Agenda Item 8.5.: Options for CRD Contribution toward the Acquisition of Kings Road Park

Larry Layne spoke to Item 8.5. Options for CRD Contribution toward the Acquisition of Kings Road Park and for renewing the Land Acquisition Strategy.

6. CONSENT AGENDA

Item 6.11. was removed from the consent agenda and moved to be considered as item 8.2b.

MOVED by Director Howe, **SECONDED** by Director Helps,
That the consent agenda items 6.1. through 6.14. be approved as presented with the exception of 6.11.
CARRIED

6.1. [20-058](#)

Regional Parks Committee - Terms of Reference

That the Terms of Reference be approved as amended at section 1.1 (a) i. to read:

Regional parks and trails, including land acquisition, management, operations and programs.

- 6.2. [20-021](#) Wastewater Treatment Project Q3 2019 Quarterly Report
That this report be received for information.
- 6.3. [20-022](#) Wastewater Treatment Project October 2019 Monthly Report
That this report be received for information.
- 6.4. [20-054](#) Wastewater Treatment Project November 2019 Monthly Report
That this report be received for information.
- 6.5. [20-060](#) CRD External Grants Update
That the CRD External Grants Update be received for information.
- 6.6. [20-061](#) Implementation of the Public Sector Accounting Standard (PSAS) 3280, Asset Retirement Obligations (ARO)
That this report be received for information.
- 6.7. [20-072](#) Service Fee Agreement re: Sewer Charges - Town of View Royal
That the appended Service Fee agreement with the Town of View Royal be approved.
- 6.8. [20-027](#) 2020 Terms of Reference - EAC
That the Terms of Reference be approved as amended at section 1.0(c) to read:
The Committee may also make recommendations to the Board to advocate to senior levels of government regarding issues of importance to electoral areas.
- 6.9. [20-093](#) Union of British Columbia Municipalities Grant for Volunteer Fire Departments - Motion of Support
That the Board support an application to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for South Galiano, North Galiano, Port Renfrew, Shirley and Otter Point Fire Departments for equipment upgrades and training in the amount of \$117,965.93 and direct staff to provide overall grant management.
- 6.10. [20-094](#) Union of British Columbia Municipalities Grant for Wildfire Risk Mitigation Motion of Support
That the Board support an application to the Union of British Columbia Municipalities Community Resiliency Investment program for FireSmart Initiatives on Galiano Island and to advance the regional coordination of Wildfire Risk Mitigation efforts.
- 6.12. [20-039](#) Investing in Canada Infrastructure Program - Green Infrastructure Grant Application for the Juan de Fuca Water Distribution Service and Magic Lake Estates Wastewater System Renewal Project
1a) Staff be directed to prepare and submit an application for Investing in

Canada Infrastructure Program (ICIP) - Green Infrastructure - Environmental Quality Sub-Stream grant funding for the Juan de Fuca Water Distribution Service - Anderson Cove water service extension project.

1b) The CRD Board supports the project and commits to its share of the project, estimated at \$595,000, upon completion of a formal successful service area petition and approval of a loan authorization bylaw.

2a) Staff be directed to prepare and submit an application for Investing in Canada Infrastructure Program (ICIP) - Green Infrastructure - Environmental Quality Sub-Stream grant funding for the Magic Lake Estates Wastewater Service - System Renewal Project.

2b) The CRD Board supports the project and commits to its share of the project funding as a result of the successful November 2019 referendum to borrow up to \$6.0 million to fund the service area's project funding contribution, and the CRD Board's adoption of loan authorization Bylaw No. 4320.

6.13. [20-096](#) Active Transportation Infrastructure Grant Application 2020

That approval be given to submit a 2020 Active Transportation Infrastructure grant application for Phase 2 of the Lower Ganges Road - Booth Canal to Vesuvius Bay Road pathway project.

6.14. [20-113](#) Update on Connectivity Planning for the Southern Gulf Islands

That the Connecting SGI: Connectivity Planning for the Southern Gulf Islands report be received for information.

7. ADMINISTRATION REPORTS

7.1. [20-048](#) Beneficial Use of Biosolids - Contingency Planning

L. Hutcheson and R. Lapham spoke to Item 7.1., the Beneficial Use of Biosolids.

Discussion ensued on the following:

- prevention systems for runoff and ground contamination
- wind borne mitigation
- Hartland site biosolid options
- Provincial mandatory requirements
- transportation and storage costs/capacity
- biosolid land application and testing
- class A versus class B biosolids
- gasification options
- First Nations and public consultation
- current disposal of Sooke and Peninsula biosolids
- alternate solutions, contingency plans

MOVED by Director Mersereau, **SECONDED** by Director Blackwell,

1. That the Capital Regional District Board partially rescind its policy to prohibit land application as a beneficial use of biosolids at Hartland landfill only; and
2. That land application of biosolids be approved as a contingency plan for beneficial use at Hartland landfill.

Director Helps left the meeting at 3:41 pm.

MOVED by Director Blackwell, SECONDED by Director Screech,
That the question be called on the main motion.

CARRIED

OPPOSED: Loveday

MOVED by Director Mersereau, SECONDED by Director Blackwell,
1. That the Capital Regional District Board partially rescind its policy to prohibit land application as a beneficial use of biosolids at Hartland landfill only; and
2. That land application of biosolids be approved as a contingency plan for beneficial use at Hartland landfill.

CARRIED

OPPOSED: Brame, Hicks, Isitt, Loveday, Orr, Ranns, Williams, Windsor

MOVED by Director Mersereau, SECONDED by Director Haynes,
Direct staff to, upon provincial approval of the Definitive Plan, include the full spectrum of options permitted by provincial regulations in the analysis of options for the long-term biosolids strategy, and ensure that the analysis takes into account impacts on public health, water resources, agriculture, life-cycle costs, climate change objectives, and other environmental considerations.

MOVED by Director Ranns, SECONDED by Director Hicks,
That the motion arising be amended to replace the words "...upon provincial approval of the Definitive Plan..." with the word "...immediately..."

MOVED by Director Murdoch, SECONDED by Director McNeil-Smith,
That the meeting be extended past the three (3) hour limit.

CARRIED

MOVED by Alternate Director Brame, SECONDED by Director Holman,
To replace the words "...objectives, and other environmental considerations." with "...objectives, other environmental considerations and legal liabilities.".

CARRIED

OPPOSED: Blackwell, Screech, Seaton, Tait

MOVED by Director Ranns, SECONDED by Director Hicks,
That the motion arising be amended to replace the words "...upon provincial approval of the Definitive Plan..." with the word "...immediately..." and to replace the words "...objectives, and other environmental considerations." with "...objectives, other environmental considerations and legal liabilities.".

CARRIED

OPPOSED: Blackwell, Martin, Murdoch, Screech, Seaton, Tait, Young

The question was called on the motion arising as amended.

MOVED by Director Mersereau, SECONDED by Director Haynes,
Direct staff to, immediately, include the full spectrum of options permitted by provincial regulations in the analysis of options for the long-term biosolids strategy, and ensure that the analysis takes into account impacts on public health, water resources, agriculture, life-cycle costs, climate change objectives, other environmental considerations and legal liabilities.

CARRIED

OPPOSED: Blackwell, Seaton, Tait, Windsor

7.2. [20-065](#)

Appointments

MOVED by Director Seaton, **SECONDED** by Director Blackwell,
That the following appointment be made to the Regional Water Supply
Commission:
Christopher Graham - Central Saanich

That the following appointment as an Alternate be made to the CRD Arts
Commission:
Kyara Kahakauwila - Metchosin
CARRIED

- 7.3. [20-020](#) Zoning Amendment Application for Lot 12, Section 128, Sooke District,
Plan VIP58851 - 5495 Mt. Matheson Road

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That proposed Bylaw No. 4314, "Juan de Fuca Land Use Bylaw, 1992,
Amendment Bylaw No. 146, 2019" be read a second time.
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. 4314.
CARRIED

8. REPORTS OF COMMITTEES

Governance and Finance Committee

- 8.1. [20-062](#) Repeal of Security Issuing Bylaw No. 4345 and Replacement with
Security Issuing Bylaw No. 4347

MOVED by Director Brice, **SECONDED** by Director Howe,
That Bylaw No. 4347, "Security Issuing Bylaw No. 2, 2020", be introduced and
read a first, second, and third time.
CARRIED

MOVED by Director Brice, **SECONDED** by Director Howe,
That Bylaw No. 4347 be adopted.
CARRIED

- 8.2. [20-100](#) Notice of Motion Procedure Review

MOVED by Director Brice, **SECONDED** by Director Tait,
That no changes be made to the notice of motion procedures, at this time.
That the Notice of Motion procedure be reviewed at the Governance and
Finance Committee in one (1) year.

CARRIED
OPPOSED: Isitt, Loveday, Young

- 8.2b [20-106](#) Province of British Columbia Connecting British Columbia and
Canadian Radio-television and Telecommunications Commission
Broadband Fund Grants for Extending Fibre Optic Network
Connectivity - Motion of Support

MOVED by Director Hicks, **SECONDED** by Director Howe,
That the Capital Regional District provide a letter of support for the

application by TELUS to the Province of British Columbia Network BC Connecting British Columbia program and to the Canadian Radio-television and Telecommunications Commission Broadband Fund for a funding contribution towards the transport and last mile project for Jordan River - Port Renfrew.

CARRIED

Electoral Areas Committee

- 8.3. [20-081](#) Amendment to Bylaw No. 1923, "Salt Spring Island Ganges Sewerage Local Service Establishment, 1991", for inclusion of 154 Kings Lane into the Local Service Area.

MOVED by Director Hicks, **SECONDED** by Director Howe,
That Bylaw No. 4342, "Salt Spring Island Ganges Sewerage Local Service Establishment, 1991, Amendment Bylaw No. 13, 2020" be introduced and read a first time, second time and third time.

CARRIED

- 8.4. [20-082](#) Bylaw No. 4331 as amendment to "Bylaw No. 3116, Salt Spring Arts Contribution Service Establishment Bylaw No. 1, 2003"

MOVED by Director Hicks, **SECONDED** by Director Howe,
That Bylaw No. 4331, "Salt Spring Island Arts Contribution Service Establishment Bylaw No. 1, 2003, Amendment Bylaw No. 3, 2020" be introduced and read a first, second and third time.

CARRIED

Regional Parks Committee

- 8.5. [20-063](#) Options for CRD Contribution toward the Acquisition of Kings Road Park

Discussion ensued on the following:

- protection of natural and wilderness areas
- public interest in allocation of land acquisition fund
- fund mandate as per public consultation
- funding criteria
- hospital service for regional population
- planned review of land acquisition fund

The question was divided by the Chair.

MOVED by Director Isitt, **SECONDED** by Director Haynes,
1. That staff bring a renewed land acquisition strategy and land acquisition criteria to the Regional Parks Committee in March 2020 for review and recommendation to the Board.

CARRIED

OPPOSED: Windsor

MOVED by Director Isitt, **SECONDED** by Director Haynes,
2. That staff explore innovative approaches or alternate opportunities with the District of Saanich for the CRD to purchase other property and report back to the Regional Parks Committee.

CARRIED

9. BYLAWS

There were no bylaws for consideration.

10. NOTICE(S) OF MOTION

There were no Notice(s) of Motion.

11. NEW BUSINESS

There was no new business.

12. MOTION TO CLOSE THE MEETING

12.1. [20-122](#) Motion to Close the Meeting

**MOVED by Director Murdoch, SECONDED by Director Mersereau,
That the meeting be closed for Appointments under s. 90 (1)(a) of the Community
Charter.
CARRIED**

**MOVED by Director Murdoch, SECONDED by Director Mersereau,
That the meeting be closed under Section 21 of FOIPAA in accordance with
s.90(1)(j) of the Community Charter.
CARRIED**

**MOVED by Director Murdoch, SECONDED by Director Mersereau,
That the meeting be closed for Land Acquisition under s. 90 (1)(e) of the
Community Charter.
CARRIED**

**MOVED by Director Murdoch, SECONDED by Director Mersereau,
That the Board considers that disclosures could reasonably be expected to harm
the interests of the Regional District.
CARRIED**

**MOVED by Director Murdoch, SECONDED by Director Mersereau,
That the meeting be closed for a Proposed Municipal Service under s. 90(1)(k)
Proposed Service, s. 90(1)(i) Legal Advice, and 90 (1)(m) Another Enactment
(FOIPPA) of the Community Charter.
CARRIED**

13. RISE AND REPORT

The Capital Regional District Board rose from closed session at 5:12 pm. and reported on the following items:

**3.1 - Appointments to CRD Committees and Commissions
That the following persons be appointed to the CREST Corporation:
For a term to start February 13, 2020 and expire December 31, 2020 - Charles
Nash**

In accordance with Bylaw No. 3654, that the following persons be appointed to the East Sooke Fire Protection and Emergency Response Service Commission:
For a term to start January 1, 2020 and expire December 31, 2021 - Doug Thompson, Robyn Thompson

In accordance with Bylaw No. 3488, that the following person be appointed to the Mayne Island Parks and Recreation Commission:
For a term to start January 1, 2020 and expire December 31, 2021 - Debra Bell

In accordance with Bylaw No. 3654, that the following persons be appointed to the North Galiano Fire Protection and Emergency Response Service Commission:
For a term to start January 1, 2020 and expire December 31, 2020 - Dawn Lybarger, Roger Pettit, Laurie Whittaker

In accordance with Bylaw No. 3654, that the following persons be appointed to the North Galiano Fire Protection and Emergency Response Service Commission:
For a term to start January 1, 2020 and expire December 31, 2021 - Michael Clark, Alan Doty, Ken Kucille

In accordance with Bylaw No. 3485, that the following person be appointed to the Saturna Island Parks and Recreation Commission:
For a term to start January 1, 2020 and expire December 31, 2021 - Paul Brent, David Osborne

In accordance with Bylaw No. 3763, that the following person be appointed to the Salt Spring Island Parks and Recreation Commission:
For a term to start January 1, 2020 and expire December 31, 2021 - Drew Bodaly

In accordance with Bylaw No. 3693, that the following person be appointed to the SSI – Fernwood Water Local Services Commission:
For a term to start February 13, 2020 and expire December 31, 2020 - Kevin Wilson

In accordance with Bylaw No. 3693, that the following person be appointed to the SSI – Highland Water and Sewer Services Commission:
For a term to start February 13, 2020 and expire December 31, 2020 - Kevin Wilson

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 start January 1, 2020 and expire December 31, 2021 - Linda Cunningham, Kerry Keats, Gaire McLean, Roger Pettit, Kyle Stobart

In accordance with Bylaw No. 2541, that the following persons be appointed to the Water Advisory Committee:
For a term to start January 1, 2020 and expire December 31, 2021 - Jongwon David Lee, Craig Nowakowski

In accordance with Bylaw No. 2541, that the following persons be appointed to the Water Advisory Committee:
For a term to start February 13, 2020 and expire December 31, 2020 - Ron Barnhart

In accordance with Bylaw No. 3654, that the following persons be appointed to

the Willis Point Fire Protection and Recreation Facilities Commission:
For a term to start January 1, 2020 and expire December 31, 2020 - Brent
Kornelson, Brian McCandless, Vern McConnell, Ken Smith

3.3 - Sc'ianew (Beecher Bay) First Nation re: Mary Hill
That the Capital Regional Board (CRD) endorses CRD participation on the Mary
Hill project working group.

14. ADJOURNMENT

MOVED by Director Blackwell, SECONDED by Director Mersereau,
That the February 12, 2020 Capital Regional District Board meeting be adjourned
at 5:12 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER