

## Meeting Minutes

### Capital Regional District Board

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Wednesday, February 9, 2022

1:00 PM

6th Floor Boardroom  
625 Fisgard Street  
Victoria, BC

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**PRESENT:**

C. Plant (Chair), R. Mersereau (Vice Chair), D. Blackwell (EP), P. Brent (for D. Howe), S. Brice (EP), J. Brownoff (for F. Haynes) (EP), B. Desjardins (EP), L. Helps (EP), M. Hicks (1:06 pm) (EP), G. Holman (1:03 pm) (EP), B. Isitt (1:01 pm) (EP), J. Loveday, R. Martin (EP), C. McNeil-Smith (EP), K. Murdoch (EP), G. Orr (EP), J. Ranns (1:15 pm) (EP), D. Screech, L. Seaton (EP), M. Tait (EP), N. Taylor (EP), K. Williams (EP), R. Windsor (EP), G. Young (1:01 pm) (EP)

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; S. Carey, Senior Manger, Legal Services; C. Gilpin, Manager Arts and Culture; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: F. Haynes, D. Howe

The meeting was called to order at 1:00 pm.

#### 1. TERRITORIAL ACKNOWLEDGEMENT

Alternate Director Brent provided the Territorial Acknowledgement.

#### 2. APPROVAL OF THE AGENDA

**MOVED** by Alternate Director Brent, **SECONDED** by Director Loveday,  
That Consent Agenda Item 6.5. be considered as agenda item 8.1.b. and that the  
agenda for the February 9, 2022 Session of the Capital Regional District Board be  
approved as amended.

**CARRIED**

#### 3. ADOPTION OF MINUTES

3.1. [22-099](#) Minutes of the January 12, 2022 Capital Regional District Board Meeting

**MOVED** by Director Mersereau, **SECONDED** by Director Screech,  
That the minutes of the Capital Regional District Board meeting of January 12,  
2022 be adopted as circulated.

**CARRIED**

#### 4. REPORT OF THE CHAIR

We have a full agenda today ahead of us thus I will endeavor to keep my remarks succinct. It is hard for one not to feel frustrated, or be overwhelmed and I would offer we are ALL tired right now as the result of the past two years. We are witnessing social upheaval after two long years of societal sacrifices and protective measures. Our Board has now spent more time operating under the restrictions of COVID than without them during this term. And while there has been so much disruption during the past two years, I am proud of this Board and our staff that our collective work has continued to advance our priorities. And yet I wish to encourage us all to continue the hard work we have been doing the past 3-plus years. We still have 8 months (or 16% of our term) left before this term is over. On May 11, 2022 we will be holding our annual Strategic Plan check-in and this will allow us a final opportunity this term to collectively review our progress and to consider new or additional priorities. Next month we will have a Special Board meeting on March 16, 2022 to discuss and finalize our 2022 budgets. We passed a provisional budget in the fall and I would ask you to please contact staff or myself if you have any questions about our budget or wish to propose significant changes at this meeting. We do not have a lot of time after this meeting to have future debate or meetings as we must have our budget submitted soon and I think we all know we have better debate when staff can provide us the info we want or need. I look forward to our discussion. And finally I want to remind everyone of our Cultural Perspectives Training in two weeks on February 23, 2022. Thank you to the 20 people who have already signed up and I encourage everyone else to do so as well. This intercultural skills training will assist the Board in its commitment to reconciliation and to developing respectful government-to-government relations with First Nations. There is space for 35 participants, with priority for Directors, so if you haven't registered yet please do so by the end of this week. At the request of the facilitator this work will be conducted electronically and so you will be receiving a link to the meeting when it's available. On the same theme of First Nations Relations, I to update the Board that we have sent out letter to various First Nations that we have been engaging with and those that have not engaged with us as much, inviting them to participate on our committees. Now let's get on with the business of our meeting.

## 5. PRESENTATIONS/DELEGATIONS

### 5.1. Presentations

There were no presentations.

### 5.2. Delegations

- 5.2.1. [22-132](#) Delegation - Marcie McLean; Resident of Highlands: Re: Agenda Item 8.4.: Bylaw No. 4453 - Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2022

Highlands Councillor M. McLean spoke to Item 8.4.

- 5.2.2. [22-133](#) Delegation - Josh Nobleman; Representing Vancouver Island Slacklining Association: Re: Agenda Item 8.7.: Regional Parks - Strategic Plan Update

J. Nobleman spoke to Item 8.7.

- 5.2.3. [22-134](#) Delegation - Alison Spriggs; Resident of Victoria: Re: Agenda Item 8.7.:  
Regional Parks - Strategic Plan Update

A. Spriggs spoke to Item 8.7.

- 5.2.4. [22-135](#) Delegation - Vicky Husband; Resident of Highlands: Re: Agenda Item 8.7.:  
Regional Parks - Strategic Plan Update

V. Husband spoke to Item 8.7.

## 6. CONSENT AGENDA

Item 6.5 was removed from the consent agenda and moved to be considered under Administration Reports as item 8.1.b.

**MOVED by Director Mersereau, SECONDED by Director Screech,  
That consent agenda items 6.1. through 6.4. and 6.6. though 6.11. be approved.  
CARRIED**

- 6.1. [22-084](#) Grant Application for Anderson Cove (East Sooke) Water Service  
Extension

**That staff be directed to prepare and submit an application for an Investing in  
Canada Infrastructure Program - British Columbia - Green Infrastructure -  
Environmental Quality grant for the water service extension to the Anderson  
Cove area of the Juan de Fuca Water Distribution service area.  
CARRIED**

- 6.2. [22-098](#) Cedars of Tuam Water New Well Grant Application, Loan Authorization  
and Water Conservation Plan

**1. That the Board supports an application for grant funding for the SSI: Cedars of  
Tuam - New Well and Water Treatment Plant Project through the Investing in  
Canada Infrastructure Program - Green Infrastructure - Environmental Quality  
Program; and that the Board supports the project and commits to any associated  
ineligible costs and cost overruns.**

**2. That the Board review, accept and endorse the Cedars of Tuam Water  
Conservation Plan, Revised January 2022.**

**3. That staff be directed to proceed with preparing the Loan Authorization Bylaw,  
authorizing the borrowing up to \$600,000 with the amortization term of 30 years.**

**4. That staff be directed to present the project and funding option to the  
ratepayers; and bring forward a report to the Commission on the results of the  
public engagement, and ratepayer's preferred electoral assent process.**

**CARRIED**

- 6.3. [22-093](#) Investing in Canada Infrastructure Program - Green Infrastructure -  
Environment Quality Grant Application for the Skana Water System  
Storage Tank Replacement

**That staff be directed to submit an application for an Investing in Canada  
Infrastructure Program - British Columbia - Green Infrastructure - Environmental**

Quality grant for the project's grant-eligible costs for the Skana Water System Storage Tank Replacement.  
**CARRIED**

- 6.4. [22-111](#) Request for Governance Study by the Magic Lake Property Owners' Society, North Pender Island
- That the Board advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.  
**CARRIED**
- 6.6. [22-039](#) 2020 Regional Greenhouse Gas Inventory
- That the 2020 Regional Greenhouse Gas Inventory report be received for information.  
**CARRIED**
- 6.7. [22-034](#) Zero-Emissions Fleet Initiative - Final Study Report
- That the Zero-Emissions Fleet Initiative Final Study Report be received for information.  
**CARRIED**
- 6.8. [22-074](#) First Nations Relations Operational Update
- That the First Nations Relations Operational Update report be received for information.  
**CARRIED**
- 6.9. [21-642](#) Capital Regional District Board Policy on Regional Grants-in-Aid
1. That the Capital Regional District Board Policy on Regional Grants-in-Aid report be received for information.
  2. That the policy of Grants-in-Aid levied only against the taxpayers of an individual municipality be removed, and the option of the Grants-in-Aid for individual electoral areas be retained.
- CARRIED**
- 6.10. [22-042](#) 2022 Performing Arts Facilities Select Committee Terms of Reference
- That the 2022 Performing Arts Facilities Select Committee Terms of Reference attached at Appendix A be approved.  
**CARRIED**
- 6.11. [22-048](#) 2022 Regional Parks Committee Terms of Reference
- That the Terms of Reference be referred back to the Board Chair to work with staff, the Chair and Vice Chair of the Regional Parks Committee, and Chair of the Transportation Committee to bring back a Terms of Reference to reflect the intersectionality of regional trails between Parks and Transportation.  
**CARRIED**

## 7. ADMINISTRATION REPORTS

7.1. [22-115](#) Bylaw No. 4478: Cedars of Tuam Loan Authorization Bylaw No. 2, 2022

N. Chan spoke to Item 7.1.

**MOVED** by Director Holman, **SECONDED** by Alternate Director Brent,  
1. That Bylaw No. 4478, "Cedars of Tuam Loan Authorization Bylaw No. 2, 2022",  
be introduced and read a first, second and third time.  
**CARRIED**

**MOVED** by Director Holman, **SECONDED** by Alternate Director Brent,  
2. That the referral of Bylaw No. 4478 to the Inspector of Municipalities for  
approval be withheld until staff report back on the result of the grant application.  
**CARRIED**

## 8. REPORTS OF COMMITTEES

### Electoral Areas Committee

8.1. [22-090](#) Bylaw No. 4480 - Building Permit Information Reports - Fee Increase

**MOVED** by Alternate Director Brent, **SECONDED** by Director Holman,  
1) That Bylaw No. 4480, "Building Regulation Bylaw No. 5, 2010, Amendment  
Bylaw No. 3, 2022" be introduced and read a first, second, and third time.  
**CARRIED**

**MOVED** by Alternate Director Brent, **SECONDED** by Director Hicks,  
2) That Bylaw No. 4480 be adopted.  
**CARRIED**

8.1.b. [22-125](#) Regulation of Vacation Rentals on the Southern Gulf Islands and Salt  
Spring Island

Discussion ensued regarding:

- Business licenses
- Costs and benefits

**MOVED** by Director Hicks, **SECONDED** by Alternate Director Brent  
1. That the Regulation of Vacation Rentals on the Southern Gulf Islands and Salt  
Spring Island report be received for information.  
2. That staff prepare a report on the financial impacts of business licenses on Salt  
Spring Island and Southern Gulf Islands, and the costs and benefits of the  
speculation and vacancy tax as applied to Salt Spring Island.  
**CARRIED**

### Governance Committee

8.2. [22-094](#) Cost Recovery Options and Cost Allocations for Freedom of Information  
(FOI) Requests

**MOVED** by Director Murdoch, **SECONDED** by Director Screech,  
2. That staff be directed to further investigate and establish appropriate

categories of building and property records which are available to the public without a FOI request in accordance with section 71 of the Freedom of Information and Protection of Privacy Act and the Copyright Act, including setting prescribed fees for providing copies of available records; and,  
3. That staff report back with proposed amendments to Bylaw No. 3741, "Building Regulation Bylaw No. 5, 2010" to include a list of routinely available records and their associated fees.

**CARRIED**

Opposed: Isitt

**8.3.**     [22-095](#)     Bylaw No. 4479 - "Delegations Amendment to Board Procedures Bylaw"

**MOVED** by Director Murdoch, **SECONDED** by Alternate Director Brent,

1. That Bylaw No. 4479, "Capital Regional District Board Procedures Bylaw, 2012, Amendment Bylaw No. 12, 2022" be introduced and read a first, second and third time.

**CARRIED**

Opposed: Isitt, Loveday

**MOVED** by Director Murdoch, **SECONDED** by Director Screech,

2. That Bylaw No. 4479 be adopted.

**CARRIED**

Opposed: Isitt, Loveday

**8.4.**     [22-097](#)     Bylaw No. 4453 - "Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2022"

Director Loveday recused himself due to conflict of interest.

Director Loveday left the meeting at 1:39 pm.

Discussion ensued regarding:

- Legal representation
- Committee support for proposed bylaw
- Withdrawal provision

**MOVED** by Director Murdoch, **SECONDED** by Director Mersereau,

1. That Bylaw No. 4453, "Victoria Family Court and Youth Justice Committee Commission Bylaw No. 1, 2022", be introduced and read a first, second, and third time.

**CARRIED**

Opposed: Isitt

**MOVED** by Director Murdoch, **SECONDED** by Director Mersereau,

2. That Bylaw No. 4453 be adopted.

**CARRIED**

Opposed: Isitt

**MOVED** by Director Murdoch, **SECONDED** by Director Mersereau,

3. That staff be directed to advise service participants of Bylaw No. 4453.

Opposed: Isitt

Director Loveday returned to the meeting at 1:44 pm.

**Juan de Fuca Land Use Committee**

- 8.5. [22-016](#) Zoning Amendment for Lot 28, Section 15, Otter District, Plan VIP87643 - 3312 Otter Point Road

**MOVED by Director Hicks, SECONDED by Alternate Director Brent,**  
1. That the referral of proposed Bylaw No. 4454, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 154, 2021", to the Otter Point Advisory Planning Commission, appropriate CRD departments, BC Hydro, District of Sooke, FLNR - Archaeology Branch, FLNR - Ministry of Forests, Lands, Natural Resource Operations and Rural Development, FLNR - Water Protection, Island Health, Ministry of Environment & Climate Change Strategy - Environmental Protection and Sustainability, Ministry of Transportation & Infrastructure, Otter Point Fire Department, RCMP, Sc'ianew First Nation, and T'Sou-ke First Nation be approved and the comments received.  
**CARRIED**

**MOVED by Director Hicks, SECONDED by Director Mersereau,**  
2. That proposed Bylaw No. 4454 be introduced and read a first time and read a second time.  
**CARRIED**

**MOVED by Director Hicks, SECONDED by Director Mersereau,**  
3. 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. 4454.  
**CARRIED**

**Performing Arts Facilities Select Committee**

- 8.6. [22-040](#) Costs and Timeline Associated with a Region-Wide Referendum on a Full Regional Performing Arts Facilities Service

N. Chan spoke to Item 8.6.

**MOVED by Director Holman, SECONDED by Director Martin,**  
That the Costs and Timeline Associated with a Region-Wide Referendum on a Full Regional Performing Arts Facilities Service report be received for information and policy options for sub-regional performing arts facilities services be considered.

Director Mersereau left the meeting at 1:54 pm

Discussion ensued regarding:

- Committee discussion
- Alternative approval process
- Regional support
- Alternative approaches to a regional service
- Sub-regional service

Director Martin left the meeting at 2:23 pm.

**Referral Motion**

**MOVED** by Director Screech, **SECONDED** by Alternate Director Brent,  
**That the matter be referred to the strategic planning session of the new CRD Board.**

Discussion ensued regarding:

- Merits of referral motion
- Divisiveness of issue
- Strategic planning session

**The question was called on the referral motion.**

**That the matter be referred to the strategic planning session of the new CRD Board.**

**CARRIED**

**Opposed:** Hicks, Isitt, Loveday, Ranns, Taylor, Williams, Windsor

**Regional Parks Committee****8.7. [22-056](#) Regional Parks - Strategic Plan Update**

L. Hutcheson spoke to Item 8.7.

**MOVED** by Director Young, **SECONDED** by Director Ranns,

**1. That the proposed values and mission statements and proposed priorities be accepted for stakeholder, First Nations and public input.**

Discussion ensued regarding:

- Priorities
- Indigenous relationships
- Conservation and protection of biodiversity

**MOVED** by Director Helps, **SECONDED** by Director Loveday,

**That the main motion be amended to add the following words after the words "public input":**

**"and that a lens of conservation and protection of biodiversity be applied to these priorities and process".**

Discussion ensued regarding:

- Biodiversity
- Mission statement, values and principles
- Balance of recreation and conservation
- Pre-amble statement

Staff stated that public engagement materials will reflect the over-arching priority of conservation and protection of biodiversity.

**MOVED** by Director Williams, **SECONDED** by Director Helps,

**That the amending motion be further amended by removing the fifth bullet beginning with "strengthening the balance" in Appendix C.**

**CARRIED**



Director Mersereau returned to the meeting at 3:33 pm.

The question was called on the amendment as amended:

**Add the following words after the words "public input":**

**“and that a lens of conservation and protection of biodiversity be applied to these priorities and process, and that the fifth bullet beginning with “strengthening the balance” in Appendix C be removed”.**

**CARRIED**

**Opposed: Brent, McNeil-Smith, Mersereau, Murdoch, Plant, Ranns, Seaton, Tait, Young, Windsor**

The question was called on the main motion as amended:

**1. That the proposed values and mission statements and proposed priorities be accepted for stakeholder, First Nations and public input, and that a lens of conservation and protection of biodiversity be applied to these priorities and process, and that the fifth bullet beginning with “strengthening the balance” in Appendix C be removed.**

**CARRIED**

**MOVED by Director Young, SECONDED by Director Ranns,**

**2. That the following stakeholder groups be considered:**

**a) That the following parties that deliver key services throughout Sooke and JDF Region, be invited to participate as key stakeholders in the strategic planning process:**

**Sooke Region Historical Society (Museum and Visitor Info Centre), Wild Wise Sooke and the Sooke Region Communities Health Network (SRCHN),**

**b) Our Earth Our Future, Climate Justice Victoria, Salt Spring Island Trail and Nature Club, Victoria Community Association Network, Saanich Community Association Network, and community associations in Colwood, Oak Bay, Highlands and elsewhere in the region.**

**MOVED by Director Taylor, SECONDED by Director Loveday,**

**That the main motion be amended to add the Vancouver Island Slacklining Association to 2b.**

**CARRIED**

The question was called on the main motion as amended:

**2. That the following stakeholder groups be considered:**

**a) That the following parties that deliver key services throughout Sooke and JDF Region, be invited to participate as key stakeholders in the strategic planning process:**

**Sooke Region Historical Society (Museum and Visitor Info Centre), Wild Wise Sooke and the Sooke Region Communities Health Network (SRCHN),**

**b) Our Earth Our Future, Climate Justice Victoria, Salt Spring Island Trail and Nature Club, Victoria Community Association Network, Saanich Community Association Network, and community associations in Colwood, Oak Bay, Highlands and elsewhere in the region, and the Vancouver Island Slacklining Association.**

**CARRIED**

**MOVED by Director Young, SECONDED by Director Ranns,**

**3. That the South Island Disc Golf Society be added to the list of stakeholders.**

**MOVED by Director Murdoch, SECONDED by Director Screech,**

That the main motion be amended to add the words "for consideration" after the word "stakeholders".

Discussion ensued regarding

- Stakeholders
- Public engagement process
- Committee consideration of stakeholders

The question was called on the amendment:

That the main motion be amended to add the words "for consideration" after the word "stakeholders".

**CARRIED**

**Opposed: Brent, Brice, Isitt, Loveday, Mersereau, Young**

The question was called on the main motion as amended:

**3. That the South Island Disc Golf Society be added to the list of stakeholders for consideration.**

**CARRIED**

**MOVED by Director Young, SECONDED by Director Ranns**

**4. That the following proposed vision statement be accepted for the new CRD Regional Parks Strategic Plan prior to seeking input from stakeholders, First Nations and the public:**

**We work cooperatively and respectfully to steward and expand an exceptional system of regional parks and trails that is rich in biodiversity and cultural heritage, resilient to change, connects people to nature and provides healthy outdoor experiences for all.**

**CARRIED**

Director Windsor left the meeting at 3:48 pm

Discussion ensued regarding

- Public input
- Strategic planning process

## **9. BYLAWS**

### **9.1. [22-109](#)**

Bylaw 4085 - "SSI Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2021"

**MOVED by Director Holman, SECONDED by Director Mersereau,**

**That Bylaw 4085 - "SSI Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2021" be adopted.**

**CARRIED**

### **9.2. [22-105](#)**

Bylaw 4468 - "Capital Regional District Climate Action and Adaptation Service Establishment Bylaw, 2008, Amendment Bylaw No. 2, 2021"

**MOVED by Director Mersereau, SECONDED by Alternate Director Brent,**

**That Bylaw 4468 - "Capital Regional District Climate Action and Adaptation Service Establishment Bylaw, 2008, Amendment Bylaw No. 2, 2021" be adopted.**

**CARRIED**

**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. [22-100](#) Motion to Close the Meeting**

**MOVED by Director Mersereau, SECONDED by Director Loveday,**

**1. That the meeting be closed for Appointments in accordance with Section 90(1)(a) of the Community Charter.**

**CARRIED**

**MOVED by Director Mersereau, SECONDED by Director Loveday,**

**2. That the meeting be closed for Labour Relations under Section (90)(1)(c) of the Community Charter.**

**CARRIED**

**MOVED by Director Mersereau, SECONDED by Director Loveday,**

**3. That the meeting be closed for Land Acquisition in accordance with Section 90(1)(e) of the Community Charter.**

**CARRIED**

**MOVED by Director Mersereau, SECONDED by Director Loveday,**

**4. That such disclosures could reasonably be expected to harm the interests of the Regional District.**

**CARRIED**

**MOVED by Director Mersereau, SECONDED by Director Loveday,**

**5. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter.**

**CARRIED**

The Capital Regional District Board moved to the closed session at 3:58 pm.

**13. RISE AND REPORT**

The Capital Regional District Board rose from the closed session at 5:44 pm and reported on the following items:

In accordance with the Regional Housing Advisory Committee Terms of Reference, that the following be appointed to the Regional Housing Advisory Committee for a term expiring December 31, 2023: Andrea Hudson, Bill Brown, Brian Green, Danielle Deni, David Corey, Kathy Whitcher, Kerriann Coady, Kirsten Baillie, Lindsay Chase, Nadine Kawata,

In accordance with Bylaw No. 3727, that the following be appointed to the Salt Spring Island Community Economic Development Commission for a term expiring December 31, 2023: Gerard Zentner, Theresa Duynstee

In accordance with Bylaw No. 3693, that the following be appointed to the SSI - Fernwood and Highland Water Service Commission for a term expiring December 31, 2023: Carolin Wentworth

In accordance with Victoria Family Court and Youth Justice Constitution, that the following be appointed to the Victoria Family Court and Youth Justice Committee for a term expiring December 31, 2023: Bill McElroy

That a CAO Recruitment Selection Committee consisting of the CRD Board Chair (Chair of the Committee); the CRHD Board Chair; the CRHC Board Chair; and the Chairs of the CRD Board Standing Committees, as set out in Appendix A, be approved, and that in the event that someone declines the Chair be given the opportunity to appoint a replacement.

**14. ADJOURNMENT**

MOVED by Director Mersereau, SECONDED by Director Desjardins,  
That the February 9, 2022 Capital Regional District Board meeting be adjourned at 5:45 pm.  
CARRIED

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**CHAIR**

**CERTIFIED CORRECT:**

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**CORPORATE OFFICER**