

Meeting Minutes

Capital Regional District Board

Wednesday, October 12, 2022

1:10 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT:

C. Plant (Chair), R. Mersereau (Vice Chair), D. Blackwell, P. Brent, S. Brice, B. Desjardins (EP), F. Haynes (1:56 pm) (EP), L. Helps, M. Hicks, G. Holman, B. Isitt (EP), J. Loveday, C. McNeil-Smith, R. Martin, K. Murdoch, G. Orr, J. Ranns, D. Screech, L. Seaton, M. Tait (1:42 pm), 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; D. Elliot, Senior Manager, Housing; S. Henderson, Manager, Real Estate Services; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

The meeting was called to order at 1:18 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

A Territorial Acknowledgement was provided in a preceding meeting.

2. APPROVAL OF THE AGENDA

MOVED by Director Helps, **SECONDED** by Director Blackwell,
That the agenda for the October 12, 2022 Session of the Capital Regional District Board be approved.
CARRIED

3. ADOPTION OF MINUTES

3.1. [22-601](#) Minutes of the August 10, 2022 and the minutes of the September 21, 2022 Capital Regional District Board meetings

MOVED by Director Orr, **SECONDED** by Director Murdoch,
That the minutes of the Capital Regional District Board meetings of August 10, 2022 and September 21, 2022 be adopted as circulated.
CARRIED

3.2. [22-615](#) Minutes of Previous Committee and Commission Meetings

MOVED by Director Orr, **SECONDED** by Director Murdoch,

1. That the minutes of the Committee of the Whole meeting of May 11, 2022 be adopted as circulated.

2. That the minutes of the CAO Recruitment Selection Committee meeting of July 20, 2022 be adopted as circulated.

3. That the minutes of the Committee of the Whole meeting of September 21, 2022 be adopted as circulated.

CARRIED

4. REPORT OF THE CHAIR

Good afternoon. It's hard to believe it's been only four years. And it's hard to believe it's been FOUR years. Regardless how you look at it, this has been an effective term and Board of Directors for the CRD. Some sitting here would like to have seen us do more, others perhaps less. But at the end of the day we have remained a respectful, contemplative and effective and we moved forward together. We opened a wastewater treatment facility in the Core that saw our region start treating wastewater after debating about it for decades. We continued to buy land for future park use and ecological preservation. We invited First Nations members to sit with us on committees and we declared a Climate Emergency. And we did much of this under the challenging situations of a world pandemic that had great impact here in the CRD. We did a lot. This 59 page document of our Board Highlights will be attached to my final Board Chair Memo tomorrow. We started doing these highlights in November 2019 and there is a full year's worth of work that we did that is not included. Thank you to the men and women of this Board and this entire organization for the incredible work you. Today I am going to be serving a Notice of Motion later in the meeting regarding supporting the Greater Victoria Harbour Authority's pursuit of shore power. I hope you will raise your voice with me to see the GVHA develop shore power to lower emissions in our region from visiting cruise ships. Today is the last meeting of the board and I'd like to acknowledge some Directors who have made the decision to not seek re-election to the CRD and/or their local government role. Thanks Bob Lapham. He has been a steady hand these past four years and has helped set the organization up for future success. And on behalf of the board we wish Ted Robbins and the future board of directors nothing but success. There is always more to do. I'm going to request that at the end of this meeting we take another Board photo like we did when we first were inaugurated. Maybe we can even sit and stand in the same place. So take a look at that photo. And finally; to thank each other. Let's get on with our meeting.

5. PRESENTATIONS/DELEGATIONS

There were no presentations or delegations.

6. CONSENT AGENDA

Agenda item 6.1. was moved to be considered under Administration Reports as item 7.7.

Agenda item 6.2. was moved to be considered under Reports of Committees as item 8.7.

**MOVED by Director Windsor, SECONDED by Director Mersereau,
That consent agenda items 6.3. through 6.13. be approved.
CARRIED**

- 6.3.** [22-227](#) Wastewater Treatment Project (WTP) Final Funding and Financing Strategy Performance

This Informational Report was received for information.
- 6.4.** [22-573](#) Core Area Inflow & Infiltration Program - 2022 Summary

This Informational Report was received for information.
- 6.5.** [22-597](#) 2022/23 B.C. Active Transportation Infrastructure Grant Application - Merchant Mews Pathway

That approval be given to submit a 2022/23 Active Transportation Infrastructure grant application for the Salt Spring Island Electoral Area Merchant Mew pathway project in the amount of \$130,000; and further that the project proceed as soon as project funding is approved and local weather conditions allow.
CARRIED
- 6.6.** [22-610](#) Saturna Island Fire Medical Patient Transportation (Alternate Director Brent)

That staff be directed to report back with amendments to Bylaw No. 2165, "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No. 1, 1993" to include medical patient transportation.
CARRIED
- 6.7.** [22-572](#) Regional Housing First Program: Project Update, Third Quarter, 2022

This Informational Report was received for information.
- 6.8.** [22-538](#) Development Permit with Variance for Lot 14, Section 97, Sooke District, Plan 14282 - 35 Seagirt Road

That Development Permit with Variance DV000090, for Lot 14, Section 97, Sooke District, Plan 14282, to vary Juan de Fuca Land Use Bylaw No. 2040, Part 2, Section 10.09(b) by reducing the side yard setback requirement from 6 m to 3 m to authorize construction of a single family dwelling with secondary suite and related services, be approved.
CARRIED

- 6.9. [22-537](#) Development Permit with Variance for Strata Lot 5, Section 16, Otter District, Strata Plan VIS7096 - 11-7450 Butler Road
- That Development Permit with Variance DV000087, for Strata Lot 5, Section 16, Otter District, Strata Plan VIS7096 to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 27B.09(d)(ii) by reducing the rear yard setback requirement from 4.5 m to 0.6 m for the purpose of constructing an industrial building and to authorize the siting of a permanent shipping container, be approved.
- CARRIED
- 6.10. [22-541](#) Juan de Fuca Water Distribution Service 2023 Operating and Capital Budget
1. Approve the 2023 Operating and Capital Budget and the Five Year Capital Plan;
 2. Approve the 2023 Juan de Fuca Water Distribution Service retail water rate of \$2.5466 per cubic metre, adjusted if necessary, by any change in the Regional Water Supply wholesale water rate;
 3. Direct staff to balance the 2022 actual operating deficit or surplus on the 2022 capital fund transfer; and
 4. Direct staff to amend the Water Distribution Local Service Conditions, Fees and Charges Bylaw accordingly.
- CARRIED
- 6.11. [22-567](#) Regional Water Service 2023 Operating and Capital Budget
1. Approve the 2023 Operating and Capital Budget and the Five Year Capital Plan;
 2. Approve the 2023 wholesale water rate of \$0.7698 per cubic metre;
 3. Approve the 2023 agricultural water rate of \$0.2105 per cubic metre;
 4. Direct staff to balance the 2022 actual revenue and expense on the transfer to the water capital fund; and
 5. Direct staff to amend the Water Rates Bylaw accordingly.
- CARRIED
- 6.12. [22-561](#) Saanich Peninsula Wastewater Service 2023 Operating and Capital Budget
1. Approve the 2023 Saanich Peninsula trunk sewers, treatment and disposal operating and capital budget and the 2023 Saanich Peninsula Liquid Waste Management Plan (LWMP) program budgets including the LWMP administration budget, the Saanich Peninsula Stormwater Quality Management Program budget and the Saanich Peninsula Stormwater Source Control budget, and the Harbours Environmental Action Service (Peninsula) budget;
 2. Direct staff to update carry forward balances in the 2023 Capital Budget for changes after year end; and
 3. Direct staff to balance the 2022 actual revenue and expense on the transfer to capital reserve fund.
- CARRIED

6.13. [22-559](#) Saanich Peninsula Water Service - 2023 Operating and Capital Budget

1. Approve the 2023 operating and capital budget;
2. Approve the 2023 Saanich Peninsula bulk water rate of \$1.1439 per cubic metre, and Agricultural Research Station water rate of \$1.1791 per cubic metre, adjusted if necessary by any changes in the CRD Regional Water Supply wholesale water rate;
3. Direct staff to balance the 2022 actual revenue and expense on the transfer to capital reserve fund;
4. Direct staff to update carry forward balances in the 2023 Capital Budget for changes after year end; and,
5. Direct staff to amend the Bulk Water Rates Bylaw accordingly.

CARRIED

7. ADMINISTRATION REPORTS**7.1.** [22-583](#) CAO Quarterly Progress Report No. 3, 2022

R. Lapham spoke to Item 7.1.

This Informational Report was received for information.

7.2. [22-525](#) Bylaw No. 4513: Revenue Anticipation (General Purpose) Bylaw No. 1, 2022

N. Chan spoke to Item 7.2.

MOVED by Director Orr, SECONDED by Director Murdoch,

1. That Bylaw No. 4513, "Revenue Anticipation Borrowing (General Purpose) Bylaw No. 1, 2022", be introduced and read a first, second, and third time.

CARRIED

MOVED by Director Orr, SECONDED by Director Murdoch,

2. that Bylaw No. 4513 be adopted.

CARRIED

7.3. [22-546](#) Bylaw No. 4515: Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022

N. Chan spoke to Item 7.3.

Alternate Director Bateman left the meeting via Electronic Participation at 1:42 pm.

Director Tait joined the meeting in person at 1:42 pm.

MOVED by Director Mersereau, **SECONDED** by Director Tait,

1. That Bylaw No. 4515, "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022", be introduced and read a first, second and third time.

CARRIED

MOVED by Director Mersereau, **SECONDED** by Director Tait,

2. That Bylaw No. 4515 be referred to the Inspector of Municipalities for approval, and if received, that staff conduct an alternative approval process for the entire service area, as per section 345 of the Local Government Act, and, if successful, that Bylaw 4515 then be brought forward for adoption.

CARRIED

7.4. [22-529](#) Bylaw No. 4516: Financial Plan Amendment No. 3, 2022

N. Chan spoke to Item 7.3.

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

1. That Bylaw No. 4516, "2022 to 2026 Financial Plan Bylaw, 2022, Amendment Bylaw No. 3, 2022", be introduced and read a first, second, and third time.

CARRIED

MOVED by Director Mersereau, **SECONDED** by Director Williams,

2. That Bylaw No. 4516 be adopted.

CARRIED

7.5. [22-565](#) Bylaw No. 4521: Capital Regional District Regional Services Operating Reserve Funds Bylaw No. 1, 2016, Amendment No. 3, 2022

N. Chan spoke to Item 7.5.

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

1. That Bylaw No. 4521, "Capital Regional District Regional Services Operating Reserve Fund Bylaw No. 1, 2016, Amendment No. 3, 2022", be introduced and read a first, second and third time.

CARRIED

MOVED by Director Mersereau, **SECONDED** by Director Williams,

2. That Bylaw No. 4521 be adopted.

CARRIED

7.6. [22-593](#) Bylaw No. 4522 - Regional Goose Management Service

L. Hutcheson spoke to Item 7.6.

Discussion ensued regarding:

- implementation of service strategy
- First Nations participation
- ecological and agricultural benefits
- harvesting strategies including non-lethal harvesting
- limitations of service

MOVED by Director Hicks, SECONDED by Director Mersereau,

1. That Bylaw No. 4522, "Canada Goose Management Service Establishment Bylaw No. 1, 2022", be introduced and read a first, second, and third time.

CARRIED

MOVED by Director Windsor, SECONDED by Director Mersereau,

2. That participating area approval be obtained by regional alternative approval process; and

3. That Bylaw No. 4522 be forwarded to the Inspector of Municipalities for review of the elector approval method.

CARRIED

7.7. [22-569](#) Capital Regional District External Grants Update

N. Chan spoke to Item 7.7.

Discussion ensued regarding:

- process of reporting out on grant funding
- quantity of public and confidential grants
- zero emission vehicle
- communications protocol for announcing grant awards

This Informational Report was received for information.

Director Haynes joined the meeting electronically at 1:56 pm.

8. REPORTS OF COMMITTEES**Electoral Areas Committee****8.1.** [22-530](#) Bylaw No. 4514: Tax Exemption (Permissive) Bylaw, 2022

MOVED by Director Hicks, SECONDED by Alternate Director Brent,

1. That Bylaw No. 4514, "Tax Exemption (Permissive) Bylaw, 2022", be introduced and read a first, second and third time.

CARRIED

MOVED by Director Hicks, SECONDED by Alternate Director Brent,

2. That Bylaw No. 4514 be adopted.

CARRIED

Environmental Services Committee

8.2. [22-486](#) BC Local Government Climate Action Program - Funding Distribution

MOVED by Director Taylor, SECONDED by Director Helps,

1. That the funding associated with the new BC Local Government Climate Action Program in 2022, 2023 and 2024 be distributed as follows: \$79,496 for CRD Climate Action Service; \$11,512 for Juan de Fuca Electoral Area; \$24,552 for Salt Spring Island Electoral Area; and \$10,522 for Southern Gulf Islands Electoral Area.

2. That the CRD Board allocate \$73,150 of the funding available through reserves to help complete the Vancouver Island and Coastal Communities Climate Leadership Plan.

CARRIED

8.3. [22-566](#) Award of Contract ERM2022-006 - Curbside Collection of Packaging and Printed Paper

MOVED by Director Taylor, **SECONDED** by Director Blackwell,

1. That staff be directed to enter into a six-year contract with GFL Environmental Incorporated to provide residential curbside blue box collection from January 1, 2024 to December 31, 2029; and,
2. That the Chief Administrative Officer be authorized to execute the contract and do all things incidental to finalizing the agreement.

Discussion ensued regarding:

- service delivery timeline
- increase in vehicle volume
- in-house service delivery analysis
- procurement method

Referral Motion

MOVED by Director Isitt, **SECONDED** by Director Loveday,

To refer the report back to staff to undertake a proper business case analysis of in-house delivery of this service and report back to the Board as soon as practical.

Discussion ensued regarding:

- timeline of service
- in-house delivery analysis in future
- funding model
- living wage policy
- service continuity
- update on glass collection
- supply chain issues with creating a new service

The question was called on referral motion:

To refer the report back to staff to undertake a proper business case analysis of in-house delivery of this service and report back to the Board as soon as practical.

DEFEATED

Opposed: Blackwell, Brent, Brice, Desjardins, Helps, Hicks, Holman, Martin, McNeil-Smith, Mersereau, Murdoch, Orr, Plant, Ranns, Screech, Seaton, Tait, Taylor, Williams, Windsor, Young

Director Haynes was not present for the vote when called upon by the Chair.

The question was called on the main motion:

1. That staff be directed to enter into a six-year contract with GFL Environmental Incorporated to provide residential curbside blue box collection from January 1, 2024 to December 31, 2029; and,
2. That the Chief Administrative Officer be authorized to execute the contract and do all things incidental to finalizing the agreement.

CARRIED

Opposed: Isitt, Loveday

Motion Arising

MOVED by Director Isitt, **SECONDED** by Director Loveday,

That the Board direct staff to report back to the Finance Committee on a

mechanism for reviewing the delivery model prior to the commencement of procurement for the next recycling collection contract.

CARRIED

Referral Motion

MOVED by Director Screech, **SECONDED** by Director Tait,

That the motion arising be referred to the Environmental Services Committee of the new CRD Board.

CARRIED

Opposed: Isitt, Loveday, Ranns

8.4. [22-558](#) Hartland Area Road Access Mitigation

Discussion ensued regarding:

- technical analysis with regard to the investments
- consultation with community associations and municipal staff
- options for passing lane

MOVED by Director Taylor, **SECONDED** by Director Hicks,

1. That Kirk & Co.'s recommended community options be approved and funded to a maximum of \$4 million from the 2023 Environmental Resource Management capital budget; and

2. That staff work with the District of Saanich to finalize the identified intersection improvements prior to moving forward with the Willis Point Road parking lot.

3. That staff reassess options for a passing lane.

CARRIED

Juan de Fuca Land Use Committee

8.5. [22-539](#) Zoning Bylaw Amendment to Add Detached Accessory Suite as a Permitted Accessory Use in the Wildwood Terrace 4 (WT-4) Zone

MOVED by Director Hicks, **SECONDED** by Director Blackwell,

1. That the referral of proposed Bylaw No. 4496, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 156, 2022", to the Shirley-Jordan River 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 Section, Island Health, Ministry of Transportation & Infrastructure, Pacheedaht First Nation, RCMP, Sooke School District #62, and T'Sou-ke First Nation be approved and the comments received.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,

2. That proposed Bylaw No. 4496 be introduced and read a first time and read a second time.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,

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. 4496.

CARRIED

- 8.6. [22-544](#) Zoning Amendment for That Part of Section 17, Otter District, Lying East of Otter Point Road, Except Parcel C (DD43782I) And Except Parts in Plans 3054 And 17721 - 3542 & 1-3542 Otter Point Road

MOVED by Director Hicks, **SECONDED** by Director Blackwell,

a) That the referral of proposed Bylaw No. 4423, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 153, 2021" to the Otter Point Advisory Planning Commission; the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission; CRD departments; BC Hydro; Department of Fisheries and Oceans; District of Sooke; Ministry of Agriculture; Ministry of Environment and Climate Change Strategy; Ministry of Forests, Lands and Natural Resource Operations; Ministry of Transportation and Infrastructure; RCMP; Sooke School District #62; and T'Sou-ke First Nation be approved and the comments received.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,

b) That proposed Bylaw No. 4423, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 153, 2021" be introduced and read a first time and read a second time.

CARRIED

MOVED by Director Hicks, **SECONDED** by Director Blackwell,

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. 4423.

CARRIED

- 8.7. [22-599](#) McLoughlin Point Wastewater Treatment Plant - Performance Period Closeout

Discussion ensued regarding:

- public response to odours from the wastewater treatment plant
- contractual obligations

Motion Arising

MOVED by Director Blackwell, **SECONDED** by Director Seaton,

That the committee request that staff return with a report prior to signing off that outlines the work and commitments that will be done to alleviate odour issues at this plant and that the zoning odour standards are met as per expectations and that the expectations within the Township of Esquimalt letter is addressed.

CARRIED

9. BYLAWS

There were no bylaws for consideration.

10. NOTICE(S) OF MOTION

10.1. [22-619](#) Notice of Motion (same day): GVHA Letter of Support for Shore Power Project Funding (Chair Plant)

Chair Plant proposed the following Notice of Motion with same day consideration:

"Whereas the introduction of Shore Power is in the interests of the Capital Regional District's residents,
And Whereas the introduction of Shore Power will lessen the carbon footprint of cruise ships and other vessels docking at Ogden Point,
Be it resolved, That the Chair write a letter of support for funding of this project on behalf of the CRD Board be sent to Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities.
And be it further resolved if further opportunities to advocate for the GVHA shore power project in the CRD be available the Board Chair undertake that work."

**MOVED by Director Windsor, SECONDED by Director McNeil-Smith,
That same day consideration be applied to the Notice of Motion.
CARRIED**

**MOVED by Director Mersereau, SECONDED by Director Loveday,
Whereas the introduction of Shore Power is in the interests of the Capital Regional District's residents,
And Whereas the introduction of Shore Power will lessen the carbon footprint of cruise ships and other vessels docking at Ogden Point,
Be it resolved, That the Chair write a letter of support for funding of this project on behalf of the CRD Board be sent to Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities.
And be it further resolved if further opportunities to advocate for the GVHA shore power project in the CRD be available the Board Chair undertake that work.
CARRIED**

11. NEW BUSINESS

There was no new business.

12. MOTION TO CLOSE THE MEETING

12.1. [22-611](#)

Motion to Close the Meeting

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

1. That the meeting be closed for Labour Relations in accordance with Section 90(1)(c) of the Community Charter.

CARRIED

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

2. 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 Blackwell,

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

CARRIED

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

4. That the meeting be closed for Legal Update in accordance with Section 90(1) (i) of the Community Charter.

CARRIED

The Capital Regional District Board recessed at 3:12 pm and moved to the Closed Session at 3:49 pm.

13. RISE AND REPORT

The Capital Regional District Board rose from its closed session at 4:45 pm without report.

14. ADJOURNMENT

MOVED by Director Seaton, **SECONDED** by Director Taylor,

That the October 12, 2022 Capital Regional District Board meeting be adjourned at 4:46 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER