

Meeting Minutes

Capital Regional District Board

Wednesday, February 8, 2023

1:05 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT

DIRECTORS: C. Plant (Chair), M. Tait (Vice Chair), M. Alto, P. Brent, S. Brice, J. Brownoff (1:14 pm), J. Caradonna, C. Coleman, Z. de Vries, B. Desjardins, S. Goodmanson, G. Holman, P. Jones, D. Kobayashi, M. Little, C. McNeil-Smith, K. Murdoch, D. Murdock (1:26 pm), L. Szpak, D. Thompson, S. Tobias, A. Wickheim, K. Williams, R. Windsor (EP)

STAFF: T. Robbins, Chief Administrative Officer; N. Chan, Chief Financial Officer; G. Harris, Acting General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; I. Jesney, Acting General Manager, Integrated Water Services; M. Barnes, Senior Manager, Health and Capital Planning Strategies; D. Elliot, Senior Manager, Regional Housing; J. Leahy, Senior Manager, Regional Parks; E. Sinclair, Senior Manager, Regional and Strategic Planning; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

The meeting was called to order at 1:04 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

A Territorial Acknowledgement was provided in a preceding meeting.

2. APPROVAL OF THE AGENDA

MOVED by Director Thompson, **SECONDED** by Director Brent,
That the agenda for the February 8, 2023 Session of the Capital Regional District Board be approved with the following amendments:
- amendment of recommendation for Item 6.1. Enforcement Practices for Alternative Forms of Housing
- addition of Item 6.14. Rise and Report from Committee of the Whole
- addition of Item 8.3.b. Notice of Motion (same day) Juan de Fuca Connectivity Letter of Support
CARRIED

3. ADOPTION OF MINUTES

3.1. [23-114](#) Minutes of the January 11, 2023 Capital Regional District Board Meeting

MOVED by Director Tait, **SECONDED** by Director Goodmanson,
That the minutes of the Capital Regional District Board meeting of January 11,
2023 be adopted as circulated.

CARRIED

4. REPORT OF THE CHAIR

The Chair welcomed staff, directors and the public and thanked everyone for attending today's meeting. He congratulated the Board on unanimously agreeing on the strategic priorities, and said that it is a wonderful sign that the CRD Board is working together effectively. He looks forward to seeing how the strategic priorities manifests within the CRD's corporate plan that staff will be bringing to the Board at a future date. He thanked staff for their work.

5. PRESENTATIONS/DELEGATIONS

5.1. Presentations

5.1.1. [23-136](#) Presentation: Larry Stevenson (Chief Executive Officer), Island Corridor Foundation; Re: Rail on Vancouver Island Update

L. Stevenson provided a presentation regarding an update on the Island Corridor Foundation.

Discussion ensued regarding:

- services included in the business plan
- provincial funding
- land use development benefit
- implications of decommissioning the railway
- regional district support across the island

5.2. Delegations

5.2.1. [23-142](#) Delegation - Eric Hughes; Resident of Sooke: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road

E. Hughes spoke to Item 8.1.

5.2.2. [23-144](#) Delegation - Linda Gordon; Resident of Sooke: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road

L. Gordon spoke to Item 8.1.

- 5.2.3. [23-145](#) Delegation - Travis Moreau; Resident of Sooke: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road
T. Moreau spoke to Item 8.1.
- 5.2.4. [23-146](#) Delegation - Philippe Lucas; Representing Biosolid Free BC: Re: Agenda Item 8.5. Biosolids Short-term Contingency Beneficial Use Plan
P. Lucas spoke to Item 8.5.
- 5.2.5. [23-147](#) Delegation - Liv Desaulniers; Representing 1291956 BC ULC: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road
L. Desaulniers spoke to Item 8.1.
- 5.2.6. [23-150](#) Delegation - Jordan Reichert; Representing Animal Alliance of Canada: Re: Agenda Item 7.1. AAP Results & Adoption for Bylaw 4522 - Regional Goose Management Service
J. Reichert spoke to Item 7.1.
- 5.2.7. [23-151](#) Delegation - Jonathan O'Riordan; Peninsula Biosolids Coalition: Re: Agenda Item 8.5. Biosolids Short-term Contingency Beneficial Use Plan
J. O'Riordan spoke to Item 8.5.

6. CONSENT AGENDA

Item 6.7. was removed from the consent agenda and moved to be considered under Reports of Committees as item 8.6.

**MOVED by Director Thompson, SECONDED by Director Alto,
That the consent agenda Items 6.1. through 6.6. and Items 6.8. through 6.14. be approved.
CARRIED**

- 6.1. [23-087](#) Enforcement Practices for Alternative Forms of Housing
**That the Enforcement Practices for Alternative Forms of Housing report be referred back to staff for further review based on Electoral Areas Committee direction.
CARRIED**
- 6.2. [23-128](#) Ability to Regulate Wood Burning Appliances and Air Quality on Salt Spring Island
This report was received for information.

6.3. [23-132](#) Request for Governance Study of Magic Lake Estates, North Pender Island

That the Capital Regional District Board reiterate its support for the resolution passed on February 9, 2022, to 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

6.4. [23-009](#) Evaluation of Passing Lane on Willis Point Road

This report was received for information.

6.5. [23-094](#) 2023 Appointments Advisory Committee

That the membership of the Appointments Advisory Committee for 2023 include Governance Committee Chair Little and the following two committee members: Director Goodmanson, and Director Brice.

CARRIED

6.6. [23-100](#) Consideration of a Board Code of Conduct

1. That the CRD Board endorse development of a code of conduct to establish shared expectations of responsible conduct and behavior of CRD Directors; and,
2. That staff be directed to report back to Governance Committee with resources and examples to facilitate development of the code of conduct.

CARRIED

- 6.8. [23-020](#) Provision of Park Land for Subdivision Application SU000748 in Port Renfrew, BC, for The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except that part shown coloured red on Plan 346-R and except those parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; AND The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District except those parts in Plans 5109, 24267, and 24755

That in accordance with Section 510 of the Local Government Act, park dedication in the amount of 5% that encompasses the area required for trail be required for proposed subdivision of The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346R and Except those Parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; PID: 000-468-291 and The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755; PID: 009-565-787 (SU000748), except that a lesser amount may be acceptable where the owner agrees to register a Statutory Right-of-way located on the common property of the proposed strata to the Capital Regional District connecting Beachview Drive to the established Statutory Right-of-Way shown on plan VIP50141, and that the owner agrees to construct a trail built to JdF Community Parks and Recreation standards prior to subdivision approval; and that the owner is requested to retain native vegetation on the land adjacent to the trail.

CARRIED

- 6.9. [23-021](#) 2023 Transportation Committee Terms of Reference

That the Transportation Committee terms of reference be amended to replace the words “sustainability measures” with the words “climate action and sustainability goals”.

CARRIED

- 6.10. [23-024](#) Update on Transportation Priorities

This report was received for information.

- 6.11. [23-025](#) Regional Cycling Facility Classification

That the regional cycling facility classification be referred back to staff to have further discussion through the Transportation Working Group.

CARRIED

- 6.12. [23-127](#) Referral to Traffic Safety Commission - Review of E-bikes and Micro Mobility Options

That the CRD Board ask that the Traffic Safety Commission review e-bikes and micro-mobility as it relates to personal use and safety in the capital district.

CARRIED

6.13. [23-115](#) 2023 Committee and External Membership Appointments - Update #2

That the Board endorse the external appointments and nominations put forward in the attachment.

CARRIED

6.14. **23-212** Report from Committee of the Whole - 2023-2026 Board Strategic Priorities

That staff are directed to proceed with development of the 2023-2026 Board Strategic Priorities inclusive of the strategic priorities identified by the Committee of the Whole in the strategic planning workshop and that staff report back to the Board at the March 8th meeting.

CARRIED

7. ADMINISTRATION REPORTS

7.1. [23-104](#) AAP Results & Adoption for Bylaw 4522 - Regional Goose Management Service Establishment

K. Morley spoke to 7.1.

Discussion ensued regarding:

- feedback opportunities regarding outcomes of the service
- geese population
- alternative approval process
- social media engagement

MOVED by Director Tait, **SECONDED** by Director de Vries,

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4522 (Appendix B) be received.

CARRIED

MOVED by Director Tait, **SECONDED** by Director Brent,

2. That Bylaw No. 4522, "Canada Goose Management Service Establishment Bylaw No. 1, 2022" be adopted.

CARRIED

Opposed: Desjardins, Tobias

7.2. [23-105](#) AAP Results & Adoption for Bylaw 4515 - Solid Waste Disposal Loan Authorization

K. Morley spoke to Item 7.2.

Discussion ensued regarding the scope of funding for the loan authorization.

MOVED by Director Tait, SECONDED by Director Brice,

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received.

CARRIED

MOVED by Director Tait, SECONDED by Director Brice,

2. That Bylaw No. 4515, "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022" be adopted.

CARRIED

7.3. [23-121](#) Capital Regional District Signage Guidelines

T. Robbins spoke to Item 7.3.

Discussion ensued regarding public engagement, consultation and design.

MOVED by Director Tait, SECONDED by Director Szpak,

1. That staff be directed to proceed with implementing the CRD signage guidelines, with the exception of the Regional Parks entry signs (portal signs).

2. That staff be directed to bring the matter of Regional Parks entry signs to the Regional Parks Committee for further consideration.

CARRIED

8. REPORTS OF COMMITTEES

Juan de Fuca Land Use Committee

- 8.1. [23-010](#) Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road

Director Wickheim spoke to Item 8.1.

Discussion ensued regarding:

- the purpose of the tower and the application of the technology
- jurisdiction of tower
- referral process
- effects of increased marine activity
- co-location with other antennas

MOVED by Director Wickheim, **SECONDED** by Director Little,
That a statement of non-concurrence be provided to 1291956 BC UCL. for the proposed 49 m radio communication and broadcasting antenna system on Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290.

Referral Motion

MOVED by Director Tait, **SECONDED** by Director Kobayashi,
That the issue be referred back to the Juan de Fuca Land Use Committee to provide more clarity to the committee and area residents on the intention of the application.

CARRIED

Opposed: Wickheim

- 8.2. [22-688](#) Zoning Amendment Application for Strata Lot A (3692 Waters Edge Drive) & Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939, Together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form V

MOVED by Director Tait, **SECONDED** by Director Wickheim,
1. That the referral of proposed Bylaw No. 4519, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 159, 2022", to the Shirley-Jordan Advisory Planning Commission, CRD departments, BC Hydro; District of Sooke; the Archaeology Branch and Water Protection Section within the Ministry of Forests; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; the Pacheedaht First Nation; RCMP; Sooke School District #62; and the T'Sou-ke First Nation be approved and the comments received.

CARRIED

MOVED by Director Tait, **SECONDED** by Director Goodmanson,
2. That proposed Bylaw No. 4519 be introduced and read a first time and read a second time.

CARRIED

MOVED by Director Tait, **SECONDED** by Director Little,
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. 4519.

CARRIED

Electoral Areas Committee

- 8.3. [23-098](#) Bylaw No. 4535 - "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023"

MOVED by Director Brent, **SECONDED** by Director Holman,
1. That Bylaw No. 4535, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023", be introduced and read a first, second, and third time.
CARRIED

MOVED by Director Brent, **SECONDED** by Director Holman,
2. That Bylaw No. 4535 be adopted.
CARRIED

- 8.3.b. **23-172** Notice of Motion (same day): Juan de Fuca Connectivity Letter of Support

MOVED by Director Wickheim, **SECONDED** by Director Tobias,
That same day consideration be applied to the Notice of Motion.
CARRIED

MOVED by Director Wickheim, **SECONDED** by Director Tobias,
That the Board Chair provide a letter of support for funding from the Connecting Communities BC Fund to support increased high-speed broadband connectivity for the Jordan River and Shirley communities.
CARRIED

Governance Committee

- 8.4. [23-097](#) Bylaw 4540 - Election and Voting Procedures Bylaw Amendment

MOVED by Director Little, **SECONDED** by Director Goodmanson,
1. That Bylaw 4540, the "Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023" be introduced, read a first, second, and third time.
CARRIED

MOVED by Director Little, **SECONDED** by Director Goodmanson,
2. That Bylaw 4540 be adopted.
CARRIED

Environmental Services Committee

8.5. [23-052](#) Biosolids Short-term Contingency Beneficial Use Plan

Chair Desjardins spoke to Item 8.5.

**MOVED by Director Desjardins, SECONDED by Director Tobias,
Direct staff to look at alternative options and maintain the status quo for now.**

Discussion ensued regarding:

- long term management planning update
- solid waste management plan amendments related to land application
- update on contractor operations
- hauling of biosolids and concerns with carbon footprint and cost
- gasification

**MOVED by Director Caradonna, SECONDED by Director Desjardins,
That the motion be amended to remove the words "and maintain the status quo for now".**

Discussion ensued regarding:

- non-performance penalties with the contractor
- alternative options that exist to land application

**MOVED by Director Thompson, SECONDED by Director de Vries,
That the previous question to remove the words "and maintain the status quo for now" be called.**

CARRIED

The question was called:

That the motion be amended to remove the words "and maintain the status quo for now".

CARRIED

Opposed: Holman, Kobayashi, Little, Tait

Discussion ensued regarding:

- decisions made at committee
- cost of land filling compared to hauling
- clarification of status quo
- contamination standards and risks
- potential penalties to core area participants
- short term contingency options

Director Windsor left the meeting at 3:30 pm

**MOVED by Director McNeil-Smith, SECONDED by Director Holman,
That the motion be removed from the floor given that it is not giving direction to staff.**

The Chair ruled the motion out of order.

Director McNeil-Smith challenged the Chair.

The Chair called for a vote on whether the Chair shall be sustained.

DEFEATED

Opposed: Brent, Brice, Brownoff, de Vries, Jones, Holman, Kobayashi, Little, McNeil-Smith, Murdock, Szpak, Wickheim

The motion was considered by the Board to be not in order and removed from the floor.

**MOVED by Director de Vries, SECONDED by Director Szpak,
1. That the Capital Regional District (CRD) Board amend its policy to allow non-agricultural land application of biosolids as a short-term contingency alternative; and
2. That staff be directed to update the CRD's short-term biosolids contingency plan correspondingly.**

**MOVED by Director Desjardins, SECONDED by Director Williams,
That the motion be postponed until the April Board meeting.**

Discussion ensued regarding:
- future information impact on long term solutions
- compliance with provincial regulations
- public consultation
- additional testing on biosolids

**MOVED by Director de Vries, SECONDED by Director Tait,
That the previous question on postponing the item until the April Board meeting be called.**

CARRIED

Opposed: Alto, Caradonna, Williams

The question was called:
That the motion be postponed until April Board meeting.

DEFEATED

Opposed: Brent, Brice, Brownoff, Coleman, de Vries, Jones, Holman, Little, McNeil-Smith, Murdoch, Murdock, Plant, Szpak, Tait, Wickheim

**MOVED by Director de Vries, SECONDED by Director McNeil-Smith,
That the meeting be extended past the 3 hour scheduled time.**

CARRIED

Discussion ensued regarding:
- impacts of land application in other jurisdictions
- correspondence and engagement with Province
- landfill capacity

**MOVED by Director de Vries, SECONDED by Director Holman,
That the previous question on the main motion be called.**

DEFEATED

Opposed: Alto, Brownoff, Brice, Caradonna, Coleman, Desjardins, Jones, Kobayashi, Little, McNeil-Smith, Murdoch, Murdock, Plant, Thompson, Tobias, Wickheim, Williams

Discussion ensued regarding:
- consultation with Nanaimo Regional District
- global solutions for bio-solids

The question was called on the main motion:

1. That the Capital Regional District (CRD) Board amend its policy to allow non-agricultural land application of biosolids as a short-term contingency alternative; and
2. That staff be directed to update the CRD's short-term biosolids contingency plan correspondingly.

CARRIED

Opposed: Alto, Caradonna, Desjardins, Goodmanson, Kobayashi, Thompson, Tobias

- 8.6. [23-084](#) Provincial Decriminalization of Controlled Substances and the Clean Air Bylaw

Director Murdock left the meeting at 4:50 pm.

Discussion ensued regarding assistance with enforcement from Island Health related to a public health bylaw amendment.

This report was received for information.

9. BYLAWS

- 9.1. [23-117](#) Bylaw 4502 - "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022"

MOVED by Director de Vries, **SECONDED** by Director Tait,
That Bylaw 4502 - "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022" be adopted.
CARRIED

- 9.2. [23-118](#) Bylaw 4506 - "Regional Parks Loan Authorization Bylaw No. 1, 2022"

MOVED by Director McNeil-Smith, **SECONDED** by Director Tait,
That Bylaw 4506 - "Regional Parks Loan Authorization Bylaw No. 1, 2022" be adopted.
CARRIED

- 9.3. [23-119](#) Bylaw 4534 - "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2022"

MOVED by Director Brent, **SECONDED** by Director Tait,
That Bylaw 4534 - "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2022" be adopted.
CARRIED

10. NOTICE(S) OF MOTION

There were no Notice(s) of Motion.

11. NEW BUSINESS

11.1. 23-174 Motion Arising - E&N Rail Corridor

Discussion ensued regarding:

- previous correspondence
- collaboration with Members of Parliament, other regional districts and First Nations on Vancouver Island
- public engagement

MOVED by Director Caradonna, **SECONDED** by Director Tobias,
Direct the Board Chair to work with staff to continue with our regular advocacy with the provincial and federal government, and the Island Corridor Foundation, related to the upcoming E & N rail decision.

CARRIED

12. MOTION TO CLOSE THE MEETING

12.1. [23-122](#) Motion to Close the Meeting

MOVED by Director Murdoch, **SECONDED** by Director de Vries,

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

CARRIED

MOVED by Director de Vries, **SECONDED** by Director Murdoch,

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

CARRIED

MOVED by Director de Vries, **SECONDED** by Director Murdoch,

3. 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 5:09 pm.

13. RISE AND REPORT

The Capital Regional District Board rose from the closed session at 5:31 pm. and reported on the following:

In accordance with Bylaw No. 3654 that the following be appointed to the East Sooke Fire Protection and Emergency Response Service Commission for a term to expire December 31, 2024: Wendy Herring, Mike Yeager

In accordance with Bylaw No. 3517 that the following be appointed to the Agricultural Advisory Planning Commission for a term to expire December 31, 2024: Margot Swinburnson, Nikki Waggoner, Teresa Willman

14. ADJOURNMENT

MOVED by Director de Vries, **SECONDED** by Director Caradonna,
That the February 8, 2023 Capital Regional District Board meeting be adjourned
at 5:32 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER