

Meeting Minutes

Capital Regional District Board

Wednesday, July 12, 2023

1:05 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT

DIRECTORS: C. Plant (Chair), M. Tait (Vice Chair), M. Alto, S. Brice, J. Brownoff (1:15 pm) (EP), J. Caradonna, C. Coleman, Z. de Vries, B. Desjardins, R. Fenton (for P. Brent), S. Goodmanson (1:12 pm), C. Harder (for L. Szpak), G. Holman, D. Kobayashi, M. Little, C. McNeil-Smith, K. Murdoch, D. Murdock, S. Riddell (for R. Windsor), D. Thompson, S. Tobias (EP), A. Wickheim, K. Williams

STAFF: T. Robbins, 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; C. Neilson, Senior Manager, Human Resources; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Directors Brent, Jones, Szpak, Windsor

The meeting was called to order at 1:05 pm

1. TERRITORIAL ACKNOWLEDGEMENT

A Territorial Acknowledgement was provided in the preceding meeting.

2. APPROVAL OF THE AGENDA

MOVED by Director Tait, **SECONDED** by Director Murdoch,
That the agenda for the July 12, 2023 Session of the Capital Regional District Board be approved with the following amendment:
- Item 6.1. be moved to be considered under Reports of Committees as Item 8.1.b.
CARRIED

3. ADOPTION OF MINUTES

3.1. [23-480](#) Minutes of the June 7, 2023 and the minutes of the June 14, 2023 Capital Regional District Board Meeting

MOVED by Director de Vries, **SECONDED** by Director Coleman,
1. That the minutes of the Special Session of Capital Regional District Board meeting of June 7, 2023 be adopted as circulated.
2. That the minutes of the Capital Regional District Board meeting of June 14, 2023 be adopted as circulated.
CARRIED

4. REPORT OF THE CHAIR

I want to begin by thanking the staff and directors who participated in our tour last week of Salt Spring Island (SSI). It was a great opportunity for us to see a part of our regional district where we help govern. We regularly rely on Director Holman and staff for their recommendations on how to operate our services on SSI most effectively; to see the impact of our work was very positive. It was also a positive experience to meet the newly elected members of the Local Community Commission. While we all witness the impact of drought on Vancouver Island and the province, I want to acknowledge and thank previous boards, water commissions and staff for their vision regarding the adequate provision of water for future generations. It should not be lost on the region that despite the province declaring drought level 4 in the Vancouver Island east basin zone we are only in Stage 1 of our CRD watering restrictions in the Greater Victoria area. The water system serving Greater Victoria is an excellent example of our organizational planning and thinking ahead for the benefit of our region, but we acknowledge the drought conditions are likely going to stress the small systems in the Electoral Areas and we know staff will manage the situation with the local communities. Yesterday I had the pleasure to meet with the Pacheedaht leadership team with Director Wickheim, Mr. Robbins, Ms. Morley and our First Nations Relations Manager. This is one of our regular twice annual government to government meetings and I was particularly pleased that at this meeting we introduced and discussed an MOU for the Nation and the CRD to conduct our interactions and to have better relations. This document is still being worked on and will be reviewed by the Board, but this is a great indicator of progress with our First Nations partners. I also would note this would be our first official MOU with a Local First Nation and I hope it can be a model for future such documents. Later in this meeting we will again be discussing biosolids. This is a topic that I recognize has caused division on this board. To date I have valued the respectful way we have operated as a board where we have been focussed on debating the issues and not on the personal politics that we regularly see elsewhere in politics. Indeed, I would offer that other than this issue, we have been a very united board. I encourage us to continue down this path of seeking a unified voice. I request that today we continue to debate and consider matters respectfully and that regardless of the outcome we respect that a decision was made democratically. And finally, I wish to inform the Board that there will be an August Board meeting but that after the August meeting we will stand down our standing committees until September. I wish you all well for a pleasant summer.

Director Goodmanson joined the meeting at 1:12 pm.

Director Brownoff joined the meeting at 1:15 pm.

5. PRESENTATIONS/DELEGATIONS

5.1. Presentations

- 5.1.1. [23-481](#) Presentation: Robert Lewis-Manning (CEO) and Christine Willow (Chair), Greater Victoria Harbour Authority; Re: Member Agency Report

Director Coleman declared a personal conflict and recused himself from the meeting at 1:11 pm.

R. Lewis-Manning and C. Willow spoke to Item 5.1.1. and provided a PowerPoint presentation.

Discussion ensued regarding:

- grant funding
- waste management

Director Coleman returned to the meeting at 1:29 pm.

5.2. Delegations

- 5.2.1. [23-495](#) Delegation - Christopher Devlin & Franz Lehrbass; Representing Royal and McPherson Theatres Society; Re: Agenda Item 8.9. Modernizing the Bylaws of the Royal Theatre and McPherson Playhouse Services - Bylaw No. 4560 and 4561

C. Devlin & F. Lehrbass spoke to Item 8.9.

- 5.2.2. [23-494](#) Delegation - Philippe Lucas; Representing Biosolid Free BC; Re: Agenda Items: 6.4. Amendment to Environmental Resource Management Capital Plan, 8.2. Biosolids Update - June 2023, and 8.3. Notice of Motion: Academic Review - Land Application of Biosolids

P. Lucas spoke to Item 6.4.

6. CONSENT AGENDA

**MOVED by Director Tait, SECONDED by Director Desjardins,
That consent agenda items 6.2. through 6.12. be approved.
CARRIED**

- 6.2. [23-435](#) Core Area Liquid Waste Management Committee Mid-Year Update

**That staff be directed to amend the Core Area Wastewater Operations Service Financial Plan (3.717) to increase expenditures in 2023 by up to \$3,021,000 due to Biosolids Disposal and Residual Treatment Facility Revenue budget variances with such expenditures to be funded from Operational Reserves (3.717).
CARRIED**

- 6.3.** [23-431](#) Liquid Waste Management Plan - Amendment 13
1. That staff be directed to:
- a) retain an engineering consultant to review options regarding the CRD's proposed amendments to the Inflow and Infiltration section of the Core Area Liquid Waste Management Plan;
 - b) reconvene the Technical and Community Advisory Committee to review and provide recommendations to staff on Liquid Waste Management Plan updates and scope of public consultation; and
 - c) return to the Core Area Liquid Waste Management Committee with a report detailing the results of the consultant review and the Technical and Community Advisory Committee prior to making a submission to the Province regarding Amendment 13 to the Core Area Liquid Waste Management Plan.
2. That the revised Terms of Reference for the Technical and Community Advisory Committee be adopted with the following amendments:
- a) 1 - Chair of the Core Area Liquid Waste Management Committee - TCAC Chair
 - b) The Committee shall meet on a monthly basis, and have special meetings, as required, at the call of the Chair.
- CARRIED**
- 6.4.** [23-410](#) Amendment to Environmental Resource Management Capital Plan
- That the following capital items be approved: \$300,000 for a new project to create a Beneficial Use Processing Area; \$200,000 for a new project to create a Biosolids Mixing Area; and an increase of \$400,000 to the existing capital project New Scale Software to account for additional IT costs associated with the north scale.
- CARRIED**
- 6.5.** [23-394](#) Zero Emission Vehicle Infrastructure Program - Delivery Organizations Grant Application
- That staff be directed to apply for, negotiate and, if successful, enter into an agreement and do all such things necessary for accepting grant funds and overseeing grant management to implement a regional Electric Vehicle Charger Assistance Program under the Zero Emissions Vehicle Infrastructure Program - Delivery Organizations grant.
- CARRIED**
- 6.6.** [23-330](#) Capital Regional District External Grants Update
- This report was received for information.
- 6.7.** [23-417](#) Union of BC Municipalities Complete Communities Program - Growth and Mobility Study
- That the CRD Board support a grant application to the Union of BC Municipalities Complete Communities Program to prepare a CRD regional growth and mobility study, and direct staff to provide for overall grant management, including apply for, receive, and manage the grant funding.
- CARRIED**

- 6.8. [23-418](#) Update on Foodlands Access Service
This report was received for information.
- 6.9. [23-453](#) First Nations Feedback on the Interim Regional Parks and Trails Strategic Plan 2022-2032
That the Capital Regional District Regional Parks and Trails Strategic Plan 2022-2032 be approved.
CARRIED
- 6.10. [23-429](#) Ditch Maintenance for Mosquito Control - Island View Beach Regional Park
This report was received for information.
- 6.11. [23-430](#) Consideration of Regional Parks Land for Foodlands Access Program
That conditional approval be given to use the Bear Hill site as a test location for the Foodlands Access Program's new farmer incubator.
CARRIED
- 6.12. [23-445](#) Island View Beach Regional Park Campground - Operating Season Extension Pilot Project
1. That the 2023 operating season for the Island View Beach Regional Park Campground be extended to the end of the Thanksgiving long weekend, October 9, 2023, as a pilot project; and
2. That CRD staff review the success of the pilot project and report back to the Regional Parks Committee and Board in early 2024.
CARRIED

7. ADMINISTRATION REPORTS

- 7.1. [23-460](#) CAO Quarterly Progress Report No. 2, 2023
T. Robbins presented Item 7.1. for information and provided a PowerPoint presentation.

Discussion ensued regarding:
- alternate work options program and policy
- consent process related to borrowing for regional housing projects

7.2. [23-466](#) City of Victoria Regional Context Statement

K. Lorette spoke to Item 7.2.

Discussion ensued regarding:

- Salt Spring Island and Southern Gulf Islands Electoral Areas exemption from regional context statement
- alignment of census data related to updating the Regional Growth Strategy

MOVED by Director Alto, SECONDED by Director Coleman,

That the City of Victoria's amended regional context statement be considered in relation to the 2018 Regional Growth Strategy (Bylaw No. 4017) and be accepted in accordance with the requirements of section 448 of the Local Government Act.

CARRIED

8. REPORTS OF COMMITTEES**Electoral Areas Committee****8.1.** [23-486](#) Zero Carbon Step Code Introduction - Bylaw No. 4564, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 6, 2023"

MOVED by Director Holman, SECONDED by Director Wickheim,

1. That Bylaw No. 4564, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 6, 2023" be introduced and read a first, second, and third time.

CARRIED

MOVED by Director Holman, SECONDED by Director Wickheim,

2. That Bylaw No. 4564 be adopted.

CARRIED

8.1.b. [23-482](#) Enforcement Practices for Alternative Forms of Housing (Updated)

MOVED by Director Holman, SECONDED by Alternate Director Fenton,

1. That the existing practice of CRD Building Regulation Bylaw and BC Building Code enforcement be continued, primarily responding to complaints and observations by Inspectors during their normal course of duty of safety, health, and environmental concerns and issuing Stop Work Notices and Do No Occupy Notices when warranted for non-compliant dwelling units;

2. That item number 2 be referred back to staff for further discussion with Electoral Area Directors.

3. That the CRD advocate to the Province for a review of inclusion of alternative forms of housing within the BC Building Code.

4. That the legal opinions received by staff be provided to EAC Directors prior to the next EAC meeting for review and discussion at the next EAC meeting which will be held in camera.

CARRIED

Environmental Services Committee

8.2. [23-409](#) Biosolids Update - June 2023

**MOVED by Director Desjardins, SECONDED by Director Kobayashi,
That staff maintain the short-term contingency plans for biosolids management
and expedite the thermal processing pilot.**

Discussion ensued regarding:

- contractor update
- relationship with Regional District of Nanaimo
- jurisdictional issues related to land application
- implications of land filling of biosolids
- alternative regions for land application
- mine reclamation options
- short-term and long-term contingency planning
- requirement for consultation

**MOVED by Director de Vries, SECONDED by Alternate Director Harder,
That the main motion be amended by replacing the word "maintain" with the
word "amend" and add the words "to preclude the Nanaimo option and seek
alternative out of region options" after the word 'management'.**

Director Goodmanson left the meeting at 2:51 pm.

**MOVED by Director Brice, SECONDED by Director Caradonna,
That the amendment be amended by deleting the words "to preclude the
Nanaimo option".**

**Opposed: Alto, de Vries, Harder, Plant, Wickheim
CARRIED**

Director Goodmanson returned to the meeting at 2:54 pm

Director Tobias left the meeting at 2:56 pm.

**MOVED by Director Kobayashi, SECONDED by Director Thompson,
That the question on the amendment be called.**

CARRIED

The question was called on the amendment as amended:

**That the main motion be amended by replacing the word "maintain" with the
word "amend" and add the words "and seek alternative out of region options"
after the word 'management'.**

CARRIED

**Opposed: Brice, Brownoff, de Vries, Harder, McNeil-Smith, Riddell, Tait
Director Tobias was not present for vote.**

Discussion ensued regarding:

- thermal pilot program planning
- future operational update
- in-region application options
- splitting the motion into two parts

**MOVED by Director Thompson, SECONDED by Director Williams,
That the question be called.**

CARRIED

OPPOSED: Alto, Coleman, Murdoch

The previous question was called on the main motion as amended and divided by the Chair:

1. That staff amend the short-term contingency plans for biosolids management and seek alternative out of region options.

DEFEATED

Opposed: Alto, Brice, Brownoff, de Vries, Harder, Murdoch, Murdock, Plant

**MOVED by Director de Vries, SECONDED by Director Murdoch,
That the meeting be recessed.**

CARRIED

The meeting recessed at 3:39pm.

The meeting reconvened at 3:42 pm.

The previous question was called:

2. To expedite the thermal processing pilot.

CARRIED

MOVED by Director de Vries, SECONDED by Director Murdoch,

1. That staff be directed to pursue non-agricultural land application of biosolids within the region as a short-term contingency option for biosolids management; and

2. That staff be directed to update the CRD's short-term contingency plan accordingly.

MOVED by Director Thompson, SECONDED by Director Little,

That the motion be referred to the July 19, 2023 Environmental Services Committee meeting.

DEFEATED

Opposed: Brice, Brownoff, de Vries, Fenton, Harder, Holman, McNeil-Smith, Murdoch, Murdock, Plant, Riddell, Tobias, Wickheim

MOVED by Director McNeil-Smith, SECONDED by Director de Vries,

That the meeting be extended past the 3 hour scheduled time.

CARRIED

Director Tobias returned to the meeting at 4:03 pm.

Discussion ensued regarding:

- consultation
- potential contaminants in sewage
- risks associated with hauling
- provincial regulations

MOVED by Director Caradonna, SECONDED by Director Thompson,

That the previous question be called.

CARRIED

Opposed: de Vries, Fenton, Goodmanson, Little, McNeil-Smith, Wickheim, Williams

The question was called on the main motion:

1. That staff be directed to pursue non-agricultural land application of biosolids within the region as a short-term contingency option for biosolids management; and
2. That staff be directed to update the CRD's short-term contingency plan accordingly.

DEFEATED

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

MOVED by Director Murdoch, **SECONDED** by Director Little,
That the meeting be recessed.

CARRIED

The meeting recessed at 4:46 pm.

The meeting reconvened at 4:49 pm.

Motion Arising:

MOVED by Director Desjardins, **SECONDED** by Director Williams,
That staff interpret the February board motion on biosolids as not including in-region land application.

MOVED by Director Thompson, **SECONDED** by Director Caradonna,
That the question be called.

CARRIED

Opposed: Coleman, de Vries, Little, McNeil-Smith, Wickheim

The question was called on the motion arising:

That staff interpret the February board motion on biosolids as not including in-region land application.

CARRIED

Opposed: de Vries, Harder, Murdock

MOVED by Director de Vries, **SECONDED** by Director Tait,
That agenda Items 8.3., 8.4., 8.10., and 8.11. be postponed to the next meeting of the CRD Board.

CARRIED

Director Murdock left the meeting at 5:00 pm.

Director Alto left the meeting at 5:03 pm.

- 8.3.** [23-456](#) Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins)

This item was postponed to the next meeting.

- 8.4.** [23-457](#) Notice of Motion: Consortium Approach - Lessons Learned on Thermal Processing of Biosolids from Australia (Director Tobias)

This item was postponed to the next meeting.

Finance Committee

- 8.5. [23-384](#) Bylaw No. 4558: 2023 to 2027 Financial Plan Bylaw, 2023, Amendment No. 1, 2023
- MOVED by Director Brice, SECONDED by Director Tait,**
1. That Bylaw No. 4558, "2023 to 2027 Financial Plan Bylaw, 2023, Amendment Bylaw No. 1, 2023", be introduced and read a first, second and third time.
CARRIED
- MOVED by Director Brice, SECONDED by Director Tait,**
2. That Bylaw No. 4558 be adopted.
CARRIED
- 8.6. [23-391](#) Municipal Finance Authority 2023 Fall Issue - Capital Regional District Security Issuing Bylaws No. 4562 and 4563
- MOVED by Director Brice, SECONDED by Director Tait,**
1. That Bylaw No. 4562, Security Issuing Bylaw No. 2, 2023, be introduced and read a first, second, and third time.
CARRIED
- MOVED by Director Brice, SECONDED by Director Tait,**
2. That Bylaw No. 4562 be adopted.
CARRIED
- MOVED by Director Brice, SECONDED by Director Tait,**
3. That Bylaw No. 4563, Security Issuing Bylaw No. 3, 2023, be introduced and read a first, second, and third time.
CARRIED
- MOVED by Director Brice, SECONDED by Director Tait,**
4. That Bylaw No. 4563 be adopted.
CARRIED
- 8.7. [23-389](#) Bylaw No. 4559: Temporary Borrowing (Regional Parks Land Acquisition) Bylaw No. 1, 2023
- MOVED by Director Brice, SECONDED by Director Tait,**
1. That Bylaw No. 4559, "Temporary Borrowing (Regional Parks Land Acquisition) Bylaw No. 1, 2023", be introduced and read a first, second and third time.
CARRIED
- MOVED by Director Brice, SECONDED by Director Tait,**
2. That Bylaw No. 4559 be adopted.
CARRIED

- 8.8. [23-388](#) Bylaw No. 4557: Capital Regional District Recreation Services and Facilities Fees and Charges 2023-2024
- MOVED** by Director Brice, **SECONDED** by Director Tait,
1. That Bylaw No. 4557, "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009, Amendment Bylaw No. 17, 2023", be introduced and read a first, second, and third time.
CARRIED
- MOVED** by Director Brice, **SECONDED** by Director Tait,
2. That Bylaw No. 4557 be adopted.
CARRIED
- 8.9. [23-415](#) Modernizing the Bylaws of the Royal Theatre and McPherson Playhouse Services - Bylaw No. 4560 and 4561
- MOVED** by Director Brice, **SECONDED** by Director Murdoch,
1. That Bylaw No. 4560, Royal Theatre Local Service Area Establishment Bylaw No. 1, 1998, Amendment Bylaw No. 1, 2023, be read a first, second, and third time.
CARRIED
- MOVED** by Director Brice, **SECONDED** by Director Murdoch,
2. That Bylaw No. 4561, McPherson Playhouse Local Service Area Establishment Bylaw No. 1, 1999, Amendment Bylaw No. 1, 2023, be read a first, second, and third time.
CARRIED
- MOVED** by Director Brice, **SECONDED** by Director Murdoch,
3. That staff be directed to commence a council consent approval process with the relevant participants of each amending bylaw (Bylaw No. 4560 - Oak Bay, Saanich, Victoria; Bylaw No. 4561 - Victoria).
CARRIED
- 8.10. [23-405](#) Capital Region Emergency Service Telecommunications Inc. (CREST) Service Agreement
- The item was postponed to the next meeting.

Juan de Fuca Land Use Committee

- 8.11. [23-382](#) Development Permit with Variance for Lot 30, Section 98, Sooke District, Plan 33263 - 6067 Brecon Drive
- The item was postponed to the next meeting.

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. [23-483](#) Motion to Close the Meeting**

MOVED by Director Tait, **SECONDED** by Director Murdoch,

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

CARRIED

MOVED by Director Tait, **SECONDED** by Director Murdoch,

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

CARRIED

MOVED by Director Tait, **SECONDED** by Director Murdoch,

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

CARRIED

The Capital Regional District Board moved to the closed session at 5:10 pm.

13. RISE AND REPORT

The Capital Regional District Board rose from the closed session at 5:14 pm and reported on the following:

In accordance with Bylaw No. 3693 that the following be appointed to the Fulford Water Service Commission for a term to expire December 31, 2024: Carole Eyles

In accordance with Bylaw No. 3561 that the following be appointed to the Pender Islands Community Parks and Recreation Commission for a term to expire December 31, 2023: Richard Sullivan

14. ADJOURNMENT

MOVED by Director de Vries, **SECONDED** by Alternate Director Harder,

That the July 12, 2023 Capital Regional District Board meeting be adjourned at 5:15 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER