

Notice of Meeting and Meeting Agenda Capital Regional District Board

Wednesday, August 9, 2023

1:00 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. TERRITORIAL ACKNOWLEDGEMENT

2. APPROVAL OF THE AGENDA

3. ADOPTION OF MINUTES

3.1. [23-550](#) Minutes of the July 12, 2023 Capital Regional District Board Meeting

Recommendation: That the minutes of the Capital Regional District Board meeting of July 12, 2023 be adopted as circulated.

Attachments: [Minutes - July 12, 2023](#)

4. REPORT OF THE CHAIR

5. PRESENTATIONS/DELEGATIONS

The public are welcome to attend CRD Board meetings in-person.

Delegations will have the option to participate electronically. Please complete the online application at www.crd.bc.ca/address no later than 4:30 pm two days before the meeting and staff will respond with details.

Alternatively, you may email your comments on an agenda item to the CRD Board at crdboard@crd.bc.ca.

5.1. Presentations

5.2. Delegations

5.2.1. [23-561](#) Delegation - Edward Domovitch; Resident of Sooke: Re: Agenda Items: 6.7. Development Variance Permit for Lot 1, Section 98, Sooke District, Plan VIP23938 - 6144 East Sooke Road, and 6.8. Provision of Park Land for Subdivision of Lot 1, Section 98, Sooke District, Plan VIP23938 - 6144 East Sooke Road

- 5.2.2. [23-562](#) Delegation - Mick Collins; Resident of Oak Bay: Re: Agenda Items: 6.5. Long-Term Biosolids Management Planning, 8.1. Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins), 8.2. Notice of Motion: Consortium Approach - Lessons Learned on Thermal Processing of Biosolids from Australia (Director Tobias), and 8.3. Healthy Waters Project for Tod Creek on the Saanich Peninsula - Update - July 2023
- 5.2.3. [23-563](#) Delegation - Frances Pugh; Representing Saanich Inlet Protection Society and Peninsula Biosolids Coalition: Re: Agenda Items: 6.5. Long-Term Biosolids Management Planning
- 5.2.4. [23-564](#) Delegation - Jonathan O’Riordan; Resident of the Capital Regional District: Re: Agenda Items: 6.5. Long-Term Biosolids Management Planning, 8.1. Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins), and 8.2. Notice of Motion: Consortium Approach - Lessons Learned on Thermal Processing of Biosolids from Australia (Director Tobias)

6. CONSENT AGENDA

- 6.1. [23-555](#) Capital Regional District Arts and Culture: 2022 Impact Report

Recommendation: [At the July 26, 2023 Arts Commission meeting, the recommendation was amended directing staff to also distribute the report to the next meeting of the CRD Board as follows:
That staff distribute the Capital Regional District Arts and Culture: 2022 Impact Report virtually through the Capital Regional District website and as physical copies to all council and electoral directors in the capital region and to the next regular meeting of the Capital Regional District Board.]
There is no recommendation. This report is for information only.

Attachments: [Staff Report: CRD Arts & Culture 2022 Impact Report](#)
[Appendix A: Arts Commission 2022 Impact Report](#)

- 6.2. [23-532](#) 2023 Electoral Areas Committee Terms of Reference - Revised

Recommendation: The Electoral Areas Committee recommends to the Capital Regional District Board: That the revised 2023 Electoral Areas Committee Terms of Reference be approved as presented.
(NWA)

Attachments: [Staff Report: 2023 Electoral Areas Committee ToR Revised](#)
[Appendix A: Electoral Areas Committee TOR - Revised Aug 2023](#)
[Appendix B: Electoral Areas Committee TOR - Redlined](#)

- 6.3.** [23-545](#) Enforcement Practices for Alternative Forms of Housing - Recreational Vehicles
- Recommendation:** The Electoral Areas Committee recommends to the Capital Regional District Board: That occupancy of recreational vehicles, without alterations for permanent or long term use, will be considered a land use matter and referred to the local land use authority. Temporary service connections, and steps and decks not requiring a building permit and that are not affixed to the recreational vehicle will not be considered permanent alterations.
(NWA)
- Attachments:** [Staff Report: Enforce't Practices for Alt Forms of Housing-RVs](#)
[Appendix A: July 12, 2023 Staff Report](#)
- 6.4.** [23-475](#) Implications of Increasing Fine Rates at Hartland Landfill
- Recommendation:** There is no recommendation. This report is for information only.
- Attachments:** [Staff Report: Implications of Increasing Fine Rates at Hartland Landfill](#)
[Appendix A: Proposed Fine Rate Schedule](#)
[Appendix B: GHD Enforcement Enhancements Memo - June 26, 2023](#)
- 6.5.** [23-496](#) Long-Term Biosolids Management Planning
- Recommendation:** There is no recommendation. This report is for information only.
- Attachments:** [Staff Report: Long-Term Biosolids Management Planning](#)
[Appendix A: Long-Term Biosolids Beneficial Use Options Analysis \(GHD\)](#)
[Appendix B: Consulting Services - Long-term Biosolids Strategy Consultation](#)
- 6.6.** [23-535](#) 2023 Governance Committee Terms of Reference - Revised
- Recommendation:** That the Governance Committee recommends to the Capital Regional District Board: That the revised 2023 Governance Committee Terms of Reference be approved as presented.
(NWA)
- Attachments:** [Staff Report: Revised 2023 Governance Committee TOR](#)
[Appendix A: Accessibility Advisory Committee TOR \(Final\)](#)
[Appendix B: Revised Governance Committee TOR \(Draft\)](#)
[Appendix C: Revised Governance Committee TOR \(Redlined\)](#)

6.7. [23-467](#) Development Variance Permit for Lot 1, Section 98, Sooke District, Plan VIP23938 - 6144 East Sooke Road

Recommendation: The Land Use Committee recommends to the Capital Regional District Board: That Development Variance Permit VA000159 for Lot 1, Section 98, Sooke District, Plan VIP23938 to vary the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Schedule A, Part 1, Section 3.10(4)(a) by reducing the minimum frontage requirement for proposed Lot 3 from 10% of the lot perimeter (32 m) to 8.6% of the lot perimeter (27.5 m) for the purpose of permitting a four-lot subdivision, be approved. (NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

Attachments: [Staff Report: Development Variance Permit Application VA000159](#)
[Appendix A: Subject Property Map](#)
[Appendix B: Proposed Subdivision Plan](#)
[Appendix C: Permit VA000159](#)

6.8. [23-468](#) Provision of Park Land for Subdivision of Lot 1, Section 98, Sooke District, Plan VIP23938 - 6144 East Sooke Road

Recommendation: The Land Use Committee recommends to the CRD Board: That cash in lieu of park land dedication be requested for the proposed subdivision of Lot 9, Section 129, Sooke District, Plan VIP67208, subject to verification of the land value pursuant to Section 510 of the Local Government Act. (NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

Attachments: [Staff Report: Provision of Park Land for Subdivision Application SU000757](#)
[Appendix A: Subject Property Map](#)
[Appendix B: Proposed Subdivision Plan](#)
[Appendix C: Commission Minutes May 30, 2023](#)

6.9. [23-465](#) Watershed Security Officer Designation

Recommendation: That the Regional Water Supply Commission recommends that the Capital Regional District Board: Appoint Jim Harradine and Derek Hall as Watershed Security Officers; and that Devon Barnes be removed from appointment; for the purpose of Section 233 of the Local Government Act and Section 28(3) of the Offence Act, and in accordance with Capital Regional District Bylaw No. 2681. (NWA)

Attachments: [Staff Report: Watershed Security Officer Designation](#)

6.10. [23-533](#) Disaster Mitigation and Adaptation Fund Grant Application

Recommendation: The Regional Water Supply Commission and the Saanich Peninsula Water Commission recommend to the Capital Regional District Board:
That staff be instructed to apply for, negotiate, and if successful, enter into an agreement, and do all such things necessary for accepting Disaster Mitigation and Adaptation grant funds and overseeing grant management for the proposed projects.
(NWA)

Attachments: [Staff Report: DMAF Grant Application](#)
[Appendix A: Regional Water Supply Commission Staff Report July 19, 2023](#)
[Appendix B: Saanich Peninsula Water Commission Staff Report July 20, 2023](#)

6.11. [23-493](#) Merchant Mews Pathway Design - Additional Funding

Recommendation: That the Salt Spring Island Local Community Commission recommends to the Capital Regional District Board:
That the Salt Spring Island Transportation Service 2023 Capital Plan be amended to increase the budget for the Merchant Mews project by \$16,400 funded from the Capital Reserve Fund.
(WA)

Attachments: [Staff Report: Merchant Mews Pathway Design](#)

7. ADMINISTRATION REPORTS**8. REPORTS OF COMMITTEES****Environmental Services Committee****8.1. [23-456](#) Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins)**

Recommendation: [At the June 21, 2023 Environmental Services Committee, the following notice of motion was given same-day consideration and carried:]
The Environmental Services Committee recommends to the Capital Regional District Board:
That staff report back with a proposal that CRD Environment Service fund University of Victoria or other suitable independent academic institution to prepare a review:
a) of available literature, to determine whether there are validated examples and/or peer reviewed papers assessing the risks of the application of biosolids on environmental and human health, and
b) based on this and on The Precautionary Principle, whether CRD may have a legal liability for such application. The institution may receive submissions from the public.
(NWA)

8.2. [23-457](#) Notice of Motion: Consortium Approach - Lessons Learned on Thermal Processing of Biosolids from Australia (Director Tobias)

Recommendation: [At the June 21, 2023 Environmental Services Committee, the following notice of motion was given same-day consideration and carried:]
The Environmental Services Committee recommends to the Capital Regional District Board:
That staff look to the example of Logan, Australia for lessons learned on thermal processing of biosolids and a consortium approach.
(NWA)

8.3. [23-500](#) Healthy Waters Project for Tod Creek on the Saanich Peninsula - Update - July 2023

Recommendation: [At the July 19, 2023 Environmental Services Committee meeting, this report was presented for information. Following committee discussion, the following motion arising was carried:]
That the Environmental Services Committee recommends to the CRD Board:
That the CRD move forward with the study of Healthy Waters Project for Tod Creek on the Saanich Peninsula.
(WP - All)

Attachments: [Staff Report: Healthy Waters Project for Tod Creek - Update - July 2023](#)
[Appendix A: Summary of Background Data Available](#)

Finance Committee

8.4. [23-405](#) Capital Region Emergency Service Telecommunications Inc. (CREST) Service Agreement

Recommendation: The Finance Committee recommends to the Capital Regional District Board:
1. That the March 9, 2022 Board resolution pertaining to the approved Service Agreement be rescinded;
2. That the Chief Administrative Officer be authorized to enter into a further revised Service Agreement to provide emergency communications services, as attached at Appendix C; and,
3. That Staff be directed to amend the Financial Plan to reflect the increased service agreement payments for 2022 to 2027.
(WA)
[At the July 5, 2023 Finance Committee meeting, the following motion arising was passed:]
4. That the CRD Board ask the CREST Board to present funding options to update the Call Answer Levy revenue.
(NWA)

Attachments: [Staff Report: CREST Service Agreement](#)
[Appendix A: Staff Report 8 Dec 2021 Board CREST](#)
[Appendix B: Staff Report 9 Mar 2022 Board CREST](#)
[Appendix C: Service Agreement 2022-27- tracked changes](#)

Governance Committee

8.5. [23-531](#) Capital Regional District Advocacy Strategy

Recommendation: [At the August 2, 2023 Governance Committee meeting, committee discussion ensued on the listing of federal and provincial ministries by name as some references were outdated. Attached is a revised CRD Advocacy Strategy that refers more broadly to federal and provincial ministries:]

The Governance Committee recommends to the Capital Regional District Board:
That the updated CRD Advocacy Strategy be approved.
(NWA)

Attachments: [Staff Report: CRD Advocacy Strategy](#)
[Appendix A: CRD Advocacy Strategy \(August 2023\) - Revised Aug. 2](#)

8.6. [23-534](#) Capital Regional District Mission Statement

Recommendation: [At the August 2, 2023 Governance Committee meeting, the recommended mission statement wording was amended and carried as follows:]

The Governance Committee recommends to the Capital Regional District Board:
That the following mission statement be adopted:
"We are a regional federation working together to serve the public good, plan for the future, and help build a livable, sustainable and resilient region. We work across municipal and electoral area boundaries to deliver services to residents regionally, sub-regionally and locally through an inclusive, efficient and open organization."
(NWA)

Attachments: [Staff Report: Capital Regional District Mission Statement](#)

8.7. [23-516](#) Bylaw No. 4556: Capital Regional District Public Notice Bylaw No. 1, 2023

Recommendation: The Governance Committee recommends to the Capital Regional District Board:
1. That Bylaw No. 4556, "Capital Regional District Public Notice Bylaw No. 1, 2023" be introduced and read a first, second, and third time;
(NWA)

2. That Bylaw No. 4556 be adopted.
(NWA, 2/3 on adoption)

Attachments: [Staff Report: Bylaw No. 4556 - Public Notice Bylaw](#)
[Appendix A: Bylaw No. 4556](#)
[Appendix B: Public Notice Regulation, B.C. Reg. 52/2022](#)
[Appendix C: Principles for Effective Public Notice Publication](#)
[Appendix D: Draft Public Notice Policy](#)

8.8. [23-530](#) Membership in the Institute of Corporate Directors

Recommendation: [At the August 2, 2023 Governance Committee meeting, the recommendation was revised to extend membership until the end of 2024.]

The Governance Committee recommends to the Capital Regional District Board:
That the Board renew its membership with the Institute of Corporate Directors until the end of 2024.
(NWA)

Attachments: [Staff Report: ICD Membership](#)
[Appendix A: ICD Membership Brochure](#)

8.9. [23-539](#) Bylaw No. 4350 and 4566 - Proposed Amendments to Recreation
Commission Bylaws for Sooke and EA (2788) and Peninsula (2397)

Recommendation: [At the August 2, 2023 Governance Committee meeting, staff advised the committee of a housekeeping update to s.1(d) of Bylaw No. 4350. Attached are the revised Amendment Bylaw No. 4350 and Parent Bylaw No. 2788 (Redlined):]

That the Governance Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4350, "Sooke and Electoral Area Parks and Recreation Commission Bylaw No. 1, 2000, Amendment Bylaw No. 4, 2023" be introduced and read a first, second and third time.

(NWA)

2. That Bylaw No. 4350 be adopted.

(NWA, 2/3 on adoption)

3. That Bylaw No. 4566, "Peninsula Recreation Commission Bylaw No. 1, 1996, Amendment Bylaw No. 6, 2023" be introduced and read a first, second, and third time.

(NWA)

4. That Bylaw No. 4566 be adopted.

(NWA, 2/3 on adoption)

Attachments: [Staff Report: Proposed Amendments to Panorama and SEPARC Bylaws](#)

[Appendix A: Bylaw No. 4350 - Revised Aug. 2](#)

[Appendix B: Bylaw No. 4566](#)

[Appendix C: Bylaw No. 2788 \(Redlined\) - Revised Aug. 2](#)

[Appendix D: Bylaw No. 2397 \(Redlined\)](#)

Juan de Fuca Land Use Committee

8.10. [23-382](#) Development Permit with Variance for Lot 30, Section 98, Sooke District, Plan 33263 - 6067 Brecon Drive

Recommendation: (At its June 20, 2023, meeting the Juan de Fuca Land Use Committee amended the recommendation as noted below and resolved non-support of the application)
The Land Use Committee recommends to the CRD Board:
That Development Permit with Variance DV000091, as amended, for Lot 30, Section 98, Sooke District, Plan 33263, to authorize construction of an accessory building within a Riparian Development Permit Area, and to vary Juan de Fuca Land Use Bylaw No. 2040, as follows:
1. Part 1, Section 4.01 (1)(d) to reduce the front yard requirement from 15 m to 6 m;
2. Part 1, Section 4.01 (2)(a) to increase the height permitted from 6 m to 6.392 m; and
3. Part 1, Section 4.01 (2)(c) to increase the maximum combined total floor area allowance for accessory buildings and structures from 100 m² to 167 m² on a lot with an area of more than 2,000 m² and less than 5,000 m² be denied.
(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

Attachments: [Staff Report: Development Permit with Variance Application DV000091](#)
[Appendix A: Subject Property Map](#)
[Appendix B: Site Plan](#)
[Appendix C: Concept Building and Elevation Drawings](#)
[Appendix D: Permit DV000091](#)
[Appendix E: Development Permit Guidelines](#)

Transportation Committee

8.11. [23-492](#) Regional Trails Widening and Lighting Project - Funding Options

- Recommendation:** The Transportation Committee recommends to the Capital Regional District Board:
1. That the Regional Trails Widening and Lighting Project be accelerated by the inclusion of the Project in the 2024-2028 Financial Plan and that project funds be secured by way of debt; and
(WP - All)
 2. That staff continue to develop partnerships, pursue grant opportunities and report back to the Regional Parks Committee at the September 27, 2023 meeting with options to generate additional funds through non-tax revenue.
(NWA)

[At the July 19, 2023 Transportation Committee meeting, the following motions arising were carried:]

3. That the CRD Chair and CRD staff work with the province including a letter to the Minister of Transportation to secure opportunities for supporting the work identified in the Trails Widening and Lighting Project; and
4. That going forward the project be referred to as the regional trestle renewal, trails widening and lighting project.
(NWA)

- Attachments:** [Staff Report: Regional Trails Widening and Lighting Project - Funding Options](#)
[Appendix A: Regional Trail Widening & Lighting - Map](#)
[Appendix B: Separated Use Pathway Design/Implementation Priorities](#)
[Appendix C: Project Scope and Timing - Alternative 1](#)
[Appendix D: Alternative 1 - Debt Servicing Profile & Requisition Increase](#)
[Appendix E: Project Scope and Timing - Alternative 2](#)
[Presentation: CRD Regional Trails Widening and Lighting Funding Model](#)

9. BYLAWS**9.1. [23-537](#) Bylaw 4546 - "Saanich Peninsula Recreation Services (Centennial Park Multi-Sport Box) Loan Authorization Bylaw No. 1, 2023"**

- Recommendation:** That Bylaw 4546 - "Saanich Peninsula Recreation Services (Centennial Park Multi-Sport Box) Loan Authorization Bylaw No. 1, 2023" be adopted.
(WA)

Attachments: [Bylaw No.4546](#)

9.2. [23-538](#) Bylaw 4547 - "Saanich Peninsula Recreation Services (Panorama Heat Recovery System) Loan Authorization Bylaw No. 1, 2023"

- Recommendation:** That Bylaw 4547 - "Saanich Peninsula Recreation Services (Panorama Heat Recovery System) Loan Authorization Bylaw No. 1, 2023" be adopted.
(WA)

Attachments: [Bylaw No.4547](#)

10. NOTICE(S) OF MOTION**11. NEW BUSINESS**

12. MOTION TO CLOSE THE MEETING**12.1.** [23-552](#) Motion to Close the Meeting

- Recommendation:**
1. That the meeting be closed for Appointments in accordance with Section 90(1)(a) of the Community Charter. [2 items]
 2. That the meeting be closed for Labour Relations in accordance with Section 90(1)(c) of the Community Charter. [2 items]
 3. That the meeting be closed for Land Acquisition In accordance with Section 90(1)(e) of the Community Charter. [1 item]
 4. That such disclosures could reasonably be expected to harm the interests of the Regional District. [1 item]
 5. That the meeting be closed for Legal Advice in accordance with Section 90(1)(i) of the Community Charter. [2 items]
 6. That the meeting be closed for Contract Negotiations in accordance with Section (90) (1)(k) of the Community Charter. [1 item]
 7. That such disclosures could reasonably be expected to harm the interests of the Regional District. [1 item]
 8. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter. [1 item]

13. RISE AND REPORT**14. ADJOURNMENT****Voting Key:****NWA - Non-weighted vote of all Directors****NWP - Non-weighted vote of participants (as listed)****WA - Weighted vote of all Directors****WP - Weighted vote of participants (as listed)**