



Notice of Meeting and Meeting Agenda Capital Regional District Board

Wednesday, February 8, 2023

1:05 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. [23-114](#) Minutes of the January 11, 2023 Capital Regional District Board Meeting

Recommendation: That the minutes of the Capital Regional District Board meeting of January 11, 2023 be adopted as circulated.

Attachments: [Minutes - January 11, 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

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

Attachments: [Presentation: Rail on Vancouver Island Update](#)

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
- 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
- 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
- 5.2.4. [23-146](#) Delegation - Philippe Lucas; Representing Biosolid Free BC: Re: Agenda Item 8.5. Biosolids Short-term Contingency Beneficial Use Plan
- 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
- 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
- 5.2.7. [23-151](#) Delegation - Jonathan O'Riordan; Peninsula Biosolids Coalition: Re: Agenda Item 8.5. Biosolids Short-term Contingency Beneficial Use Plan

6. CONSENT AGENDA

- 6.1. [23-087](#) Enforcement Practices for Alternative Forms of Housing

Recommendation: The Electoral Areas Committee recommends to the Capital Regional District (CRD) Board:

- 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; and
- 2) That the CRD advocate to the Province for a review of inclusion of alternative forms of housing within the BC Building Code.

(NWA)

Attachments: [Staff Report: Enforcement Practices for Altern'v Forms of Housing](#)

- 6.2. [23-128](#) Ability to Regulate Wood Burning Appliances and Air Quality on Salt Spring Island

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: Ability to Reg't Wood Burning Appl'cs & Air Quality](#)

- 6.3. [23-132](#) Request for Governance Study of Magic Lake Estates, North Pender Island
- Recommendation:** The Electoral Areas Committee recommends to the Capital Regional District Board: 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. (NWA)
- Attachments:** [Staff Report: Request for Governance Study of MLE](#)
 [Appendix A: Feb 9/22 Staff Rpt: Request for Governance Study](#)
 [Appendix B: Letter to ADM Faganello, March 2, 2022](#)
 [Appendix C: Letter to K. Morley, September 30, 2022](#)
 [Appendix D: Letter to B. Coulson, January 4, 2023](#)
- 6.4. [23-009](#) Evaluation of Passing Lane on Willis Point Road
- Recommendation:** There is no recommendation. This report is for information only.
- Attachments:** [Staff Report: Evaluation of Passing Lane on Willis Point Road](#)
- 6.5. [23-094](#) 2023 Appointments Advisory Committee
- Recommendation:** The Governance Committee recommends to the Capital Regional District Board: 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. (NWA)
- Attachments:** [Staff Report: 2023 Appointments Advisory Committee](#)
 [Appendix A: CRD Appointment of Public Members To External Boards Policy](#)
- 6.6. [23-100](#) Consideration of a Board Code of Conduct
- Recommendation:** The Governance Committee recommends to the Capital Regional District Board:
 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. (NWA)
- Attachments:** [Staff Report: Consideration of a Board Code of Conduct](#)
 [Appendix A: Principles for Codes of Conduct Regulation](#)
 [Appendix B: UBCM Model Code of Conduct](#)
 [Appendix C: UBCM Companion Guide](#)

6.7. [23-084](#) Provincial Decriminalization of Controlled Substances and the Clean Air Bylaw

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: Prov'l Decriminal'n of Controlled Substances & CAB](#)
[Appendix A: Bylaw No. 3962, "Clean Air Bylaw No. 1, 2014"](#)

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

Recommendation: [At its January 17, 2023 meeting, the Juan de Fuca Land Use Committee amended the recommendation by adding the words "that encompasses the area required for trail" as noted below:]

The Land Use Committee recommends to the Capital Regional District Board:

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 1/2 of the North West 1/4 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 1/2 of the North West 1/4 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.

(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

Attachments: [Staff Report: Provision of Park Land for Subdivision Application SU000748](#)
[Appendix A: Property Location Map](#)
[Appendix B: Proposed Subdivision Plan](#)
[Appendix C: Section 510 of the LGA](#)
[Appendix D: Minutes of a Meeting of the Juan de Fuca Electoral Area Parks and](#)
[Appendix E: Draft Version of Port Renfrew Trails Plan](#)

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

Recommendation: [At the January 18, 2023 Transportation Committee meeting, the following Motion Arising to amend the terms of reference (see attached Supplemental) was carried:]
The Transportation Committee recommends to the Capital Regional District Board:
That the Transportation Committee terms of reference be amended to replace the words "sustainability measures" with the words "climate action and sustainability goals".
(NWA)

Attachments: [Staff Report: 2023 Transportation Committee Terms of Reference](#)
 [Appendix A: 2023 Transportation Committee Terms of Reference](#)
 [Appendix B: Transportation Cttee Terms of Reference \(Redlined\)](#)
 [Supplemental: Proposed Amendment to Transportation Cttee ToR](#)

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

Recommendation: There is no recommendation. This report if for information only.

Attachments: [Staff Report: Update on Transportation Priorities](#)
 [Appendix A: Regional Transportation Priorities Tracker](#)

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

Recommendation: [At the January 18, 2023 Transportation Committee meeting, the following referral motion was carried:]
That the regional cycling facility classification be referred back to staff to have further discussion through the Transportation Working Group.
(NWA)

Attachments: [Staff Report: Regional Cycling Facility Classification](#)
 [Appendix A: Regional Cycling Facility Classification](#)
 [Appendix B: Updated Regional Cycling Network](#)

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

Recommendation: [At the January 18, 2023 Transportation Committee meeting, the following referral motion was carried:]
The Transportation Committee recommends to the Capital Regional District Board:
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.
(NWA)

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

Recommendation: That the Board endorse the external appointments and nominations put forward in the attachment.
(NWA)

Attachments: [2023 Committee and External Membership Appointments](#)

7. ADMINISTRATION REPORTS

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

Recommendation: 1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4522 (Appendix B) be received; and (NWA)
2. That Bylaw No. 4522, "Canada Goose Management Service Establishment Bylaw No. 1, 2022" be adopted. (NWA)

Attachments: [Staff Report: Goose Management Service AAP Results](#)
 [Appendix A: Bylaw No. 4522](#)
 [Appendix B: Certificate of AAP Results Bylaw 4522](#)
 [Appendix C: Regional Goose Management Strategy \(2012\)](#)
 [Appendix D: Previous Staff Report October 12, 2022](#)

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

Recommendation: 1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received; and (NWA)
2. That Bylaw No. 4515, "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022" be adopted. (WA)

Attachments: [Staff Report: Solid Waste Loan Authorization AAP Results](#)
 [Appendix A: Bylaw No. 4515](#)
 [Appendix B: Certificate of AAP Results Bylaw 4515](#)
 [Appendix C: Previous Staff Report \(October 12, 2022\)](#)

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

Recommendation: 1. That staff be directed to proceed with implementing the CRD signage guidelines, with the exception of the Regional Parks entry signs (portal signs); and
2. That staff be directed to bring the matter of Regional Parks entry signs to the Regional Parks Committee for further consideration. (NWA)

Attachments: [Staff Report: Capital Regional District Sign Guidelines](#)
 [Appendix A: CRD Signage Guidelines](#)
 [Appendix B: CRD Signs Developed under the Signage Guidelines](#)

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

Recommendation: [At its January 17, 2023, meeting the Juan de Fuca Land Use Committee passed Alternative #2 (statement of non-concurrence):]
The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:
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.
(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

Attachments: [Staff Report: Radiocommunication and Broadcasting Antenna Systems Applicat](#)
[Appendix A: Subject Property Map](#)
[Appendix B: Development Proposal](#)
[Appendix C: Public Submissions and Applicant Responses](#)
[Appendix D: Response Matrix](#)
[Appendix E: Referral Comments](#)
[Appendix F: Evaluation Criteria](#)

- 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

Recommendation: The Land Use Committee recommends to the Capital Regional District Board:

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;
2. That proposed Bylaw No. 4519 be introduced and read a first time and read a second time; and
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.
(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

Attachments: [Staff Report: Zoning Amendment Application RZ000281](#)
 [Appendix A: Subject Property and Zoning Map](#)
 [Appendix B: Current Rural Residential 2A Zone – RR-2A](#)
 [Appendix C: Proposed Rural Residential 1 Zone – RR-1](#)
 [Appendix D: Proposed Strata Conversion](#)
 [Appendix E: Proposed Bylaw No. 4519](#)
 [Appendix F: Referral Comments](#)

Electoral Areas Committee

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

Recommendation: The Electoral Areas Committee recommends to the Capital Regional District Board:

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; and
(NWA)
2. That Bylaw No. 4535 be adopted.
(NWA, 2/3 on adoption)

Attachments: [Staff Report: Bylaw No. 4535, "Building Regulation Bylaw"](#)
 [Appendix A: Amendment Bylaw No. 4535, including appendices](#)
 [Appendix B: Unofficial Consolidation Bylaw No. 3741 \(Redlined\)](#)

Governance Committee

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

Recommendation: The Governance Committee recommends to the Capital Regional District Board:
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.
(NWA)
2. That Bylaw 4540 be adopted.
(NWA, 2/3 on adoption)

Attachments: [Staff Report: Election and Voting Procedures Bylaw Amendment](#)
 [Appendix A: Bylaw 4540](#)
 [Appendix B: Redlined Amendments to Bylaw 3543 \(Consolidated\) Redlined](#)

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

Recommendation: [At the January 18, 2023 Environmental Services Committee meeting, the below staff report recommendation was discussed and DEFEATED.

That the Environmental Services Committee recommends to the Capital Regional District Board:
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.
(WP - Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)]

[Following the vote on the DEFEATED motion, the below motion arising was passed:]

That the Environmental Services Committee recommends to the Capital Regional District Board:
Direct staff to look at alternative options and maintain the status quo for now.
(NWA)

Attachments: [Staff Report: Biosolids Short-term Contingency Beneficial Use Plan](#)
 [Appendix A: Letter to Minister Heyman - December 16, 2022](#)
 [Appendix B: Hugh Stephens – Delegation on Biosolids – December 16, 2022](#)
 [Appendix C: Summary of Biosolids Production and End Use – 2022](#)
 [Supplemental: Biosolids Land Application Ban History](#)

9. BYLAWS

- 9.1. [23-117](#) Bylaw 4502 - "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022"
- Recommendation:** That Bylaw 4502 - "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022" be adopted.
(NWA)
- Attachments:** [Bylaw No. 4502](#)
- 9.2. [23-118](#) Bylaw 4506 - "Regional Parks Loan Authorization Bylaw No. 1, 2022"
- Recommendation:** That Bylaw 4506 - "Regional Parks Loan Authorization Bylaw No. 1, 2022" be adopted.
(WA)
- Attachments:** [Bylaw No. 4506](#)
- 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"
- Recommendation:** 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.
(NWA)
- Attachments:** [Bylaw No. 4534](#)

10. NOTICE(S) OF MOTION

11. NEW BUSINESS

12. MOTION TO CLOSE THE MEETING

- 12.1. [23-122](#) 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. [1 item]
 2. That the meeting be closed for Labour Relations under Section (90)(1)(c) of the Community Charter. [1 item]
 3. 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)