

Meeting Minutes

Capital Regional District Board

Wednesday, August 14, 2019

1:00 PM

**6th Floor Boardroom
625 Fisgard Street
Victoria, BC**

PRESENT

Directors: C. Plant (Chair), D. Blackwell (Vice-Chair), S. Brice, B. Desjardins, F. Haynes, L. Helps (1:02), M. Hicks, G. Holman, B. Isitt, J. Loveday (1:01), C. McNeil-Smith, R. Martin, R. Mersereau, K. Murdoch, G. Orr, J. Ranns, D. Screech, L. Seaton, M. Tait, N. Taylor, K. Williams, R. Windsor, G. Young

Staff: L. Hutcheson, General Manager, Parks and Environmental Services (for R. Lapham, Chief Administrative Officer); N. Chan, Chief Financial Officer; C. Culham, Senior Manager, Regional Housing (for K. Lorette, General Manager, Planning and Protective Services); S. Henderson, Manager, Real Estate (for K. Morley, General Manager, Corporate Services); M. McCrank, Senior Manager, Infrastructure Operations (for T. Robbins, General Manager, Integrated Water Services); I. Lawrence, Manager Local Area Planning, Juan de Fuca; J. Weightman, Planner, Regional and Strategic Planning; E. Gorman, Deputy Corporate Officer; S. Closson, Committee Clerk (Recorder)

REGRETS: Director Howe

The meeting was called to order at 1:00 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

Director Windsor provided a Territorial Acknowledgement.

2. APPROVAL OF THE AGENDA

MOVED by Director Brice, **SECONDED** by Director Tait,
That the agenda for the August 14, 2019 Session of the Capital Regional District Board be approved.
CARRIED

3. ADOPTION OF MINUTES

3.1. [19-725](#) Minutes of the July 10, 2019 Capital Regional District Board

MOVED by Director Brice, **SECONDED** by Director Tait,
That the minutes of the Capital Regional Hospital District Board meeting of July 10, 2019 be adopted as circulated.
CARRIED

4. REPORT OF THE CHAIR

Chair Plant commented on the following:

- Thanked senior staff for filling in during the summer and ensuring continuity
- Acknowledgement of the event at the Hartland Landfill, continuing to work with local First Nations
- Enforcement at Thetis Lake
- Service planning and budget review
- Climate Emergency Declaration posted in the Boardroom
- Upcoming additional guided tour opportunities for Board

5. PRESENTATIONS/DELEGATIONS

5.1 Presentations

There were no presentations.

5.2 Delegations

- 5.2.1. [19-728](#) Delegation - John Roe; Represents The Dead Boat Disposal Society & The Veins of Life Watershed Society: Re: Agenda Item 8.8: Mapping Sunken Vessels

John Roe spoke in favour of Item 8.8: Mapping Sunken Vessels.

- 5.2.2. [19-729](#) Delegation - John Rytter: Re: Agenda Item 8.3: Building Conversion to Strata for Lot 1, Block 453, Malahat District, Plan VIP84067 - 1480 & 1490 Finlayson View Place

Mr. Rytter spoke to Item 8.3, and requested that the wording under Section ii, be changed to "conditional occupancy".

6. CONSENT AGENDA

MOVED by Director Helps, **SECONDED** by Director Desjardins,
That consent agenda Items 6.1 through 6.7 be approved as presented.
Item 6.8 was removed from the Consent Agenda and moved to Reports of Committees as Item 8.9b.
CARRIED

- 6.1. [19-689](#) Wastewater Treatment Project - Q1 2019 Quarterly Report (January-March 2019)

That this report be received for information.

- 6.2. [19-690](#) Wastewater Treatment Project - April 2019 Monthly Report

That this report be received for information.

- 6.3. [19-691](#) Wastewater Treatment Project - May 2019 Monthly Report

That this report be received for information.

- 6.4. [19-648](#) Core Area Liquid Waste Management Plan Amendment No. 12 - Update

That this report be received for information.

- 6.5. [19-659](#) New Juan de Fuca Building Conversion to Strata Application Policy

That the Juan de Fuca Building Conversion to Strata Application Policy be approved.

- 6.6. [19-692](#) Mt. Parke and St. John Point Regional Parks Public Participation Report on the Draft Management Plan

That this report be received for information.

- 6.7. [19-696](#) Ocean Legacy Report - Notice of Motion submitted by Director Isitt

That the Board endorse the five recommendations laid out in the Ocean Legacy report and request that the Board Chair write to the Minister of Environment and Members of the Legislative Assembly representing constituencies in the Capital Region, requesting favourable consideration and action on the recommendations.

7. ADMINISTRATION REPORTS

- 7.1. [19-704](#) Public Hearing Report on Bylaw No. 4290, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 143, 2019"

MOVED by Director Hicks, **SECONDED** by Director Tait,
That the minutes that form the Report of the Public Hearing for Bylaw No. 4290, which is certified as a fair and accurate summary of the representations that were made at the public hearing held on July 15, 2019, for Bylaw No. 4290, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 143, 2019", be received.

That Bylaw No. 4290 be read a third time and adopted.
CARRIED

- 7.2. [19-711](#) Appointments

MOVED by Director Isitt, **SECONDED** by Director Tait,
That the following appointment be made:
Councillor Sharmarke Dubow as an alternate representative for the City of Victoria to the CRD Arts Commission, with a term to expire in December 2022.
CARRIED

- 7.3. [19-633](#) Bylaw No. 4322: 2019 to 2023 Financial Plan, Amendment Bylaw No. 3, 2019

N. Chan provided an introduction of Bylaw No. 4322: 2019 to 2023 Financial Plan.

MOVED by Director Desjardins, **SECONDED** by Director Haynes,
That Bylaw No. 4322, "2019 to 2023 Financial Plan Bylaw, 2019, Amendment Bylaw No. 3, 2019" be introduced and read a first, second, and third time;
CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Haynes,

That Bylaw No. 4322 be adopted.
CARRIED

8. REPORTS OF COMMITTEES

Juan De Fuca Land Use Committee

- 8.1. [19-654](#) Port Renfrew Development Permit Areas and Development Approval Information

MOVED by Director Hicks, **SECONDED** by Director Tait,
That the referral of the proposed bylaw directed by the Juan de Fuca Land Use Committee to a public information meeting; Agricultural Land Commission; Cowichan Valley Regional District; Department of Fisheries and Oceans; District of Sooke; Island Health; FLNR - Resource Management Objectives Branch; TRAN - Ministry of Transportation and Infrastructure; Pacheedaht First Nation; School District #62 - Sooke; and CRD departments be approved and the comments received.

That proposed Bylaw No. 4266, "Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 11, 2019" be introduced and read a first time and read a second time.

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. 4266.

CARRIED

- 8.2. [19-655](#) Zoning Amendment Application for Lot D, Section 36, Renfrew District, Plan VIS5337 - 17015 Parkinson Road

MOVED by Director Hicks, **SECONDED** by Director Tait,
That the referral of the proposed bylaw directed by the Juan de Fuca Land Use Committee to a public information meeting; BC Hydro, Cowichan Valley Regional District, District of Sooke, Island Health, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, RCMP, Sooke School District #62; and CRD departments be approved and the comments received.

That proposed Bylaw No. 4292, "Comprehensive Community Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 12, 2019" be introduced and read a first time and read a second time.

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. 4292.

CARRIED

- 8.3. [19-656](#) Building Conversion to Strata for Lot 1, Block 453, Malahat District, Plan VIP84067 - 1480 & 1490 Finlayson View Place

I. Lawrence spoke to the amended request and noted that staff have no objections.

Discussion ensued on the following:

- clarification that conditional occupancy indicates all health and safety conditions are met and dwelling is habitable.

MOVED by Director Hicks, SECONDED by Director Blackwell,
That Building Conversion Strata BC000023, for Lot 1, Block 453, Malahat District, Plan VIP84067, to obtain individual title for two single-family dwellings as shown on the Sketch Plan prepared by Glen Mitchell, BCLS, be approved subject to the following conditions:

- Approval for a water supply system under the Drinking Water Protection Act be obtained.
- A certificate of occupancy for the dwelling at 1490 Finlayson View Place be obtained.
- The submission of a final survey plan for endorsement by the General Manager, Planning & Protective Services Department.

MOVED by Director Hicks, SECONDED by Director Blackwell,
That the motion be amended in Subsection ii. to add the word "conditional" after the words "A certificate of..." and before the words "...occupancy for the dwelling...".

CARRIED

The question was called on the main motion as amended.

That Building Conversion Strata BC000023, for Lot 1, Block 453, Malahat District, Plan VIP84067, to obtain individual title for two single-family dwellings as shown on the Sketch Plan prepared by Glen Mitchell, BCLS, be approved subject to the following conditions:

- Approval for a water supply system under the Drinking Water Protection Act be obtained.
- A certificate of conditional occupancy for the dwelling at 1490 Finlayson View Place be obtained.
- The submission of a final survey plan for endorsement by the General Manager, Planning & Protective Services Department.

CARRIED

- 8.4.** [19-657](#) Development Variance Permit for Lot 17, Section 43, Highland District, Plan 14620 - 6736 Mark Lane

MOVED by Director Hicks, SECONDED by Director Haynes,
That Development Permit with Variance DV000058 for Lot 17, Section 43, Highland District, Plan 14620, to authorize construction in a Steep Slopes Development Permit Area, and to vary the Comprehensive Community Plan for Willis Point, Bylaw No. 3027, Schedule B, Part IV, Section 22.2(d)(ii), by reducing the side yard setback from 1.5 m to 0.62 m for the purpose of constructing an additional to an accessory building, be approved.

CARRIED

- 8.5.** [19-658](#) Development Variance Permit for Lot B, Section 97, Sooke District, Plan VIP82392 - 1617 Cole Road

MOVED by Director Hicks, SECONDED by Director Tait,
That Development Variance Permit VA000148, for Lot B, Section 97, Sooke District, Plan VIP82392 to vary the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 9.10, by reducing the setback requirement for farm

buildings from 15 m to 3.4 m on the west parcel boundary and from 15 m to 1.43 m from the south parcel boundary on proposed Lot 6, be approved.
CARRIED

Parks and Environment Committee

8.6. [19-676](#)

Reducing Expanded Polystyrene Foam Waste - Notice of Motion submitted by Directors Taylor, Holman, and Mersereau

The item was introduced by Director Taylor who spoke to the impacts to our environment and public health.

Discussion ensued on the following:

- Expanded public interest and support
- Province of BC currently exploring single-use plastic ban
- Single-use plastic medical devices
- Electoral area regulation framework
- Plastic packaged/wrapped food options

MOVED by Director Taylor, SECONDED by Director Haynes,
That staff be directed to report back with options and implications for creating a model bylaw to ban single-use expanded polystyrene waste items including cups and containers.

MOVED by Director Mersereau, SECONDED by Director Helps,
That the motion be amended to add the words "waste items, including single-use" after the words "...creating a model bylaw to ban single-use..." and before the words "...expanded polystyrene waste items...".

Director Young raised a Point of Order submitting the amendment on the floor was beyond the scope of the original motion.

Chair Plant ruled the amendment out of order.

MOVED by Director Mersereau, SECONDED by Director Helps,
That the motion be amended to add the words "plastic items including" after the words "...creating a model bylaw to ban single-use..." and before the words expanded polystyrene waste items...".

Director Haynes raised a Point of Order submitting the amendment on the floor was too broad.

Chair Plant ruled in favour of keeping the amendment on the floor.

MOVED by Director Haynes, SECONDED by Director Helps,
That the amendment be amended to add the words "...and excluding medical devices." to the end of the amended motion.

DEFEATED

OPPOSED: Chair Plant, Blackwell, Brice, Desjardins, Haynes, Helps, Hicks, Holman, Howe, Isitt, Loveday, McNeil-Smith, Martin, Mersereau, Murdoch, Orr, Ranns, Screech, Seaton, Tait, Taylor, Williams, Windsor

MOVED by Director Orr, SECONDED by Director Helps
That the question be called on the original amendment.

CARRIED

MOVED by Director Mersereau, **SECONDED** by Director Helps,
That the motion be amended to add the words "plastic items including" after
the words "...creating a model bylaw to ban single-use..." and before the
words expanded polystyrene waste items...".

DEFEATED

OPPOSED: Blackwell, Desjardins, Haynes, Helps, McNeil-Smith, Martin,
Ranns, Screech, Seaton, Williams, Windsor, Young

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

CARRIED

OPPOSED: Hicks

MOVED by Director Taylor, **SECONDED** by Director Haynes,
That staff be directed to report back with options and implications for
creating a model bylaw to ban single-use expanded polystyrene waste items
including cups and containers.

CARRIED

OPPOSED: Blackwell, Martin, Seaton

MOVED by Director Ranns, **SECONDED** by Director Desjardins
That staff contact the two companies that proposed gasifiers as part of the
biosolids request for proposals to see if they could include plastics and
Styrofoam and report back to the Parks and Environment Committee.

CARRIED

8.7. [19-694](#)

Cleaning Up CRD Waterways and Beaches - Notice of Motion
submitted by Director Isitt

Director Isitt introduced the Notice of Motion.

Discussion ensued on the following:

- Options for staff license to report on regulation improvements
- Water flow study and consideration

MOVED by Director Isitt, **SECONDED** by Director Mersereau,
That the report "Cleaning Up CRD Waterways and Beaches" be received for
information and refer the report to staff to report back to the Parks &
Environment Committee on options for strengthening regulations, policies
and programs relating to the health of waterways and beaches in the Capital
Region.

CARRIED

8.8. [19-695](#)

Mapping Sunken Vessels - Notice of Motion submitted by Director Isitt

Director Isitt spoke to item 8.8 on Mapping Sunken Vessels.

Discussion ensued on the following:

- Municipality funding, partnerships
- Provincial accountability
- Google Earth partnerships
- Clarification of CRD expectations/scope of strategic plans

- Service mandates and possible related services

MOVED by Director Isitt, **SECONDED** by Director Windsor,
That staff be requested to report back on the financial implications, potential partnerships, and feasibility of mapping sunken vessels in selected areas of the region, including the following suggested locations: Sooke Basin, Esquimalt Harbour, Victoria Harbour, Gorge Waterway, Oak Bay, Cadboro Bay, Brentwood Bay, Fulford Harbour and Burgoyne Bay.

MOVED by Director McNeil-Smith, **SECONDED** by Director Haynes,
That the motion be amended to add the words "Tsehum Harbour and south to north Bazan Bay," after the words, "Cadboro Bay, Brentwood Bay..." and before the words "...Fulford Harbour and Burgoyne Bay."

MOVED by Director Murdoch, **SECONDED** by Director Holman,
That the motion be further amended to add the words "but not limited to" after the words, "...areas of the region, including..." and before the words "...the following suggested locations:".

CARRIED

OPPOSED: Blackwell, Seaton

MOVED by Director McNeil-Smith, **SECONDED** by Director Haynes,
That the question be called on the original amendment.
That the motion be amended to add the words "Tsehum Harbour and south to north Bazan Bay," after the words, "Cadboro Bay, Brentwood Bay..." and before the words "...Fulford Harbour and Burgoyne Bay."

CARRIED

OPPOSED: Blackwell, Seaton

MOVED by Director Windsor, **SECONDED** by Director Desjardins
That the question be called on the main motion as amended.

CARRIED

OPPOSED: Hicks, Seaton, Screech

MOVED by Director Isitt, **SECONDED** by Director Windsor,
That staff be requested to report back on the financial implications, potential partnerships, and feasibility of mapping sunken vessels in selected areas of the region, including but not limited to the following suggested locations: Sooke Basin, Esquimalt Harbour, Victoria Harbour, Gorge Waterway, Oak Bay, Cadboro Bay, Brentwood Bay, Tsehum Harbour and south to north Bazan Bay, Fulford Harbour and Burgoyne Bay.

CARRIED

OPPOSED: Blackwell, Hicks, Seaton, Screech

8.9. [19-718](#)

Information on Compliance and Enforcement at Thetis Lake Regional Park

L. Hutcheson introduced the report on Thetis Lake Compliance and Enforcement.

Discussion ensued on the following:

- Increased patrols
- RCMP costs
- Requirement of additional park staff during the summer season
- Impact of shifting resources to Thetis Lake Park from other parks

MOVED by Director Screech, **SECONDED** by Director Isitt,
That the Capital Regional District Board receive this report for information.
CARRIED

8.9b. [19-697](#) Recycling Market Updates

Discussion ensued on the following:

- Challenges of low value recyclable materials
- Compliance in commercial and multi-family buildings

MOVED by Director Mersereau, **SECONDED** by Director Isitt,
That staff consult with local waste haulers, through the CRD's Solid Waste Industry and Local Government Liaison groups, to get feedback on potential changes to Bylaw No. 3881 that better reflect the new reality of recycling markets, prior to bringing any bylaw changes forward to the Parks & Environment Committee for consideration.
CARRIED

Planning and Protective Services Committee

8.10. [19-636](#) Central Saanich Regional Context Statement

MOVED by Director Windsor, **SECONDED** by Director Williams,
That the District of Central Saanich regional context statement be considered in relation to the 2018 RGS (Bylaw No. 4017) and be accepted in accordance with the requirements of section 448 of the Local Government Act.
CARRIED

8.11. [19-637](#) Consideration of Regional Growth Strategy Consistency: Port Renfrew Comprehensive Community Development Plan

MOVED by Director Windsor, **SECONDED** by Director Williams,
That the proposed Bylaw No. 4266, Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 11, 2019 as it relates to the 2018 Regional Growth Strategy (RGS) be reviewed and the proposed Bylaw No. 4266 be deemed consistent with the 2018 RGS.
CARRIED

9. BYLAWS

There were no bylaws for consideration under this section.

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. [19-724](#) Motion to Close the Meeting

MOVED by Director Taylor, **SECONDED** by Director Blackwell,
For Appointments under section 90 (1)(a) of the Community Charter. [1 item]
CARRIED

MOVED by Director Brice, **SECONDED** by Director Blackwell,
For Land Acquisition under section 90 (1)(e) of the Community Charter.
CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Brice,
That the Board considers disclosure could reasonably be expected to harm the
interests of the Regional District. [1 item]
CARRIED

The meeting was closed at 2:39 pm.

13. RISE AND REPORT

The Capital Regional District Board rose from the closed session at 2:45 pm.
and reported on the following item:

3.2 Appointments to CRD Committees and Commissions:

BE IT RESOLVED:

In accordance with Bylaw No. 3654, that the following person be appointed to
the Shirley Fire Protection and Emergency Response Service Commission for
a term to expire December 31, 2020: Malcolm Taylor

In accordance with Bylaw No. 3450, that the following person be appointed to
the Salt Spring Island Transportation Commission for a term to expire
December 31, 2019: Maxine Leichter

14. ADJOURNMENT

MOVED by Director Helps, **SECONDED** by Director Orr,
That the August 14, 2019 Capital Regional District Board meeting be adjourned at
2:45 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER