

CAPITAL REGIONAL DISTRICT
BYLAW NO. 4630

A BYLAW TO ESTABLISH A REGIONAL TRANSPORTATION SERVICE

WHEREAS:

- A. Under section 332 of the *Local Government Act* a regional district may, by bylaw, establish and operate any service the Board considers necessary or desirable for all or the part of the regional district;
- B. The Board of the Capital Regional District wishes to establish a service for the purpose of addressing transportation needs within the Capital Regional District;
- C. Participating area approval is required and elector approval has been obtained for the entire service area by alternative approval process, pursuant to s. 342(4) of the *Local Government Act*; and
- D. The approval of the Inspector of Municipalities has been obtained under section 342(1)(a) of the *Local Government Act*;

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled enacts as follows:

Service

- 1. (a) The service being established and to be operated is a regional transportation service (the "**Transportation Service**") for the purpose of providing services in relation to transportation, including, without the limiting the foregoing:
 - i. Development of transportation policies, plans, programs, projects, and studies, including but not limited to public transit, active transportation, mobility hubs, transportation demand management, and road and trail safety;
 - ii. Provision of transportation information and data services;
 - iii. Management of regional trails that serve a regional transportation purpose, as determined by the Capital Regional District Board, including regional trail planning, policy development, constructing, operating and maintaining regional trail infrastructure, capital planning, and management of land tenure;
 - iv. Acquiring and holding land and interests in land required for the purpose of providing transportation services, including for the establishment and operation of transportation corridors and regional trails;
 - v. Acquiring, receiving, holding, distributing, and granting funding for transportation infrastructure and programs, including by entering into funding agreements, grant agreements, and partnering agreements with other public authorities;
 - vi. Construction, operation, and management of capital works and facilities that

- support transportation, including but not limited to active transportation, mobility hubs, and other transportation infrastructure;
- vii. Providing services and support to municipal participants and other public authorities relating to transportation services, including but not limited to public transit, active transportation, mobility hubs, transportation demand management, and road and trail safety;
 - viii. Managing, operating, and maintaining other transportation systems that serve a regional transportation purpose and are within the jurisdiction of the Capital Regional District.
- (b) Subsection (a) is not intended to alter or affect the dedication as regional trail of any designated regional trail nor to impair the use of the designated regional trails for the purpose of public recreation and enjoyment and ancillary nature conservation.
- (c) Subsection (a) is not intended to alter or affect the statutory powers of the Province of British Columbia or of any municipal participant in respect of a public highway within their respective jurisdictions.

Boundaries

- 2. The boundaries of the Transportation Service are the boundaries of the Capital Regional District.

Participating Areas

- 3. All municipalities and electoral areas within the Capital Regional District are the participating areas for this service.

Cost Recovery

- 4. As provided in Section 378 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
 - (a) property value taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act*;
 - (b) fees and charges imposed under Section 397 of the *Local Government Act*;
 - (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
 - (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

Cost Apportionment

- 5. The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating areas on the basis of the converted value of land and improvements in the participating areas.

Maximum Requisition

- 6. In accordance with Section 339(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
 - (a) Twenty Million (\$20,000,000); or
 - (b) An amount equal to the amount that could be raised by a property value tax rate of \$0.10834 per ONE THOUSAND DOLLARS (\$1,000.00) that, when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

Citation

- 7. This Bylaw may be cited as “Regional Transportation Service Establishment Bylaw No. 1, 2024”.

READ A FIRST TIME THIS 11th day of September, 2024

READ A SECOND TIME THIS 11th day of September, 2024

READ A THIRD TIME THIS 11th day of September, 2024

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 5th day of February, 2025

RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTION 342(4) OF THE *LOCAL GOVERNMENT ACT* THIS day of , 2025

ADOPTED THIS day of , 2025

CHAIR

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS day of