

REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, FEBRUARY 11, 2026

SUBJECT AAP Requirements for Bylaw No. 4704: Performing Arts Facilities Service Establishing Bylaw No. 1, 2025

ISSUE SUMMARY

The CRD Board must establish the process for conducting an alternative approval process (AAP) by establishing the total number of electors, approving the deadline to receive elector responses, approving a synopsis for the bylaw, the statutory notice, and the elector response form.

BACKGROUND

At its meeting held October 8, 2025, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 4704, “Performing Arts Facilities Service Establishing Bylaw No. 1, 2025” (Appendix A).

The purpose of Bylaw No. 4704 is to authorize the establishment of a new Performing Arts Facilities Service for the purpose of operating and funding regional performing arts facilities within the Capital Regional District. The maximum amount that can be requisitioned annually for the service is three million dollars (\$3,000,000) or an amount equal to the amount that could be raised by a property value tax rate of \$0.0171 per one thousand dollars (\$1,000) of the net taxable value of the land and improvements within the service area.

Prior to adopting a new service establishment bylaw, participating area approval is required and will be obtained for the entire proposed Performing Arts Facilities Service area by alternative approval process. The alternative approval process applies to all electors in the Southern Gulf Islands Electoral Area and all municipalities of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, and View Royal.

The following documents have been prepared in accordance with the applicable sections of the *Local Government Act* and the *Community Charter* and must be approved by the CRD Board:

- Synopsis of Bylaw No. 4704 (Appendix B)
- Notice of AAP for Bylaw No. 4704 (Appendix C)
- Elector Response Form for Bylaw No. 4704 (Appendix D)

With an AAP, the Board may proceed with adopting the bylaw if less than 10% of electors submit a signed Elector Response Form indicating that the Board must obtain the assent of the electors by way of assent voting (referendum). The total number of electors in the proposed Performing Arts Facilities Service area is determined to be 315,735 of which 10% is 31,574 electors. The AAP Elector Response Form will be available when the statutory Notice of AAP is published on February 17, 2026 and the response period will close at 4:30 pm on March 30, 2026.

ALTERNATIVES

Alternative 1

1. That in accordance with section 86(3) of the *Community Charter*, the date of March 30, 2026 be confirmed as the deadline by which elector responses, under the alternative approval process for CRD Bylaw No. 4704, must be submitted to the Capital Regional District by qualified electors within the service participating area;
2. That the attached Synopsis of Bylaw No. 4704 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix E) be approved; and
3. That the total number of registered electors within the service participating area is 315,735 and that 10% of that number is 31,574 electors.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Alignment with Board and Corporate Priorities

In the current CRD Corporate Plan (2023-2026), initiative 10b-2 states the CRD will “Scale up regional support for performing arts facilities within the region.” This could be achieved by the Performing Arts Facilities Service proposed through establishing Bylaw No. 4704.

Communication Channels

The AAP notification for Bylaw No. 4704 will launch on February 17, 2026. The purpose of the communication approach is to inform electors in the proposed Performing Arts Facilities Service area about the AAP, provide information regarding the opportunity to submit response forms prior to the deadline, provide information regarding the purpose and intent of the service, and address questions that may arise during the process.

The AAP communication channels plan is attached as Appendix E. In addition, the Frequently Asked Questions related to the purchase of land and borrowing is attached as Appendix F.

CONCLUSION

The CRD Board had previously approved obtaining participating area approval for the entire service area by regional alternative approval process for Bylaw No. 4704, “*Performing Arts Facilities Service Establishing Bylaw No. 1, 2025*”. Prior to conducting the alternative approval process, the Board must confirm the deadline to receive elector responses as March 30, 2026, establish the number of eligible electors, and approve the synopsis of Bylaw No. 4704 (Appendix B), Notice of Alternative Approval Process (Appendix C), and the Elector Response Form (Appendix D) in accordance with the applicable provincial legislation.

RECOMMENDATION

1. That in accordance with section 86(3) of the *Community Charter*, the date of March 30, 2026 be confirmed as the deadline by which elector responses, under the alternative approval process for CRD Bylaw No. 4704, must be submitted to the Capital Regional District by qualified electors within the service participating area;
2. That the attached Synopsis of Bylaw No. 4704 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix E) be approved; and
3. That the total number of registered electors within the service participating area is 315,735 and that 10% of that number is 31,574 electors.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Varinia Somosan, CPA, CGA, Acting Chief Financial Officer, GM Finance & IT
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Bylaw No. 4704 at Third Reading
Appendix B: Synopsis of Bylaw No. 4704
Appendix C: Notice of AAP for Bylaw No. 4704
Appendix D: Elector Response Form for Bylaw No. 4704
Appendix E: AAP Communication Channels for Bylaw No. 4704
Appendix F: Frequently Asked Questions – Theatres AAP