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## REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, MARCH 12, 2025

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**SUBJECT**     **AAP Requirements for Bylaw No. 4630 – Regional Transportation Service Establishment Bylaw No. 1, 2024**

### **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 September 11, 2024, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 4630, "*Regional Transportation Service Establishment Bylaw No. 1, 2024*" (Appendix A).

Bylaw No. 4630 would establish a new regional transportation service for the purpose of addressing transportation needs within the Capital Regional District. This includes but is not limited to the development of transportation policies, plans, programs, projects, and studies. This service will also include management of regional trails that serve a regional transportation purpose along with other services and support to municipal participants and other public authorities.

The maximum amount that can be requisitioned annually for the service is twenty million dollars (\$20,000,000) or 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) 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 by regional alternative approval process. The service area applies to all municipalities and electoral areas of the CRD, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands.

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. 4630 (Appendix B)
- Notice of AAP for Bylaw No. 4630 (Appendix C)
- Elector Response Form for Bylaw No. 4630 (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 Regional Transportation Service (i.e. Capital Regional District) is determined to be 331,273 of which 10% is 33,127 electors. The AAP Elector Response Form will be available when the statutory Notice

of AAP is published on April 3, 2025 and the response period will close at 4:30 pm on May 16, 2025.

## **ALTERNATIVES**

### *Alternative 1*

1. That in accordance with section 86(3) of the *Community Charter*, the date of May 16, 2025 be confirmed as the deadline by which elector responses, under the regional alternative approval process for CRD Bylaw No. 4630, must be submitted to the Capital Regional District by qualified electors within the Capital Regional District;
2. That the attached Synopsis of Bylaw No. 4630 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix F) be approved; and
3. That the total number of registered electors within the service area is 331,273 and that 10% of that number is 33,127 electors.

### *Alternative 2*

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

## **IMPLICATIONS**

### *Alignment with Board & Corporate Priorities*

The 2023-2026 Board Priority on transportation is to ensure residents have access to convenient, green and affordable multi-modal transportation systems that enhance livability. CRD Corporate Plan initiative 4a-1 is to develop governance options, including consideration of a new transportation service or authority.

### *Alignment with Existing Plans & Strategies*

Bylaw No. 4630 aligns with the overall visions, objectives, and actions of CRD's existing plans which includes the Regional Growth Strategy (RGS), the Regional Transportation Plan, the Regional Parks and Trails Strategic Plan, the Regional Trails Management Plan, the Climate Action Strategy, and the Intergovernmental Relations Policy.

### *Financial & Service Delivery Implications*

The maximum amount that can be requisitioned for the service is \$20 million (or an amount equal to the amount that could be raised by a property value tax rate of \$0.10834 per \$1,000 to the net taxable value of the land and improvements within the service area). The service is anticipated to be implemented over several years and there are no plans to reach maximum requisition.

For additional information, please refer to the previous staff report dated September 11, 2024 (Appendix E).

### *Communication Channels*

The AAP notification for Bylaw No. 4630 will launch on April 3, 2025. The purpose of the communication approach following the March Board meeting is to inform residents in the region about the Regional Transportation Service Establishment bylaw and AAP, provide electors information regarding the opportunity to submit response forms to the bylaw 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 F. In addition, electors and residents will have the opportunity receive more information about Bylaw No. 4630 and the AAP process through a virtual information session that will be held prior to the official launch of the AAP.

**CONCLUSION**

The CRD Board had previously approved obtaining participating area approval for the entire service area by regional alternative approval process for Bylaw No. 4630, “*Regional Transportation Service Establishment Bylaw No. 1, 2024*”. Prior to conducting the alternative approval process, the Board must confirm the deadline to receive elector responses as May 16, 2025, establish the number of eligible electors, and approve the synopsis of Bylaw No. 4630 (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 May 16, 2025 be confirmed as the deadline by which elector responses, under the regional alternative approval process for CRD Bylaw No. 4630, must be submitted to the Capital Regional District by qualified electors within the Capital Regional District;
2. That the attached Synopsis of Bylaw No. 4630 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix F) be approved; and
3. That the total number of registered electors within the service area is 331,273 and that 10% of that number is 33,127 electors.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Housing, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENT(S)**

- Appendix A: Bylaw No. 4630 at Third Reading
- Appendix B: Synopsis of Bylaw No. 4630
- Appendix C: Notice of AAP for Bylaw No. 4630
- Appendix D: Elector Response Form for Bylaw No. 4630
- Appendix E: Previous Staff Report dated September 11, 2024
- Appendix F: AAP Communication Channels for Bylaw No. 4630