

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, APRIL 15, 2026**

SUBJECT **Bylaw No. 4765 – Exemption of Salt Spring Island Composting Facility from Bylaw No. 2736 – A Bylaw to Regulate the Operations of Composting Facilities in the Capital Regional District**

ISSUE SUMMARY

To initiate an exemption from Bylaw No. 2736, “Capital Regional District Composting Facilities Regulation Bylaw No. 1, 2004”, for the Capital Regional District’s (CRD) small-scale in-vessel Salt Spring Island composting facility, regulated by the *Organic Matter Recycling Regulation*, and initiate the required steps to repeal Bylaw No. 2736 region-wide.

BACKGROUND

In 2005, the CRD adopted Bylaw No. 2736, “Capital Regional District Composting Facilities Regulation Bylaw No. 1, 2004”, to regulate the operation of composting facilities in the capital region. The main purpose of the bylaw was to ensure that composting operations did not contaminate ground and surface water or generate unacceptable levels of odours, vectors or litter.

At that time, the bylaw was intended to complement the BC *Organic Matter Recycling Regulation, 18/2002* (OMRR), enacted in 2002 to govern the construction and operation of composting facilities and the production, distribution, sale, storage, use and land application of biosolids and compost. Since its initial iteration, OMRR has undergone reviews in 2006, 2011 and 2016 that have led to changes that significantly broadened its scope, including acceptable compostable materials. Last updated in 2022, OMRR now includes requirements for odour, vector and leachate management and duplicates nearly all the requirements of the CRD’s Bylaw No. 2736. Considering OMRR’s expanded scope, Bylaw No. 2736 is now redundant.

As an *Environmental Management Act* (EMA) bylaw, Section 25(4) requires that the CRD undertake public consultation and, for a total repeal of Bylaw No. 2736, it is recommended the CRD amend its Solid Waste Management Plan (SWMP) prior to repealing Bylaw No. 2736. Under the *EMA*, Section 34(1) requires ministerial approval of the repeal or amendment of an EMA Section 25 bylaw prior to bylaw adoption.

Regulated Facilities

The one facility that Bylaw No. 2736 currently applies to is a small in-vessel composting facility on Salt Spring Island. With funding from the Province, the CRD partnered with the Salt Spring Island Abattoir Society and the Salt Spring Island Farmland Trust in 2022 to operate a composting facility focused on abattoir waste.

As the facility currently only accepts abattoir waste for agricultural use, it has not yet required a license under Bylaw No. 2736 to operate. However, it was always intended that this facility would accept farm and food waste from other generators on the island to provide alternate sources of feed stock that would lead to the production of marketable compost material. To accept material from outside sources and/or provide finished compost to the community for off-site use, the facility will require a license under Bylaw No. 2736.

Given that completing the process to amend the SWMP and repeal Bylaw No. 2736 is expected to take up to 48 months, staff recommend that the Salt Spring Island composting facility should be exempted from Bylaw No. 2736 in the interim to ensure that its ability to operate as it was fully intended is not constrained.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the Capital Regional District Board that:

1. That Bylaw No. 4765, “Capital Regional District Composting Facilities Regulation Bylaw No. 1, Amendment Bylaw No. 1, 2026”, be read a first, second and third time;
2. That staff conduct an online consultation on the exemption of the Salt Spring Island Composting Facility from the application of Bylaw No. 2736 for a minimum of one month;
3. That, pending the outcome of this consultation process, staff refer Bylaw No. 4765 to the Minister of Environment and Parks for written approval; and
4. That staff incorporate a repeal of Bylaw No. 2736 into the CRD’s next Solid Waste Management Plan that is scheduled to be updated by 2030, including a public engagement process, and, subject to the completion of these tasks, prepare a bylaw for the CRD Board’s approval to repeal Bylaw No. 2736.

Alternative 2

This report be referred back to staff for additional information.

IMPLICATIONS

Environmental Implications

Each of the environmental risks associated with composting facilities are now addressed through either OMRR or local municipal bylaws. As a result, there are no environmental implications to repealing Bylaw No. 2736.

Legal Implications

For the 20 years that Bylaw No. 2736 has been in effect, it has only been used once to license a composting facility in the region that has now closed. An expanded OMRR now addresses the key environmental issues of leachate, odour and vector management at composting facilities that were the main impetus for Bylaw No. 2736 and it is therefore appropriate to repeal this bylaw.

As an *Environmental Management Act* s. 25 bylaw, prior to adoption, the bylaw must receive the written approval of the BC Minister of Environment and Parks. In discussion with the Province, staff have been informed that an appropriate public consultation for an exemption or modified licensing scheme would include a brief online consultation to solicit public input from the Salt Spring Island community, while a total repeal of Bylaw No. 2736 should be undertaken region-wide at the same time as review and amendment of the Solid Waste Management Plan. The estimate provided by Provincial staff for ministerial approval, after public consultation, is three months.

CONCLUSION

Bylaw No. 2736 was established in 2005 for the purpose of regulating the operation of composting facilities in the region. Since then, the BC Organic Matter Recycling Regulation has been significantly expanded and now addresses composting facility issues such as odour and leachate management that Bylaw No. 2736 was intended to regulate.

Given that Bylaw No. 2736 is now redundant, it is appropriate that it be repealed. The BC *Environmental Management Act* requires that the Capital Regional District undertake a public consultation prior to adoption of this amendment, and prior to repeal, it is recommended a Solid Waste Management Plan amendment occur. It is recommended that these steps be undertaken and a bylaw prepared for Capital Regional District Board approval to do so.

The small in-vessel composting facility on Salt Spring Island wishes to operate for community purposes and is unable to fully meet its intended mandate with Bylaw No. 2736 in place.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board that:

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2. That staff conduct an online consultation on the exemption of the Salt Spring Island Composting Facility from the application of Bylaw No. 2736 for a minimum of one month;
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Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
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ATTACHMENTS

- Appendix A: Capital Regional District Composting Facilities Regulation Bylaw No. 1, 2004, Amendment Bylaw No. 1, 2026 (Bylaw No. 4765)
- Appendix B: Capital Regional District Composting Facilities Regulation Bylaw No. 1, 2004 (Redline)