



Making a difference...together

Executive Services
625 Fisgard Street
Victoria, BC V8W 2S6

T: 250.360.3000

F: 250.360.3076

www.crd.bc.ca

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File: 0400-50

Dear Municipal Colleagues:

RE: COUNCIL SUPPORT FOR BYLAW 4093

As you know, transportation is a growing issue in our communities. Residents are fed up with congestion and limited transportation choices and are calling on government to take action.

While much is being done by municipalities, the region and the Province, in the absence of a unified and coordinated approach, significant issues remain unaddressed, actions remain untaken, and funding remains unavailable. It is clear that the status quo is not fully addressing matters and frustration is mounting. We have an opportunity to do something about that.

In 2011, the Board agreed that the CRD would move to take on a significant transportation role, including requisitioning for capital projects and pursuing a role in transit. Changes in grant funding allocations and provincial approaches subsequently rendered those roles less feasible. In response to these changes, in 2016 the CRD Board unanimously directed staff to draft a Transportation Service Bylaw reflecting the new landscape. The draft was reviewed with municipalities and electoral areas and adjusted in response to their feedback. The bylaw resulting from that feedback was given third reading on January 10, 2018. The Board is now seeking your Council's support for the revised bylaw (Bylaw 4093).

Bylaw 4093 encompasses transportation services not being undertaken at a regional scale by either municipalities or the Province. The services included are those that can be most cost-effectively delivered at a regional scale – namely data collection, programming and lobbying for funding of regional priorities.

Service enhancements require adoption of Bylaw 4093. The proposed bylaw provides for municipal requisitioning to cover the costs of expanded services. Any increases beyond current spending (\$1.5 million) would have to be approved by a majority of the Board. Any increases beyond the requisition cap of \$2.5 million would have to be approved by a majority of the Board and 2/3 of municipal Councils or whatever approval process was used to adopt the bylaw.

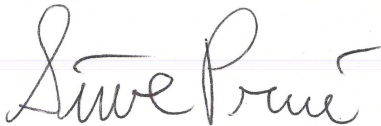
A Transportation Service would give the region a voice and a presence with senior governments that we do not currently have. This voice need not replace any other strategies for advocating solutions, such as greater membership on Victoria Regional Transit Commission, individual municipal lobbying etc., but would rather complement other initiatives and enhance the profile of the region's needs – including those in your municipality.

Our regional voice and impact becomes most powerful if ALL municipalities and EAs are part of the new Service. We will only be able to address the region's transportation challenges if we are ALL part of the solution.



For the benefit of your municipality, your constituents and the region as a whole, I hope that you will join with others to move the region forward by supporting adoption of Bylaw 4093.

Sincerely,



Steve Price
Board Chair, Capital Regional District

cc: Patrick Robins, CAO, Central Saanich
Ian Howat, CAO, Colwood
Laurie Hurst, CAO, Esquimalt
Loranne Hilton, CAO, Highlands
Darren Kiedyk, CAO, Langford
Lisa Urlacher, CAO, Metchosin
Rob Buchan, CAO, North Saanich
Helen Koning, CAO, Oak Bay
Paul Thorkelsson, CAO, Saanich
Randy Humble, CAO, Sidney
Teresa Sullivan, CAO, Sooke
Jocelyn Jenkyns, A/CAO, Victoria
Robert Lapham, CAO, Capital Regional District
Capital Regional District Board Members

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4093**

**A BYLAW TO ESTABLISH A SERVICE AREA WITHIN THE
CAPITAL REGIONAL DISTRICT FOR THE PURPOSE OF A REGIONAL TRANSPORTATION
SERVICE**

WHEREAS 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 part of the regional district;

AND WHEREAS the Board of the Capital Regional District wishes to establish a service to address transportation needs within the Region.

AND WHEREAS the approval of the electors in the Participating Areas has been obtained under Part 10, Division 4 of the *Local Government Act*;

AND WHEREAS 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:

1. Services

The service being established and operated is the Capital Regional District Transportation Service (the "Transportation Service") for the purpose of providing policy, planning, programming, administration and information management services in relation to transportation as follows:

(A) The service may include the provision of:

- i. Transportation policy, plans, surveys and studies;
- ii. Transportation data collection, monitoring, analysis and reporting;
- iii. Transportation modelling;
- iv. Transportation web based and multi-media platforms;
- v. Active transportation programming, planning and promotion;
- vi. Transportation demand management programming, planning and promotion;
- vii. Partnerships for data, analysis, planning, programming and policy;
- viii. Transportation grant submissions.

(B) Management of those Regional Trails listed in Schedule A ("designated regional trails" - including trails planning, operations and maintenance, capital planning and management of land tenure;

(C) Subsection (B) 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.

2. Boundaries

The boundaries of the "Transportation Service" are the boundaries of the Capital Regional District.

3. Participating Areas

District of Central Saanich, City of Colwood, Township of Esquimalt, District of Highlands, Juan de Fuca Electoral Area, City of Langford, District of Metchosin, District of North Saanich, District of Oak Bay, District of Saanich, Salt Spring Island Electoral Area, Town of Sidney, District of Sooke, Southern Gulf Islands Electoral Area, City of Victoria, Town of View Royal

4. Cost Recovery

As provided in section 378 of the *Local Government Act*, the annual cost of providing the Transportation 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.

5. Maximum Requisition

In accordance with section 339(1) (e) of the *Local Government Act*, the maximum amount that may be requisitioned for the cost of the Transportation Service is the greater of:

- (a) two and a half million dollars (\$2,500,000); or
- (b) an amount equal to the amount that could be raised by a property value tax rate of \$0.02548 per one thousand dollars (\$1,000) applied to the net taxable value of land and improvements in the Service Area.

6. Citation

This Bylaw may be cited as the Bylaw No. 4093 "Capital Regional District Transportation Service Establishment Bylaw No. 4093, 2018".

READ A FIRST TIME THIS	8	day of	November	2017
READ A SECOND TIME THIS	8	day of	November	2017
READ A THIRD TIME THIS	8	day of	November	2017
THIRD READING RESCINDED AND REREAD THIS	10	day of	January	2018
RECEIVED ALTERNATIVE APPROVAL UNDER SECTION 345 OF THE LOCAL GOVERNMENT ACT THIS		day of		2018
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS		day of		2018
ADOPTED THIS		day of		2018

Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS	day of	2018
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E & N Rail Trail – Humpback Connector
Galloping Goose Regional Trail
Lochside Regional Trail



Frequently Asked Questions

Regional Transportation Service Establishment Bylaw

Capital Regional District | January 2018

Capital Regional District Transportation Service Establishment Bylaw 4093, 2018

What is Bylaw 4093?

“Capital Regional District Transportation Service Establishment Bylaw No. 4093, 2018” provides for the establishment of a regional transportation service in the Capital Region District. It identifies the scope of the service, its boundaries and a maximum requisition.

What is the scope of the bylaw?

The service may include the provision of:

- Transportation policy, plans, surveys and studies;
- Transportation data collection, monitoring, analysis and reporting;
- Transportation modelling;
- Transportation web based and multi-media platforms;
- Active transportation programming, planning and promotion;
- Transportation demand management programming, planning and promotion;
- Partnerships for data, analysis, planning, programming and policy;
- Transportation grant submissions.

Management of the Lochside, Galloping Goose and E&N Regional Trails - including trails planning, operations and maintenance, capital planning and management of land tenure.

The focus of the above efforts would be on the network and initiatives identified in the Regional Transportation Plan.

Frequently Asked Questions

Regional Transportation Service Establishment Bylaw

Capital Regional District | January 2018

What about transit?

There is no scope to take on a regional transit role in the bylaw. The Victoria Regional Transit Commission and BC Transit remain the regional bodies for transit governance and operations. CRD staff will work closely with staff from BC Transit to meet regional transportation priorities.

Why is this bylaw being introduced?

The establishment of a regional transportation service has been identified as a Board priority. Its creation was identified in the Regional Transportation Plan (2014) as the best means to advance the actions identified in the plan. A need for such a service was also identified in the CRD Transportation Service Feasibility Study.

Why have a regional transportation service?

Transportation within the region is the responsibility of many different jurisdictions and a multi-modal approach at a regional scale has not been a priority. Residents and businesses have consistently asked that a regional lens be placed on transportation, recognising that transportation does not respect jurisdictional boundaries.

Certain projects and programs such as data collection, travel demand management and transportation plans can be best done at a regional scale. A new service would assist in identifying through data analysis and outreach the region's most significant transportation priorities. This could then be used as the framework for grant applications to higher levels of government. Providing the region with one united voice as opposed to many competing voices is likely to have beneficial outcomes in terms of access to such grants. Granting agencies are increasingly looking for hard data to back up funding requests.

Why is it so important that all local governments and Electoral Areas within the CRD participate in the regional transportation service?

Residents, business people and visitors to the CRD travel across many jurisdictions in their everyday pursuits. Many are unaware that they are doing this. The volumes of inter-municipal travel are likely to grow even more in future years as certain parts of the region expand.

Frequently Asked Questions

Regional Transportation Service Establishment Bylaw

Capital Regional District | January 2018

Any benefits gained from the service would likely be advantageous for all residents of the region. Certain programs can be most effectively delivered using a full regional lens. For example freight studies that include only certain municipalities and EA's would likely not capture the full impact of freight movement.

Identifying regional transportation priorities and speaking as one united voice on transportation as opposed to many smaller competing voices is likely to get more traction with higher levels of government.

Financial Implications

What will this service cost us?

There would be no additional costs on establishment of the service. The service would simply allow for the budgets associated with transportation-related functions of two CRD divisions to be consolidated. The existing budget for the transportation functions of Regional Parks and Regional and Strategic Planning is approximately \$1,500,000. This amount includes operations and maintenance of the Galloping Goose, Lochside and E&N trails.

The bylaw identifies a maximum requisition for the service of \$2,500,000 based on feedback received from municipal council and electoral area outreach. Having a higher maximum requisition than the current consolidated budget does not mean that there will be any additional immediate costs associated with the service. Additional costs would be incurred only as new functions within the scope of the service were introduced over time. No additional costs could be approved without receiving work plans and budget approvals through the CRD Committee and Board processes.

What's stopping the CRD simply increasing the maximum requisition or expanding the scope of the service?

The CRD Board cannot simply increase the maximum requisition or expand the scope of service. Any changes to the maximum requisition or service scope would require a bylaw amendment. Amendment of an establishing bylaw is covered under s. 349 of the LGA and states that the amendment may be done with the same requirements of adoption OR with the consent of 2/3rds of participants. It does not differentiate between amendments affecting scope or requisition.

Frequently Asked Questions

Regional Transportation Service Establishment Bylaw

Capital Regional District | January 2018

CRD Board, Municipal and Electoral Area Input in to the Bylaw

When did the discussion about establishing this service start?

The process towards establishment of a regional transportation service commenced in 2011. However discussions related to a regional position and greater voice in transportation have been ongoing at the CRD Board since the late 1990's.

Have councils and Electoral Areas had input into the bylaw?

Yes. All councils and Electoral Area Directors were provided with the opportunity to meet with staff and/or CRD Board members to discuss the purpose and content of the bylaw through an outreach program in late 2016.

What feedback was received from the Municipalities and EA's?

There was general agreement that the status quo was not working to meet the changing multi-modal transportation needs of the region.

The most prominent concerns of a new service related to:

A) Cost implications

Concerns over cost implications were addressed by decreasing the maximum requisition level from \$10 million to \$2.5 million.

B) Impact on the recreational and park value of the regional trails system

Staff assured councils and EA directors that the regional trails will retain their recreational function and that the linear park values of the trails would be respected. The bylaw was drafted to included wording to this effect.

Frequently Asked Questions

Regional Transportation Service Establishment Bylaw

Capital Regional District | January 2018

C) Potential loss of local jurisdictional authority

Staff informed councils and EAs that local control would not be impacted by the introduction of a new service and that a regional transportation service would build upon the work being done at a local level.

D) The proposed governance structure for any new service

Staff further clarified that no decisions regarding governance structure for the regional transportation service had been made. Governance structure is distinct from the bylaw and as such does not need to be identified in the bylaw itself. The final governance structure will be approved by the CRD at a later date if a new service is approved.

Was council and Electoral Area feedback reflected in the Bylaw 4093?

Yes. The draft bylaw was amended to reflect comments and feedback that was heard during the outreach period. In particular the maximum requisition was lowered from \$10 million dollars to \$2.5 million.

Regional Trails

What will happen with the regional trails under the service?

Management of the three main regional trails would be transferred from regional parks to the transportation service. The public would see little or no difference in day-to-day operations of the trails system.

Pedestrians, users on wheels and horse riders would continue to be provided for and the linear parklands would be maintained and respected. The rural and wilderness nature of the trails would also be respected.

The Regional Trails Management Plan would continue to be the guiding document for the regional trails system. Data on trail usage mode splits would be gathered and analysed to inform future decisions and grant applications. Having the trails system under a transportation service would provide for the ability to apply for grants for transportation projects which may not be possible under the current service structure.
