

**Meghan Wylie**

**From:** Anja Nurvo  
**Sent:** January-15-18 08:47  
**To:** Meghan Wylie  
**Subject:** FW: CRD Transportation Service Bylaw No. 4093  
**Attachments:** 2018-01-12LetterToAllMunicipalities-Bylaw4093.pdf; CRD Bylaw 4093.pdf; FAQ Regional Transportation Bylaw.pdf

For mail log please.

**Anja Nurvo, BA, LLB**  
Director of Corporate Services  
Tel: 1-250-414-7135

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council	
<input type="checkbox"/>		
RECEIVED: JAN 16 2018		
Referred: <i>Anja</i>		
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

**From:** Kristen Morley [mailto:kmorley@crd.bc.ca]  
**Sent:** January-12-18 4:57 PM  
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**Cc:** Liz.Cornwell@csaanich.ca; Pat VanBuskirk; Anja Nurvo; Tina Neurauder; Braden Hutchins; Lisa Urlacher; ckingsley@northsaanich.ca; wjones@oakbay.ca; Angila Bains; snelson@sidney.ca; cmushata@sooke.ca; Chris Coates; Robert Lapham; patrick.robins@csaanich.ca; ihowat@colwood.ca; Laurie Hurst; lhilton@highlands.ca; SJones@viewroyal.ca; rhotsenpiller@islandstrust.bc.ca; dkiedyk@langford.ca; lurlacher@metchosin.ca; rbuchan@northsaanich.ca; hkoning@oakbay.ca; paul.thorkelsson@saanich.ca; rhumble@sidney.ca; tsullivan@sooke.ca; jjenkyns@victoria.ca; kanema@viewroyal.ca; Kevin Lorette; Signe Bagh; Andy Orr; Emilie Gorman; CRD Chair; CRD Board  
**Subject:** CRD Transportation Service Bylaw No. 4093

Good Afternoon,

At its January 10, 2018 meeting, the Capital Regional District Board gave third reading to Transportation Service Bylaw No. 4093. For an explanation as to the rationale for the Service Bylaw, please see the attached letter from the CRD Board Chair.

At the same meeting, the Board considered options for obtaining Approval of the Electors for the proposed Bylaw. Following discussion, the Board passed a postponement motion to obtain an indication of municipal consent to the Bylaw prior to the Board deciding on a formal approval process. The motion directed that staff obtain feedback from municipalities with indication of consent within 45 days and report back to the Board. This letter is being sent in response to that direction.

Please note this referral is not a formal consent process pursuant to Section 346 of the *Local Government Act*, but rather is a preliminary step to inform the Board of potential support for the bylaw prior to determining a formal approval process.

To assist you in obtaining feedback from your Council, please see the attached FAQ prepared by CRD staff. Staff are available to answer further questions and provide any additional information that you may require. Please contact Signe Bagh, Senior Manager of Regional and Strategic Planning, at [sbagh@crd.bc.ca](mailto:sbagh@crd.bc.ca) or at 250-360-3244.

We look forward to receiving your response indicating whether your municipality would support adoption of the Bylaw No. 4093, by no later than 4:00 pm on February 23, 2018.

Regards,

**Kristen Morley J.D.** | General Manager, Corporate Services  
Corporate Officer  
Corporate Services Division | Capital Regional District  
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January 12, 2018

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**

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

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**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





# 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.

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# 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 include wording to this effect.

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# 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.