

## Notice of Meeting and Meeting Agenda Capital Regional District Board

---

Wednesday, February 8, 2023

1:05 PM

6th Floor Boardroom  
625 Fisgard Street  
Victoria, BC

---

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

### 1. TERRITORIAL ACKNOWLEDGEMENT

### 2. APPROVAL OF THE AGENDA

### 3. ADOPTION OF MINUTES

#### 3.1. [23-114](#) Minutes of the January 11, 2023 Capital Regional District Board Meeting

**Recommendation:** That the minutes of the Capital Regional District Board meeting of January 11, 2023 be adopted as circulated.

**Attachments:** [Minutes - January 11, 2023](#)

### 4. REPORT OF THE CHAIR

### 5. PRESENTATIONS/DELEGATIONS

*The public are welcome to attend CRD Board meetings in-person.*

*Delegations will have the option to participate electronically. Please complete the online application at [www.crd.bc.ca/address](http://www.crd.bc.ca/address) no later than 4:30 pm two days before the meeting and staff will respond with details.*

*Alternatively, you may email your comments on an agenda item to the CRD Board at [crdboard@crd.bc.ca](mailto:crdboard@crd.bc.ca).*

#### 5.1. Presentations

##### 5.1.1. [23-136](#) Presentation: Larry Stevenson (Chief Executive Officer), Island Corridor Foundation; Re: Rail on Vancouver Island Update

**Attachments:** [Presentation: Rail on Vancouver Island Update](#)

#### 5.2. Delegations

- 5.2.1. [23-142](#) Delegation - Eric Hughes; Resident of Sooke: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road
- 5.2.2. [23-144](#) Delegation - Linda Gordon; Resident of Sooke: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road
- 5.2.3. [23-145](#) Delegation - Travis Moreau; Resident of Sooke: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road
- 5.2.4. [23-146](#) Delegation - Philippe Lucas; Representing Biosolid Free BC: Re: Agenda Item 8.5. Biosolids Short-term Contingency Beneficial Use Plan
- 5.2.5. [23-147](#) Delegation - Liv Desaulniers; Representing 1291956 BC ULC: Re: Agenda Item 8.1. Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road
- 5.2.6. [23-150](#) Delegation - Jordan Reichert; Representing Animal Alliance of Canada: Re: Agenda Item 7.1. AAP Results & Adoption for Bylaw 4522 - Regional Goose Management Service
- 5.2.7. [23-151](#) Delegation - Jonathan O'Riordan; Peninsula Biosolids Coalition: Re: Agenda Item 8.5. Biosolids Short-term Contingency Beneficial Use Plan

## 6. CONSENT AGENDA

- 6.1. [23-087](#) Enforcement Practices for Alternative Forms of Housing

**Recommendation:** The Electoral Areas Committee recommends to the Capital Regional District (CRD) Board:

- 1) That the existing practice of CRD Building Regulation Bylaw and BC Building Code enforcement be continued, primarily responding to complaints and observations by Inspectors during their normal course of duty of safety, health, and environmental concerns and issuing Stop Work Notices and Do No Occupy Notices when warranted; and
- 2) That the CRD advocate to the Province for a review of inclusion of alternative forms of housing within the BC Building Code.

(NWA)

**Attachments:** [Staff Report: Enforcement Practices for Altern'v Forms of Housing](#)

- 6.2. [23-128](#) Ability to Regulate Wood Burning Appliances and Air Quality on Salt Spring Island

**Recommendation:** There is no recommendation. This report is for information only.

**Attachments:** [Staff Report: Ability to Reg't Wood Burning Appl'cs & Air Quality](#)



- 6.3.**      [23-132](#)      Request for Governance Study of Magic Lake Estates, North Pender Island
- Recommendation:**    The Electoral Areas Committee recommends to the Capital Regional District Board: That the Capital Regional District Board reiterate its support for the resolution passed on February 9, 2022, to advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns. (NWA)
- Attachments:**        [Staff Report: Request for Governance Study of MLE](#)  
                                 [Appendix A: Feb 9/22 Staff Rpt: Request for Governance Study](#)  
                                 [Appendix B: Letter to ADM Faganello, March 2, 2022](#)  
                                 [Appendix C: Letter to K. Morley, September 30, 2022](#)  
                                 [Appendix D: Letter to B. Coulson, January 4, 2023](#)
- 6.4.**      [23-009](#)      Evaluation of Passing Lane on Willis Point Road
- Recommendation:**    There is no recommendation. This report is for information only.
- Attachments:**        [Staff Report: Evaluation of Passing Lane on Willis Point Road](#)
- 6.5.**      [23-094](#)      2023 Appointments Advisory Committee
- Recommendation:**    The Governance Committee recommends to the Capital Regional District Board: That the membership of the Appointments Advisory Committee for 2023 include Governance Committee Chair Little and the following two committee members: Director Goodmanson, and Director Brice. (NWA)
- Attachments:**        [Staff Report: 2023 Appointments Advisory Committee](#)  
                                 [Appendix A: CRD Appointment of Public Members To External Boards Policy](#)
- 6.6.**      [23-100](#)      Consideration of a Board Code of Conduct
- Recommendation:**    The Governance Committee recommends to the Capital Regional District Board:  
1. That the CRD Board endorse development of a code of conduct to establish shared expectations of responsible conduct and behavior of CRD Directors; and,  
2. That staff be directed to report back to Governance Committee with resources and examples to facilitate development of the code of conduct. (NWA)
- Attachments:**        [Staff Report: Consideration of a Board Code of Conduct](#)  
                                 [Appendix A: Principles for Codes of Conduct Regulation](#)  
                                 [Appendix B: UBCM Model Code of Conduct](#)  
                                 [Appendix C: UBCM Companion Guide](#)

**6.7.**        [23-084](#)        Provincial Decriminalization of Controlled Substances and the Clean Air Bylaw

**Recommendation:**    There is no recommendation. This report is for information only.

**Attachments:**        [Staff Report: Prov'l Decriminal'n of Controlled Substances & CAB](#)  
[Appendix A: Bylaw No. 3962, "Clean Air Bylaw No. 1, 2014"](#)

**6.8.**        [23-020](#)        Provision of Park Land for Subdivision Application SU000748 in Port Renfrew, BC, for The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except that part shown coloured red on Plan 346-R and except those parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; AND The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District except those parts in Plans 5109, 24267, and 24755

**Recommendation:**    [At its January 17, 2023 meeting, the Juan de Fuca Land Use Committee amended the recommendation by adding the words "that encompasses the area required for trail" as noted below:]

The Land Use Committee recommends to the Capital Regional District Board:

That in accordance with Section 510 of the Local Government Act, park dedication in the amount of 5% that encompasses the area required for trail be required for proposed subdivision of The Easterly 1/2 of the North West 1/4 of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346R and Except those Parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; PID: 000-468-291 and The West 1/2 of the North West 1/4 of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755; PID: 009-565-787 (SU000748), except that a lesser amount may be acceptable where the owner agrees to register a Statutory Right-of-way located on the common property of the proposed strata to the Capital Regional District connecting Beachview Drive to the established Statutory Right-of-Way shown on plan VIP50141, and that the owner agrees to construct a trail built to JdF Community Parks and Recreation standards prior to subdivision approval; and that the owner is requested to retain native vegetation on the land adjacent to the trail.

(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

**Attachments:**        [Staff Report: Provision of Park Land for Subdivision Application SU000748](#)  
[Appendix A: Property Location Map](#)  
[Appendix B: Proposed Subdivision Plan](#)  
[Appendix C: Section 510 of the LGA](#)  
[Appendix D: Minutes of a Meeting of the Juan de Fuca Electoral Area Parks and](#)  
[Appendix E: Draft Version of Port Renfrew Trails Plan](#)

**6.9.      [23-021](#)      2023 Transportation Committee Terms of Reference**

**Recommendation:** [At the January 18, 2023 Transportation Committee meeting, the following Motion Arising to amend the terms of reference (see attached Supplemental) was carried:]  
The Transportation Committee recommends to the Capital Regional District Board:  
That the Transportation Committee terms of reference be amended to replace the words "sustainability measures" with the words "climate action and sustainability goals".  
(NWA)

**Attachments:**      [Staff Report: 2023 Transportation Committee Terms of Reference](#)  
                         [Appendix A: 2023 Transportation Committee Terms of Reference](#)  
                         [Appendix B: Transportation Cttee Terms of Reference \(Redlined\)](#)  
                         [Supplemental: Proposed Amendment to Transportation Cttee ToR](#)

**6.10.      [23-024](#)      Update on Transportation Priorities**

**Recommendation:** There is no recommendation. This report if for information only.

**Attachments:**      [Staff Report: Update on Transportation Priorities](#)  
                         [Appendix A: Regional Transportation Priorities Tracker](#)

**6.11.      [23-025](#)      Regional Cycling Facility Classification**

**Recommendation:** [At the January 18, 2023 Transportation Committee meeting, the following referral motion was carried:]  
That the regional cycling facility classification be referred back to staff to have further discussion through the Transportation Working Group.  
(NWA)

**Attachments:**      [Staff Report: Regional Cycling Facility Classification](#)  
                         [Appendix A: Regional Cycling Facility Classification](#)  
                         [Appendix B: Updated Regional Cycling Network](#)

**6.12.      [23-127](#)      Referral to Traffic Safety Commission - Review of E-bikes and Micro Mobility Options**

**Recommendation:** [At the January 18, 2023 Transportation Committee meeting, the following referral motion was carried:]  
The Transportation Committee recommends to the Capital Regional District Board:  
That the CRD Board ask that the Traffic Safety Commission review e-bikes and micro-mobility as it relates to personal use and safety in the capital district.  
(NWA)

**6.13.      [23-115](#)      2023 Committee and External Membership Appointments - Update #2**

**Recommendation:** That the Board endorse the external appointments and nominations put forward in the attachment.  
(NWA)

**Attachments:**      [2023 Committee and External Membership Appointments](#)

**7. ADMINISTRATION REPORTS**

7.1.      [23-104](#)      AAP Results & Adoption for Bylaw 4522 - Regional Goose Management Service Establishment

**Recommendation:** 1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4522 (Appendix B) be received; and (NWA)  
2. That Bylaw No. 4522, "Canada Goose Management Service Establishment Bylaw No. 1, 2022" be adopted. (NWA)

**Attachments:**      [Staff Report: Goose Management Service AAP Results](#)  
                                 [Appendix A: Bylaw No. 4522](#)  
                                 [Appendix B: Certificate of AAP Results Bylaw 4522](#)  
                                 [Appendix C: Regional Goose Management Strategy \(2012\)](#)  
                                 [Appendix D: Previous Staff Report October 12, 2022](#)

7.2.      [23-105](#)      AAP Results & Adoption for Bylaw 4515 - Solid Waste Disposal Loan Authorization

**Recommendation:** 1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received; and (NWA)  
2. That Bylaw No. 4515, "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022" be adopted. (WA)

**Attachments:**      [Staff Report: Solid Waste Loan Authorization AAP Results](#)  
                                 [Appendix A: Bylaw No. 4515](#)  
                                 [Appendix B: Certificate of AAP Results Bylaw 4515](#)  
                                 [Appendix C: Previous Staff Report \(October 12, 2022\)](#)

7.3.      [23-121](#)      Capital Regional District Signage Guidelines

**Recommendation:** 1. That staff be directed to proceed with implementing the CRD signage guidelines, with the exception of the Regional Parks entry signs (portal signs); and  
2. That staff be directed to bring the matter of Regional Parks entry signs to the Regional Parks Committee for further consideration. (NWA)

**Attachments:**      [Staff Report: Capital Regional District Sign Guidelines](#)  
                                 [Appendix A: CRD Signage Guidelines](#)  
                                 [Appendix B: CRD Signs Developed under the Signage Guidelines](#)

## 8. REPORTS OF COMMITTEES

### Juan de Fuca Land Use Committee

8.1.      [23-010](#)      Radiocommunication and Broadcasting Antenna Systems Application  
for Lot 2, District Lots 143 and 200, and Section 154, Sooke District,  
Plan 42290 - 6246 Gordon Road

**Recommendation:** [At its January 17, 2023, meeting the Juan de Fuca Land Use Committee passed Alternative #2 (statement of non-concurrence):]  
The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:  
That a statement of non-concurrence be provided to 1291956 BC UCL. for the proposed 49 m radio communication and broadcasting antenna system on Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290.  
(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

**Attachments:**      [Staff Report: Radiocommunication and Broadcasting Antenna Systems Applicat](#)  
[Appendix A: Subject Property Map](#)  
[Appendix B: Development Proposal](#)  
[Appendix C: Public Submissions and Applicant Responses](#)  
[Appendix D: Response Matrix](#)  
[Appendix E: Referral Comments](#)  
[Appendix F: Evaluation Criteria](#)

- 8.2. [22-688](#) Zoning Amendment Application for Strata Lot A (3692 Waters Edge Drive) & Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939, Together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form V

**Recommendation:** The Land Use Committee recommends to the Capital Regional District Board:

1. That the referral of proposed Bylaw No. 4519, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 159, 2022", to the Shirley-Jordan Advisory Planning Commission, CRD departments, BC Hydro; District of Sooke; the Archaeology Branch and Water Protection Section within the Ministry of Forests; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; the Pacheedaht First Nation; RCMP; Sooke School District #62; and the T'Sou-ke First Nation be approved and the comments received;
2. That proposed Bylaw No. 4519 be introduced and read a first time and read a second time; and
3. That in accordance with the provisions of section 469 of the Local Government Act, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4519.  
(NWP - Voting Block A: JDF EA, Colwood, Langford (Goodmanson), Metchosin, Sooke)

**Attachments:** [Staff Report: Zoning Amendment Application RZ000281](#)  
[Appendix A: Subject Property and Zoning Map](#)  
[Appendix B: Current Rural Residential 2A Zone – RR-2A](#)  
[Appendix C: Proposed Rural Residential 1 Zone – RR-1](#)  
[Appendix D: Proposed Strata Conversion](#)  
[Appendix E: Proposed Bylaw No. 4519](#)  
[Appendix F: Referral Comments](#)

## Electoral Areas Committee

- 8.3. [23-098](#) Bylaw No. 4535 - "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023"

**Recommendation:** The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4535, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023", be introduced and read a first, second, and third time; and  
(NWA)
2. That Bylaw No. 4535 be adopted.  
(NWA, 2/3 on adoption)

**Attachments:** [Staff Report: Bylaw No. 4535, "Building Regulation Bylaw"](#)  
[Appendix A: Amendment Bylaw No. 4535, including appendices](#)  
[Appendix B: Unofficial Consolidation Bylaw No. 3741 \(Redlined\)](#)

## Governance Committee

**8.4.      [23-097](#)      Bylaw 4540 - Election and Voting Procedures Bylaw Amendment**

**Recommendation:** The Governance Committee recommends to the Capital Regional District Board:  
1. That Bylaw 4540, the "Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023" be introduced, read a first, second, and third time.  
(NWA)  
2. That Bylaw 4540 be adopted.  
(NWA, 2/3 on adoption)

**Attachments:**      [Staff Report: Election and Voting Procedures Bylaw Amendment](#)  
[Appendix A: Bylaw 4540](#)  
[Appendix B: Redlined Amendments to Bylaw 3543 \(Consolidated\) Redlined](#)

**Environmental Services Committee****8.5.      [23-052](#)      Biosolids Short-term Contingency Beneficial Use Plan**

**Recommendation:** [At the January 18, 2023 Environmental Services Committee meeting, the below staff report recommendation was discussed and DEFEATED.

That the Environmental Services Committee recommends to the Capital Regional District Board:  
1. That the Capital Regional District (CRD) Board amend its policy to allow non-agricultural land application of biosolids as a short-term contingency alternative; and  
2. That staff be directed to update the CRD's short-term biosolids contingency plan correspondingly.  
(WP - Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)]

[Following the vote on the DEFEATED motion, the below motion arising was passed:]

That the Environmental Services Committee recommends to the Capital Regional District Board:  
Direct staff to look at alternative options and maintain the status quo for now.  
(NWA)

**Attachments:**      [Staff Report: Biosolids Short-term Contingency Beneficial Use Plan](#)  
[Appendix A: Letter to Minister Heyman - December 16, 2022](#)  
[Appendix B: Hugh Stephens – Delegation on Biosolids – December 16, 2022](#)  
[Appendix C: Summary of Biosolids Production and End Use – 2022](#)  
[Supplemental: Biosolids Land Application Ban History](#)

**9. BYLAWS**

- 9.1. [23-117](#) Bylaw 4502 - "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022"
- Recommendation:** That Bylaw 4502 - "Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022" be adopted.  
(NWA)
- Attachments:** [Bylaw No. 4502](#)
- 9.2. [23-118](#) Bylaw 4506 - "Regional Parks Loan Authorization Bylaw No. 1, 2022"
- Recommendation:** That Bylaw 4506 - "Regional Parks Loan Authorization Bylaw No. 1, 2022" be adopted.  
(WA)
- Attachments:** [Bylaw No. 4506](#)
- 9.3. [23-119](#) Bylaw 4534 - "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2022"
- Recommendation:** That Bylaw 4534 - "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2022" be adopted.  
(NWA)
- Attachments:** [Bylaw No. 4534](#)

## 10. NOTICE(S) OF MOTION

## 11. NEW BUSINESS

## 12. MOTION TO CLOSE THE MEETING

- 12.1. [23-122](#) Motion to Close the Meeting
- Recommendation:**
1. That the meeting be closed for Appointments in accordance with Section 90(1)(a) of the Community Charter. [1 item]
  2. That the meeting be closed for Labour Relations under Section (90)(1)(c) of the Community Charter. [1 item]
  3. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter. [1 item]

## 13. RISE AND REPORT

## 14. ADJOURNMENT

### Voting Key:

NWA - Non-weighted vote of all Directors

NWP - Non-weighted vote of participants (as listed)

WA - Weighted vote of all Directors

WP - Weighted vote of participants (as listed)



## Meeting Minutes

### Capital Regional District Board

---

Wednesday, January 11, 2023

1:10 PM

6th Floor Boardroom  
625 Fisgard Street  
Victoria, BC

---

#### PRESENT

DIRECTORS: C. Plant (Chair), M. Alto, J. Bateman (for M. Tait), P. Brent, J. Brownoff, S. Brice, J. Caradonna, C. Coleman, B. Desjardins, S. Goodmanson, Z. de Vries, G. Holman, P. Jones, D. Kobayashi, M. Little, C. McNeil-Smith (EP), K. Murdoch, D. Murdock, S. Riddell (for R. Windsor), L. Szpak, D. Thompson, S. Tobias, A. Wickheim, K. Williams

STAFF: T. Robbins, Chief Administrative Officer; N. Chan, Chief Financial Officer; L. Hutcheson, General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; I. Jesney, Acting General Manager, Integrated Water Services; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Director(s) M. Tait, R. Windsor

The meeting was called to order at 1:30 pm.

#### 1. TERRITORIAL ACKNOWLEDGEMENT

A Territorial Acknowledgement was provided in a preceding meeting.

#### 2. APPROVAL OF THE AGENDA

**MOVED** by Director Murdoch, **SECONDED** by Director Brent,  
That the agenda for the January 11, 2023 Session of the Capital Regional District Board be approved with the addition of the following item:  
8.2.b. Notice of Motion - Re-capitalize ICET (Director Holman)  
**CARRIED**

#### 3. ADOPTION OF MINUTES

##### 3.1. [23-028](#)

Minutes of the December 14, 2022 Capital Regional District Board Meeting

**MOVED** by Director Alto, **SECONDED** by Director Murdoch,  
That the minutes of the Capital Regional District Board meeting of December 14, 2022 be adopted as circulated.  
**CARRIED**

**3.2. [23-062](#) Minutes of Previous Committee and Commission Meetings**

**MOVED by Director Caradonna, SECONDED by Director Murdoch,**

**1. That the minutes of the of the November 30, 2022 Committee of the Whole meeting previously adopted on December 14, 2022 be rescinded.**

**2. That the updated minutes of the November 30, 2022 Committee of the Whole meeting be adopted as circulated.**

**CARRIED**

**4. REPORT OF THE CHAIR**

Happy New Year. I have a potpourri of topics to share with you today. A new year is often an opportunity to make resolutions and dedicate oneself to change. For us as a board we will have an opportunity soon to land on our Strategic Priorities and make the region an even better place to live. I wish to thank those of you who did complete the Board Strategic Priorities survey last month. Unfortunately, nine of us did not. I hope that when we meet we do not find that the survey results are not what the Board is wanting to move forward with when we meet again on January 25th. As you will recall the previous Board passed a provisional 2023 budget last fall. Any new initiative work for 2023 that comes out of our strategic plan will likely result in a change to the final budget and subsequent requisition. I do not say this to frighten or deter us from achieving our goals, but to be aware that any new initiative we want to take action on in 2023 will need to be budgeted for. And that would require a very quick turnaround as we finalize our 2023 budget in March. This Friday, Director Wickheim, staff and I will be participating in another government to government meeting with the Paccheedaht Nation in their territory in Port Renfrew. Chief Jones, Council and staff have been hosting us the past year and a half at these biannual meetings where we discuss items of mutual interest. When we talk about having effective government to government relationships it is important to value and participate in these types of meetings as they go a long way in building respectful dialogue and making progress on shared goals. Our first facilities tour is scheduled for Friday Feb 10, 2023 when we will visit the Core Area Wastewater Treatment Plant at McLoughlin Point. The last time we had a tour it was still being constructed so this will be a great opportunity. A memo of all our 2023 tour dates will be coming to you later this week. And finally, I wish to thank all the CRD and local government staff for their work during the recent snow event we had. It's hard to believe we were essentially shut down a few weeks ago with the weather we have today, but we were. And thanks to their dedication and hard work we were able to keep the essential services the CRD provides operating.

**5. PRESENTATIONS/DELEGATIONS**

There were no presentations or delegations.

## 6. CONSENT AGENDA

Item 6.3. was removed from the consent agenda and moved to be considered under Reports of Committees as item 8.5.

**MOVED by Director Alto, SECONDED by Director Brice,  
That consent agenda items 6.1. through 6.2. and 6.4. through 6.5. be approved.  
CARRIED**

- 6.1.     [23-058](#)**     Southern Gulf Islands Electoral Area - Rural Economic Diversification and Infrastructure Program Grant Application

**That the Capital Regional District Board authorizes submission of a grant application under the BC Rural Economic Diversification and Infrastructure Program for Last-mile Connectivity and Economic Diversification for the Southern Gulf Islands; and direct staff to provide overall grant management.  
CARRIED**

- 6.2.     [23-014](#)**     2023 Royal and McPherson Theatres Services Committee Terms of Reference

**That the 2023 Royal and McPherson Theatres Services Advisory Committee Terms of Reference attached at Appendix A be approved.  
CARRIED**

- 6.4.     [23-002](#)**     Capital Regional District External Grants Update

**This report was received for information.**

- 6.5.     [23-042](#)**     2023 Committee and External Membership Appointments - Update

**That the Board endorse the external appointments and nominations put forward in the attachment.  
CARRIED**

## 7. ADMINISTRATION REPORTS

- 7.1.     [23-033](#)**     CAO Quarterly Progress Report No. 4, 2022

T. Robbins spoke to Item 7.1.

Discussion ensued regarding:

- home energy rebate program
- rail corridor update and advocacy
- advocacy and strategic priorities tracking and follow up
- volunteer and work safety recognition award programs
- investment opportunities related to parkland acquisition and affordable housing

**This report was received for information.**

## 8. REPORTS OF COMMITTEES

**Electoral Areas Committee**

- 8.1. [23-043](#) Report on Sooke Basin Aquaculture Proposal

This report was received for information.

- 8.2. [22-677](#) Motion with Notice: Sooke Basin Aquaculture Proposal (Director Wickheim)

Discussion ensued regarding a referral and consultation process.

**MOVED by Director Brent, SECONDED by Director Wickheim,  
That the Electoral Areas Committee recommend to the Capital Regional District Board:**

**That the CRD Board refer its concerns regarding the potentially invasive seaweed aquaculture in Sooke Basin to appropriate provincial and federal agencies and request the updating and enforcement of regulations for foreign and or non-native species as soon as possible.**

**CARRIED**

- 8.2.b. [23-074](#) Notice of Motion (same day): Re-capitalize Island Coastal Economic Trust (ICET) (Director Holman)

Director Holman proposed the following Notice of Motion with same day consideration:

"That the CRD Board urge the Province to re-capitalize the Island Coastal Economic Trust (ICET)."

**MOVED by Director Caradonna, SECONDED by Director Holman,  
That same day consideration be applied to the Notice of Motion.  
CARRIED**

Discussion ensued regarding advocacy for re-capitalization.

**MOVED by Director Brent, SECONDED by Director Holman,  
That the CRD Board urge the Province to re-capitalize the Island Coastal Economic Trust (ICET).**

**MOVED by Director Murdoch, SECONDED by Director Holman,  
That the motion be amended by adding "and to put this matter forward to AVICC for consideration at the 2023 AGM and Convention" to the end of the motion.  
CARRIED**

The question was called on the main motion as amended:  
**That the CRD Board urge the Province to re-capitalize the Island Coastal Economic Trust (ICET) and to put this matter forward to AVICC for consideration at the 2023 AGM and Convention.  
CARRIED**

**Finance Committee**

- 8.3. [23-008](#) Bylaw No. 4536: Security Issuing Bylaw, Spring 2023
- MOVED** by Director Brice, **SECONDED** by Director Brent,  
1. That Bylaw No. 4536, "Security Issuing Bylaw No. 1, 2023", be introduced and read a first, second, and third time.  
**CARRIED**
- MOVED** by Director Brice, **SECONDED** by Director Brent,  
2. That Bylaw No. 4536 be adopted.  
**CARRIED**
- 8.4. [22-637](#) Bylaw No. 4532: Temporary Borrowing (Seagirt Water System Upgrades) Bylaw No. 1, 2022
- Director McNeil-Smith left the meeting at 2:30 pm.
- MOVED** by Director Brice, **SECONDED** by Director Brent,  
1. That Bylaw No. 4532, "Temporary Borrowing (Seagirt Water System Upgrades) Bylaw No. 1, 2022", be introduced and read a first, second and third time.  
**CARRIED**
- MOVED** by Director Brice, **SECONDED** by Director Brent  
2. That Bylaw No. 4532 be adopted.  
**CARRIED**
- 8.5. [23-007](#) Capital Regional District 2022 Audit Planning Discussion
- MOVED** by Director Brice, **SECONDED** by Director Brent,  
That the Capital Regional District 2022 Audit Plan developed by KPMG be approved.  
**CARRIED**
- Motion Arising  
**MOVED** by Director Murdoch, **SECONDED** by Director Brice,  
To refer the issue of audit scope and mandate to a future Finance Committee meeting for review.  
**CARRIED**

## 9. BYLAWS

There were no bylaws for consideration.

## 10. NOTICE(S) OF MOTION

**10.1. [23-075](#)**

Notice of Motion (same day): Support for Mobile Youth Services Team (Director Little)

Director Little proposed the following Notice of Motion with same day consideration:

"That the CRD Board of Directors send an advocacy letter to the Province to encourage renewed support for the Pacific Centre Family Services Association's Mobile Youth Services Team (MYST) and its crime reduction and exploitation diversion (CRED) program."

**MOVED by Director Little, SECONDED by Director Brent,  
That same day consideration be applied to the Notice of Motion.  
CARRIED**

Discussion ensued regarding funding for MYST support staff.

**MOVED by Director Little, SECONDED by Director Thompson,  
That the CRD Board of Directors send an advocacy letter to the Province to encourage renewed support for the Pacific Centre Family Services Association's Mobile Youth Services Team (MYST) and its crime reduction and exploitation diversion (CRED) program.  
CARRIED**

**11. NEW BUSINESS**

There was no new business.

**12. MOTION TO CLOSE THE MEETING**

**12.1.    [23-039](#)****Motion to Close the Meeting**

**MOVED** by Director de Vries, **SECONDED** by Director Murdoch,

**1. That the meeting be closed for Appointments in accordance with Section 90(1)(a) of the Community Charter.**

**CARRIED**

**MOVED** by Director de Vries, **SECONDED** by Director Murdoch,

**2. That the meeting be closed for Labour Relations under Section (90)(1)(c) of the Community Charter.**

**CARRIED**

**MOVED** by Director de Vries, **SECONDED** by Director Murdoch,

**3. That the meeting be closed for Land Acquisition in accordance with Section 90(1)(e) of the Community Charter.**

**CARRIED**

**MOVED** by Director de Vries, **SECONDED** by Director Murdoch,

**4. That such disclosures could reasonably be expected to harm the interests of the Regional District.**

**CARRIED**

**MOVED** by Director de Vries, **SECONDED** by Director Caradonna,

**5. That the meeting be closed for a Legal Update in accordance with Section 90(1)(i) of the Community Charter.**

**CARRIED**

**MOVED** by Director de Vries, **SECONDED** by Director Murdoch,

**6. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter.**

**CARRIED**

**The Capital Regional District Board moved to the Closed Session at 2:39 pm.**

**13. RISE AND REPORT**

The Capital Regional District Board rose from the Closed Session at 4:04 pm and reported on the following:

In accordance with Bylaw No. 3166 that the following be appointed to the Juan de Fuca Land Use Committee for a term to expire December 31, 2026: Natalia Day, Vern McConnell

In accordance with Bylaw No. 3561 that the following be appointed to the Pender Islands Community Parks and Recreation Commission for a term to expire December 31, 2024: Lisa Baile, Barry Mathias, Andrea Mills, Erin O'Brien

In accordance with Bylaw No. 3281 that the following be appointed to the Port Renfrew Utility Services Committee for a term to expire December 31, 2023: Will Forsberg

In accordance with Bylaw No. 3281 that the following be appointed to the Port Renfrew Utility Services Committee for a term to expire December 31, 2024: Cynthia Carlsen, Chris Welham

In accordance with Regional Housing Advisory Committee Terms of Reference that the following be appointed to the Regional Housing Advisory Committee for a term to expire December 31, 2023: Pam Hartling

In accordance with Bylaw No. 3427 that the following be appointed to the Saanich Peninsula Wastewater Commission for a term to expire December 31, 2024: Michael Doehnel

In accordance with Bylaw No. 3727 that the following be appointed to the Salt Spring Island Community Economic Sustainability Commission for a term to expire December 31, 2024: Jason Griffin, Inga Michaelsen, Bryan Young

In accordance with Bylaw No. 3523 that the following be appointed to the Southern Gulf Islands Public Library Commission for a term to expire December 31, 2024: Katherine Hazen, Pat van Holderbeke

**14. ADJOURNMENT**

**MOVED** by Director Caradonna, **SECONDED** by Director Murdoch,  
That the January 11, 2023 Capital Regional District Board meeting be adjourned at 4:05 pm.  
**CARRIED**



---

**CHAIR**

**CERTIFIED CORRECT:**

---

**CORPORATE OFFICER**

# Vancouver Island Rail Corridor

CRD Update  
Feb 8, 2023







# The Decision

## BC Court of Appeals Decision

“...Canada must re-engage in this issue and decide if restoring all or part of the corridor is in the public interest, and if so, whether the cost to do so is also in the public interest.”

“Once it does, I would expect the provincial government to also be in a position to make the same determination.”

“...Canada to determine whether it will approve funding for infrastructure improvements...”

**“The Honourable Madam Justice Fisher”**

Sept 14, 2021

The court initiated a time-line of 18 Months

**There are 34 days remaining on the clock!**





## ICF Initial Business Case

- ICF released Initial Business Case 2022
  - Utilizes costs from provincial assessment
- Business case outlines
  - Costs plus efficiency
  - Connectivity
  - Socio-economic
  - Environmental benefits of passenger and freight rail service
- Full 289 km restoration costs
  - \$381 million for infrastructure (2023)
  - \$50 million for equipment (2023)
- Particular emphasis on:
  - First Nations Recognition and Consultation
  - The creation of a multi-disciplinary team to refine the Business Case

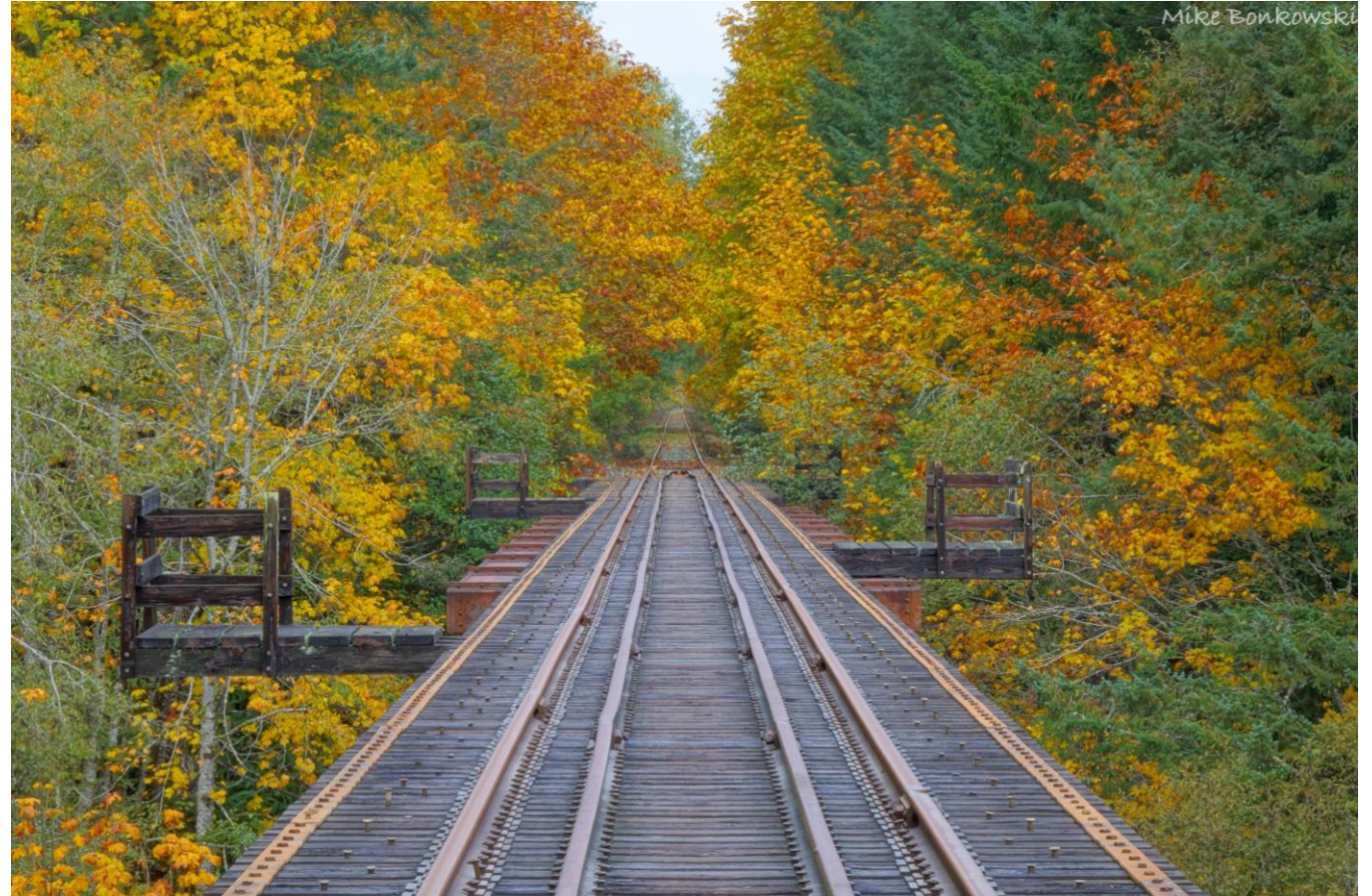






## Provincial and Federal Response

- Agreement between Province and Canada
  - BC would investigate
  - Canada would be informed by BC
- Completed a formal review of the business case
- Province partnered with the ICF in a formal engagement process with First Nations
- Provincial-led formal engagements with other stakeholders
  - Municipalities
  - Regional Districts
  - Interest Groups
- Technical reviews
  - Freight opportunity analysis
  - Environmental Impact of modal shift
- Work is complete and is under review at the Ministerial level







## Provincial and Federal Response

- Overall the engagement and reviews are positive – not without issues and concern
- First Nations Engagement
  - Areas of critical importance
    - Historical issues and concerns
    - Operational and Safety Issues
    - Need to define the benefits
- Other Stakeholder Engagements
  - Strong support for maintaining the corridor
  - Strong support for active transportation
  - Some skepticism – its been 20 years
  - The Johnson Street Bridge
- Information will be made public once the Ministry has completed their review







## The Next 34 Days

- Very pleased with the response from the Province
  - Confident they understand the importance and the impact
- Federal government has been quiet
  - Partially a function of allowing the province to take the lead
  - Confident they are in regular contact at the staff level
  - Not as confident they have the same understanding as the province
- Island MP's - engaged and supportive
  - Taking the message to Ottawa
- CRD Advocacy has been effective
  - And it is still important
  - Provincially and Federally







*Thank you for your support  
It has made a significant  
difference!*



**REPORT TO ELECTORAL AREAS COMMITTEE  
MEETING OF WEDNESDAY, FEBRUARY 8, 2023**

---

**SUBJECT     Enforcement Practices for Alternative Forms of Housing**

**ISSUE SUMMARY**

A review of the existing practice of enforcement for recreational vehicles, travel trailers, and alternative forms of housing.

**BACKGROUND**

At the May 11, 2022, Electoral Areas Committee meeting the following Motion was carried:

*That staff investigate the possibility of a non-enforcement policy for trailers, yurts, and other forms of housing for the electoral areas.*

Further to this, on January 17, 2023, the Southern Gulf Islands (SGI) Community Economic Sustainability Commission (CESC) passed a resolution as follows:

*Requesting that the Capital Regional District (CRD) hold off any existing and future expulsion action against owners or tenants of tiny homes, trailers and other nonconforming dwellings unless life safety is compromised, and to take steps towards allowing them.*

The primary form of regulation of these dwelling types is through land use regulation. Although land use requirements are of high importance this report does not canvas all regulatory requirements and focuses on the areas of Building Division responsibility.

Generally, where a dwelling is used for human habitation in a non-temporary way, the CRD Building Regulation Bylaw and the BC Building Code would consider it a structure and the code would apply. The code applies to any “building” as defined by the CRD Building Bylaw or the BC Building Code (“any structure used or intended for supporting or sheltering any use or occupancy”).

All buildings occupied for residential use must first receive occupancy approval from the CRD Building Inspection Division in accordance with the Building Regulation Bylaw No. 3741. Buildings that can be considered for residential occupancy approval include site built buildings constructed in compliance with Part 9 or Part 4 of the Building Code, factory built buildings certified as being in conformance with CSA A277, and factory built mobile homes constructed in conformance with CSA Z240 (not Z240RV).

Tiny homes, yurts and similar forms of housing are subject to the Building Code, but due to their small size and unconventional construction details, it can be difficult to comply, or alternatively, they are built without inspection or to approved standards. A regional district does not have the regulatory tools to create its own set of standards for such construction. BC Housing and other organizations are in the process of advocating for a change to National Building Codes, the first step in modifying provincial codes, for exclusive requirements and relaxations relating to tiny home construction.

Relating to recreational vehicles (RVs), trailers, and “park model” trailers, different standards apply. Most RVs and travel trailers are factory built and certified to standards CSA Z240RV or RVIAS NFPA 1192 as temporary living quarters for recreation, camping or seasonal use and are not certified for permanent residential use. Although RVs and travel trailers are constructed with limited safety features, they do not have the same level of health, fire and life safety features as Building Code compliant dwelling units.

Consideration for life safety matters of non-confirming dwelling units, as mentioned in the SGI CESC resolution, may not be apparent without investigation and access within a building. Life safety can be compromised in many ways, such as inadequate door or window fire egress, lack of smoke or carbon monoxide alarms, improper electrical wiring (not under direct review by the Building Inspection Division but electrical permit verification is confirmed through the building permit process), improper and unsafe heating systems, etc. Building Code requirements for spatial separation (separation of buildings to prevent fire spread) should also be considered. Although not necessarily a life safety issue servicing of a building including potable water and sewerage disposal can have health consequences as well as environmental consequences.

Land use regulations throughout the electoral areas control the allowance of secondary dwellings on a lot as well as control the location within the lot and often the building’s size. The type of buildings permitted to be considered dwelling units may also be defined in a Land Use Bylaw. Compliance with land use regulations is required prior to building permit considerations. Any consideration for enforcement of alternative forms of housing must include land use regulators.

Current enforcement action for site built buildings and structures not having the necessary approvals is generally in response to written complaints, or observations of health, safety, or environmental risks by Building Inspectors in their normal course of duty. Stop Work Notices and Do Not Occupy Notices are often issued and further action, such as registration of a bylaw contravention notice on the land title under s.57 of the *Community Charter*, may follow for continued non-compliance.

Enforcement action for occupied RVs and trailers has been mostly limited to investigating after receiving written complaints or after observing structural alterations or additions. Applicable Land Use Bylaws in the Electoral Areas permit the occupancy of RVs and trailers under varying circumstances and for varying lengths of time. For this reason, enforcement action against RVs and trailers has been less frequent than for other types of buildings or structures and enforcement beyond that of a recommended Notice on Title has been very limited.

Electoral Areas Committee members have also asked for consideration of temporary or short-term use of alternative forms of housing. In accordance with the BC Building Code and the CRD Building Regulation Bylaw temporary buildings may be allowed without a building permit, if authorized by the authority having jurisdiction, but this is restricted to buildings to be used for short durations and having minimal risk to users.

## **ALTERNATIVES**

### ***Alternative 1***

The Electoral Areas Committee recommends to the Capital Regional District (CRD) Board:

- 1) That the existing practice of CRD Building Regulation Bylaw and BC Building Code enforcement be continued, primarily responding to complaints and observations by Inspectors during their normal course of duty of safety, health, and environmental concerns and issuing Stop Work Notices and Do No Occupy Notices when warranted; and

- 2) That the CRD advocate to the Province for a review of inclusion of alternative forms of housing within the BC Building Code.

#### *Alternative 2*

That the Enforcement Practices for Alternative Forms of Housing report be referred back to staff for further review based on Electoral Areas Committee direction.

### **IMPLICATIONS**

#### *Service Delivery*

It is not recommended to withhold bylaw enforcement, in all cases, of occupied RVs, travel trailers and alternative forms of housing, as this may result in an assumption of acceptance of such structures and uses as a result of non-enforcement. An increased amount of illegal and potentially unsafe dwellings will likely be constructed and occupied. Even a temporary relaxation of enforcement will make control of such buildings and structures in the future extremely difficult and add to enforcement and compliance costs of the Electoral Areas.

#### *Regulatory Impacts*

CRD is without the regulatory tools to permit construction and residential occupation of those structures that do not comply with the Building Code or other occupancy-capable mobile home standards. Currently the Province of Nova Scotia has provisions for “Tiny House” construction within the 2020 Nova Scotia Building Code Regulations. The BC Building Code, however, does not include such provisions.

#### *Legal*

Legal liability may be increased for the CRD should a decision be made to not enforce our Building Bylaw Regulations. Once a building regulation bylaw exists, subject to core policy decisions, CRD owes a duty to inspect and enforce as appropriate where it learns of structures that are non-compliant but subject to the Building Bylaw and the Code. The extent of that duty and the standard of care of a building official varies based on the circumstances, taking into consideration risk, magnitude of harm, and public utility of conduct.

CRD’s typical response to non-compliance is to register a s.57 *Community Charter* notice on title, which identifies that the use, occupation, or construction is deficient with a bylaw, the Building Code, or other law. Once registered, the CRD may exempt itself from a current or future duty of care in negligence that could arise relating to the deficiency under s.57(8) of the *Community Charter*.

It is rare for CRD to take remedial action – that is, an order to remove, demolish, bring up to a standard or take such other step as ordered by the Board – for occupation of an RV or trailer, per section 72 of the *Community Charter*. A decision to take remedial action is a decision of the Board.

### **CONCLUSION**

Non-compliant structures used for residential accommodation subject to the Building Code and CRD Building Bylaw are enforced against on a complaints and inspections basis, typically by way of a s.57 Notice on Title, and in some cases, a s.72 remedial action order. The primary form of regulation of such uses is under a Land Use Bylaw. CRD’s Building Bylaw presently does not contain provisions relating to permitting use of non-compliant structures for residential purposes. While BC Housing and other organizations are advocating for changes to the National Building

Code to permit tiny home construction, CRD is without the ability to set out its own non-Building Code-defined construction standards for such use. CRD may want to consider advocating to the Province for a review of future Code provisions for smaller alternative forms of housing types.

**RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District (CRD) Board:

- 1) That the existing practice of CRD Building Regulation Bylaw and BC Building Code enforcement be continued, primarily responding to complaints and observations by Inspectors during their normal course of duty of safety, health, and environmental concerns and issuing Stop Work Notices and Do No Occupy Notices when warranted; and
- 2) That the CRD advocate to the Province for a review of inclusion of alternative forms of housing within the BC Building Code.

Submitted by:	Mike Taylor, RBO, Manager and Chief Building Inspector, Building Inspection
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech, Chief Administrative Officer



Making a difference...together

## REPORT TO ELECTORAL AREAS COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 08, 2023

---

**SUBJECT**     **Ability to Regulate Wood Burning Appliances and Air Quality on Salt Spring Island**

### **ISSUE SUMMARY**

This report details the options available to the Capital Regional District (CRD) to regulate wood burning appliances on Salt Spring Island (SSI).

### **BACKGROUND**

The following motion was introduced by way of a Notice of Motion on July 13, 2022 and endorsed by the CRD Board on September 21, 2022:

*“That staff provide a report regarding CRD or CRHD legal authority to regulate wood burning appliance operation in the Salt Spring Island electoral area, and that the Southern Gulf Islands and Juan de Fuca electoral areas be specifically excluded.”*

This report contains a summary of legal authority but should not be taken as legal advice. The powers described in this report apply generally to electoral areas within a regional district, rather than the entire region, except where stated.

### **IMPLICATIONS**

There are several different ways a regional district can regulate the use of wood or solid fuel burning appliances, depending upon the root problem the regulation is intended to address, be it excessive smoke, fire risk, or greenhouse gas (GHG) emissions.

#### *Regulation of Emissions as a Nuisance*

CRD can regulate, prevent, prohibit and abate nuisances and provide for recovery of the cost of abatement from the person causing or contributing to the nuisance. By bylaw, a regional district can also require owners or occupiers of real property to reduce emissions of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia, and establish limits not to be exceeded for these emissions. This would include emissions from wood burning appliances. The *Local Government Act (LGA)* provides specific powers to regulate emissions and to establish measures and precautions that must be taken, including setting emissions limits. Some local governments do this by regulating fuel types that may be burned in a solid fuel burning appliance, under their nuisance powers (e.g., only dry wood and clear construction material, not wet wood, garbage, construction waste, plastic, etc.).

None of the Electoral Areas currently have a general nuisance regulation bylaw that would apply to such emissions, or regulations that target abatement of smoke, dust, gas, and the like. While it is possible to regulate the emission of excessive smoke, there are practical considerations about the enforceability of such provisions, based on the difficulty of setting enforcement standards and measurement of violations to the degree necessary to support prosecution of the offence.

*Outdoor Burning Fire Risk*

The Province manages smoke from open burning, with concurrent jurisdiction with local governments through the *Open Burning Smoke Control Regulation*, BC Reg 152/2019. CRD can regulate fire and fire risks, which includes the regulation or use of fire pits and outdoor burning appliances through its ability to regulate fire protection. CRD does this in Electoral Areas other than SSI under its Bylaw No. 3452, “Fire Regulation Bylaw No. 1, 2007”, in relation to incinerators, and as of April 1, 2023 plan to extend those powers to other solid fuel burning devices outside the home, such as pizza ovens, fire pits, and chimineas under Bylaw No. 4489, “Fire Regulation Bylaw No. 2, 2022”. Fire regulation bylaws only apply in those areas of the Regional District where CRD fire protection services are operated. CRD does not provide fire services on SSI.

*Installation and Modification of New Appliances*

Inside the home, new fireplace and chimneys regulation is done through the BC Building Code and CRD Bylaw No. 3741, “Building Regulation Bylaw No. 5, 2010”. Installation or alteration of solid fuel burning appliances require a building permit. A regional district is unable to place additional restrictions or bans on fuel burning appliances beyond the property line, without provincial permission, due to the introduction of the *Building Act*, which aimed to make building requirements across the province uniform and the domain of the Provincial government. It prevents local building requirements without express provincial approval.

However, some jurisdictions, such as the Town of Comox, have enacted bans on new construction utilizing new indoor solid fuel burning appliances, based on an Official Community Plan (OCP) supporting the reduction of GHG emissions. The *Building Act* permits local governments to regulate construction relating to the reduction of GHG emissions under s. 2.2 [*Energy conservation unrestricted*] and in a development permit area under s. 2(e) [*Unrestricted matters*] of the *Building Act General Regulation*, BC Reg 131/2016.

SSI’s OCP may support such a bylaw, given the SSI OCP states its goals are (at A.6.1.7):

*“To support a reduction of at least 15% in Greenhouse Gas emissions by 2015; at least 40% by 2020 and at least 85% by 2050 based upon 2007 data. Within the local trust area this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.”*

It further states (at A.6.2.21):

*“The Capital Regional District is supported in efforts to incorporate energy and water conservation and the reduction of greenhouse gas emissions into its building regulations.”*

Further steps as to whether or not such a restriction would be effective or desirable would require further research; consultation with the community and Islands Trust; and legal work to ensure the bylaw falls within legislative authority.

*Protection of Health*

A regional district has region-wide regulation of health powers, including the impacts of pollution, which CRD currently does with Bylaw No. 3353, “Capital Regional District Idling Control Bylaw No. 1, 2008”, and Bylaw No. 3962, “Capital Regional District Clean Air Bylaw No. 1, 2014” (Bylaw No. 3962). Public health bylaws have specific requirements relating to

their adoption and require local public health officer consultation. The Town of Cumberland, for example, banned installation of new solid fuel burning appliances on the basis of public health.

#### *Survey of Other Local Governments*

In 2007, the BC Ministry of Environment conducted an inventory of air quality regulation bylaws across the Province. The report contains valuable information and many good examples of municipal and regional regulation of air quality. In 2011, the Port Alberni Air Quality Council developed its own inventory of air quality and fire regulation bylaws across Vancouver Island. Copies of both are omitted due to length but may be obtained from staff, on request.

#### *Service Delivery Implications*

Currently, no electoral area regulates emissions or fuel types from solid fuel burning appliances. If SSI Electoral Area was interested, this bylaw would need to be drafted; enforcement officers trained; a public education campaign developed and launched (as this is often more effective than direct action); and a service identified for payment of the costs involved.

Another approach may be to incentivize homeowners to voluntarily reduce or eliminate the use of wood burning appliances. Some local governments or non-profits operate a rebate program on behalf of the Province and the BC Lung Association. Transition Salt Spring, a non-profit in the SSI Electoral Area, operates this program in the SSI Electoral Area. These grants incentivize swapping a solid fuel burner for a cleaner appliance, such as a heat-pump. As of 2023, natural gas or propane appliances are no longer eligible.

### **CONCLUSION**

A regional district has the power to regulate nuisances and certain emissions caused by, and fuel types used in, solid fuel burning appliances. It can restrict installation of solid fuel burning appliances outside the home in areas where it provides a fire protection service. It does neither of these in the SSI Electoral Area. It does enforce the Provincial Building Code in relation to installation of new solid fuel burning appliances, but cannot restrict installation without Provincial regulation. It does have the ability to regulate air quality where it interferes with public health, provided the Province and the local public health officer are in favour. If a nuisance regulation service were desired, a regulatory bylaw would need to be created and a service identified to absorb the cost of enforcement.

### **RECOMMENDATION**

There is no recommendation. This report is for information only.

Submitted by:	Steven Carey, B.Sc, J.D., Senior Manager, Legal Services & Risk Management
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer



Making a difference...together

## **REPORT TO ELECTORAL AREAS COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 08, 2023**

---

**SUBJECT**     Request for Governance Study of Magic Lake Estates, North Pender Island

### **ISSUE SUMMARY**

To confirm a resolution passed by the Board in February 2022, to support the Magic Lake Property Owners' Society's (MLPOS) request to the Province for funding to support a formal governance and services study.

### **BACKGROUND**

On February 9, 2022 the Capital Regional District (CRD) Board received the staff report attached as Appendix A, and passed the following resolution:

*That the Board advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.*

Staff forwarded this request to the Ministry of Municipal Affairs and Housing on March 2, 2022 (Appendix B). The Ministry replied on September 30, 2022 with a request for more information (Appendix C), which was subsequently provided by the MLPOS. The Province further requested that due to the impending election, it wished to have the new CRD Board confirm the resolution of the previous Board from February 9, 2022. There is no legal or legislative requirement for the new Board to confirm a resolution passed in a properly constituted meeting by the previous Board, however, in the interest of advancing the Ministry's consideration of this issue without further delay, staff are complying with the request for the new Board to confirm its support.

### **ALTERNATIVES**

#### ***Alternative 1***

The Electoral Areas Committee recommends to the Capital Regional District Board:

That the Capital Regional District Board reiterate its support for the resolution passed on February 9, 2022, to advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.

#### ***Alternative 2***

That the Request for Governance Study of Magic Lake Estates, North Pender Island report be referred back to staff for additional information.



## **CONCLUSION**

The original conditions that prompted the MLPOS to seek support from the Province for a governance study in 2022 have not changed. The recommended motion meets the request of the Ministry of Municipal Affairs and Housing, that the current sitting Board affirms its support for funding that would enable a governance and services study for the neighbourhood of Magic Lake Estates on North Pender Island.

## **RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District Board:  
That the Capital Regional District Board reiterate its support for the resolution passed on February 9, 2022, to advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.

Submitted by:	Stephen Henderson, MBA, PG Dip Eng, BSc, Senior Manager Real Estate and SGI Electoral Area
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

## **ATTACHMENTS**

- Appendix A: Staff Report of Feb. 9, 2022: Request for a Governance Study by the Magic Lake Property Owners' Society, North Pender Island
- Appendix B: Letter to ADM Faganello, March 2, 2022
- Appendix C: Letter to K. Morley, September 30, 2022
- Appendix D: Letter to B. Coulson, January 4, 2023

## REPORT TO ELECTORAL AREAS COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 09, 2022

**SUBJECT** Request for Governance Study by the Magic Lake Property Owners' Society, North Pender Island

### **ISSUE SUMMARY**

To consider a request by the Magic Lake Property Owners' Society to the Province for a formal governance study that considers the incorporation of Magic Lake Estates as an island municipality.

### **BACKGROUND**

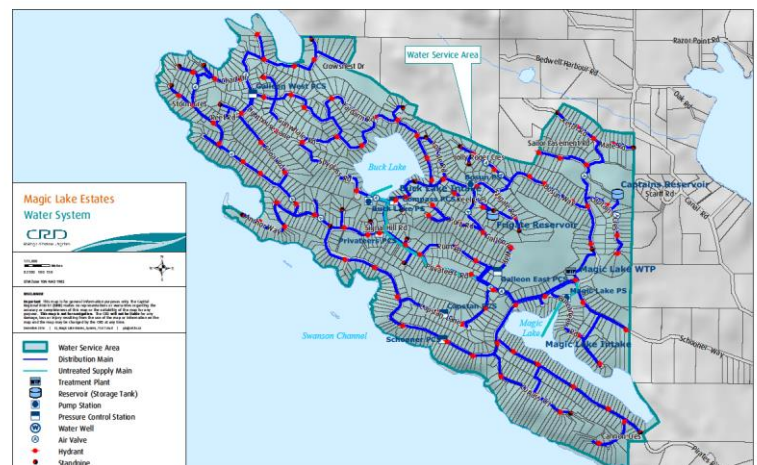
The Magic Lake Property Owners' Society (MLPOS) has identified issues of taxation, service delivery, and local governance and seeks the support of the CRD Board in requesting the BC Ministry of Municipal Affairs issue a Restructure Planning Grant to fund a Local Governance Study. The study's purpose would be to investigate the feasibility of incorporating Magic Lake Estates as an Island Municipality, as defined by the Local Government Act, Section 6. At the October 2, 2021 meeting of the MLPOS, the following resolution was passed:

"... that the membership of the Magic Lake Property Owners' Society (MLPOS), agrees with the MLPOS Board of Directors that the Society, along with other interested parties, will formerly request, through the Capital Regional District, as well as other avenues if necessary, that the Minister of Municipal Affairs "Restructure Planning Grants" as outlined in the government's publications and on its website, fund a formal governance study for our community. And that, the MLPOS will facilitate the formation of a committee to guide the undertaking of the study, along with communications with various agencies."

### **Governance of the Southern Gulf Islands Electoral Area**

Magic Lake Estates (MLE) is a residential neighbourhood on North Pender Island within the Southern Gulf Islands Electoral Area (SGIEA) of the CRD. For the EA, the Capital Regional District (CRD) is the local government along with the Islands Trust, a special purpose agency responsible for land use and conservation within the Islands Trust Area.

Magic Lake Estates is comprised of around 1200 small lots (+/- .5 acre), predominantly occupied by single family dwellings, with a population of approximately 2000 people. (The MLPOS uses a population estimate of 1930 in its proposal).



Developed in the 1960s, the subdivision that created MLE is well known for inspiring the creation of the Islands Trust and the establishment of the Island Trust Act. MLE is still highest density residential development in the Islands Trust Area.

Within the Magic Lake neighborhood there is not a commercial centre, but there is a fire hall, a baseball field, parks, and a marina. Originally serviced by a private water utility, MLE now receives water and wastewater service by CRD through the CRD Magic Lake Estates local area water and sewerage system.

Other services provided by the CRD in Magic Lake Estates (and on all of North and South Pender Islands) include parks and recreation, library services, economic development, emergency preparedness, building inspection, SGI Harbours, and by-law enforcement (animal and noise control). The CRD administers Community Works Fund (Gas Tax) grants on behalf of the Union of BC Municipalities and the Federal Government and issues CRD grants-in-aid for community groups.

SGI political representation on the twenty-four member CRD Board is through the election of one Director for the Southern Gulf Islands Electoral Area (SGIEA). Many CRD services are guided by volunteer commissions such as the Magic Lake Water and Sewer Committee, the Pender Island Parks and Recreation Commission, and EA wide services such as the SGI Harbours Commission and the Economic Sustainability Commission. These Commissions are comprised of local residents to advise the CRD Board on delivery of the service.

Under the Islands Trust Act and the Local Government Act, the Island Trust Council has 26 trustees from 13 Trust Areas (extends as far south as Saturna Island in the SGI to as far north as Denman/Hornby Islands in the Comox Valley Regional District). A Local Trust Committee, consisting of the two locally elected Trustees and Chaired by one member of the Islands Trust Executive Committee of Trust Council, makes land-use and planning decisions for each island.

The North Pender Local Trust Committee is responsible for community planning and land use (Official Community Plans and zoning) on North Pender Island. There is also a Local Trust Committee for South Pender Island (connected to North Pender by a canal/bridge), and as such representation on the governing body of the Islands Trust Council is provided through the election of four Trustees for North/South Pender Island.

In MLE, like in all unincorporated areas of the Province, the Ministry of Transportation and Infrastructure has authority over the roads.

MLE and North Pender are also served by many services provided by volunteer community groups and the private sector. Examples include waste management, social services, medical societies, and community hall societies.

## **ALTERNATIVES**

### *Alternative 1:*

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That the Board advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates

neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.

*Alternative 2:*

1. That the CRD Board not advance the request from the Magic Lake Property Owners' Society for a restructure planning grant to the Ministry of Municipal Affairs.

## **IMPLICATIONS**

### *Restructure Grants*

The Provincial government has some funding for municipalities and regional districts that wish to examine their governance structure with an independent and credible examination of the impacts of governance restructuring. Restructure planning grants may be available to support the following initiatives:

- *Assess existing services and community issues*
- *Study governance options, such as the implications of municipal incorporation or restructure*
- *Undertake the public consultation process associated with incorporation or restructure*

### *Principles of the Restructure Process:*

Restructure processes can be lengthy and complex, and cause division and have other impacts both inside and outside the community. The Province has established the following principles of restructure:

- *The process is initiated and supported by the elected local government representatives*
- *Understanding the problem precedes developing a solution*
- *All sectors of the community, including First Nations and other local governments, need to be involved in the discussion*
- *Changes emerging from the process should be supported by the elected local government representatives*
- *For municipal restructure, the electorate should be well-informed on the implications of change before making a decision*

Based on the restructure principles, the nature of the proposed restructure and on community circumstances, the restructure process generally follows six phases:

1. *Preliminary exploration - responding to signals from the community, local governments make their first contact with the Ministry. The Ministry evaluates the local context and provides general information on the restructuring process.*
2. *Process design - if the Minister sanctions the study process, the Ministry assists the local government with developing terms of reference and restructure planning grants to assist with hiring a consultant with expertise in local governance, services and finance to undertake a study.*

3. *Process initiation - the local government creates an oversight body and hires a consultant. The study is then conducted with the goal of obtaining information on the impact of restructuring on fiscal, political representation, and service delivery issues.*
4. *Community engagement - the study findings are shared with the community and, based on the results and public input, a recommendation is made on proceeding to restructure decision.*
5. *Decision and implementation - local (elector and/or local government) and Provincial decisions are made on whether to restructure, and the necessary documents developed to give the restructure legal effect (bylaw, Cabinet Order, Letters Patent) and implemented.*
6. *The local government(s) adapt to the new structure, which may involve transition or hiring of new staff, reconfiguring service delivery, and revision of local bylaws and community plans. The Ministry may provide some financial assistance with this transition.*

Staff have engaged in preliminary discussions with Ministry staff and received feedback that MLE does not have many of the characteristics that the Ministry would look for in a community seeking incorporation, however, the Ministry advised that the restructure process does not begin with an incorporation study, rather the Province first needs to understand the broader context of the area in question. This is done via a Governance and Services Study. This type of study is designed to educate the community on the nature of its current situation (e.g., who provides services and governance) and to encourage a local conversation about motives for change. This is an opportunity for the community to begin an important and complex discussion about local governance without immediate pressure to decide on a potential outcome. The study would also explore what the community issues are and the possible pathways for solving issues. A study does not necessarily lead to municipal incorporation, as it may identify alternative ways to address community concerns. One of the important elements of restructure work is to educate residents about their current system, its variations and provide local context for alternative local government forms. This process, from drawing up the study terms of reference to completing it, typically takes around 12-18 months.

If the Governance and Services Study indicates however that incorporation may address some of the local issues, and the Electoral Area Director, Regional District Board, and community are in support, the next step would be undertaking a more detailed and focused restructure study. This may take the form of a boundary study (if it is necessary to focus in more closely on a specific area) or an incorporation study. An incorporation study would examine the taxation, revenue, infrastructure and service implications for the CRD and Magic Lake residents. In addition to local government support, there must be a broad base of resident support that is demonstrated through surveys, open houses and community forums before the Province commits funding to undertake such a restructure study, which is likely to take 1 to 2 years to complete. The study would provide residents with a clear understanding of the implications in order to have an informed understanding. An incorporation study would then culminate in an assent vote.

#### *Alignment with Board Priorities*

Advancing the request of the MLEOS supports the CRD Board priority of Accountability and the Corporate Plan Priority 15a: Develop a comprehensive strategy & operational review to reflect the unique needs of electoral areas.

The MLPOS has provided its analysis of the costs and benefits to the residents of incorporating as an Island Municipality. The assumptions and data used for these conclusions need to be evaluated by an independent and credible third party. A clear understanding of the problem needs to be advanced in the context of a detailed review of the current governance system and its challenges. This is the purpose of a restructure study. All sectors of the community, including First Nations and other local governments, need to be involved in the discussion.

## **CONCLUSION**

The MLPOS has asked the CRD Board to advance its request to the Provincial Government for funding a governance restructure study for the community. The Provincial process provides that only local governments are eligible to apply to governance grants, and that Board support is necessary for Provincial staff to reach out and begin preliminary discussions to understand the rationale for the request and undertake an assessment of viability to receive funding for a study.

## **RECOMMENDATIONS**

The Electoral Areas Committee recommend to the Capital Regional District Board:

1. That the Board advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.

Submitted by:	Justine Starke, MCIP, RPP, Manager, SGI Service Delivery, Corporate Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

## **ATTACHMENT(S)**

Appendix A: Letter from Magic Lake Property Owners Association



P.O. Box 65,  
Pender Island, BC  
V0N 2M0

Mr. David Howe  
Southern Gulf Islands Electoral Area Director  
Capital Regional District  
625 Fisgard Street  
Victoria, British Columbia  
Canada V8W 1R7

Mr Paul Brent  
Southern Gulf Islands Electoral Area Alternate Director  
Capital Regional District  
625 Fisgard Street  
Victoria, British Columbia  
Canada V8W 1R7

Dear David Howe and Paul Brent:

Re: Magic Lake Property Owners' Society Governance Motion

This is to advise that, at the duly constituted meeting of the Magic Lake Property Owners' Society (MLPOS) Annual General Meeting on October 2, 2021, the membership of the MLPOS passed the following motion:

Moved: Bob Coulson, Seconded: Jean Deschenes

... that the membership of the Magic Lake Property Owners' Society (MLPOS), agrees with the MLPOS Board of Directors that the Society, along with other interested parties, will formally request, through the Capital Regional District, as well as other avenues if necessary, that the Minister of Municipal Affairs authorize "Restructure Planning Grants" as outlined in the government's publications and on its website, fund a formal governance study for our community.

And that, the MLPOS will facilitate the formation of a committee to guide the undertaking of the study, along with communications with various agencies.

The MLPOS has identified what it believes to be benefits to the residents of Magic Lake Estates in the areas of taxation, service delivery, and local governance.

We are requesting your assistance with having the Capital Regional District advocate on our behalf for a Restructure Planning Grant to fund a Local Governance Study of the feasibility of incorporating Magic Lake Estates as an Island Municipality as defined by the Province of British Columbia's Local Government Act, Section 6.

Thank you for your kind assistance so far and for the continuing support you can provide as we go forward with our endeavour.

We are in the process of forming a steering committee to guide this project along. If you haven't received an invitation to take part, you will shortly.

Sincerely

A handwritten signature in black ink, appearing to read 'Bob Coulson', with a stylized, flowing script.

Robert (Bob) Coulson  
President  
Magic Lake Property Owners' Society  
PO Box 65  
Pender Island, BC, Canada, V0N 2M0



March 2, 2022

0400-20

Tara Faganello  
Assistant Deputy Minister, Local Government Division  
Ministry of Municipal Affairs  
PO Box 9490 Stn Prov Govt  
Victoria, BC V8W 9N7  
Via email: [Tara.Faganello@gov.bc.ca](mailto:Tara.Faganello@gov.bc.ca)

Dear Ms. Faganello:

**RE: GRANT REQUEST FOR A GOVERNANCE AND SERVICES STUDY OF MAGIC LAKE ESTATES ON NORTH PENDER ISLAND**


We write with respect to a request from the Magic Lake Property Owners' Society (MLPOS) on North Pender Island to fund a formal governance study to explore the potential for incorporation. The letter from the MLPOS to the CRD is attached for your reference.

On February 9, 2022 the CRD Board considered the request and passed the following motion:

That the Board advance the request of the Magic Lake Property Owners' Society to the Ministry of Municipal Affairs to evaluate the local context of the Magic Lake Estates neighborhood on North Pender Island and request the Ministry consider funding a Governance and Services Study to examine governance concerns within the community and provide options and alternatives to address those concerns.

For further background and context, please see the attached staff report that was received by the Regional Board. Magic Lake Estates is comprised of approximately 1200 small lots (+/- 0.5 acres), predominantly occupied by single family dwellings with a population of approximately 2000 people. Developed in the 1960s, the community is the highest density residential development in the Islands Trust Area. Within the community there is not a commercial centre, however, there is a fire hall, a baseball field, parks and a marina. Originally serviced by a public water utility, Magic Lake Estates now receives water and wastewater service from CRD through the CRD Magic Lake Estates local area water and sewerage system.

Other services provided by the CRD in Magic Lake Estates (and on all of North and South Pender Islands) include parks and recreation, library services, economic development, emergency preparedness, building inspection, Harbours, and regulatory enforcement (animal and noise control). The CRD administers Community Works Fund (Gas Tax) grants on behalf of the Union of BC Municipalities and the Federal Government and issues CRD grants-in-aid for community groups.



The North Pender Local Trust Committee is responsible for community planning and land use on North Pender Island pursuant to the *Islands Trust Act*. There is also a Local Trust Committee for South Pender Island and as such representation on the governing body of the Islands Trust Council is provided through the election of four Trustees for North/South Pender Island.

In Magic Lake Estates, like in all unincorporated areas of the Province, the Ministry of Transportation and Infrastructure has authority over the roads.

MLPOS has requested a governance study to explore possible restructuring or incorporation. In advancing this request, CRD is not endorsing the goal of incorporation. We do, however, acknowledge that the multi-jurisdictional governance model in place on North Pender Island (and all the Southern Gulf Islands) can create challenges for residents and service providers. For this reason, CRD is requesting that the Province consider providing a grant for a governance and services study that would enable community consultation to identify any gaps or areas for improvement in the current governance model.

We would be pleased to meet to discuss this further. If you require any additional information that may assist in your consideration of this request, please do not hesitate to contact the undersigned at [kmorley@crd.bc.ca](mailto:kmorley@crd.bc.ca) or 250.360.3638.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Morley', with a stylized flourish at the end.

General Manager, Corporate Services  
Corporate Officer

Attachments: 2

cc: Robert Lapham, Chief Administrative Officer, CRD  
Dave Howe, CRD Director, Southern Gulf Islands  
Paul Brent, CRD Alternate Director, Southern Gulf Islands  
Bob Coulson, President, Magic Lake Property Owners Society (MLPOS)



September 30, 2022

Ref: 271231

Kristen Morley  
Corporate Officer and General Manager, Corporate Services  
Capital Regional District  
Email: [kmorley@crd.bc.ca](mailto:kmorley@crd.bc.ca)

Dear Kristen Morley:

Thank you for your letters of March 2 and September 26, 2022, regarding funding for a proposed governance and services study of Magic Lake Estates on North Pender Island. Please accept my apologies for the delay in replying.

I understand that the Magic Lake Property Owners Society has expressed concerns about several issues, such as the quality and signage of roads, rising property assessments, and the ability to represent the community in dealing with organizations such as the RCMP and BC Ferries – many of these issues are multi-faceted and involve provincial and federal jurisdictions, that neither a governance study or a change in local structure may alleviate. At the same time, I appreciate the challenges that can arise from the multi-jurisdictional overlap in the southern Gulf Islands, where responsibility is shared between the local service providers, the Capital Regional District (CRD), provincial Ministries such as the Ministry of Transportation and Infrastructure, and the Islands Trust.

In your letter, you noted that, while the CRD supports studying governance for Magic Lake Estates but also expressed it is not in favour of pursuing incorporation as an outcome of a governance study. It is important to note that a governance study does not necessarily lead to an incorporation study. The purpose of a governance study is to educate residents on who delivers which services, compile concerns in a community and identify possible governance alternatives. Community characteristics that tend to support incorporation – include a diverse property tax base (e.g., combination of residential, business and industrial properties), a growing population and delivery of a robust set of services that demonstrate that residents are willing to pay for the service they desire. It is unclear how incorporation will alleviate challenges faced by residents of Magic Lake Estates such as increased property assessments and/or ferry service.

Also, a governance study can take many forms ranging from a community issues assessment, which examines the concerns of residents through various ways of engagement, to a traditional governance study, which contains a comprehensive section on service delivery, including who does what and opportunity for engagement of residents. It is important that a community undergoing a governance study appreciates the time and effort that is required on behalf of the community and local government.

Kristen Morley

Page 2

We are also communicating with the Magic Lake Property Owners' Society that in order to better assess the purpose and scope of a proposed study, information on what action has been taken to mitigate the concerns of the Magic Lake community with the CRD and other jurisdictions would be helpful for the ministry to receive. Other information on the property ownership within the community and the specific services provided by the CRD or other providers would also be useful. By understanding current service delivery and governance pressures the Ministry of Municipal Affairs will be better placed to evaluate a request for a governance study, should the incoming CRD board confirm their support.

Given the upcoming local government elections it would also be useful if the new board could confirm support for a governance study. If it does, it would also be helpful to understand what form of study is supported.

In the meantime, staff at the Ministry of Municipal Affairs will be available to provide guidance where it may be needed. If you have any questions, you can contact Karen Lynch, acting Director of Governance Structures, at [Karen.Lynch@gov.bc.ca](mailto:Karen.Lynch@gov.bc.ca), or at 778-698-3229.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Faganello', with a stylized flourish at the end.

Tara Faganello  
Assistant Deputy Minister, Local Government Division

pc. Robert Coulson, President, Magic Lake Property Owners' Society  
Paul Brent, Electoral Area Director, Southern Gulf Islands  
Adam Olsen, MLA, Saanich North and the Islands  
Simon Rasmussen, Senior Planning Analyst, Governance and Structure Branch



January 4, 2023

Ref: 271563

Robert (Bob) Coulson  
President, Magic Lake Property Owners' Society  
Chair, MLPOS Governance Steering Committee  
Sent via email: [mlpospres@gmail.com](mailto:mlpospres@gmail.com)

Dear Bob Coulson:

Thank you for your letter of November 22, 2022, regarding a governance study for Magic Lake Estates on Pender Island.

I appreciate you providing detail on the demographics and property ownership within your community, as well as an overview of some of the services currently provided by the Capital Regional District (CRD). I also appreciate the additional context for some of the issues you feel need to be addressed on North and South Pender.

I encourage you to continue working with the CRD to determine if their new board is supportive of initiating a governance study for your community, and to collaboratively discuss possible next steps. As the general local government for the area, the CRD is best placed to advise on what action can be taken to mitigate the concerns of the Magic Lake community.

Thank you again for writing.

Sincerely,

Karen Lynch  
a/Director, Governance and Structure

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE  
MEETING OF WEDNESDAY, JANUARY 18, 2023**

---

**SUBJECT**     **Evaluation of Passing Lane on Willis Point Road**

**ISSUE**

To provide an overall evaluation of the proposed passing lane on Willis Point Road, as requested by the Environmental Services Committee (ESC) at its meeting of September 28, 2022.

**BACKGROUND**

The disposal of solid waste at the Hartland landfill has taken place in phase 2, cells 1, 2 and 3, since 1997. Following the master filling plan for the overall site, cell 3 is projected to be full in the next two years and operations will move to the north end of the site to start placement in the bottom of cell 4. The characteristics of the site dictate that the commercial traffic must then enter the landfill from the north, utilizing Willis Point Road to access the site via the north entrance. This change in traffic patterns has been analyzed through two engineering reports, one focused on traffic volumes and road characteristics, the other focused on the surrounding intersections.

In addition to a suite of infrastructure improvements valued at \$4M resulting from the Solid Waste Management Plan consultation process, the Willis Point Community Association has requested the construction of a passing lane on the climbing portion of Willis Point Road between the Wallace Drive intersection and the north entrance to the landfill. The ESC requested that staff revisit the issue of the passing lane and report back with a justification for the earlier recommendation to not proceed with the passing lane, which was supported by the ESC and the Capital Regional District Board in September and October 2020, respectively. The previous recommendation was based on an evaluation of several elements, as summarized below.

The Bunt Engineering report from 2020 provides a technical analysis to determine if a passing lane is justified. Both routes to the landfill (Willis Point Road and Hartland Avenue) have a significant elevation gain from West Saanich Road. Depending on specific circumstances, this could cause heavy vehicles accessing the landfill to travel below typical speeds, which could cause vehicles to queue behind the slower-moving trucks. Currently on those two roads, passing is allowed only on the 800-metre section of Willis Point Road closest to Wallace Drive, which includes the hill where the passing lane is being requested.

The Transportation Association of Canada suggests that a climbing lane should be considered when three criterion are met: two of those involve the volume of vehicles and trucks on the roads, which are met during several peak flow hours through the week. However, a third criterion that has several scenarios is not met under any circumstance. This criterion, which is considered to be the most important, is based on the motorist's experience being negatively impacted due to a decrease in their speed or level of service. The Bunt report states that on the flat and uphill sections of Willis Point Road, heavy trucks were observed travelling around the 60 km/hr speed limit and there was no noticeable reduction in truck speeds caused by the elevation gain.

Additional support for the overall trucking capabilities is shown by the majority of vehicles using Willis Point Road first travelling north on West Saanich Road, passing through traffic lights and climbing one hill with a moderate gradient. The District of Saanich is not aware of any complaints of regular slow-moving traffic along this route. Hence, it is reasonable to concur that heavy trucks currently using this route have the power to accelerate rapidly from the stopped condition and maintain acceptable speeds up the hill. This observation supports the statement in the Bunt report that there were no noticeable reductions in truck speeds caused by the elevation gain on Willis Point Road.

The landfill currently generates one commercial vehicle approximately every four minutes in each direction. Therefore, there is only a small probability of drivers encountering a commercial vehicle in front of them on weekdays and a minuscule probability on weekends. However, if that were to occur, the evidence shows that drivers still will be able to travel at the speed limit without an additional lane.

The portion of Willis Point Road in question lies within the boundaries of the District of Saanich and so the District is the authority that approves changes to that road. District staff reviewed the engineering reports as they became available and were fully informed of the results of the consultations with the community associations. Based on those reports, as well as their own traffic data, District of Saanich staff concluded that they do not support the addition of a passing lane on that portion of Willis Point Road. District of Saanich staff also noted that in addition to the passing lane not being warranted on technical merits, they also do not support the addition of a passing lane, as it would require significant tree loss and removal of valuable ecosystems.

The Bunt report refers to the typical driver behaviour that can be expected if a passing lane were to be added. The excerpt from the report is as follows:

*In addition to the financial and environmental implications of constructing a climbing lane, it would also cause drivers to increase their speed due to the street appearing wider. There is a direct relationship between the width of a street and the speed in which drivers choose to travel. Adding a lane on Willis Point Road is anticipated to increase vehicle speeds higher than the existing design where the average speed is already above the speed limit.*

Further to this general observation of driver behaviour, the District of Saanich provided actual traffic data from February 2020. This information illustrates the driving behaviours witnessed during that time on the straight stretch of Willis Point Road near the Wallace Drive intersection. The data shows that traffic moves through that section from East to West at speeds that are higher than typically observed. For reference, District of Saanich staff indicate that speed data for similar roads having a 50 km/hr limit shows that typical faster drivers travel 7-9 km/hr over the speed limit. The data on the relevant portion of Willis Point Road shows the typical faster drivers travelled 23 km/hr over the speed limit of 60 km/hr.

Based on the actual traffic data and the general acceptance that wider roads result in increased speeds, the addition of a passing lane in this area is anticipated to exacerbate the speeding behaviours currently observed on that portion of Willis Point Road.

## **CONCLUSION**

At the request of the Environmental Services Committee, this report presents information regarding the previous recommendation to not construct a passing lane on Willis Point Road. Information from recent engineering studies and related data and observations provided by the District of Saanich have been reviewed and considered. An overall evaluation of the need, safety and general observations support the previous recommendation that a passing lane is not warranted, and the District of Saanich has reconfirmed its concurrence with this finding and does not support the addition of a passing lane.

## **RECOMMENDATION**

There is no recommendation. This report is for information only.

Submitted by:	Stephen May, P.Eng., Senior Manager, Facilities Management & Engineering Services
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer



**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, FEBRUARY 01, 2023**

---

**SUBJECT**     **2023 Appointments Advisory Committee**

**ISSUE SUMMARY**

Establish membership to the Appointments Advisory Committee for the current year.

**BACKGROUND**

On April 14, 2021, the CRD Board adopted the policy titled “*CRD Appointment of Public Members to External Boards*” attached as Appendix A.

The purpose of this policy is to ensure that the most suitable candidates are selected and appointed as CRD Representatives, and to ensure that the process of appointing Public Members to an External Board is inclusive, transparent, and consistently applied. The policy defines the establishment of an Appointment Advisory Committee as an advisory committee responsible for reviewing applications and making recommendations for public member appointments to the CRD Board.

Section 1.0(c) of the Governance Committee’s Terms of Reference states:

*(c) The Committee may establish an Appointment Advisory Committee, on an as-and-when needed basis, responsible for reviewing applications and making recommendation for appointments to external boards.*

*i. The Appointment Advisory Committee is permitted to meet in closed when evaluating public member applications.*

The decision before the Governance Committee is to appoint three of its members to the Appointments Advisory Committee. Historically, the Chair of the Governance Committee has also served as the Chair to the Appointments Advisory Committee.

**ALTERNATIVES**

*Alternative 1*

The Governance Committee recommends to the Capital Regional District Board:

That the membership of the Appointments Advisory Committee for 2023 include Governance Committee Chair Little and the following two committee members: Director [X], and Director [Y].

*Alternative 2*

That this report be referred to the Capital Regional District Board for a decision on appointing three members to the Appointments Advisory Committee for 2023.

## **IMPLICATIONS**

The CRD has received notice of the following vacancies requiring nominees/appointments in the first and second quarter of 2023:

- **BC Ferry Authority (BCFA):** Appointment of 2 nominees to be finalized by the March 8, 2023 Board meeting. Nominees are advanced to the BCFA Board to select one representative to their Board for a 3-year term representing Southern Vancouver Island.
- **Royal & McPherson Theatres Society:** Appointment of 2 Appointed Directors for a 2-year term by the April 12, 2023 Board meeting.

Legislative Services staff will prepare the call for expressions of interest and work with CRD Corporate Communications on posting the opportunity to serve on the external boards listed above. Staff will bring forward a report to a Closed meeting of the Appointments Advisory Committee that will include a matrix showing which individuals have met the eligibility requirements and member criteria as established by the External Board. The Appointments Advisory Committee will then make a recommendation to the CRD Board for nomination or appointment.

## **RECOMMENDATION**

The Governance Committee recommends to the Capital Regional District Board:  
That the membership of the Appointments Advisory Committee for 2023 include Governance Committee Chair Little and the following two committee members: Director [X], and Director [Y].

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
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: CRD Appointment of Public Members to External Boards Policy



Making a difference...together

## CAPITAL REGIONAL DISTRICT CORPORATE POLICY

Policy Type	Board		
Section			
Title	<b>CRD Appointment of Public Members to External Boards</b>		
Adopted Date	April 14, 2021	Policy Number	BRD08
Last Amended			
Policy Owner	Legislative Services		

### 1. POLICY:

The intent of the policy is to establish a standard process for the CRD Board's appointment of Public Members to External Boards.

### 2. PURPOSE:

The purpose of this policy is to ensure that the most suitable candidates are selected and appointed as CRD Representatives, and to ensure that the process of appointing Public Members to an External Board is inclusive, transparent and consistently applied.

### 3. SCOPE:

This policy applies to the filling of vacancies when Public Members are eligible for appointment as a CRD representative or nominee to an External Board.

This policy is intended to supplement, not replace, the appointment processes already prescribed in the establishing governance documents for the External Board. Where sections of this policy conflict with requirements set out in legislation or bylaws, the requirements of those governing documents will prevail.

This policy does not apply to the appointment of CRD Board Members or Municipal Councillors.

### 4. DEFINITIONS:

**"Appointment"** means a resolution by the CRD Board to nominate or appoint a Public Member to an External Board.

**"Appointment Advisory Committee"** means an advisory committee responsible for reviewing applications and making recommendations for public member appointments.

**"CRD Board"** means the governing and executive bodies of the Capital Regional Board, Capital Regional Hospital District Board, and Capital Region Housing Corporation.

**"External Board"** means a non-CRD Board or committee, including but not limited to a society, corporation, foundation, public utility or authority, which has a CRD-appointed or nominated representative as a member.

**“Public Member”** means an individual who is not a CRD Board Member or Municipal Councillor.

## **5. PROCEDURE:**

### **5.1. Confirmation of Vacancies**

- Legislative Services staff will monitor membership terms and vacancies in accordance with the relevant legislation, bylaw, and terms of reference, as applicable.
- External Boards seeking appointments may specify preferred qualifications or areas of experience for prospective CRD Representatives.

### **5.2. Call for Expressions of Interest**

- Calls for expressions of interest will be posted to the CRD website and on social media.
- Expressions of interest for available vacancies may be published in a local newspaper or posted in a local meeting place.
- Expressions of interest must be open for a period of no less than 30 days from the first date of publication of the call for expression of interest.

### **5.3. Consideration of Candidates & Appointments**

- CRD staff will prepare a Closed staff report for consideration by the Appointment Advisory Committee during a Closed meeting in accordance with Section 90(1)(a) of the *Community Charter*.
- The Closed staff report must include the following information:
  - **Candidates:** naming of all individuals who have expressed interest by the deadline and may include materials they have submitted;
  - **Re-appointments:** Identify any individuals currently serving on the committee/commission and seeking re-appointment;
  - **Eligibility-Criteria Matrix:** When applicable, a matrix showing which individuals have met the eligibility requirements and member criteria.
  - **Recommendation:** Recommendation to nominate or appoint will be made in accordance with the External Board governing documents and confirmed by a resolution of the CRD Board.
- The appointment of individuals will be determined by a non-weighted all majority vote by the CRD Board.

### **5.4. Communicating and Tracking Appointments**

- Legislative Services staff will send written notice and a certified copy of the CRD Board's resolution to the External Board informing them of the appointment.
- Legislative Services staff will maintain the pertinent contact information of Public Members, along with the appointment information of the External Board to which they have been appointed.

## **6. SCHEDULE:**

Schedule A: External Boards with Public Member Appointments

**7. AMENDMENT(S):**

<b>Adoption Date</b>	<b>Description:</b>
April 14, 2021	

**8. REVIEW(S):**

<b>Review Date</b>	<b>Description:</b>
April 2026	

**9. RELATED POLICY, PROCEDURE OR GUIDELINE:**

CRD Board Procedures Bylaw (No. 3828)

Guidelines for CRD Commissions Policy

Non-Disclosure / Confidentiality Agreement for CRD Commissions Policy

## SCHEDULE A

### External Boards with Public Member Appointments

Member Agency Boards	Representation Type	Appointment vs. Nomination	Term Length	Current Membership	Governing Documents
BC Ferry Authority	Southern Vancouver Island <i>CVRD or CRD Representative</i>	Nomination	3 years	CVRD Public Member	<i>Coastal Ferry Act/ BC Ferry Bylaw</i>
CREST Corporation	Director	Nomination	2 years	3 Public Members	<i>ECC Act</i>
Greater Victoria Harbour Authority	Member Director	Nomination	2 years	CRD Director	Board Recruitment Policy BRD06
Island Corridor Foundation	Director	Nomination	2 years	CRD Director	ICF Bylaw
Royal and McPherson Theatres Society	Appointed Director	Appointment	2 years <i>RMTS Board may re-appoint (up to 6 years)</i>	3-5 Public Members	RMTS Bylaw
Victoria Airport Authority	CRD Representative	Nomination	3 years	Public Member	VAA Bylaw No. 3

**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, FEBRUARY 01, 2023**

---

**SUBJECT**      **Consideration of a Board Code of Conduct**

**ISSUE SUMMARY**

To assist the Board in considering whether it wishes to adopt a Code of Conduct to establish expectations for how Directors should conduct themselves while carrying out their duties as elected officials at the CRD.

**BACKGROUND**

In June of 2022 the province introduced legislative amendments to the *Community Charter* and *Local Government Act* that municipal councils and regional district boards must consider developing or updating a code of conduct within 6 months of the first regular meeting following the General Local Election. This requirement comes from a recommendation made by the Working Group on Responsible Conduct, which was a joint initiative of the UBCM, the Local Government Management Association and the Ministry of Municipal Affairs and Housing and follows the UBCM endorsement of Resolution SR3 to strengthen responsible conduct of local government elected officials.

The CRD Board does not currently have a code of conduct. The Board previously considered whether to adopt a code of conduct in its last term and prior to that in 2017 and 2018, and ultimately determined that the CRD had sufficient tools in place through existing policies and bylaws to regulate the conduct of Directors.

**ALTERNATIVES**

*Alternative 1*

The Governance Committee recommends to the Capital Regional District Board:

1. That the CRD Board endorse development of a code of conduct to establish shared expectations of responsible conduct and behavior of CRD Directors; and,
2. That staff be directed to report back to Governance Committee with resources and examples to facilitate development of the code of conduct.

*Alternative 2*

The Governance Committee recommends to the Capital Regional District Board:

1. That the CRD Board not adopt a code of conduct after consideration of the principles set out in section 2 of the *Principles for Codes of Conduct Regulation*, B.C. Reg. 136/2022;
2. That the reasons for deciding not to adopt a code of conduct be made publicly available; and,
3. That the Board reconsider its decision before January 1, 2026.

**IMPLICATIONS**

The requirement to consider a code of conduct is in sections 113.1 and 113.2 of the *Community Charter*, and applies to Regional Districts through section 205(1)(b.1) of the *Local Government*

*Act.* These sections do not make it mandatory to adopt a code of conduct; rather, it is mandatory for Boards and Councils to consider adoption of a code of conduct, in light of the principles of expected conduct set out in the *Principles for Codes of Conduct Regulation* (Appendix A).

*Implications of Alternative 1*

The UBCM Working Group on Responsible Conduct has produced resources for local elected officials to assist in the development of a code of conduct:

- Model code of conduct (Appendix B); and,
- UBCM Companion Guide: Getting Started on a Code of Conduct for your Council/Board (Appendix C).

The Guide provides some useful information to be considered by elected officials in the process of creating a code of conduct, and highlights that engaging in the process itself is a useful way to facilitate a discussion between board members about shared values and expectations and how members would like to work together.

It's important to note that a code of conduct is just one component in a larger responsible conduct framework. There are existing legal and legislative controls, primarily in the *Community Charter*, that address standards of conduct on the following issues:

- Conflict of interest;
- Use of inside and outside influence;
- Receipt of gifts;
- Public disclosure of any related party transactions;
- Restriction on the use of insider information;
- Mandatory Oath of Office.

In addition, the CRD has policies and bylaws that apply to board members and employees, including:

- Respectful Workplace Policy – defines expectations of a respectful workplace and includes a dispute resolution process for complaints of disrespectful behavior;
- Reporting of Serious Misconduct Policy – sets out guidelines for the reporting and investigation of serious misconduct, such as fraud, embezzlement, and deliberate unethical behavior;
- Roberts Rules of Order and the Board Procedures Bylaw address the rights and expectations of board members in meetings;

While legislated standards and existing policies set a baseline of expected behavior, a code of conduct can expand upon the requirements and go further by including value statements that effectively set a higher standard. A code of conduct, particularly when enacted by bylaw, can also include potential enforcement mechanism and sanctions for non-compliance, though the efficacy of such mechanisms is limited.

The process for developing a code of conduct should be iterative and include input from board members, rather than being developed by staff. Staff anticipate providing resources and examples, as well as options and analysis to facilitate workshop sessions with Governance Committee in development of the code of conduct. At the request of the committee, staff could also engage the services of a facilitator or external legal counsel for specialized advice, if required.



*Implications of Alternative 2*

Section 113.2 of the *Community Charter* includes a requirement that if the Board chooses not to adopt a code of conduct it must first consider the following principles set out in the *Principles for Codes of Conduct Regulation*:

- a. [Board] members must carry out their duties with integrity;
- b. [Board] members are accountable for the decisions that they make, and the actions that they take in the course of their duties;
- c. [Board] members must be respectful of others;
- d. [Board] member must demonstrate leadership and collaboration.

A further requirement in the *Charter* is that the Board must issue a statement respecting the reasons not to adopt a code of conduct and make it available for public inspection. If the Board elects to move Alternative 2, choosing to rely on existing legislation and policy to regulate board member conduct, board members will need to have a discussion considering the principles set out above and meet the legislated requirement to provide public reasons for the decision.

**CONCLUSION**

With the recent changes to the *Local Government Act* and the *Community Charter*, the Province has demonstrated a clear intention to promote greater awareness of the need for responsible conduct by local elected officials. To comply with the new requirements, the Board must resolve whether it wishes to endorse development of a code of conduct or choose instead to rely on existing tools to govern its conduct, currently set out in policy, bylaw and legislation. A decision not to develop a code of conduct requires documented consideration of the criteria set out in the *Principles for Codes of Conduct Regulation* and must be revisited prior to the final year of the Board's term.

**RECOMMENDATION**

The Governance Committee recommends to the Capital Regional District Board:

1. That the CRD Board endorse development of a code of conduct to establish shared expectations of responsible conduct and behavior of CRD Directors; and,
2. That staff be directed to report back to Governance Committee with resources and examples to facilitate development of the Code of Conduct.

Submitted by:	Kristen Morley, JD, General Manager, Corporate Services and Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: *Principles for Codes of Conduct Regulation*, B.C. Reg. 136/2022

Appendix B: UBCM Model Code of Conduct

Appendix C: UBCM Companion Guide: Getting Started on a Code of Conduct for your Council/Board

*Community Charter*

**PRINCIPLES FOR CODES  
OF CONDUCT REGULATION  
B.C. Reg. 136/2022**

**Definition**

- 1** In this regulation, “**Act**” means the *Community Charter*.

**Principles for codes of conduct**

- 2** The following principles are prescribed for the purposes of sections 113.1 (2) (a) [*requirement to consider code of conduct*] and 113.2 (2) (a) [*reconsideration of decision respecting code of conduct*] of the Act as principles that a council must consider before making a decision under section 113.1 (1) or in a reconsideration under section 113.2 (1):
- (a) council members must carry out their duties with integrity;
  - (b) council members are accountable for the decisions that they make, and the actions that they take, in the course of their duties;
  - (c) council members must be respectful of others;
  - (d) council members must demonstrate leadership and collaboration.

---

Copyright © 2022, Province of British Columbia

MODEL CODE OF CONDUCT

# Getting Started on a Code of Conduct for Your Council / Board

*Produced by the Working Group on Responsible Conduct*

*Updated in October 2022*



## Table of Contents

INTRODUCTION & EXPLANATORY NOTES .....	3
What is a code of conduct? .....	3
What is the purpose of this document? .....	3
What are some considerations in developing and using a code of conduct? .....	4
MODEL CODE OF CONDUCT .....	6
A. INTRODUCTION .....	6
B. HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT .....	6
C. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT .....	7
D. OPTIONAL: VALUE STATEMENTS .....	7
E. STANDARDS OF CONDUCT .....	8
F. ENCOURAGED: ENFORCEMENT MECHANISMS .....	10
G. OPTIONAL: ADDITIONAL POLICIES .....	11

The *Working Group on Responsible Conduct* is a joint initiative between the Union of BC Municipalities, the Local Government Management Association, and the Ministry of Municipal Affairs. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.

## INTRODUCTION & EXPLANATORY NOTES

### What is a code of conduct?

- A code of conduct is a written document that sets shared expectations for conduct or behaviour. A local government council or board can adopt a code of conduct to establish shared expectations for how members should conduct themselves while carrying out their responsibilities and in their work as a collective decision-making body for their community.
- Responsible conduct of elected officials is not optional; it is essential to good governance. Responsible conduct refers to how government elected officials conduct themselves with their elected colleagues, with staff, and with the public. It is grounded in conducting oneself according to principles such as integrity, accountability, respect, and leadership and collaboration.
- A code of conduct is one tool that can be used by a local government council or board to promote or further responsible conduct. See the [Forging the Path to Responsible Conduct in Your Local Government](#) guide for complementary tools.

### What is the purpose of this document?

- The purpose of this document is to provide local government council or board members with a model code of conduct which establishes a set of principles and general standards of conduct that can be used as a starting point to develop their own code of conduct.
- This model code of conduct may also be useful for councils or boards who already have a code of conduct in place but are required to consider updating their code following the 2022 general local elections.
- The Working Group on Responsible Conduct has also developed a “Companion Guide” to accompany this document that provides discussion questions, things to keep in mind, and other tips to facilitate a council or board’s conversation in developing a code of conduct.
- The general standards of conduct set out in this model code of conduct reflect the foundational principles of integrity, respect, accountability, and leadership and collaboration. Local governments are required to reflect on these principles when considering whether to establish or update a code of conduct.
- Councils or boards may choose to customize and expand on the general standards of conduct provided in this model code of conduct by:
  - Adding examples of specific behaviours or other details to further elaborate on the standards of conduct that are provided;
  - Including additional standards of conduct that address topics of importance to the council or board and which are not directly dealt with by the standards of conduct already provided;
  - Including additional provisions in the code of conduct to support compliance or to cover informal resolution processes, formal enforcement processes such as complaints investigation and final resolution, and sanctions; and/or

- Incorporating, referencing or attaching other policies that are generally related to responsible conduct (such as social media policies), where a council or board feels it is appropriate.

### **What are some considerations in developing and using a code of conduct?**

- In developing a code of conduct, council or board members should consider not just the content of the code of conduct, but also how to make it meaningful for members, both as individuals and as a collective decision-making body. While there is no ‘right’ way to develop and use a code of conduct, councils or boards should consider the following to maximize the effectiveness of their code of conduct:

- *Don’t overlook the importance of the process when developing and adopting a code of conduct:* How a code of conduct is developed and adopted matters; providing opportunities for council or board members to discuss not just the “what” but also the “why” of a code of conduct will help ensure its effectiveness.

To start with, understanding the context for developing and adopting a code of conduct is important – is the council or board being proactive or have there been particular incidents of concern; does the council or board need to consider its collective “blind spots”, such as identifying and airing subconscious assumptions or systemic barriers? Discussing the language and content of the code of conduct and how it can best be customized to meet the needs of the council or board and individual members is also important. Discussing shared expectations as a part of the orientation process for newly elected officials or including the code of conduct as an outcome of a strategic planning process (with dedicated follow-up opportunities for development) could be good ways of ensuring a code of conduct is adopted in a meaningful way.

- *Make the code of conduct meaningful:* Finding ways to integrate the code of conduct into the council or board’s ongoing governance will help ensure that it remains a relevant and effective living document. For instance, some councils or boards may choose to refer to the code of conduct at every meeting; others may have a copy included in every agenda package or framed on the wall in the meeting room or placed on the desk of each elected official as a regular point of reference.
- *Make sure the code of conduct is consistent with existing laws and policies:* Council or board members may include a variety of topics in their code of conduct. Where existing laws or policies deal with topics they choose to include in their code of conduct (i.e., privacy legislation; Human Resources policies; etc.), they must ensure that their code of conduct is consistent with those laws and policies.
- *Offer ongoing advice, education, and support:* A council or board will also want to consider how members can best be supported in working with their code of conduct. This could include, for example, general education around the purpose of codes of conduct, opportunities for members to receive specific advice on how the code of conduct should be interpreted and applied, as well as other ongoing opportunities for support and education – for example, orientation when new members join the council or board or regular debriefings following council or board meetings to discuss how effectively the code of conduct guided the discussion.
- *Revisit it regularly:* Council or board members should approach their code of conduct as a living document to be reviewed and amended from time to time, to ensure that it remains a relevant and



effective tool. At a minimum, councils and boards are required to consider updating their code of conduct following a general local election; however, it is encouraged that councils and board review it more often than once per term.

# MODEL CODE OF CONDUCT <sup>1</sup>

## A. INTRODUCTION

As local elected representatives (“members”), we recognize that responsible conduct is essential to providing good governance for the [city / municipality / regional district / district] of [name of local government].

We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

## B. HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT

This code of conduct applies to the members of [city / municipality / regional district / district] of [name of local government]. It is each member’s individual responsibility to uphold both the letter and the spirit of this code of conduct in their dealings with other members, staff, and the public.

Elected officials must conduct themselves in accordance with the law. This code of conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable federal and provincial laws, as well as the bylaws and policies of the local government, the common law and any other legal obligations which apply to members individually or as a collective council or board.

---

<sup>1</sup> Some sections of this code of conduct include additional information in a shaded box. This information is for guidance and context only and is not intended to be included in a local government’s code of conduct.

## C. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT

### **Information about the Foundational Principles:**

*The foundational principles of integrity, respect, accountability and leadership and collaboration have been identified by the Working Group on Responsible Conduct as being important to promoting and furthering responsible conduct and should be incorporated into every code of conduct.*

*A high-level definition of each foundational principle, along with a general description of the type of conduct that upholds each principle, is provided below. These principles are intended to provide members with a shared understanding of responsible conduct and guide them in fulfilling their roles and responsibilities both as individual elected officials and as a collective council or board. Key standards of conduct are set out in subsequent sections of this model code of conduct to provide specific examples of the types of conduct that demonstrate the foundational principles.*

*These four principles, in conjunction with the key standards of conduct, can be used as a guide for elected officials against which to assess their own conduct.*

1. **Integrity** – means conducting oneself honestly and ethically.
2. **Respect** – means valuing the perspectives, wishes, and rights of others.
3. **Accountability** – means an obligation and willingness to accept responsibility or to account for one's actions.
4. **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts.

## D. OPTIONAL: VALUE STATEMENTS

### **Information about including Value Statements:**

*A council or board may wish to customize their code of conduct to include 'value statements'. These are high-level statements that identify the values that the council or board consider important and feels should be included for context in their code of conduct.*

*A council or board may find the "Companion Guide" to this code of conduct useful as they consider how 'value statements' may be incorporated into their own code of conduct.*

## E. STANDARDS OF CONDUCT

### **Information about the Standards of Conduct:**

*The following section provides general standards of conduct that reflect the foundational principles identified above. A council or board can customize their code of conduct by including additional standards of conduct, or by expanding on existing standards of conduct to more clearly demonstrate how a member can exemplify responsible conduct.*

*A council or board may find the “Companion Guide” to this code of conduct useful as they consider how these general standards of conduct may be customized to best fit their needs.*

**Integrity:** Integrity is demonstrated by the following conduct:

- Members will be open and truthful in all local government dealings, while protecting confidentiality where necessary.
- Members will behave in a manner that promotes public confidence, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct.
- Members will act in the best interest of the public and community.
- Members will ensure actions are consistent with the shared principles, values, policies, and bylaws collectively agreed to by the council or board.
- Members will demonstrate the same ethical principles during both meetings that are open and closed to the public.
- Members will express sincerity when correcting or apologizing for any errors or mistakes made while carrying out official duties.

**Respect:** Respect is demonstrated through the following conduct:

- Members will treat elected officials, staff, and the public with dignity, understanding, and respect.
- Members will acknowledge that people’s beliefs, values, ideas, and contributions add diverse perspectives.
- Members will create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.

- Members will refrain from any form of discriminatory conduct against another elected official, staff, or the public.
- Members will honour the offices of local government and fulfill the obligations of Mayor/Chair and Councillor/Director dutifully.
- Members will recognize and value the distinct roles and responsibilities of local government staff.
- Members will call for and expect respect from the community towards elected officials and staff.
- Members will ensure that public statements and social media posts that concern other elected officials, staff, and the public are respectful.

**Accountability:** Accountability is demonstrated through the following conduct:

- Members will be transparent about how elected officials carry out their duties and how council conducts business.
- Members will ensure any information and decision-making processes are accessible to the public while protecting confidentiality where necessary.
- Members will correct any mistakes or errors in a timely and transparent manner.
- Members will accept and uphold that the council/board is collectively accountable for local government decisions, and that individual elected officials are responsible and accountable for their behaviour and individual decisions.
- Members will listen to and consider the opinions and needs of the community in all decision-making and allow for public discourse and feedback.
- Members will act in accordance with the law, which includes, but is not limited to, the statutes, bylaws, and policies that govern local government.

**Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:

- Members will demonstrate behaviour that builds public confidence and trust in local government.

- Members will provide considered direction on municipal policies and support colleagues and staff to do the same.
- Members will educate colleagues and staff on the harmful impacts of discriminatory conduct, and take action to prevent this type of conduct from reoccurring if necessary
- Members will create space for open expression by others, take responsibility for one's own actions and reactions, and accept the decisions of the majority.
- Members will advocate for shared decision-making and actively work with other elected officials, staff, the public, and other stakeholders to achieve common goals.
- Members will foster positive working relationships between elected officials, staff, and the public.
- Members will commit to building mutually beneficial working relationships with neighbouring First Nations to further advance reconciliation efforts.
- Members will positively influence others to adhere to the foundational principles of responsible conduct in all local government dealings.

## **F. ENCOURAGED: ENFORCEMENT MECHANISMS**

### ***Information about including Enforcement Mechanisms:***

*A council or board may want to include enforcement mechanisms to support compliance of their code of conduct. These mechanisms may include informal resolution, administratively fair and formal complaint processes, third-party investigators, and sanctions. Local governments are always first encouraged to focus on continuous improvement to foster responsible conduct, maintain good governance, and resolve conduct issues informally. A council or board may want to consult the "Companion Guide" and the "Forging the Path to Responsible Conduct in Your Local Government" guide for tips and resources that support the development of practical enforcement mechanisms.*



## **G. OPTIONAL: ADDITIONAL POLICIES**

### ***Information about including Additional Policies:***

*A council or board may choose to include additional policies as part of their code of conduct. These additional policies may be useful in addressing matters of importance that require deeper attention or that are connected to the four foundational principles. Some examples of the types of policies that a council or board could include are provided below.*

*A council or board may want to consult the “Companion Guide” for tips and resources for including additional policies.*

### **Policies About Communications**

- *Use of social media by members.*
- *How members communicate as representatives of the local government.*

### **Policies About Personal Interaction**

- *Interactions between members and others, such as the public, staff, bodies appointed by the local government, and other governments and agencies (e.g., respectful workplace policies).*
- *Roles and responsibilities of staff and elected officials.*

### **Policies About How Information is Handled**

- *Proper handling and use of information, including information which is confidential or otherwise protected and is made available to members in the conduct of their responsibilities.*
- *Retention and destruction of records.*
- *How and when information that was relevant to the decision making process is made publicly available.*

### **Policies About Other Matters**

- *Creation, use, and retention of the local government’s intellectual property.*
- *Personal use of local government resources.*
- *Receipt of gifts and personal benefits by members.*
- *Provision of remuneration, expenses, or benefits to members in relation to their duties as members.*

## COMPANION GUIDE

# Getting Started on a Code of Conduct for Your Council / Board

Updated October 2022

*Produced by the Working Group on Responsible Conduct*

## What is Responsible Conduct?

Responsible conduct refers to how government elected officials conduct themselves with their elected colleagues, with staff, and with the public. It is grounded in conducting oneself according to principles such as integrity, accountability, respect, and leadership and collaboration

## Keep in mind...

before thinking about the content of your code of conduct, ensure that everyone is on the same page about what you want to achieve and how you want to get there. Agreeing on the objectives and the process upfront will help make the code of conduct more meaningful and successful

## Introduction

The Working Group on Responsible Conduct has developed a model code of conduct that can be used as a starting point by local government councils/boards to develop their own customized code of conduct.

This companion guide provides discussion questions, things to keep in mind, and other helpful tips and resources to facilitate a council/board's conversation in developing their own code of conduct. This guide is also useful for councils/boards that already have a code of conduct in place but are considering updating it following the 2022 general local elections.

## What is a Code of Conduct?

A code of conduct is a written document that sets shared expectations for conduct or behaviour. A council/board can adopt a code of conduct to establish expectations for how members should conduct themselves while carrying out their responsibilities, and in their work as a collective decision-making body for their community.

Responsible conduct of elected officials is not optional; it is essential to good governance. A code of conduct is one tool that can be used by a local government council/board to promote or further responsible conduct.

## Before you get Started

Before you discuss the content of your code of conduct, it is important to ensure that all council/board members understand the purpose of embarking on the development of a code of conduct, have clear expectations about what the code of conduct will and will not do, and that there is consensus on the process for developing it.

Ensuring that everyone is on the same page before diving into the details of your code of conduct will help make the development process easier and the code of conduct more meaningful. Ask yourselves:

- Q Why is developing a code of conduct important to us?
- Q What are our key objectives in developing a code of conduct?
- Q Do we each understand the role of a code of conduct (i.e., that it is in addition to, not instead of, legal rules and local government policies)?
- Q What kind of process do we want to undertake to develop our code of conduct? Do we want to do this ourselves, with staff or get assistance from a facilitator or other consultant?
- Q Would we benefit from training or education about responsible conduct or codes of conduct generally before we get started on developing our own?

★ **TIP:** It may take multiple sessions and a variety of approaches to develop a code of conduct that works for you – don't feel you have to get it done in one sitting or using any one particular method.

## Setting the Scope

Developing a code of conduct requires consideration about its scope, including who it applies to and in what capacity. For example, the model code of conduct prepared by the Working Group on Responsible Conduct is intended to apply to local elected officials.

When thinking about the scope and application of your code of conduct, ask yourselves:

Q Will the code of conduct apply to any or all of your local government committees and/or commissions? If so, are there specific considerations, limitations or criteria on how the code of conduct will apply to these bodies?

Q Will the code of conduct apply to elected members in carrying out all of their roles and responsibilities in all circumstances (e.g., when an elected official sits on an advisory committee with members of the public and others not covered by a council/board's code of conduct)?

★ **TIP:** Make sure the scope of your code of conduct aligns with the objectives you initially identified for developing a code of conduct. The broader the scope of the code of conduct, the more difficult it may be to implement and put into practice.

---

### Keep in mind...

that elected officials must always conduct themselves in accordance with the law – this includes rules set out in local government legislation and other legislation, such as human rights rules. Ensure that your code of conduct is consistent with existing laws and policies

---

## Thinking about Principles & Values

The model code of conduct developed by the Working Group on Responsible Conduct is built on four key foundational principles -- *integrity*, *respect*, *accountability*, and *leadership and collaboration*. At a minimum, every code of conduct needs to consider incorporating these four principles, but your council/board may want to build on these principles and provide more context regarding the values and objectives underlying the code of conduct. Ask yourselves:

Q Are there additional principles that are fundamentally important to our council/board (e.g., openness; impartiality; transparency)? If so, what are they and how are they defined? Should they be included in our code of conduct?

Q Are there particular values that are important to us that should be explicitly articulated as value statements in our code of conduct (e.g., “we practice high standards of ethical behaviour and conduct our decision-making in an open and transparent way to inspire trust”; “we strive for continuous improvement”)?

Q Are there principles in our code of conduct that we want to include in other policies or procedures to ensure our expectations for conduct are consistent (e.g., ensure any principles set out in the procedure bylaw are consistent with principles set out in the code of conduct)?

★ **TIP:** Use clear, concise language that can be easily understood by everyone at all levels of the organization, as well as the public.

---

### Keep in mind...

that a code of conduct does not need to be complex or elaborate – it simply needs to spell out the standards your council/board feels are important to be commonly understood

---

## Setting Standards of Conduct

The model code of conduct developed by the Working Group on Responsible Conduct sets out a range of standards of conduct that reflect the four key foundational principles. Because these are broadly applicable, they are necessarily written as general statements.

Your council/board can customize by adding other standards, expanding on the ones provided or by providing specific statements or examples of expected behaviour. Ask yourselves:

**Q** Are there specific behaviours that should be identified and encouraged under our code of conduct? For example:

- members should listen courteously and attentively to all discussions at the council/board meeting, and focus on the business at hand
- members must make every effort to show up to all meetings on time and well prepared to take an active role in the business at hand
- members should always consider the impact that their choice of language may have on other individuals

**Q** Are there specific behaviors that should be identified and discouraged under our code of conduct? For instance:

- members must not interrupt each other during a meeting, including by talking over another person
- members must not engage in specific physical actions or language, such as shaking a fist, eye rolling, turning their back to people who are speaking, making faces, pointing aggressively, using curse words, or making comments about a person's appearance
- members must stop talking and pay attention when the chair is talking or seeking order

★ **TIP:** No code of conduct will capture every situation that may arise. Consider which standards of conduct matter the most to your council/board now and incorporate additional standards as needed.

★ **TIP:** Look at other published codes of conduct for ideas you feel may be appropriate for your council/board's code of conduct (see "*List of Resources & Helpful Links*" section of this guide).

★ **TIP:** Ensure that your standards of conduct are clear and easy to interpret (e.g. any member should be able to see whether they are or are not meeting the standard).

---

### **Keep in mind...**

that it is important to balance rules about appropriate conduct (including language, communication, and other physical actions) with the importance of open discourse that is necessary for governing bodies

---



---

### **Keep in mind...**

that achieving consensus at the council/board table about the content of the code of conduct may be challenging, but having these difficult conversations is an important part of developing a meaningful code of conduct

---

## Establishing an Enforcement Mechanism

Local governments are encouraged to include provisions that support compliance and enforcement. Creating a fair and impartial enforcement process before conduct issues arise ensures that all council/board members have the same understanding of the procedures in place. Ask yourselves:

- Q What measures do we have in place for continuous improvement at our council/board, to foster responsible conduct, maintain good governance, and resolve conduct issues informally (i.e., are we putting sufficient effort into prevention and informal resolution of conduct issues)? What conduct issues can be resolved through informal resolution, and what issues should be resolved using formal resolution?
  - Q How can we establish a fair complaint process that is accessible and manageable for our local government? Who can file a complaint in relation to a breach of a code of conduct? How will these complaints be impartially investigated (e.g., using a third-party investigator)?
  - Q What expert advice (e.g., legal) do we need to develop administratively fair formal enforcement processes and appropriate sanctions? Do we have the resources and capacity to follow through on such enforcement process if they are needed?
  - Q Does everyone understand what sanctions can/cannot be included in a code of conduct? What do we have in place to improve the post-sanction environment (e.g., to repair relationships among council/board members)? How will we move forward constructively as a collective?
- ★ **TIP:** Review *“Forging the Path to Responsible Conduct in Your Local Government”* when considering provisions related to enforcement (see *“List of Resources & Helpful Links”* section in this guide).

---

### **Keep in mind...**

that conduct enforcement is a complex and evolving area of law; local governments should consult with their legal advisors on what enforcement approaches are best suited for a code of conduct

---

## Incorporating other Policies

Local governments are likely to have a range of existing policies on a number of topics, from communications to information management to human resources. A code of conduct may be a useful place to connect to some of these policies. Ask yourselves:

- Q What existing policies do we already have that could be referenced in our code of conduct (e.g., respectful workplace policy; use of social media; handling of information; gifts and personal benefits)?
  - Q Are there any existing policies that need to be updated to reflect or reference the code of conduct?
- ★ **TIP:** You do not need to replicate all of your organization’s existing policies in a code of conduct. Key policies can simply be referenced where appropriate, throughout your code of conduct.

---

### **Keep in mind...**

that local governments **cannot** impose disqualification from office as a sanction for a Code of Conduct breach

---

## Adopting and Publishing your Code of Conduct

Once you have come to a consensus on the content of your code of conduct, ask yourselves:

- Q How will we try to ensure that all members are comfortable with a code of conduct that is adopted? What can we do if some members disagree with the code of conduct?
  - Q Should each council/board member formally commit to the code of conduct in some way? What would this look like (e.g., each member signs the document)?
  - Q How are we going to communicate or present the code of conduct to staff, the public and others? Should it be on our website? How else can we make it known?
- ★ **TIP:** Make sure your code of conduct is easily accessible by everyone in the organization, as well as the public.

---

### ***Keep in mind...***

that if it is challenging to achieve consensus at adoption or any other stage of the development process – don't be afraid to seek out a facilitator or another consultant

---

## Putting the Code of Conduct into Action

Finding ways to integrate the code of conduct into your ongoing governance will help ensure that it remains a relevant and effective 'living' document. Consider how you will maintain, use, and keep your code by conduct 'alive' and meaningful by asking yourselves:

- Q How will we use and refer to the code of conduct (e.g., by including it in every agenda package? Displaying it on the wall? Framing it on every member's desk)?
  - Q Should there be education or any other supports for our council/board members or employees about the code of conduct (e.g., at a set time such as the start of every term)? How will new members be oriented to it?
- ★ **TIP:** Education should include not only the content of the code of conduct, but also information on how informal resolution processes or other enforcement mechanisms work in practice if the code of conduct is breached.

---

### ***Keep in mind...***

that making your code of conduct accessible, transparent, and available to the public will help build public confidence and demonstrate a commitment to good governance

---

## Reviewing your Code of Conduct

Local governments are required to consider reviewing their code of conduct following a general local election. Ask yourselves:

- Q Should we review the code of conduct more frequently than required? When would we review it? Are there certain circumstances that would trigger a review process (e.g., after a by-election)?
  - Q How will we review and evaluate the code of conduct? Should there be a set process for reviews? How will changes be incorporated?
- ★ **TIP:** It may be useful to establish a process for feedback on the code of conduct to ensure that when a review happens, all of the relevant feedback is readily available and can be considered.

---

### ***Keep in mind...***

that your code of conduct is not 'set in stone'; it can be and should be revisited and reviewed regularly

---



## List of Resources & Helpful Links

### WORKING GROUP ON RESPONSIBLE CONDUCT RESOURCES

#### *Model Code of Conduct*

**[REQUIRES UPDATED LINK]**

#### *Foundational Principles of Responsible Conduct Brochure*

**[REQUIRES UPDATED LINK]**

#### *Forging the Path to Responsible Conduct in Your Local Government Guide*

<https://www.ubcm.ca/sites/default/files/2021-08/Forging%20the%20Path%20to%20Responsible%20Conduct.pdf>

### EXAMPLES OF LOCAL GOVERNMENT CODES OF CONDUCT (BC)

#### *District of Squamish*

<https://squamish.civicweb.net/filepro/documents/?preview=218433>

#### *Municipality of North Cowichan*

[https://www.northcowichan.ca/assets/Municipal~Hall/Policies/Council\\_Policy\\_Standards\\_of\\_Conduct.pdf](https://www.northcowichan.ca/assets/Municipal~Hall/Policies/Council_Policy_Standards_of_Conduct.pdf)

#### *City of Abbotsford*

<https://municipal.qp.gov.bc.ca/civix/document/id/coa/coaoth/c00708>

#### *City of Nanaimo*

<https://www.nanaimo.ca/bylaws/ViewBylaw/7348.pdf>

#### *City of Vancouver*

[https://vancouver.ca/docs/council/12886\\_Code\\_of\\_Conduct\\_Bylaw.pdf](https://vancouver.ca/docs/council/12886_Code_of_Conduct_Bylaw.pdf)

#### *District of Saanich*

<http://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/code-of-conduct-nov-2016.pdf>

#### *Squamish-Lillooet Regional District*

<https://www.slrd.bc.ca/sites/default/files/pdfs/administration/Policies/1.16%20Board%20Code%20of%20Conduct%20Policy.pdf>

### RESOURCES ABOUT SOCIAL MEDIA POLICIES

#### *Social Media Resource Guide (Alberta Urban Municipalities Association)*

[https://www.auma.ca/sites/default/files/Advocacy/Programs\\_Initiatives/citizen\\_engagement/social\\_media\\_resource\\_guide.pdf](https://www.auma.ca/sites/default/files/Advocacy/Programs_Initiatives/citizen_engagement/social_media_resource_guide.pdf)

[Note: page 26 pertains to Elected Officials and Social Media Policy]

#### *City of Guelph (sample policy)*

<http://guelph.ca/news/social-media/social-media-principles-and-guidelines-for-elected-officials/>

#### *City of Pitt Meadows*

<https://www.pittmeadows.ca/media/4191>

### RESOURCES ABOUT HARASSMENT / HUMAN RIGHTS

#### *City of Vancouver: Human Rights & Harassment policy*

<https://policy.vancouver.ca/AE00205.pdf>

#### *City of Richmond: Respectful Workplace Policy*

[https://www.richmond.ca/shared/assets/Respectful\\_Workplace\\_Policy22820.pdf](https://www.richmond.ca/shared/assets/Respectful_Workplace_Policy22820.pdf)

#### *District of Sooke: Anti-Bullying Policy*

<https://sooke.civicweb.net/document/11213>

### RESOURCES ABOUT PRIVACY & HOW INFORMATION IS HANDLED

#### *Privacy Management (Office of the Information & Privacy Commissioner)*

<https://www.oipc.bc.ca/guidance-documents/1545>

#### *District of Saanich (sample privacy management policy)*

<http://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/privacy-management-may-2017.pdf>

Produced by the Working  
Group on Responsible  
Conduct



Making a difference...together

## REPORT TO HOSPITALS AND HOUSING COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 01, 2023

---

**SUBJECT**      **Provincial Decriminalization of Controlled Substances and the Clean Air Bylaw**

### **ISSUE SUMMARY**

As of January 31, 2023, adults in British Columbia (BC) will not be subject to criminal charges for the personal possession of small amounts of certain illegal drugs. While minor possession is decriminalized, the substances will still be “controlled substances” under the *Controlled Drugs and Substances Act*. The Clean Air Bylaw (CAB) does not apply to use of controlled substances.

It is too early to state what the associated implications will be, as police and community support workers will continue to speak with those openly using controlled substances to offer information on local supports; and other laws, such as the *Trespass Act* and noise and nuisance bylaws will continue to target other mischief associated with drug use. At this time, Island Health has expressed a lack of clear evidence of the public health risk of secondhand smoke of controlled substances as well as concerns about amending the CAB to include controlled substances.

### **BACKGROUND**

Starting January 31, 2023 until January 31, 2026, Health Canada will grant an exemption from the *Controlled Drugs and Substances Act* to the Province of BC. Under this exemption, adults in BC will not be subject to criminal charges for the personal possession of small amounts of certain illegal drugs, including:

- Opioids (such as heroin, morphine and fentanyl)
- Crack and powder cocaine
- Methamphetamine
- 3,4-methylenedioxy-methamphetamine (MDMA) (commonly known as ecstasy and molly)

Adults possessing any combination of these that adds up to a combined total of 2.5 grams or less will not be subject to criminal charges and the drugs will not be seized. Instead, the adult will be offered information about health and social supports, including local treatment and recovery services, if requested.

Sections 2(1) and 2(2) of the CAB prohibits the burning or vaping of substances including, but not limited to, tobacco, cannabis, hookah and vaping substances in certain spaces including:

- Indoor public spaces;
- All businesses with patios where food and beverages are served/consumed;
- Parks, playgrounds, playing fields, public squares and bus stops; or
- Within seven metres of a doorway, window or air intake.

Subsection 2(4) of the CAB states:

“Subsections 2(1) and 2(2) do not apply to a controlled substance within the meaning of the *Controlled Drugs and Substances Act (Canada)*.”

Because of Subsection 2(4), use of decriminalized substances will not be enforced under the CAB. Under decriminalization, there may be cases where people using controlled substances are asked to stop and further steps may be taken by police and peace officers. For example, if someone is consuming a substance on private property and is trespassing, police will be able to enforce the *Trespass Act*. Police/peace officers will also be able to enforce local government noise and nuisance bylaws if someone is using a substance and contravening that bylaw, as well as other *Criminal Code* provisions relating to drug possession. Even where other laws/bylaws do not apply, police will still speak with people openly using controlled substances to provide them with information about local supports.

The Ministry of Mental Health and Addiction has established a municipal working group on decriminalization, where the Capital Regional District (CRD) has raised concerns on how decriminalization will align with the CAB in terms of barriers to enforcement and lack of communication with the municipalities and the public. The BC Centre for Disease Control (BCCDC) is currently developing public health guidance related to public substance use and recommendations about how local governments can respond.

## **IMPLICATIONS**

### *Public Health Implications*

There is a large body of evidence and consensus among health officials that tobacco, cannabis, hookah and vape smoke is dangerous when people are exposed to it via secondhand smoke. However, the evidence is much less clear when it comes to the negative health impacts of secondhand smoke exposure from controlled substances. Since these substances are illegal, ethical and legal approval for research on them is difficult to obtain resulting in few studies being conducted. The BCCDC has been expanding this body of evidence but there is no consensus. Due to this lack of clarity, there is no certain public health benefit of controlling exposure to secondhand smoke related to controlled substances.

### *Service Delivery Implications*

Staff are concerned there is a lack of commitment and support from Island Health to enforce controlled substances under the CAB. Island Health has identified concerns with amending the CAB to include controlled substances. The current enforcement team lacks the skills and training to work with people experiencing addiction. Because of this, Island Health's CAB enforcement team is unable to enforce the consumption of controlled substances.

Island Health has also expressed safety concerns around enforcing the consumption of controlled substances. They patrol and respond to complaints individually and do not carry communication or protective equipment. They would not be comfortable enforcing controlled substances with these limited safety precautions.

The population who uses controlled substances often function with addictions and other illnesses that impact their decision-making process. Because of this, the current enforcement approach that is used for the CAB (education and ticketing as a last resort) may not be successful. The use of controlled substances is usually related to a mental health problem and responding with enforcement will not address that fundamental challenge.

### *Financial Implications*

The current service agreement between the CRD and Island Health for the enforcement of the CAB does not include enough funding to cover the enforcement of controlled substances. Without additional funding, Island Health would not be able to enforce amendments to the CAB.

In addition to increased enforcement costs, there would also be costs associated with a legal review associated with amending the CAB.

#### *Intergovernmental Implications*

In alignment with the *Community Charter*, S.B.C. 2003, c. 26, and the *Public Health Bylaws Regulation*, BC Reg. 42/2004, any amendments to the CAB would have to be approved by the Minister of Health and the local Medical Health Officer responsible for health matters within the CRD. Because of this, the Medical Health Officer would have to be consulted prior to any amendments being made and would be able to provide input into the amendment.

As stated above, Island Health has expressed hesitation and concerns with amending the bylaw to include controlled substances. Since amendments would require Medical Health Officer approval, their hesitation to amend the bylaw may present a barrier to amending the CAB bylaw.

#### *Social Implications*

At present, people who inhale controlled substances can do so at the Harbour Inhalation Site, which offers witnessed indoor inhalation consumption as well as harm reduction resources. Because of Subsection 2(4) of the CAB, the Harbour Inhalation Site does not contravene the bylaw and is able to offer its harm-reduction and life-saving services. If the bylaw were to be amended and Subsection 2(4) were to be removed from the CAB, a special exemption would be needed to allow the inhalation site to continue operations.

### **NEXT STEPS**

Staff will continue to engage with the Province's Municipal Decriminalization Working Group and receive further guidance from the BCCDC about how municipalities can better support decriminalization. Staff will provide a follow-up report to the Hospitals and Housing Committee once the guidance is received and the impact of decriminalization becomes clear.

### **CONCLUSION**

It is still unclear what the implications will be once controlled substances are decriminalized in BC on January 31, 2023. Due to Island Health's hesitation and the requirement that they approve any amendments to the CAB, CRD staff will continue to work with Island Health, BCCDC and the provincial government to gather more information and report back to the Hospitals and Housing Committee.

### **RECOMMEDATION**

There is no recommendation. This report is for information only.

Submitted by:	Michael Barnes, MPP, Senior Manager, Health and Capital Planning Strategies
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, 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**

Appendix A: Bylaw No. 3962, "Clean Air Bylaw No. 1, 2014"



**BYLAW NO. 3962**

**CAPITAL REGIONAL DISTRICT  
CLEAN AIR BYLAW NO. 1, 2014**

ADOPTED September 10, 2014

Includes all amending bylaws adopted up to January 9, 2019

(Bylaws No. 4237 & 4272)

A bylaw for the purposes of maintaining, promoting and preserving the public health of the inhabitants of the Capital Regional District to prohibit, regulate and impose requirements in relation to smoking in the Capital Regional District.

**Consolidated for Public Convenience Only**

This bylaw is for reference purposes only.

For reference to original bylaws or for further details, please contact the Capital Regional District, Legislative Services Division, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6

T 250-360-3127, F 250-360-3130, [www.crd.bc.ca](http://www.crd.bc.ca)

## CAPITAL REGIONAL DISTRICT

### BYLAW NO. 3962

\*\*\*\*\*

## A BYLAW TO PROMOTE CLEAN AIR BY REGULATING ENVIRONMENTAL SMOKE

Bylaw 4237

\*\*\*\*\*

### W H E R E A S:

- A. By Supplementary Letters Patent dated May 16, 1974, the powers, duties and obligations of all participating member Municipalities and any other local authorities to perform the function conferred on the Capital Regional District pursuant to Division XI – Community Health were transferred to the exclusive jurisdiction of the Capital Regional District, including, but without limiting the generality of the foregoing, the health powers conferred upon the Council of a municipality by the *Community Charter*, S.B.C. 2003, c. 26;
- B. The Board of the Capital Regional District may, by bylaw, pursuant to section 523 of the *Local Government Act*, R.S.B.C. 1996, c. 323, regulate and prohibit for the purposes of maintaining, promoting and preserving public health and maintaining sanitary conditions and undertake any other measures it considers necessary for those purposes;
- C. The Capital Regional District has been granted the additional power to exercise the powers conferred on a council of a municipality under section 8(3)(i) of the *Community Charter*, S.B.C. 2003, c. 26, in accordance with section 14 of the Capital Regional District Regulation, B.C. Reg. 65/90;
- D. Section 9(4) of the *Community Charter*, S.B.C. 2003, c. 26, and the Public Health Bylaws Regulation, B.C. Reg. 42/2004, requires that a bylaw to be adopted under section 2(a) or (b) of B.C. Reg. 42/2004 not be adopted unless the bylaw or a copy of it is first deposited with the Minister of Health and the local government has consulted with the Medical Health Officer responsible for health matters within the Capital Regional District;
- E. A copy of this bylaw has been deposited with the Minister of Health and the Board of the Capital Regional District has consulted with the Medical Health Officer;
- F. Environmental smoke whether from tobacco, cannabis, heated vapour or the burning of other substances can contain Class A carcinogens similar to benzene and asbestos, contain fine particles that can be inhaled deep into the lungs causing harm both locally and in other parts of the body, and is a health hazard to the inhabitants of the Capital Regional District;

Bylaw 4237

- G. It is generally recognized by scientific and medical communities that there is no safe level of smoke exposure and that whether the smoking occurs indoors or outdoors exposure to significant levels of environmental smoke can occur: and

Bylaw 4237

- H. It is desirable for the purposes of maintaining, promoting and preserving the public health of the inhabitants of the Capital Regional District to prohibit, regulate and impose requirements in relation to smoking in the Capital Regional District.



**NOW, THEREFORE**, the Board of the Capital Regional District, in open meeting assembled HEREBY ENACTS AS FOLLOWS:

## **1. INTERPRETATION**

In this Bylaw:

“*burn*” or “*burning*” means the combustion or heating of a substance to produce smoke, vapour, aerosol or other substances that can be inhaled;

*Bylaw 4237*

“*business*” means carrying on a commercial or industrial undertaking of any kind or nature or the provision of a professional, personal or other service and includes an activity carried on by a government, government agency, Crown corporation, educational institution, municipality, regional district, or charitable organization;

“*bus stop*” means a place on a bus route marked by a sign at which buses stop to pick up and drop off passengers and includes a transit shelter;

“*Community Charter*” means the *Community Charter*, SBC 2003, Chapter 26;

“*Controlled Drugs and Substances Act (Canada)*” means the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19;

*Bylaw 4237*

“*designated public space*” means public playing fields, public playgrounds and public squares;

“*Enforcement Officer*” means a person appointed as a bylaw enforcement officer or contractor by the Capital Regional District to enforce this Bylaw;

“*Independent School Act*” means the *Independent School Act*, R.S.B.C. 1996, c. 216;

*Bylaw 4237*

“*Local Government Act*” means the *Local Government Act*, RSBC 1996, Chapter 323;

“*main entrance*” means a place where the name or information about a park, designated public space or school yard is posted or a place designed by a responsible person as a common entry point by the public;

“*no-smoking sign*” means a no-smoking sign prescribed by this Bylaw;

“*park*” means land acquired, reserved or dedicated as a regional park or community park in accordance with the *Local Government Act* or the *Community Charter* and land acquired, held, occupied, zoned or regulated as park by a local government and shall include, without restricting the generality of the foregoing, within such parks, all beaches, public playgrounds, public playing fields, public squares, roadways and paths, but shall not include any highway passing through such park that has been dedicated as highway by plan of subdivision or that has been laid out, constructed and maintained by the Ministry of Transportation of the Province of British Columbia, or a local government, or that is a public highway under the *Highway Act*;

“*prominently*” means placed in such a position that the text of the sign or graphic symbol is clearly visible to a person in a school yard or inside a building, structure or vehicle or passenger conveyance, except a private residence;

“*public playgrounds*” means lands held, occupied, zoned or regulated for use by the public as outdoor areas containing playground equipment;

“*public playing fields*” means lands held, occupied, zoned or regulated for use by the public as outdoor areas for sporting activities;

“*public square*” means land acquired, reserved or dedicated as a public square in accordance with the *Local Government Act* or *Community Charter*;

“*responsible person*” means the person who controls, governs or directs the activity carried on within the building, place or premises referred to in this Bylaw and includes the person actually in charge thereof;

“*School Act*” means the *School Act*, R.S.B.C. 1996, c. 412;

Bylaw 4237

“*school yard*” means that portion of the lands of a school or francophone school as defined in the *School Act* and *Independent School Act* without buildings;

Bylaw 4237

“*smoke*” or “*smoking*” means burning a cigarette or cigar containing tobacco or another substance, or burning or heating tobacco or another substance using a pipe, hookah pipe, lighted smoking device or vapourizing device;

Bylaw 4237

“*transit shelter*” means a covered structure or facility located at a designated bus stop to provide protection from the elements for passengers waiting for a bus.

“*vapourizing device*” means an electronic device that vapourizes a solid, liquid or gas substance for inhalation:

Bylaw 4237

## 2. PROHIBITION

(1) No person shall carry or have in his possession a burning cigarette or cigar containing tobacco or another substance or a pipe containing burning tobacco or another substance, or burn tobacco or another substance using a pipe, hookah pipe, lighted smoking device or vapourizing device:

- a) in any park except in a private vehicle;
- b) in any designated public space;
- c) in any school yard;
- d) inside any part of a building or structure except in a private residence, hotel or motel room, or tent or trailer in a campsite;
- e) in any area of a business place where either or both food and beverages are served or consumed, or both served and consumed;
- f) in any vehicle or passenger conveyance, except in a private vehicle;
- g) within seven (7) metre area measured on the ground from a point directly below any point of a doorway, window or air intake in a place described in subparagraphs 2(1)(d) and (e);

Bylaw 4272

- h) within seven (7) metres of a bus stop measured on the ground from any point of the bus stop sign.

- (2) No responsible person shall permit a person to carry or have in his possession a burning cigarette or cigar containing tobacco or another substance or pipe containing burning tobacco or another substance, or to burn tobacco or another substance using a hookah pipe, lighted smoking device or vapourizing device:
- (a) inside any part of a building or structure, except inside a private residence, hotel or motel room, or tent or trailer in a campsite;
  - (b) in any area of a business place where either or both food and beverages are served or consumed, or both served and consumed;
  - (c) in any vehicle or passenger conveyance, except in a private vehicle.

- (3) Section 2(1) does not apply to a ceremonial use of tobacco in relation to a traditional aboriginal cultural activity.
- (4) Subsections 2(1) and 2(2) do not apply to a controlled substance within the meaning of the *Controlled Drugs and Substances Act (Canada)*.

### **3. POSTING OF SIGNS**

- (1) A responsible person must display, or ensure the display of, a sign at all times, in the form established under paragraph 4(1):
- (a) at the main entrances to a park;
  - (b) at the main entrances to a designated public space;
  - (c) at the main entrances to a school yard;
  - (d) at each entrance to a building or structure for which that person is a responsible person except a private residence, hotel or motel room, or a tent or trailer in a campsite;
  - (e) inside a vehicle or passenger conveyance, except in a private vehicle;
  - (f) at any area of a business place where either or both food and beverages are served or consumed, or both served and consumed;
- (2) A responsible person must display, or ensure the display of, a sign, at all times, on each exterior wall of a building or structure where the prohibition contained in section 2(1) applies, that states:
- “Smoking is prohibited within seven (7) meters of openings into this building or structure including doors and windows that open and any air intake.”

### **4. SIGNS**

- (1) A no-smoking sign shall state,
- (a) the phrase "no smoking", or
  - (b) a graphic symbol substantially in the form shown on Schedule "A" attached to this Bylaw, which shall be a minimum of six centimetres in diameter
- and may include
- (c) the words "Capital Regional District Bylaw No. 3962 Maximum Penalty

\$2,000.00."

- (2) A sign prescribed by former Capital Regional District Bylaw Nos. 2217 and 2401, and No. 3962 as it was prior to being amended by Capital Regional District Clean Air Bylaw No. 1, 2014, Amendment Bylaw No. 1, 2018, is a lawful no smoking sign for the purpose of this Bylaw.

*Bylaw 4237*

- (3) No person shall remove, alter, conceal, deface, write upon or destroy any sign posted pursuant to this Bylaw.

## **5. SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court, the section, subsection, sentence, clause or phrase may be severed from the remaining portion of this Bylaw.

## **6. OFFENCE**

- (1) A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than Two Thousand Dollars (\$2,000.00), the costs of prosecution and any other penalty or order imposed pursuant to the *Local Government Act*, *Community Charter* or the *Offence Act* (British Columbia). Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.
- (2) The penalties imposed under Section 6(1) shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

## **7. INSPECTION**

An Enforcement Officer is authorized to enter onto and into any land, building, structure or premises for the purposes established by sections 419 and 284 of the *Local Government Act* and any other authority to enter property granted in the *Local Government Act*, *Community Charter*, or another Act in accordance with the provisions of section 16(1)-(5) of the *Community Charter*, or other conditions of entry, if any, set out in the *Local Government Act*, *Community Charter* or another Act.

*Bylaw 4237*

## **8. REPEAL**

Capital Regional District Bylaw No. 2401 is hereby repealed.

## **9. TITLE**

This Bylaw may be cited as the "Capital Regional District Clean Air Bylaw No. 1, 2014."

## **10. EFFECTIVE DATE**

The effect of this Bylaw is suspended until April 1, 2015 and this Bylaw shall come into force effective April 1, 2015.

READ A FIRST TIME THIS	9 <sup>th</sup>	day of	July	2014
READ A SECOND TIME THIS	9 <sup>th</sup>	day of	July	2014
AMENDED THIS	13 <sup>th</sup>	day of	August	2014
READ A THIRD TIME THIS	13 <sup>th</sup>	day of	August	2014
DEPOSITED WITH THE MINISTER OF HEALTH THIS	25 <sup>th</sup>	day of	August	2014
ADOPTED THIS	10 <sup>th</sup>	day of	September	2014

[original signed by]

---

CHAIR

[original signed by]

---

CORPORATE OFFICER

CAPITAL REGIONAL DISTRICT  
CLEAN AIR BYLAW NO. 3962

SCHEDULE "A"

Bylaw 4237

The following graphic symbol is prescribed for the purpose of Section 4(1).





Making a difference...together

## REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, JANUARY 17, 2023

---

**SUBJECT**      **Provision of Park Land for Subdivision Application SU000748 in Port Renfrew, BC, for The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except that part shown coloured red on Plan 346-R and except those parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; AND The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District except those parts in Plans 5109, 24267, and 24755**

### **ISSUE SUMMARY**

To consider options for the provision of park land pursuant to Section 510 of the *Local Government Act (LGA)* with respect to a five-lot bare land strata subdivision in Port Renfrew.

### **BACKGROUND**

The 1.08 ha area of land being subdivided is located within the northern portion of two larger parcels accessed from Parkinson Road that have combined total land area of 48.84 ha (Appendix A). The land is zoned CR-1 (Community Residential – One) under the Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 3109. The 1.08 ha northern portion that is under consideration is accessed from Beachview Rise. The watercourse that flows through the parent properties is located well outside the subject area and is unaffected by the proposed subdivision.

The application that is under consideration (SU000748) follows SU000747, which is an active subdivision application proposing to create a 1.08 ha parcel. SU000748, proposed to further subdivide the 1.08 ha parcel into five bare land strata lots (Appendix B). The requirement for provision of park land or payment for parks purposes pursuant to Section 510 of the *LGA* applies to the five bare land strata lot application (SU000748) (Appendix C).

At the October 25, 2022, meeting, the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission (the Commission) considered options for park land dedication requirements (Appendix D).

### **ALTERNATIVES**

#### *Alternative 1*

The Land Use Committee recommends to the Capital Regional District Board:

That in accordance with Section 510 of the *Local Government Act*, park dedication in the amount of 5% be required for proposed subdivision of The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346R and Except those Parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; PID: 000-468-291 and The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755; PID: 009-565-787 (SU000748), except that a lesser amount may be acceptable where the owner agrees to establish a Statutory Right-of-way located on the common property of the proposed strata to the Capital Regional District connecting Beachview Drive to the established Statutory Right-of-Way shown on plan VIP50141, and that the owner agrees to construct a trail built to JdF Community Parks and Recreation standards prior to subdivision approval; and that the owner is requested to retain native vegetation on the land adjacent to the trail.



*Alternative 2*

Refer the application back to staff for more information.

**IMPLICATIONS**

*Legislative Implications*

Section 510 of the *LGA* requires the provision of park land at the time of subdivision where three or more additional lots are created and the smallest lot being created is 2 ha or less. Where a regional district provides a community park service and an official community plan contains policies and designations respecting the location and types of future parks, the owner may be required to provide either land or cash-in-lieu at the discretion of the local government. The amount of land to be provided may not exceed 5% of the land being subdivided.

If an owner is to provide cash-in-lieu, the value of the land is based on the average market value of all land in the proposed subdivision calculated as that value would be on the date of preliminary approval of the subdivision before any works or services are installed, or a value agreed upon by the parties. Any money received for park land must be deposited in a reserve for the purpose of acquiring park lands.

*Land Use Implications*

Bylaw No. 3109, includes policies and objectives related to parks and trails. Should the application be approved, provision of park land is required under Section 510 of the *LGA*. Five percent of the total combined 48.84 ha land area is equal to 2.44 ha. However, the area of land being subdivided is 1.08 ha, where 5% would be equal to 540 m<sup>2</sup>. In absence of an appraised market value as identified by the *LGA*, the total combined 2022 assessed value of the 48.84 ha properties is \$2,556,000.00; with \$27,800.00 being 5% of this value. As SU000748 only considers a 1.08 ha portion of this larger property, the scaled 5% park land dedication is equal to approximately \$2,826.00, based on the 2022 assessed value.

In order to work towards a more interconnected community, staff drafted a plan for discussion purposes only that identified potential east-west trail locations in Port Renfrew (Appendix E). The area of land being subdivided is identified as a location of interest as there is an opportunity for securing these connections.

The Commission considered subdivision application SU000748 at its meeting of October 25, 2022, and passed the following motion:

**MOVED** by Commissioner Croteau, **SECONDED** by Commissioner McKay that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommend to the Juan de Fuca Land Use Committee that a trail be accepted in the form of a statutory right-of-way constructed to JdF Community Parks and Recreation standards for proposed subdivision of The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346R and Except those Parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; PID: 000-468-291 and The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755; PID: 009-565-787 and that the applicant be requested to retain native vegetation on the land adjacent to the trail.

**CARRIED**

A similar agreement was established during previous subdivision applications that abut the subject area. In accordance with Bylaw No. 3109, Section 4.8, the provision of park land must help the community achieve their quality of life goal objective. The Bylaw outlines that the provision of park land must be in the form of trails, tot lots, community parks, sports fields, regional parks, and/or interpretive parks. The proposed roadside trail to provide connectivity through existing and future residential areas meets the intent of Bylaw No. 3109. Staff recommend considering the JdF EA Parks and Recreation Advisory Commission's advice for this subdivision application. The applicant would be responsible for constructing a 1.5 m wide trail prior to CRD approval of the subdivision. Completion of the works would be a condition of Juan de Fuca Planning's sign-off to the Ministry of Transportation and Infrastructure that all subdivision requirements have been met.

### **CONCLUSION**

The applicant proposes to subdivide 1.08 ha within a combined 48.84 ha subject area to create five bare land strata parcels and a common access driveway. The Commission considered the application on October 25, 2022, and recommended accepting a statutory right-of-way to accommodate a trail through the subdivision. Staff recommend that park dedication in the amount of 5% be received, except that a lesser amount may be accepted where the owner agrees to register a statutory right-of-way and construct a trail to JdF Community Parks and Recreation standards as a condition of the CRD's sign-off to the Ministry of Transportation and Infrastructure prior to final approval of the subdivision.

### **RECOMMENDATION**

The Land Use Committee recommends to the Capital Regional District Board:

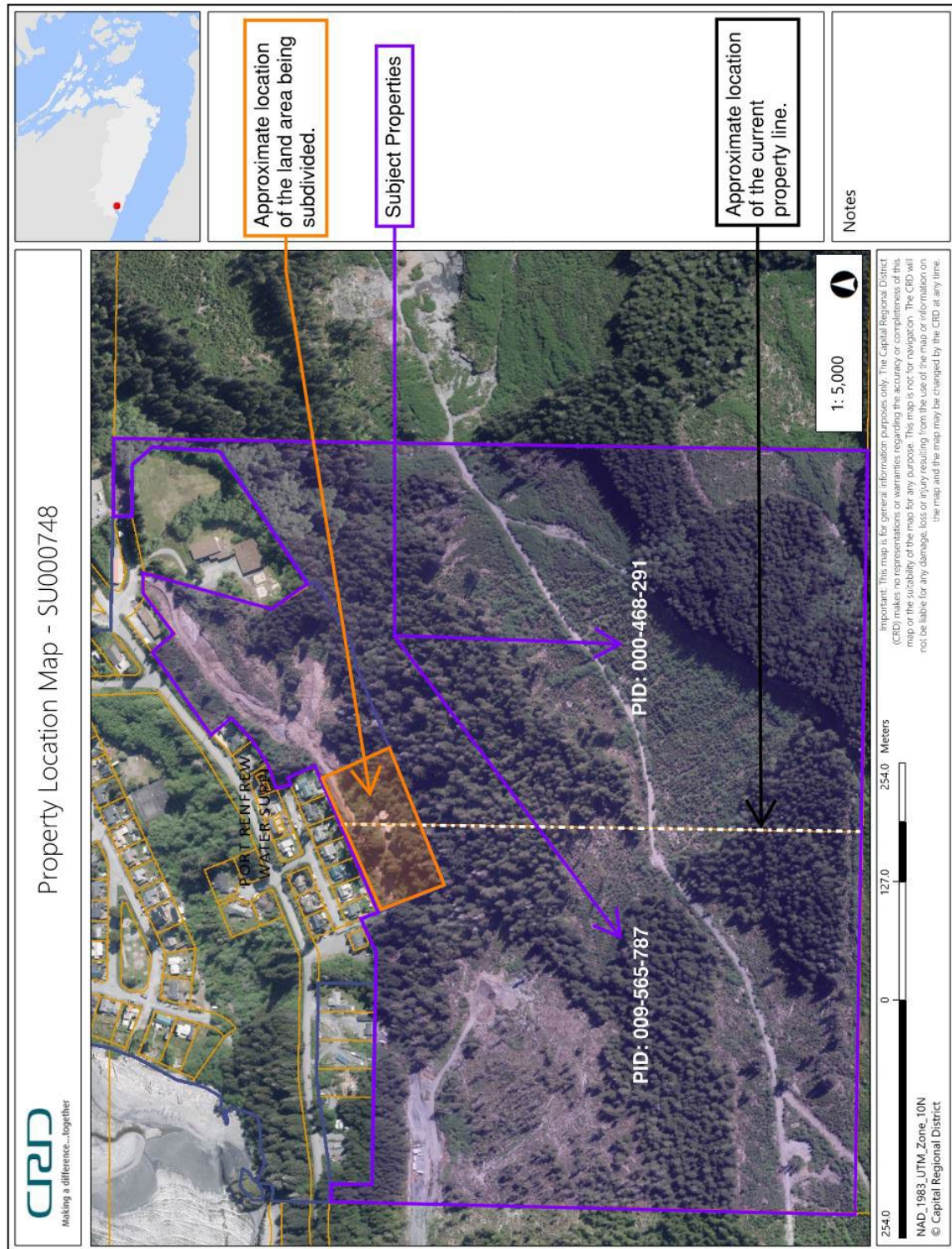
That in accordance with Section 510 of the *Local Government Act*, park dedication in the amount of 5% be required for proposed subdivision of The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346R and Except those Parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; PID: 000-468-291 and The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755; PID: 009-565-787 (SU000748), except that a lesser amount may be acceptable where the owner agrees to register a Statutory Right-of-way located on the common property of the proposed strata to the Capital Regional District connecting Beachview Drive to the established Statutory Right-of-Way shown on plan VIP50141, and that the owner agrees to construct a trail built to JdF Community Parks and Recreation standards prior to subdivision approval; and that the owner is requested to retain native vegetation on the land adjacent to the trail.

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Local Area Services
Concurrence:	Kevin Lorette, P.Eng, MBA, General Manager, Planning & Protective Services
Concurrence:	Larisa Hutcheson, P. Eng., Acting Chief Administrative Officer

### **ATTACHMENTS**

- Appendix A: Property Location Map
- Appendix B: Proposed Subdivision Plan
- Appendix C: Section 510 of the LGA
- Appendix D: Minutes of a Meeting of the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission held on Tuesday, October 25, 2022
- Appendix E: Draft Version of Port Renfrew Trails Plan

Appendix A: Property Location Map





Appendix B: Proposed Subdivision Plan



Appendix C: Section 510 of the LGA

**Requirement for provision of park land or payment for parks purposes**

**510** (1) Subject to this section and section 516 (3) (h) and (4) [*phased development agreement rules*], an owner of land being subdivided must, at the owner's option,

(a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or

(b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section as determined under subsection (6) of this section.

(2) Despite subsection (1),

(a) if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a), and

(b) subject to paragraph (a), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).

(3) Subsection (1) does not apply to the following:

(a) subject to subsection (4), a subdivision by which fewer than 3 additional lots would be created;

(b) a subdivision by which the smallest lot being created is larger than 2 hectares;

(c) a consolidation of existing parcels.

(4) Subsection (1) does apply to a subdivision by which fewer than 3 additional lots would be created if the parcel proposed to be subdivided was itself created by subdivision within the past 5 years.

(5) The amount of land that may be required under subsection (1) (a) or used for establishing the amount that may be paid under subsection (1) (b) must not exceed 5% of the land being proposed for subdivision.

(6) If an owner is to pay money under subsection (1) (b), the value of the land is whichever of the following is applicable:

(a) if the local government and the owner agree on a value for the land, the value on which they have agreed;

(b) the average market value of all the land in the proposed subdivision calculated

(i) as that value would be on the date of preliminary approval of the subdivision or, if no preliminary approval is given, a date within 90 days before the final approval of the subdivision,

(ii) as though the land is zoned to permit the proposed use, and

(iii) as though any works and services necessary to the subdivision have not been installed.

- (7) If an owner and a local government do not agree on the average market value for the purpose of subsection (6), it must be determined in the manner prescribed in the regulations that the minister may make for this purpose.
- (8) If an area of land has been used to calculate the amount of land or money provided or paid under this section, that area must not be taken into account for a subsequent entitlement under subsection (1) in respect of any future subdivision of the land.
- (9) Subject to subsection (11), the land or payment required under subsection (1) must be provided or paid to a municipality or regional district as follows
  - (a) subject to paragraph (b), before final approval of the subdivision is given;
  - (b) if the owner and the local government enter into an agreement that the land or payment be provided or paid by a date specified in the agreement, after final approval of the subdivision has been given.
- (10) Notice of an agreement under subsection (9) (b) must be filed with the registrar of land titles in the same manner as a notice of a permit may be filed and section 503 *notice of permit on land title* applies.
- (11) Despite subsection (9), the minister may, by regulation,
  - (a) authorize the payment that may be required by this section to be made by instalments, and
  - (b) prescribe the conditions under which instalments may be paid.
- (12) If land is provided for park land under this section, the land must be shown as park on the plan of subdivision.
- (13) Section 107 *[deposit in land title office operates to dedicate and vest park land]* of the *Land Title Act* applies to park land referred to in subsection (12), except that,
  - (a) in the case of land within a municipality, title vests in the municipality, and
  - (b) in the case of land outside a municipality, title vests in the regional district if it provides a community parks service.
- (14) If an owner pays money for park land under this section, the municipality or regional district must deposit this in a reserve fund established for the purpose of acquiring park lands.



Appendix D: Minutes of a Meeting of the Juan de Fuca Electoral Area Parks and Recreation  
Advisory Commission held on Tuesday, October 25, 2022



**Minutes of a Meeting of the  
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission  
Held Tuesday, October 25, 2022, at the Juan de Fuca Local Area Services Building,  
3 – 7450 Butler Road, Otter Point, BC**

---

**PRESENT:** S. Jorna (Chair), V. Braunschweig, B. Croteau (EP), S. McAndrews, S. McKay,  
P. Sloan  
**Staff:** D. Closson, Manager, Juan de Fuca Community Parks and Recreation;  
D. Lucas, Planner, Juan de Fuca Community Planning  
W. Miller, Recorder  
**ABSENT:** Director M. Hicks, J. Gaston  
**PUBLIC:** 1

The meeting was called to order at 3:00 pm.

**1. Approval of the Agenda**

**MOVED** by Commissioner McAndrews, **SECONDED** by Commissioner Sloan that the agenda be approved as amended to add Motion to Rescind and Territorial Acknowledgement under New Business. **CARRIED**

**2. Adoption of Minutes from the Special Meeting of September 14, 2022**

**MOVED** by Commissioner McAndrews, **SECONDED** by Commissioner Braunschweig that the minutes from the special meeting of September 14, 2022 be adopted. **CARRIED**

**3. Adoption of Minutes from the Meeting of September 27, 2022**

**MOVED** by Commissioner McAndrews, **SECONDED** by Commissioner Croteau that the minutes from the meeting of September 27, 2022 be adopted. **CARRIED**

**4. Chair's Report**

The Chair welcomed Al Wickheim, the newly elected Director for the Juan de Fuca Electoral Area.

Roundtable introductions were made.

**5. Director's Report**

No report.

**6. Delegation – Juan de Fuca Community Planning**

- a) **Subdivision Application SU000748 – The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346-R and Except those Parts in Plans 22475, 24267, 24755, 29515, 41154, 50819, VIP59967 and EPP116278 (PID: 000-468-291); and The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755 (PID: 009-565-787)**

Darren Lucas spoke to the staff memo to the Commission regarding the referral received from the Ministry of Transportation and Infrastructure (MoTI) for a proposed 5-lot bare land strata.



**Juan de Fuca Electoral Area Parks and Recreation Advisory Commission  
October 25, 2022**

**2**

Darren Lucas highlighted the subject properties and specified the area of land being subdivided.

Darren Lucas reported that:

- the trail being proposed by the landowner would extend the trail dedication established by subdivision application SU000679
- the trail being proposed by the landowner would connect to an established statutory right-of-way that connects to Wickanninish Road and Parkinson Road

Don Closson highlighted a series of proposed trail networks which have been considered by the Commission in response to various development applications. It was reported that the trail networks would provide walking routes and neighbourhood connectivity.

Don Closson responded to questions from the Commission confirming that the proposed trail is located on strata common property, which is currently vegetated. It was further confirmed that the trail network is introduced in general discussions with proponents and that the current proponent has expressed interest in continuing the trail through the current phase of subdivision. A community's Official Community Plan provides the broad goals and objectives for parks and trails.

**MOVED** by Commissioner Croteau, **SECONDED** by Commissioner McKay that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommend to the Juan de Fuca Land Use Committee that a trail be accepted in the form of a statutory right-of-way constructed to JdF Community Parks and Recreation standards for proposed subdivision of The Easterly ½ of the North West ¼ of Section 36 Township 13 Renfrew District except that Part shown coloured Red on Plan 346R and Except those Parts in Plans 22475, 24267, 24755, 26515, 41154, 50819, VIP59967 and EPP116278; PID: 000-468-291 and The West ½ of the North West ¼ of Section 36 Township 13 Renfrew District Except Those Parts in Plans 5109, 24267, and 24755; PID: 009-565-787 and that the applicant be requested to retain native vegetation on the land adjacent to the trail.

**CARRIED**

**Proposed Port Renfrew Trails**

**Legend**

**Proposed Trails**

- Phase 1
- Phase 2
- Phase 3

**Scale:** 0 to 0.3 Kilometres

**North Arrow**

**Notes:** This map is for general information purposes only. The Capital Regional District (CRD) makes no representation or warranty regarding the accuracy or completeness of this map or the suitability of the map for any purpose other than general information. The CRD is not responsible for any errors or omissions on the map or for any damage or loss resulting from the use of the map or information on the map. The map may be changed by the CRD at any time.

**Map Title:** Proposed Port Renfrew Trails

**Date:** 2016

**REPORT TO TRANSPORTATION COMMITTEE  
MEETING OF WEDNESDAY, JANUARY 18, 2023**

---

**SUBJECT**     **2023 Transportation Committee Terms of Reference**

**ISSUE SUMMARY**

This report is to provide the 2023 Transportation Committee Terms of Reference for the Committee's review.

**BACKGROUND**

Under the *Local Government Act* and the Capital Regional District (CRD) Board Procedures Bylaw, the CRD Board Chair has the authority to establish standing committees and appoint members to provide advice and recommendations to the Board.

On December 14, 2022, the Regional Board approved the 2023 Terms of Reference for standing committees. Terms of Reference (TOR) serve to clarify the mandate, responsibilities and procedures of standing committees and provide a point of reference and guidance for the Committees and members.

For 2023, the mandate for the Transportation Committee was updated to include roads, policy, and the Transportation Working Group, attached as Appendix A.

A redlined copy of the 2023 Transportation Committee TOR is attached as Appendix B.

The TOR are being provided for review by the Committee. Any proposed revisions to the TOR will require ratification by the Board.

**CONCLUSION**

Terms of Reference serve to clarify the mandate, responsibilities and procedures of committees and provide a point of reference and guidance for the committees and their members.

**RECOMMENDATION**

There is no recommendation. This report is for information only.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Larisa Hutcheson, P. Eng., Acting Chief Administrative Officer

**ATTACHMENTS**

Appendix A: 2023 Transportation Committee Terms of Reference  
Appendix B: Transportation Committee Terms of Reference (Redlined)

# Terms of Reference

The logo for the Capital Regional District (CRD) is located in the bottom right corner of the header banner. It consists of the letters 'CRD' in a stylized, bold, sans-serif font, positioned above a series of three curved, overlapping lines that suggest a landscape or a stylized 'C'.

## TRANSPORTATION COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Transportation Committee is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding matters related to regional transportation including the establishment of a transportation service for the region.

The Committee's official name is to be:

Transportation Committee

### 1.0 PURPOSE

- a) The mandate of the Committee includes overseeing, providing advice and/or making recommendations to the Board regarding the following functions:
  - i. Regional transportation matters including regional transportation priorities and regional transportation governance
  - ii. Encouraging a strong regional voice on regional transportation matters including ferries, rail, transit, multi-use regional trails, and roads
  - iii. Regional Trails matters (mobility and recreation), including land acquisition, policy, management, operations and programs for the Galloping Goose, the Lochside and the E&N trails
  - iv. Providing input to the Regional Parks Strategic Plan
- b) The Committee may also make recommendations to the Board to:
  - i. Advocate to senior levels of government to support major multi-modal transportation projects which support the region's sustainability measures; and
  - ii. Advocate for regional transit priorities to the Victoria Regional Transit Commission.
  - iii. Work with other Vancouver Island Regional Districts to support major multi-modal transportation which support transportation and the flow of goods on Vancouver Island.
- c) The following committees will report through the Transportation Committee:
  - i. Traffic Safety Commission
  - ii. Transportation Working Group
  - iii. Any other advisory body established by the Committee

## **2.0 ESTABLISHMENT AND AUTHORITY**

- a) The Committee will make recommendations to the Board for consideration; and
- b) The Board Chair will appoint the Committee Chair, Vice Chair and Committee members annually.

## **3.0 COMPOSITION**

- a) Committee members will be appointed CRD Board Members;
- b) At least one member of the committee should be a liaison member of the Regional Parks Committee, the Environmental Services Committee and the Planning and Protective Services Committee.
- c) All Board members are permitted to participate in standing committee meetings, but not vote, in accordance with the CRD Board Procedures Bylaw; and
- d) First Nation members are permitted to participate in standing committee meetings at their pleasure, in accordance with the CRD Procedures Bylaw, where the Nation has an interest in matters being considered by the committee.

## **4.0 PROCEDURES**

- a) The Committee shall meet on a bi-monthly basis, except August and December, and have special meetings as required;
- b) The agenda will be finalized in consultation between staff and the Committee Chair and any Committee member may make a request to the Chair to place a matter on the agenda through the Notice of Motion process;
- c) With the approval of the Committee Chair and the Board Chair, Committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- d) A quorum is a majority of the Committee membership and is required to conduct Committee business.

## **5.0 RESOURCES AND SUPPORT**

- a) The General Manager of the Planning and Protective Services Department will act as liaison to the committee; and
- b) Minutes and agendas are prepared and distributed by the Corporate Services Department.

*Approved by CRD Board December 14, 2022*

# Terms of Reference



## TRANSPORTATION COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Transportation Committee is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding matters related to regional transportation including the establishment of a transportation service for the region.

The Committee's official name is to be:

Transportation Committee

### 1.0 PURPOSE

- a) The mandate of the Committee includes overseeing, providing advice and/or making recommendations to the Board regarding the following functions:
  - i. Regional transportation matters including regional transportation priorities and regional transportation governance
  - ii. Encouraging a strong regional voice on regional transportation matters including ferries, rail, transit, ~~and~~ multi-use regional trails, ~~and~~ roads
  - iii. Regional Trails matters (mobility and recreation), including land acquisition, ~~policy~~, management, operations and programs for the Galloping Goose, the Lochside and the E&N trails
  - iv. Providing input to the Regional Parks Strategic Plan
- b) The Committee may also make recommendations to the Board to:
  - i. Advocate to senior levels of government to support major multi-modal transportation projects which support the region's sustainability measures; and
  - ii. Advocate for regional transit priorities to the Victoria Regional Transit Commission.
  - iii. Work with other Vancouver Island Regional Districts to support major multi-modal transportation which support transportation and the flow of goods on Vancouver Island.
- c) The following committees will report through the Transportation Committee:
  - i. Traffic Safety Commission
  - ~~ii.~~ Transportation Working Group
  - ~~iii.~~ Any other advisory body established by the Committee

## **2.0 ESTABLISHMENT AND AUTHORITY**

- a) The Committee will make recommendations to the Board for consideration; and
- b) The Board Chair will appoint the Committee Chair, Vice Chair and Committee members annually.

## **3.0 COMPOSITION**

- a) Committee members will be appointed CRD Board Members;
- b) At least one member of the committee should be a liaison member of the Regional Parks Committee, the Environmental Services Committee and the Planning and Protective Services Committee.
- c) All Board members are permitted to participate in standing committee meetings, but not vote, in accordance with the CRD Board Procedures Bylaw; and
- d) First Nation members are permitted to participate in standing committee meetings at their pleasure, in accordance with the CRD Procedures Bylaw, where the Nation has an interest in matters being considered by the committee.

## **4.0 PROCEDURES**

- a) The Committee shall meet on a bi-monthly basis, except August and December, and have special meetings as required;
- b) The agenda will be finalized in consultation between staff and the Committee Chair and any Committee member may make a request to the Chair to place a matter on the agenda through the Notice of Motion process;
- c) With the approval of the Committee Chair and the Board Chair, Committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- d) A quorum is a majority of the Committee membership and is required to conduct Committee business.

## **5.0 RESOURCES AND SUPPORT**

- a) The General Manager of the Planning and Protective Services Department will act as liaison to the committee; and
- b) Minutes and agendas are prepared and distributed by the Corporate Services Department.

*Approved by CRD Board ~~March 9, 2022~~*



# Terms of Reference



## TRANSPORTATION COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Transportation Committee is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding matters related to regional transportation including the establishment of a transportation service for the region.

The Committee's official name is to be:

Transportation Committee

### 1.0 PURPOSE

- a) The mandate of the Committee includes overseeing, providing advice and/or making recommendations to the Board regarding the following functions:
  - i. Regional transportation matters including regional transportation priorities and regional transportation governance
  - ii. Encouraging a strong regional voice on regional transportation matters including ferries, rail, transit, multi-use regional trails, and roads
  - iii. Regional Trails matters (mobility and recreation), including land acquisition, policy, management, operations and programs for the Galloping Goose, the Lochside and the E&N trails
  - iv. Providing input to the Regional Parks Strategic Plan
- b) The Committee may also make recommendations to the Board to:
  - i. Advocate to senior levels of government to support major multi-modal transportation projects which support the region's **climate action and sustainability goals**; and
  - ii. Advocate for regional transit priorities to the Victoria Regional Transit Commission.
  - iii. Work with other Vancouver Island Regional Districts to support major multi-modal transportation which support transportation and the flow of goods on Vancouver Island.
- c) The following committees will report through the Transportation Committee:
  - i. Traffic Safety Commission
  - ii. Transportation Working Group
  - iii. Any other advisory body established by the Committee

## **2.0 ESTABLISHMENT AND AUTHORITY**

- a) The Committee will make recommendations to the Board for consideration; and
- b) The Board Chair will appoint the Committee Chair, Vice Chair and Committee members annually.

## **3.0 COMPOSITION**

- a) Committee members will be appointed CRD Board Members;
- b) At least one member of the committee should be a liaison member of the Regional Parks Committee, the Environmental Services Committee and the Planning and Protective Services Committee.
- c) All Board members are permitted to participate in standing committee meetings, but not vote, in accordance with the CRD Board Procedures Bylaw; and
- d) First Nation members are permitted to participate in standing committee meetings at their pleasure, in accordance with the CRD Procedures Bylaw, where the Nation has an interest in matters being considered by the committee.

## **4.0 PROCEDURES**

- a) The Committee shall meet on a bi-monthly basis, except August and December, and have special meetings as required;
- b) The agenda will be finalized in consultation between staff and the Committee Chair and any Committee member may make a request to the Chair to place a matter on the agenda through the Notice of Motion process;
- c) With the approval of the Committee Chair and the Board Chair, Committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- d) A quorum is a majority of the Committee membership and is required to conduct Committee business.

## **5.0 RESOURCES AND SUPPORT**

- a) The General Manager of the Planning and Protective Services Department will act as liaison to the committee; and
- b) Minutes and agendas are prepared and distributed by the Corporate Services Department.

*Approved by CRD Board December 14, 2022*

## REPORT TO TRANSPORTATION COMMITTEE MEETING OF WEDNESDAY, JANUARY 18, 2023

---

### **SUBJECT**     Update on Transportation Priorities

### **ISSUE SUMMARY**

To report back on progress made towards advancing the regional transportation priorities.

### **BACKGROUND**

On May 12, 2021, the Capital Regional District (CRD) Board confirmed regional transportation priorities and directed staff to develop implementation strategies for each. These priorities seek to advance regional objectives to reduce congestion, improve mode share and take action on climate change. The approved priorities are as follows:

#### **Advocacy:**

- Bus mass transit (RapidBus)
- Multi-modal and safe highways
- Salt Spring Island (SSI)/Southern Gulf Islands (SGI) connectivity
- General Transit

#### **Action:**

- Active Transportation
- Transportation Demand Management (TDM)
- Safety policy
- Strengthening land use
- Parking and access upgrades

#### **Pivot:**

- Governance (long-term authorities)
- Island Rail Corridor (E&N corridor, protection, maintenance and upgrades)
- Westshore passenger ferry feasibility

On July 14, 2021, the CRD Board directed staff to advance advocacy and implementation actions developed for each of the priorities, including the creation of a Regional Transportation Working Group. In doing so, the Board provided a clear mandate to develop a region-wide approach to TDM and safety policy, as well as to take regional action on the creation of a connected and consistent regional trail network.

### **Progress Update**

Strong progress is being made to deliver on approved regional transportation priorities. Appendix A summarizes progress towards each of the regional transportation priorities. Of the 12 priorities, 10 are proceeding as planned and two are experiencing delays outside of local government control:

- Westshore passenger ferry feasibility study: Delayed. as the Province is prioritizing transit recovery and expansion, transit projects that support RapidBus and implementation of the South Island Transportation Strategy.
- Governance: Paused due to an increase in focus on matters related to the Island Rail Corridor and the roll out of the collaborative partnership approach through the Transportation Working Group.

More information on the future of the Island Rail Corridor will be forthcoming in March 2023, when the federal government is expected to indicate whether it wishes to restore and fund improvements. The Ministry of Transportation and Infrastructure (MoTI) is currently undertaking a technical analysis of transportation needs along the corridor, preparing a freight study and supporting the Island Corridor Foundation (ICF) to work with affected First Nations. MoTI is actively sharing this information with the federal government in advance of the March 2023 deadline for a federal decision. The ICF indicates this support is delivering the coordinated approach requested through advocacy.

### **Priority Work Streams**

Three key streams of CRD work advance the regional transportation priorities.

#### **1. Research, data and analysis**

Staff undertake research, data collection and analysis to inform evidence-based decision making and reporting. This work stream is foundational to each of the priorities and is part of the CRD's core service delivery. The CRD bicycle count program and the CRD Origin and Destination Household Travel Survey (O&D Survey) generate data that support local governments and partner agencies make policy, program and infrastructure decisions across the region. Shared data is a cornerstone of a connected, consistent regional transportation system, enabling jurisdictions to make decisions based on the same information.

#### **2. Partnerships**

Local governments, agencies and the Province are each responsible for different aspects of the region's multi-modal transportation system. Coordination is needed among these jurisdictions so that projects are initiated, phased, planned and delivered in support of achieving regional priorities. The CRD supports partnerships in two ways:

- a) **Regional Transportation Working Group:** The working group advises on regional transportation matters requiring coordination and reports through the CRD Transportation Committee. The CRD convenes the working group and provides administrative support. Senior staff from the CRD, local governments, electoral areas and agency partners make up the working group. The work program through 2022 aligned plans, policies and bylaws to support a connected and consistent active travel network and confirmed the CRD could support TDM efforts by scaling its role in active travel planning. Safety will be a focus area for 2023 as several local governments are undertaking policy work. The working group will review this policy work and consider how to achieve regional consistency.
- b) **Project-Specific Technical Advice:** CRD departments, local governments, MoTI and BC Transit regularly undertake planning, engineering, design and construction of multi-modal infrastructure projects around the region. CRD staff provide policy and technical input on a project-specific basis when regional impacts are anticipated. Projects include the recently completed BC Transit queue jumpers on Highway 17 at Mount Newton Cross Road, the City of Victoria and District of Saanich's methodology development for monitoring greenhouse gas (GHG) emissions, and corridor planning. Internally, Regional and Strategic Planning and Regional Parks staff meet each month to advance shared priorities related to active travel.

#### **3. Advocacy**

As reported in the Chief Administrative Officer (CAO) quarterly update and the advocacy dashboard, the CRD has advocated to the provincial and federal governments for improved funding for active travel, including for the regional trail network, protection of the island rail corridor

and transit improvements. Such advocacy has included correspondence and meetings with the MoTI, federal ministers and members of parliament, as well as senior government and agency executives.

In response to previous advocacy on transportation, other levels of government have made it clear that regional unity is critical to advance the positions being advocated. Through 2023, staff anticipate being able to report on whether advocacy efforts are having a positive impact on funding requests and policy changes.

## **IMPLICATIONS**

### *Environmental & Climate Implications*

Transportation is responsible for 46% of GHG emissions regionally. Quantifying GHG emissions savings from transportation projects continues to be an important work stream for climate action and transportation staff across the region. Work is ongoing to improve data collection and reporting on GHG emissions, which will support implementation of the regional transportation priorities and efforts to reduce emissions from the transportation sector.

### *Intergovernmental Implications*

The region's partners have diverse transportation needs; be they urban, suburban, rural or remote. Each partner, whether an electoral area, a local government, MoTI or an agency like BC Transit, is responsible for different transportation functions. As the CRD advances the regional transportation priorities, a guiding principle to the work is ensuring policy, funding or infrastructure approaches are robust enough to achieve common goals while being applicable to different local contexts around the region. The CRD has been effective at building consensus and relies on partners to make decisions that are consistent with regional priorities. Ultimately, unless in relation to regional trails, the CRD is not the decision-making authority for road-based, transit or active modes of transportation.

### *Regional Growth Strategy (RGS) Implications*

Regional, municipal, electoral area and partner agency action on regional transportation priorities supports RGS implementation. As noted in the 2021 RGS Indicator Report, ongoing effort is needed from local governments and the Juan de Fuca Electoral Area to direct new development to locations that are well served by active travel and transit. Staff will continue to provide this input as local governments update Official Community Plans.

### *Financial Implications*

Work to advance the transportation priorities is being done within the existing core budget, and in relation to regional trail improvements, through grant applications. Any new direction may require a reevaluation of existing resources.

### *Service Delivery Implications*

The CRD is responsible for regional transportation planning, data collection and analysis, regional trails and transit and transportation on SSI. Through the Traffic Safety Commission, the CRD also takes a leading role in transportation safety education. The priority work streams described above advance service delivery at pace and will be ongoing through this Board term. The matter of exploring transportation governance options, referred by the previous Board, will be considered as part of the Board strategic planning process. Local governments and agency partners are responsible for making the local policy, planning and infrastructure decisions required to advance priorities related to road-based, transit and active modes.

*Alignment with Board & Corporate Priorities*

Through the 2019-2022 Board term, Board Priority Initiative 1(a) was to work in partnership to deliver an effective multi-modal transportation system. Implementation of the regional transportation priorities through the regional transportation working group and the above work streams operationalized this priority into core service delivery. As noted above, work to implement the regional transportation priorities will be ongoing through this Board term. The current CRD Board is considering transportation as a regional priority through the Board strategic planning process.

*Alignment with Existing Plans & Strategies*

Advancing the regional transportation priorities aligns to the RGS, Regional Transportation Plan, Interim Regional Parks and Trails Strategic Plan and Regional Trails Management Plan.

**NEXT STEPS**

Staff will continue to advance the approved transportation priorities through the three work streams of research, data and analysis, partnerships and advocacy. Through the strategic planning process, the Board will be asked to confirm whether transportation should remain a priority through this term and to agree on the desired outcomes it wishes to work towards. If this process changes the regional transportation priorities, staff have the capacity to adapt and amend work plans as needed. The strategic planning process will continue through Q1 2023.

**CONCLUSION**

Transportation is a key priority for the CRD Board and residents of the region. Transportation's impact on affordability, climate change and general livability is well documented. The CRD is working with local government, electoral area and agency partners to collaboratively advance its regional transportation priorities through a variety of work streams. This approach enables the CRD to focus attention on areas where it can efficiently make the most impact within its existing service mandate. Staff have developed work plans to ensure these priority actions continue to advance. If Board priorities change through the strategic planning process, staff will adjust work plans accordingly. The priority work streams advance service delivery.

**RECOMMENDATION**






There is no recommendation. This report is for information only.

Submitted by:	Emily Sinclair, MCIP, RPP, Senior Manager, Regional and Strategic Planning
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

Appendix A - Regional Transportation Priorities Tracker








Appendix A: Regional Transportation Priorities Tracker

Priorities	Progress	Actions & Outcomes	Key Results & Next Steps
Transportation Demand Management (TDM)		Develop regional approaches to TDM policy and planning to reduce pressure on existing transportation resources.	Transportation Working Group (TWG) agreed that active school travel planning provides a regional framework for shifting travel behaviours at trip generators. Capital Regional District (CRD) staff initiated a sustainable commute pilot with CFB Esquimalt and will prepare an active travel planning lessons learned to scale this approach to other sectors. Staff will report to TWG with findings for further discussion on coordination and next steps.
Safety Policy		Develop a regional safety policy approach, informed by “Vision Zero” to reduce the number of road-related injuries and deaths.	Initiated education campaigns to promote travel behaviours that enhance road safety for drivers and vulnerable road users. Local governments with vision zero policies are preparing safety action plans and will report to TWG with findings for further discussion on coordination and next steps.
Active Transportation		Complete a connected, consistent regional trail network and seek dedicated funding to active transportation infrastructure to provide transportation choice in the region.	Updated the regional cycling network based on local government’s active transportation plans and a new All-Ages and Abilities (AAA) cycling facility classification framework. Applied for three grants to accelerate widening and lighting on regional trails. Advocated for increased funding for active transportation, including for regional trails. Updated the Regional Parks and Trails Strategic Plan with new priorities for active travel on the regional trails. Supported local government grant applications. Through the TWG, CRD staff will prepare a key project list, sequence and actions to advance regional cycling network completion.
Governance (long term authorities)		Consider the need for new or adjusted decision-making authorities to advance regional transportation priorities.	CRD staff and elected officials have advocated to the Ministry of Transportation and Infrastructure (MoTI) staff, executive and Minister. Work on governance has been delayed due to an increase in focus on matters related to the E&N corridor. CRD staff will begin to examine models based on regional context.
Parking and Access Upgrades		Improve access options and mitigate problems from parking on road shoulders at regional and provincial park locations	CRD Regional Parks have undertaken multiple parking lot upgrades to accommodate increased park visitation. Staff will consider how to best improve multi-modal access to Regional Parks, as per direction in the interim Regional Parks and Trails Strategic Plan.

Legend	
	Complete
	In Progress
	Not Started
	Delayed



## Appendix A: Regional Transportation Priorities Tracker

Priorities	Progress	Actions & Outcomes	Key Results & Next Steps
Strengthen Land Use		Direct growth to centres and corridors to make efficient use of existing transportation network, per Regional Growth Strategy (RGS).	CRD staff have provided input to multiple Official Community Plan processes and are scoping research opportunities in partnership with municipalities to support complete communities targets.
Salt Spring Island (SSI) / Southern Gulf Islands (SGI) Connectivity		Prioritize active travel modes in terminal design and ferry operations, active transportation in roadway projects and accelerate BC Ferries fleet electrification.	CRD staff are advancing the Salt Spring Island Active Transportation Plan and have commenced construction of the Mayne Island Regional Trail. Reached agreement with MoTI to include shoulder paving to improve cycling access on MoTI-maintained roads when right of way is available.
General Transit Investments		Improve local transit service in suburban and rural areas, including Park 'n Rides.	CRD staff have provided input to BC Transit Local Area Plans and advocated to MoTI staff, executive and Minister for transit investments.
Bus Mass Transit (RapidBus)		Accelerate implementation, link directly to growth centres, secure funding and locate density near nodes.	BC Transit and MoTI, with CRD input and advocacy are advancing the RapidBus Implementation Strategy.
Multi-Modal & Safe Highways		Prioritize safety and multi-modal improvements when investing in highways.	MoTI, with input from CRD, are advancing projects that improve transit (e.g., queue jumpers on Highway 17) and active travel infrastructure.
Westshore Passenger Ferry Feasibility Study		Plan for long-term transportation alternatives by advocating for funds to complete a feasibility study.	CRD has advocated to MoTI staff, executive and Minister for investment to explore transportation alternatives. Minister has identified transit recovery and expansion is the priority.
Island Rail Corridor (Protect, Maintain & Upgrade)		Plan for long-term transportation alternatives by preserving a rail-based option.	CRD has advocated for urgent action to protect the corridor. MoTI is currently undertaking a technical analysis of transportation needs along the corridor, preparing a freight study and supporting the Island Corridor Foundation (ICF) to work with affected First Nations. MoTI is actively sharing this information with the federal government in advance of a March 2023 deadline. The ICF indicates this is delivering on its advocacy objective for coordination.

Legend	
	Complete
	In Progress
	Not Started
	Delayed

**REPORT TO TRANSPORTATION COMMITTEE  
MEETING OF WEDNESDAY, JANUARY 18, 2023**

---

**SUBJECT     Regional Cycling Facility Classification**

**ISSUE SUMMARY**

To approve a regional All-Ages and Abilities (AAA) cycling facility classification in relation to an updated regional cycling network map.

**BACKGROUND**

On July 14, 2021, the Capital Regional District (CRD) Board directed staff to advance implementation actions for the regional transportation priorities, including the creation of a transportation working group. A key implementation action for the active transportation priority, to be advanced through the working group, is the development of a policy framework for the long-term build out of a consistent, connected cycling network.

One component of this policy framework is the regional cycling network. The transportation working group members requested an update of the 2011 Pedestrian and Cycling Masterplan cycling network to better align with current plans and the development of a standard facility classification. A regional map of the future planned cycling network using consistent facility classifications helps municipal and agency partners plan for connections between jurisdictions. It also facilitates reporting on progress towards building out the region's future cycling network.

The transportation working group identified that classifying the network into two categories – AAA and supporting network – would best support their planning and design efforts. See Appendix A for the regional cycling facility classification.

The updated regional cycling network, shown in Appendix B, reflects future cycling routes identified in local government active transportation plans. The key principles of the network are:

- A. It is a continuous connected network, linking key destinations.
- B. It is a long-term planning tool to help minimize the number of isolated/disconnected facilities.
- C. The network will not include unpaved trails not suitable to all bicycles and will not be a complete inventory of all facilities.

The regional cycling network map reflects local government plans. Note that View Royal and Sidney are in the process of developing active transportation plans and are not included in the regional network at this time; when their plans are complete, they will be added. Langford's built network was included in the network; however, no future planned work was indicated by Langford staff. If an active transportation plan is created for Langford the content will be added to the regional network.

**ALTERNATIVES**

*Alternative 1*

The Transportation Committee recommends that the Capital Regional District Board:  
That the Capital Regional District Board approve the regional cycling facility classification shown in Appendix A.

*Alternative 2*

That the Regional Cycling Facility Classification report be referred back to staff for additional information based on Transportation Committee direction.

## **IMPLICATIONS**

*Environmental & Climate Implications*

Supporting the development of a consistent AAA cycling network will allow more people to choose cycling for their travel resulting in reduced greenhouse gas emissions.

*Intergovernmental Implications*

The regional transportation working group is comprised of designated staff from the CRD, member local governments, the Ministry of Transportation and Infrastructure and BC Transit. The working group's mandate is to provide a staff-level forum to coordinate development of advice and guidance related to the implementation of the regional transportation priorities. The working group provided input into the updated regional cycling network and the facility classification framework. The working group agreed to the content at their October 17, 2022 meeting.

*Regional Growth Strategy Implications*

The Regional Growth Strategy (RGS) sets a mode share target of 15% for cycling. A consistent connected network will help support this goal.

*Service Delivery Implications*

The updated map and regional cycling facility classification enables coordinated delivery of a consistent, connected regional cycling network. Local governments are responsible for making the local policy, planning and infrastructure decisions required to complete the network. CRD Regional Parks are responsible for those requirements in relation to the regional trails. CRD staff will report on status of completion of the network annually. CRD staff will work with local governments to maintain an updated cycling network in accordance with local plans.

*Alignment with Existing Plans & Strategies*

The cycling facility classification and updated regional cycling network support the outcome statement from the Regional Transportation Plan: "Cycling is an appealing, safe, convenient and viable transportation option for residents and visitors of all skill and confidence levels." In addition, this work helps implement the regional transportation priority for active transportation by providing a framework for consistent cycling facility classification according to the regional cycling network.

## **CONCLUSION**

Active transportation is a regional transportation priority. A key implementation action for this priority is the development of a policy framework for the long-term build out of a consistent, connected cycling network. An updated map of the future planned cycling network and a standard cycling facility classification have been prepared to assist local government staff ensure consistency of connections between jurisdictions. The regional transportation working group supports the cycling facility classification and updated cycling network map.

## **RECOMMENDATION**

The Transportation Committee recommends that the Capital Regional District Board:  
That the Capital Regional District Board approve the regional cycling facility classification shown in Appendix A.

Submitted by:	Emily Sinclair, MCIP, RPP, Senior Manager, Regional & Strategic Planning
Concurrence:	Michael Barnes, MPP, Acting General Manager, Planning & Protective Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

Appendix A: Regional Cycling Facility Classification  
Appendix B: Updated Regional Cycling Network

# Regional Cycling Network

## Background

The Capital Regional District's (CRD) 2011 Pedestrian and Cycling Master Plan's (PCMP) sets out a regional cycling network and guidelines to support its implementation. Local government active transportation plans and the Province's BC Active Transportation Design Guidelines have superseded much of the PCMP.

The CRD transportation working group identified that a regional map of the planned cycling network remains valuable for local government and agency partners as a planning tool. A map showing the envisioned future cycling network, along with a corresponding facility classification, supports a regional priority for consistent connections between jurisdictions. The CRD will work with local governments to maintain an updated future cycling network in accordance with local plans.

## Key Principles

The Regional Cycling Network is:	The Regional Cycling Network is not:
<ul style="list-style-type: none"> <li>• A continuously connected network</li> <li>• Links key destinations such as regional trails, parks, schools, transit centres, employment centres, regional centres, and other locations</li> <li>• Long term planning tool</li> </ul>	<ul style="list-style-type: none"> <li>• A complete inventory of all facilities</li> <li>• Isolated or disconnected facilities</li> <li>• Unpaved trails not suitable for all bicycles</li> </ul>

## Facility Classification

At a regional scale, cycling infrastructure is classified into two categories, All Ages and Abilities (AAA) and the supporting network.

- 1) **AAA:** The AAA network provides a comfortable and safe cycling experience for children, seniors, women, people riding bike share, people of colour, low-income riders, people with disabilities, people moving goods or cargo, and confident cyclists.\*
- 2) **Supporting:** The supporting network is all cycling facilities that do not meet the AAA criteria.

This two-category approach recognizes that not all facilities will be AAA and provides clear definitions for what constitutes a AAA facility. The BC Active Transportation Design Guidelines do not define AAA. Therefore, a definition is needed to ensure consistent classification throughout the region.

\*Definition adapted from National Association of City Transportation Officials' Designing for AAA Contextual Guidance for High-Comfort Bicycle Facilities

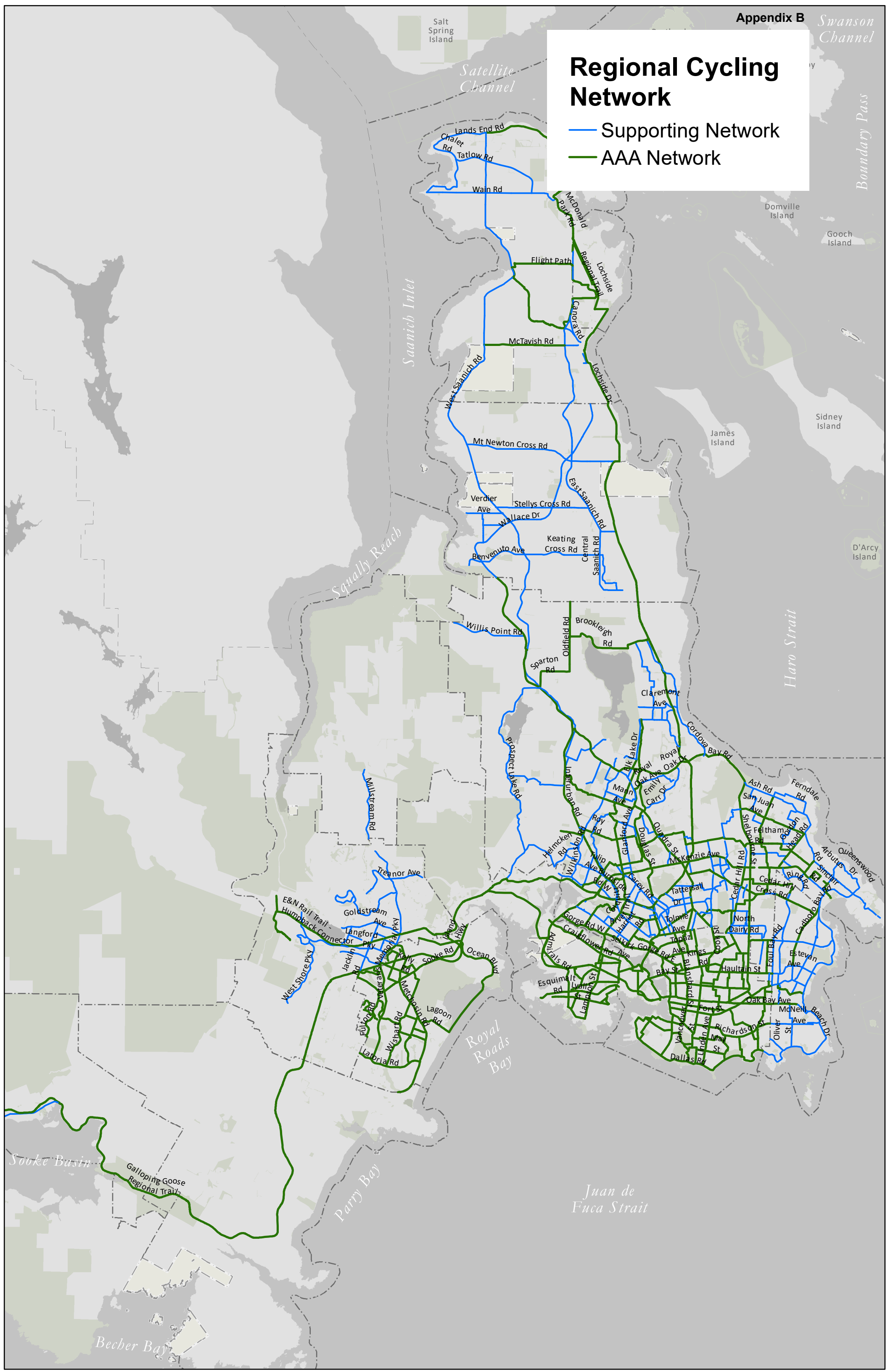
## All Ages and Ability Cycling Facility Framework

The classifications for a AAA facility adapt the National Association of City Transportation Officials (NACTO) definition from the imperial to the metric system. This definition allows local governments the flexibility to select context-specific design solutions, based on key operational features.

Target Motor Vehicle Speed	Target Max Motor Vehicle Volume	Motor Vehicle Lanes	Key Operational Considerations	All Ages & Abilities Bicycle Facility
Any	Any	Any	Any of the following: High curbside activity, frequent buses, motor vehicle congestion, or turning conflicts	Protected Bike Lane
≤ 30 kph	≤ 2000	No centerline or single lane one-way	< 50 motor vehicles per hour in peak direction at peak hour	Neighbourhood Bikeway or Advisory Bike Lane
≤ 40 kph	≤ 1500			
≤ 40 kph	≤ 3000	Single lane in each direction or single lane one-way	Low curbside activity or low congestion pressure	Conventional Bike Lane
	≤ 4000	Single lane in each direction or single lane one way	Low curbside activity or low congestion pressure	Buffered Bike Lane
High Speed limited access roadways, natural corridors, or geographic edge conditions with limited conflict			High pedestrian volume	Separated Multi-Use Path
			Low pedestrian Volume	Shared Multi-Use Path

# Regional Cycling Network

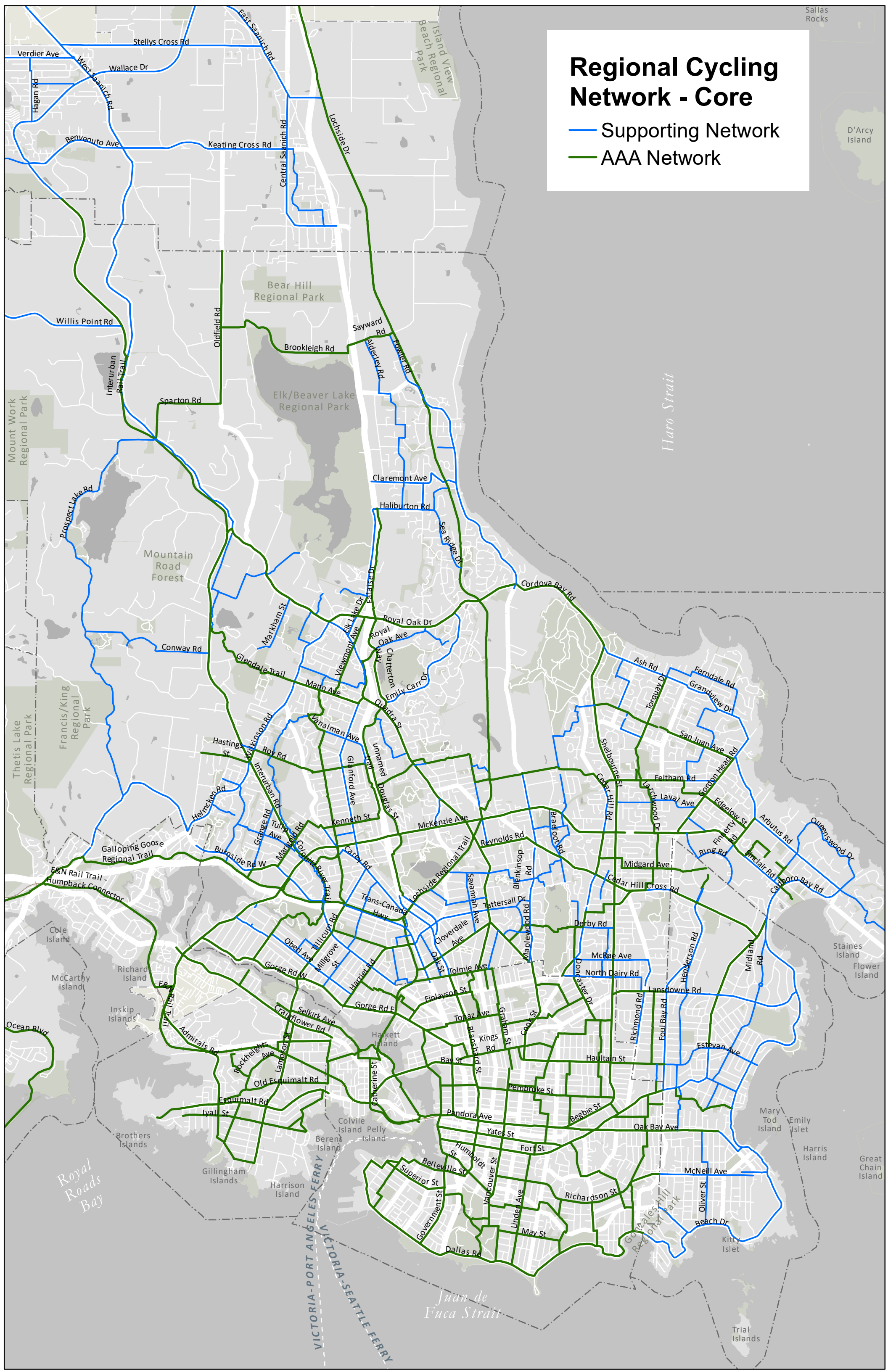
- Supporting Network
- AAA Network





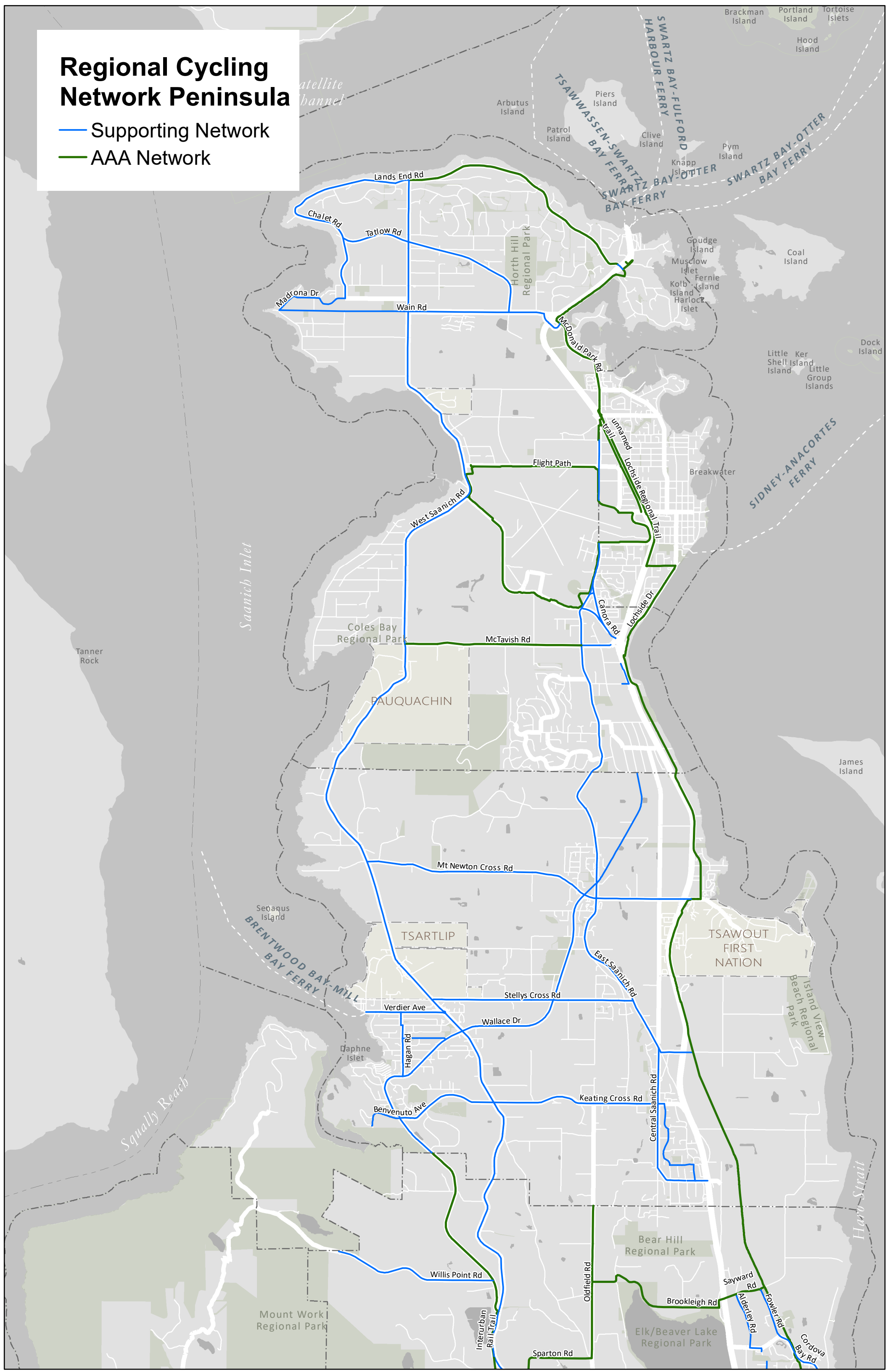
# Regional Cycling Network - Core

- Supporting Network
- AAA Network



# Regional Cycling Network Peninsula

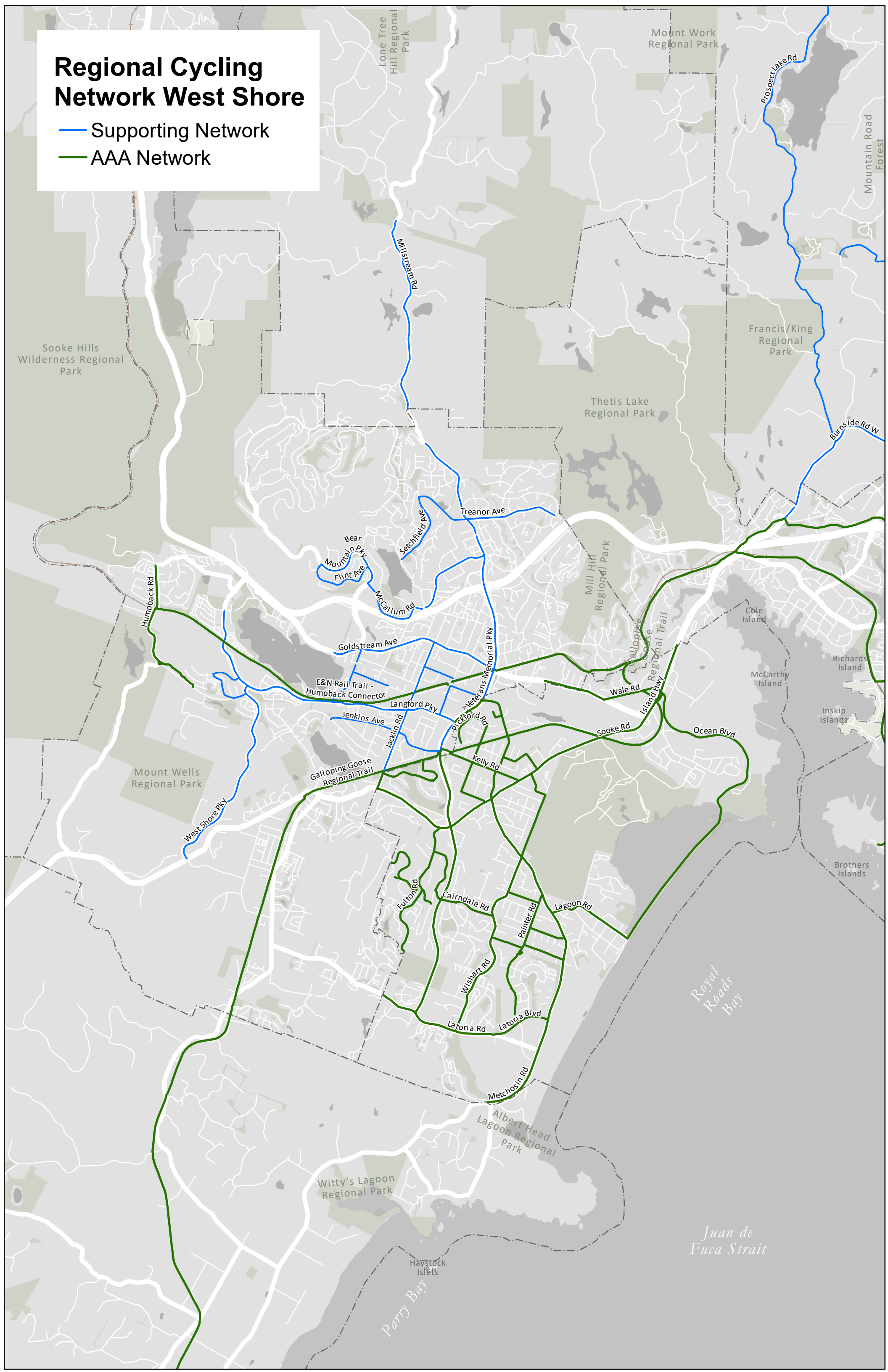
- Supporting Network
- AAA Network





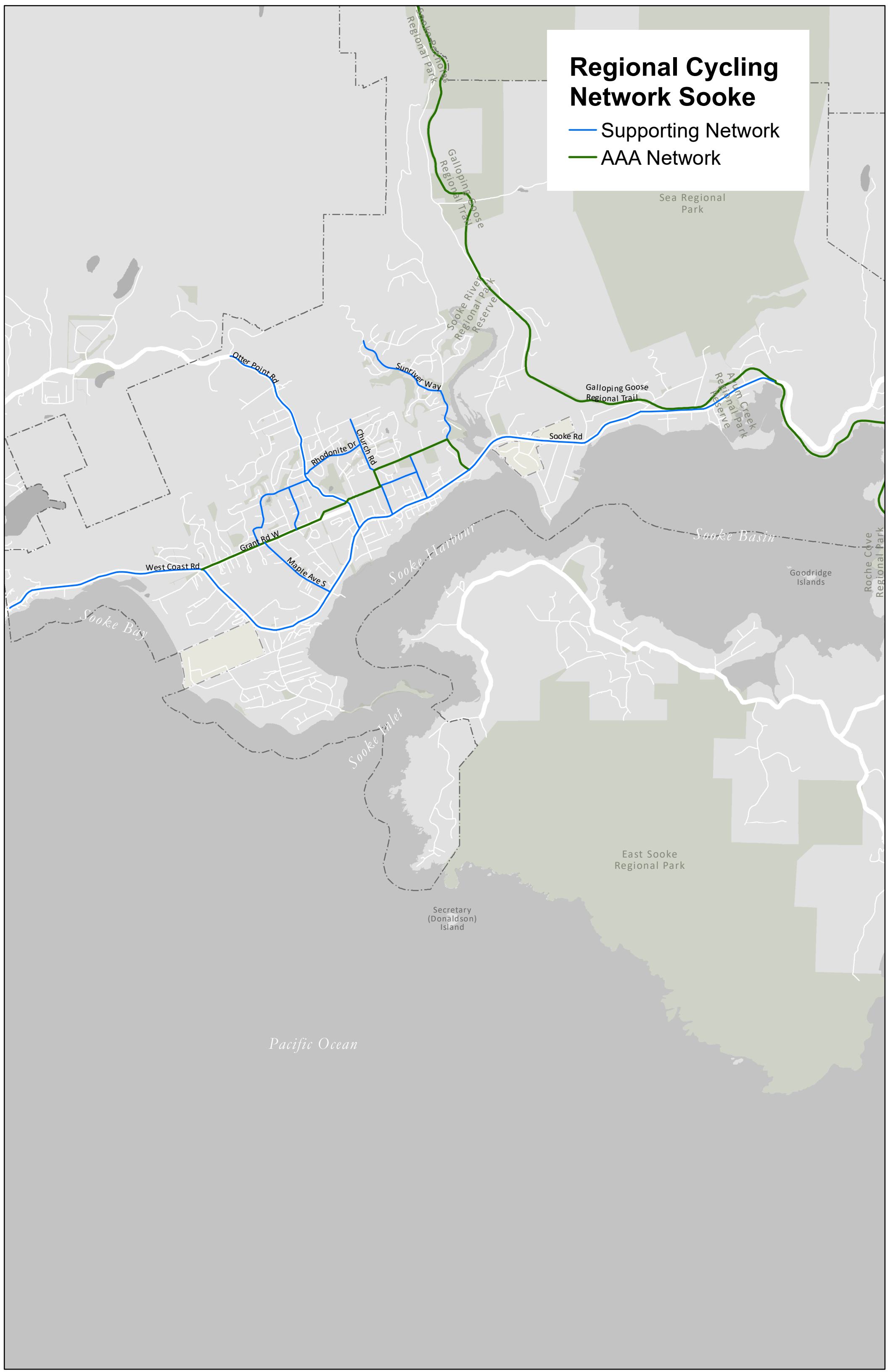
# Regional Cycling Network West Shore

- Supporting Network
- AAA Network



# Regional Cycling Network Sooke

- Supporting Network
- AAA Network



# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### Capital Regional District Board

Chair: Director Plant

Vice-Chair: Director Tait

#### Capital Regional Hospital District Board

Chair: Director Murdoch

Acting Chair: Director McNeil-Smith

#### Capital Region Housing Corporation Board

Chair: Director de Vries

Vice-Chair: Director Tait

#### Board of Directors

Participant	Director	Alternate Director
Central Saanich	R. Windsor	S. Riddell
Colwood	D. Kobayashi	I. Ward
Esquimalt	B. Desjardins	K. Armour
Highlands	K. Williams	K. Roessingh
JDF EA	A. Wickheim	J. Grant
Langford	S. Goodmanson	C. Harder, M. Wagner
Langford	L. Szpak	C. Harder, M. Wagner
Metchosin	M. Little	S. Gray
North Saanich	P. Jones	C. Stock
Oak Bay	K. Murdoch	H. Braithwaite
Saanich	S. Brice	M. Westhaver / N. Chambers / K. Harper / T. Phelps Bondaroff
Saanich	J. Brownoff	T. Phelps Bondaroff / M. Westhaver / N. Chambers / K. Harper
Saanich	Z. de Vries	K. Harper / T. Phelps Bondaroff / M. Westhaver / N. Chambers
Saanich	D. Murdock	M. Westhaver / N. Chambers / K. Harper / T. Phelps Bondaroff
Saanich	C. Plant	N. Chambers / K. Harper / T. Phelps Bondaroff / M. Westhaver
SGL EA	P. Brent	R. Fenton
Sidney	C. McNeil-Smith	C. Rintoul
Sooke	M. Tait	J. Bateman
SSI EA	G. Holman	M. Richardson
Victoria	M. Alto	S. Hammond / M. Gardiner / S. Kim / M. Dell / K. Loughton
Victoria	J. Caradonna	S. Hammond / M. Gardiner / S. Kim / M. Dell / K. Loughton
Victoria	C. Coleman	S. Hammond / M. Gardiner / S. Kim / M. Dell / K. Loughton
Victoria	D. Thompson	S. Hammond / M. Gardiner / S. Kim / M. Dell / K. Loughton
View Royal	S. Tobias	J. Rogers

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

## Standing Committees

### Core Area Liquid Waste Management

*Membership consists of all 15 Board members from the seven municipal participants in the Core Area Liquid Waste Management Plan.*

Chair: Director Coleman	Vice Chair: Director Kobayashi
Director Alto	Director K. Murdoch
Director Brice	Director D. Murdock
Director Brownoff	Director Plant
Director Caradonna	Director Szpak
Director de Vries	Director Thompson
Director Desjardins	Director Tobias
Director Goodmanson	

### Electoral Areas Committee

*Membership consists of all 3 Electoral Area Directors.*

Chair: Director Brent
Vice-Chair: Director Holman
Director Wickheim
Board Chair (ex-officio)

### Environmental Services Committee

Chair: Director Desjardins	Vice-Chair: Director Tobias
3. Director Brownoff	8. Director Tait
4. Director Caradonna	9. Director Thompson
5. Director Holman	10. Director Wickheim
6. Director Kobayashi	Board Chair (ex-officio)
7. Director Murdock	

### Finance Committee

Chair: Director Brice	Vice-Chair: Director Jones
3. Director Brent	7. Director Little
4. Director Coleman	8. Director Williams
5. Director Goodmanson	9. Director Windsor
6. Director Kobayashi	Board Chair (ex-officio)

# 2023 Appointments

## Board and Committee Membership

---

### Capital Regional District | 2023

---

#### First Nations Relations Committee

Chair: Director Tait

3. Director Alto
4. Director Brent
5. Director Desjardins
6. Director Goodmanson

Vice-Chair: Director Windsor

7. Director Little
  8. Director K. Murdoch
  9. Director Williams
- Board Chair (ex-officio)

#### Governance Committee

Chair: Director Little

3. Director Brice
4. Director Coleman
5. Director Desjardins
6. Director Holman
7. Director Jones

Vice-Chair: Director Goodmanson

8. Director K. Murdoch
  9. Director D. Murdock
  10. Director Tobias
- Board Chair (ex-officio)

#### Hospitals and Housing Committee

Chair: Director Murdoch

3. Director Alto
4. Director Brent
5. Director Brice
6. Director de Vries
7. Director Holman

Vice-Chair: Director Caradonna

8. Director Jones
  9. Director Kobayashi
  10. Director McNeil-Smith
  11. Director Szpak
- Board Chair (ex-officio)

#### Planning & Protective Services

Chair: Director de Vries

3. Director Desjardins
4. Director Little
5. Director McNeil-Smith
6. Director Thompson

Vice-Chair: Director Williams

7. Director Wickheim
  8. Director Windsor
- Board Chair (ex-officio)

#### Regional Parks Committee

Chair: Director McNeil-Smith

3. Director Coleman
4. Director Goodmanson
5. Director Holman
6. Director Szpak
7. Director Tait

Vice-Chair: Director Brownoff

8. Director Tobias
  9. Director Williams
  10. Director Windsor
- Board Chair (ex-officio)



# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### Transportation Committee

Chair: Director Murdock

3. Director Brent
4. Director Brice
5. Director Caradonna
6. Director de Vries
7. Director Desjardins
8. Director Goodmanson

Vice-Chair: Director Szpak

9. Director Kobayashi
  10. Director McNeil-Smith
  11. Director Tait
  12. Director Thompson
- Board Chair (ex-officio)

#### Select & Sub-Committees

##### Royal and McPherson Theatres Services Advisory Committee

*(reporting to the Finance Committee). Term is for one year.*

Participant	Board Member
Saanich	Colin Plant
	Susan Brice
Victoria	Jeremy Caradonna
	TBC
Oak Bay	Kevin Murdoch

##### Solid Waste Advisory Committee

*(reporting to the Environmental Services Committee).*

Chair: Director Desjardins	Vice-Chair: Elected from amongst the membership
	Board Chair (ex-officio)

#### Other CRD Committees & Commissions

##### Arts Commission

*Members from each of the participants. Term is four years for Directors, two years for Non-Directors.*

Participant	Representative	Alternate
Esquimalt	Duncan Cavens	Andrea Boardman
Highlands	Karel Roessingh	None
Metchosin	Sharie Epp	None
Oak Bay	Carrie Smart	Cairine Green
Saanich	Colin Plant	Nathalie Chambers
Sooke	Dana Lajeunesse	Jeff Bateman
Southern Gulf Islands	Paul Brent	None
Victoria	Marianne Alto (Chair)	None
View Royal	Gery Lemon	None

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### Climate Action Inter-Municipal Task Force

*Task Force consists of one elected representative of each municipality and the three electoral areas. Term is for four years unless otherwise noted.*

Local Government	Representative	Alternate
Central Saanich	Sarah Riddell	None
Colwood	David Grove	Cynthia Day
Esquimalt	Duncan Cavens	None
Highlands	Ann Baird	None
Langford	Mary Wagner	None
Metchosin	Steve Gray	None
North Saanich	Peter Jones	All Councillors
Oak Bay	Carrie Smart	Lesley Watson
Saanich	Judy Brownoff	None
Sidney	Steve Duck	Sara Duncan
Sooke	Tony St-Pierre	None
Victoria	Marg Gardiner	None
View Royal	Alison MacKenzie	Gery Lemon
Salt Spring Island	Gary Holman	None
Southern Gulf Islands	Paul Brent	None
Juan de Fuca	Al Wickheim	None

#### Emergency Management Committee

*Board appointment of the 3 EA Directors, ELT & Senior Manager, Protective Services. Term is for four years.*

Electoral Areas	Representative	ELT + Management		
Juan de Fuca	Al Wickheim	Ted Robbins	Larisa Hutcheson	Shawn Carby
Southern Gulf Islands	Paul Brent	Kevin Lorette	Ian Jesney (Interim)	
Salt Spring Island	Gary Holman	Nelson Chan	Kristen Morley	

#### Juan de Fuca Water Distribution Commission

*Members from each of the participants. Appointed by each of the member councils. Term is for four years.*

Participant	Commissioner	Alternate
Colwood	David Grove	Misty Olsen
Highlands	Gord Baird	Karel Roessingh
Juan de Fuca EA	Al Wickheim	Jeri Grant
Langford	Colby Harder	Keith Yacucha, Mark Morley
Langford	Mary Wagner	Keith Yacucha, Mark Morley
Metchosin	Shelly Donaldson	Steve Gray
Sooke	Kevin Pearson	Dana Lajeunesse
View Royal	John Rogers	Ron Mattson

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### Peninsula Recreation Commission

*Appointed by member Councils. Term is for two years.*

Participants	Commissioner	Alternate
Central Saanich	Niall Paltiel	Gord Newton
Central Saanich	Ryan Windsor	Sarah Riddell
North Saanich	Phil DiBattista	Brett Smyth
North Saanich	Peter Jones	Celia Stock
Sidney	Scott Garnett	Steve Duck
Sidney	Cliff McNeil-Smith	Chad Rintoul

#### Regional Housing Trust Fund Commission

*One Council member is appointed by each participating municipality. Appointments come forward to the Board Chair from the Senior Manager, Regional Housing and are included with appointments made by Board Chair. The Salt Spring Island and Southern Gulf Islands Electoral Area Directors are also members. Term is for two years.*

Participant	Commissioner	Alternate
Central Saanich	Bob Thompson	Sarah Riddell
Esquimalt	Ken Armour	None
Highlands	Ann Baird	None
Metchosin	Shelly Donaldson	None
North Saanich	Celia Stock	Irene McConkey
Oak Bay	Lesley Watson	Carrie Smart
Saanich	Zac de Vries	None
Salt Spring Island	Gary Holman	None
Sidney	Richard Novek	Terri O'Keeffe
Sooke	Tony St. Pierre	None
Southern Gulf Islands	Paul Brent	None
Victoria	Krista Loughton	None
View Royal	Sid Tobias	None

#### Regional Water Supply Commission

*Members from each of the participants. Term is for four years.*

Participant	Commissioner	Alternate
Central Saanich	Chris Graham	Zeb King
Colwood	Kim Jordison	Misty Olsen
Esquimalt	Tim Morrison	Duncan Cavens
Highlands	Gord Baird	Karel Roessingh
Juan de Fuca EA	Al Wickheim	Jeri Grant

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

Langford	Kimberly Guiry	Colby Harder, Keith Yacucha
	Mary Wagner	Colby Harder, Keith Yacucha
Metchosin	Steve Gray	Shelly Donaldson
North Saanich	Celia Stock	Irene McConkey
Oak Bay	Cairine Green	Esther Paterson
Saanich	Teale Phelps Bondaroff	None
	Nathalie Chambers*	Colin Plant, Susan Brice, Judy Brownoff
	Zac de Vries*	Judy Brownoff, Colin Plant, Susan Brice
	Karen Harper*	Susan Brice, Judy Brownoff, Colin Plant
	Mena Westhaver*	Susan Brice, Judy Brownoff, Colin Plant
Sidney	Sara Duncan	Steve Duck
Sooke	Dana Lajeunesse	Kevin Pearson
Victoria	Jeremy Caradonna	TBC
	Chris Coleman	TBC
	Stephen Hammond	TBC
	Susan Kim	TBC
View Royal	John Rogers	Ron Mattson

\*Assignment of one additional vote

### Saanich Peninsula Wastewater Commission

Members from each of the participants. Appointed by each of the member councils. Term is for two years.

Participant	Commissioner	Alternate
Central Saanich	Zeb King	Chris Graham
Central Saanich	Ryan Windsor	Sarah Riddell
North Saanich	Peter Jones	Celia Stock
North Saanich	Sanjiv Shrivastava	Brett Smyth
Sidney	Cliff McNeil-Smith	Chad Rintoul
Sidney	Sara Duncan	Steve Duck

### Saanich Peninsula Water Commission

Members from each of the participants. Appointed by each of the member councils. Term is for one year, except CRD Directors term being four years.

Participant	Commissioner	Alternate
Central Saanich	Zeb King	Chris Graham
Central Saanich	Ryan Windsor	Sarah Riddell
North Saanich	Peter Jones	Celia Stock
North Saanich	Sanjiv Shrivastava	Brett Smyth
Sidney	Cliff McNeil-Smith	Chad Rintoul
Sidney	Sara Duncan	Steve Duck

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### Traffic Safety Commission

*Board appoints one Director as a Representative, and one Director as an Alternate. Term is for two years.*

Representative	Alternate
Director D. Murdock	Director de Vries

## Appointments to External Boards

#### CREST (Capital Region Emergency Service Telecommunications)

*The CRD appoints the 3 Directors representing the Electoral Areas for shareholder votes (proxies are appointed on an annual basis).*

Appointed CRD Shareholder	Proxy
Al Wickheim	Jeri Grant
Gary Holman	John Wakefield
Paul Brent	TBC

#### Greater Victoria Coalition to End Homelessness

*For the Society Board, 3 Directors from the CRD who are also Mayors representing municipalities in the Core, Peninsula, and Westshore, with one to be nominated as the CRD Co-Chair on the Board. Corporate representation will include up to 4 others including staff. Term is for two years.*

Appointed Directors:	Corporate Member Representative:
Director McNeil-Smith	Kevin Lorette, GM, Planning & Protective Services
Director K. Murdoch	Don Elliott, Senior Manager, Regional Housing
Director Tait	Nadine Kawata, Manager, Housing Initiatives & Programs

#### Greater Victoria Harbour Authority Board

*Board Chair nominates up to three Directors of CRD Board to be nominated as GVHA Director. Board to also appoint Member representative annually.*

Member Representative	Member Representative Alternate	Board Nominee
Director Goodmanson	Director Plant	Director Brice

#### Community Liaison Committee - Greater Victoria Harbour Authority

*GVHA Member Representative to be appointed.*

Member Representative	Member Representative - Alternate
Director Goodmanson	Director Plant

#### Greater Victoria Labour Relations Association

*Annually the Board appoints one Director as its representative and one Director as alternate.*

Representative & AGM Delegate	Alternate
Director Coleman	Director Goodmanson

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### ICET - Central South Island Regional Advisory Committee

*Annually the Board appoints either the CRD Board Chair or Juan de Fuca Electoral Area Director as representative.*

Member Representative
Director Brent

#### Island Corridor Foundation

*Board appoints one Director as Local Government Designated Representative annually. Board nominates one Director for election to the Foundation Board (could be the same person as the Member Representative) at its AGM, held in April, for a two-year term.*

Member Representative	Nominee
Barb Desjardins	None

#### Municipal Finance Authority

*Board appoints two Directors as representatives and two Directors as alternates. Term is for one year.*

Director	Alternate
Director Brent	None
Director Kobayashi	None

#### Regional Representative to the Te'mexw Treaty Advisory Committee

*Annual appointment.*

Representative	Alternate
Director Wickheim	None

#### Royal and McPherson Theatres Society Board

*Appointed by member Councils. Term is for one year.*

Participants	Board Member	Alternate
Oak Bay	Hazel Braithwaite	Andrew Appleton
Saanich	Teale Phelps Bondaroff	None
Victoria	Matt Dell	None

#### Sooke and Electoral Area Parks and Recreation Commission

*Appointed by member Councils. Term is for one year.*

Participants	Commissioner	Alternate
Juan de Fuca	Al Wickheim	Jeri Grant
Sooke	Maja Tait	Jeff Bateman
Sooke	Al Beddows	Kevin Pearson

# 2023 Appointments

## Board and Committee Membership

### Capital Regional District | 2023

#### Vancouver Island and Coastal Communities Climate Leadership Plan (VICC-CLP) Steering Committee

*Elected Official(s) to be appointed for a four-year term.*

Representative	Alternate
Director Thompson	None

#### Victoria Family Court and Youth Justice Committee

*Members from each of the participants. Term is two years.*

Participant	Member
Central Saanich	Zeb King
Colwood	Cynthia Day
Esquimalt	Darlene Rotchford
Highlands	Marcie McLean
Langford	Kimberley Guiry
Metchosin	Marie-Térèse Little
North Saanich	Jack McClintock
Oak Bay	Esther Paterson
Saanich	Mena Westhaver
Sidney	Terri O'Keeffe
Sooke	Jeff Bateman
Victoria	Krista Loughton
View Royal	Ron Mattson

#### Vancouver Island Regional Library Board

*Board appoints. Only Juan de Fuca Area participates in this service function. Term is for one year.*

Representative	Alternate
Al Wickheim	Jeri Grant



**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, FEBRUARY 08, 2023**

---

**SUBJECT**     **AAP Results & Adoption for Bylaw 4522 – Regional Goose Management Service Establishment**

**ISSUE SUMMARY**

To report back on the results of the Alternate Approval Process for Bylaw No. 4522 and advance the bylaw for adoption.

**BACKGROUND**

At its meeting held October 12, 2022, the Capital Regional District (CRD) Board gave three readings to the following bylaw, attached as Appendix A:

- **Bylaw No. 4522**, “*Canada Goose Management Service Establishment Bylaw No. 1, 2022*” to authorize the establishment of a service for the purpose of regional Canada Goose management and coordination within the CRD.

On December 14, 2022, the CRD Board established that elector assent be obtained by Alternative Approval Process (AAP) for the electors in the entire service area in accordance with section 345 of the *Local Government Act (LGA)*. The number of registered electors was determined to be 332,080 of which 10% is 33,208 electors [the number needed to voice opposition]. Notice was published on December 17<sup>th</sup> and December 22<sup>nd</sup> in the Times Colonist newspaper publications in accordance with section 345(2) of the *LGA*.

The CRD received 175 valid response forms indicating opposition to the adoption of the bylaw by the closing date of January 23, 2023. As the response rate was less than 10% of electors, elector approval was received for Bylaw No. 4522. In accordance with section 86(8) of the *LGA*, the Corporate Officer’s certification of results is attached as Appendix B.

From 2010 to 2012, the CRD partnered with municipalities and other stakeholders to develop a Regional Canada Goose Management Strategy to provide guidance for controlling adverse impacts of the population of non-migratory resident Canada geese in the capital region. The Regional Canada Goose Management Strategy, attached as Appendix C, describes a long-term multi-faceted approach to management of non-migratory resident Canada geese.

For information on the proposed service, please refer to the previous staff report dated October 12, 2022, attached as Appendix D.

**ALTERNATIVES**

*Alternative 1*

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4522 (Appendix B) be received; and
2. That Bylaw No. 4522, “*Canada Goose Management Service Establishment Bylaw No. 1, 2022*” be adopted.

*Alternative 2*

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

**CONCLUSION**

On January 23, 2023, elector approval was obtained by an Alternative Approval Process for Bylaw No. 4522, "*Canada Goose Management Service Establishment Bylaw No. 1, 2022*". The bylaw establishes of a new regional service for the purpose of Canada Goose management and coordination within the CRD. The Bylaw is now ready for adoption, having received approval from the Inspector of Municipalities and the electors in the capital region.

**RECOMMENDATION**

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4522 (Appendix B) be received; and
2. That Bylaw No. 4522, "*Canada Goose Management Service Establishment Bylaw No. 1, 2022*" be adopted.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: Bylaw No. 4522

Appendix B: Certificate of Results for Bylaw No. 4522

Appendix C: Regional Goose Management Strategy (2012)

Appendix D: Previous Staff Report (October 12, 2022)

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4522**

\*\*\*\*\*

**A BYLAW TO ESTABLISH A SERVICE FOR THE PURPOSE OF  
CANADA GOOSE MANAGEMENT**

\*\*\*\*\*

**WHEREAS:**

- A. The Board of the Capital Regional District wishes to establish a regional Canada Goose monitoring and coordination service (the "Service") to address increasing populations of non-migratory, resident Canada geese populations, reduce their environmental impacts and to coordinate management of Canada geese with public authorities and groups across the capital region under s.263(1)(a) of the *Local Government Act*;
- B. Participating area approval is required and assent of the electors has been obtained by regional alternative approval process, pursuant to s. 342(4) of the *Local Government Act*; and,
- C. The approval of the Inspector of Municipalities has been obtained under s. 343(1)(a) of the *Local Government Act*.

**NOW THEREFORE** the Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

**Service**

- 1. The Service being established and to be operated is a service for the purpose of regional Canada Goose management and coordination, including, without limiting the foregoing:
  - a) monitoring, mapping, reporting on Canada Goose populations and their impacts;
  - b) coordinating and establishing collaborative partnerships with municipalities, First Nations, large landowners, Peninsula and Area Agricultural Commission, government agencies, and stewardship groups to implement the Regional Canada Goose Management Strategy and manage Canada Goose populations in the region;
  - c) facilitating the development and implementation of a communications strategy and public education program to support the management of Canada Goose populations; and
  - d) collaboration with other Vancouver Island regional districts, local governments and First Nations to reduce Canada Goose populations through the Vancouver Island Canada Goose Management Working Group.

**Boundaries**

- 2. The boundaries of the service area are coterminous with the boundaries of the Capital Regional District.

### **Participating Areas**

3. All municipalities and electoral areas within the Capital Regional District are the participating areas for this service.

### **Cost Recovery**

4. As provided in Section 378 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
  - (a) property value taxes imposed in accordance with Division 2 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, enterprises, gift, grant or otherwise.

### **Cost Apportionment**

5.
  - (a) The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating areas, as follows:
    - i. Fifty (50) per cent of the costs shall be recovered on the basis of the population of the participating areas; and
    - ii. Fifty (50) per cent on the converted value of land and improvements in the participating areas.
  - (b) Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.

### **Maximum Requisition**

6. In accordance with Section 339 (1)(e) of the Local Government Act, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
  - (a) Two hundred and fifty-one thousand nine hundred (\$251,900); or
  - (b) An amount equal to the amount that could be raised by a property value tax rate of \$0.0016 per ONE THOUSAND DOLLARS (\$1,000.00) that, when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

### **Citation**

7. This Bylaw may be cited as the "Canada Goose Management Service Establishment Bylaw No. 1, 2022".

READ A FIRST TIME THIS	12 <sup>th</sup>	day of	October,	2022
READ A SECOND TIME THIS	12 <sup>th</sup>	day of	October,	2022
READ A THIRD TIME THIS	12 <sup>th</sup>	day of	October,	2022
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	8 <sup>th</sup>	day of	December,	2022
RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTION 342(4) OF THE <i>LOCAL GOVERNMENT ACT</i> THIS	23 <sup>rd</sup>	day of	January,	2023
ADOPTED THIS		day of		

---

CHAIR

---

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS                      day of



Making a difference...together

**CORPORATE OFFICER'S CERTIFICATION**

I, the undersigned Corporate Officer, as the person assigned responsibility for corporate administration under section 236 of the *Local Government Act*, certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Capital Regional District **Bylaw No. 4522 "Canada Goose Management Service Establishment Bylaw No. 1, 2022"** as follows:

332,080	Estimated number of eligible electors
33,208	10% of the number of eligible electors
177	Number of elector response forms submitted by the deadline
2	Number of elector response forms rejected
175	Number of elector response forms accepted

and in accordance with section 86 of the *Community Charter*, the approval of the electors was obtained.

Dated this 23<sup>rd</sup> day of January, 2023

A handwritten signature in black ink, appearing to read 'Kristen Morley', is written over a horizontal line.  
Kristen Morley, Corporate Officer



# Regional Canada Goose Management Strategy

August 28, 2012



# Table of Contents

1	INTRODUCTION	1
1.1	DOCUMENT INTENT	1
1.2	DEVELOPMENT OF A REGIONAL CANADA GOOSE MANAGEMENT STRATEGY	1
1.3	CANADA GOOSE MANAGEMENT AREA	2
1.4	CANADA GEESE IN THE CAPITAL REGION	4
2	IMPACTS OF NON-MIGRATORY RESIDENT CANADA GEESE IN THE CAPITAL REGION	6
3	RCGMS TARGETS	10
3.1	OVERALL GOAL	10
3.2	IF GEESE ARE NOT MANAGED	10
3.2.1	GOOSE POPULATION GROWTH	10
3.2.2	HUMANE TREATMENT OF GEESE	13
3.3	IDENTIFICATION OF AN ACCEPTABLE POPULATION LEVEL	13
4	MANAGEMENT TOOLS	14
4.1	MITIGATION TECHNIQUES	14
4.1.1	MITIGATION TECHNIQUES APPROPRIATE FOR THE CAPITAL REGION	14
4.2	MANAGEMENT SCENARIOS	18
4.3	COMMUNICATION PROGRAM	19
4.3.1	OBJECTIVES	19
4.3.2	COMMUNICATION PLAN CHARACTERISTICS	19
4.3.3	TARGET AUDIENCE	19
5	MOVING FORWARD	21
5.1	STAKEHOLDERS	21
5.2	FUNDING	21
6	RCGMS IMPLEMENTATION	22
6.1	ESTABLISH A MANAGEMENT COMMITTEE	22
6.2	SHAPE OF AN ANNUAL PROGRAM	22
6.2.1	MITIGATION TECHNIQUES	22
6.2.2	CANADA GOOSE POPULATION MONITORING	22
6.2.3	EVALUATION	22
6.2.4	ADMINISTRATION AND REPORTING	22
7	ACKNOWLEDGEMENTS	23
8	REFERENCES	23
	APPENDICES	25

## List of Figures

<b>Figure 1.</b> Administrative boundaries of the Goose Management Area (GMA) in the capital region	3
<b>Figure 2.</b> Canada goose observations during Christmas Bird Counts (1958-2010) in Greater Victoria. The increase in the goose numbers is typical of exponential growth as depicted by the growth curve. (The red star depicts when farmers began mitigating goose damage; more detailed analyses are contained in the Technical Report).	5
<b>Figure 3.</b> Seasonal abundance and distribution of Canada geese in the GMA	8
<b>Figure 4a.</b> Seasonal habitat use by geese expressed in number of geese/hectare for key habitats in the capital region (July 2011-June 2012; grass fields refer to non-agricultural fields such as schools and parks).	9
<b>Figure 4b.</b> Canada goose use of farmland and within farmland, the use of seasonally flooded fields (July 2011-June 2012).	9
<b>Figure 5a.</b> Population modelling projecting the response of the goose population to four different management simulations 1) status quo, 2) addition of egg addling--depressing population output by 50%, 3) addling and lethal removal of 100 geese each year and 4) addling and lethal removal of 200 geese in each of the first two years of management only.	11
<b>Figure 5b.</b> Closer examination of the three management simulations	11

## Executive Summary

In 2010, the Capital Regional District (CRD) partnered with municipalities and other stakeholders to develop a Regional Canada Goose Management Strategy to provide guidance for controlling adverse impacts of the population of non-migratory resident Canada geese in the capital region. During 2011-12, extensive data were collected on the historical presence of geese in the capital region, goose population abundance and distribution, seasonal habitat use by geese, and agricultural impacts.

The synthesis of data and collaboration with a multi-stakeholder working committee has led to the development of this document, REGIONAL CANADA GOOSE MANAGEMENT STRATEGY, which describes a long-term multi-faceted approach to management of non-migratory resident Canada geese.

# 1 Introduction

## 1.1 DOCUMENT INTENT

The intent of this document is to provide regional and strategic guidance for the management of non-migratory resident Canada geese in the capital region. Where Canada geese and the capital region are discussed in this document, management of geese refers only to non-migratory resident Canada geese. The information provided in this document is based on the best knowledge available at the time of development. As part of the management process, recommendations in this document will be reviewed through an adaptive management process as new information becomes available.

## 1.2 DEVELOPMENT OF A REGIONAL CANADA GOOSE MANAGEMENT STRATEGY

In 2010, the Capital Regional District (CRD) partnered with municipalities and other stakeholders in the region to develop a Regional Canada Goose Management Strategy (RCGMS) to provide guidance for controlling the population of non-migratory resident Canada geese in the capital region. The CRD Parks Operations Services acted as the overall project administrator with a steering committee made up of members from the following:

- BC Ministry of Agriculture
- BC Ministry of Environment
- Canadian Wildlife Service (CWS) of Environment Canada
- District of Central Saanich
- District of Metchosin
- District of North Saanich
- Fruit Growers Association
- Peninsula Agriculture Commission
- Town of Sidney
- First Nations
- Victoria Airport Authority

The committee identified a guiding statement and key objectives to be addressed in the goose management strategy:

### Guiding Statement:

Guiding a regional approach for the reduction and mitigation of negative impacts resulting from non-migratory resident Canada geese within the capital region.

### Objectives:

- Develop a knowledge base for the CRD and its member municipalities, federal and provincial agencies, First Nations, Vancouver Island farmers and non-governmental environmental organizations on non-migratory resident Canada goose population management methods;
- Reduce damage to agricultural crops by non-migratory resident Canada geese that results in economic losses to farmers;
- Reduce non-migratory resident Canada goose impacts on parks and recreational areas;
- Reduce non-migratory resident Canada goose impacts on natural habitats; and
- Reduce hazards to aviation at the Victoria International Airport.

In 2011, the BC Agriculture, Environment and Wildlife Fund (ARDCorp) approved a \$40,000 grant for the development of a RCGMS. Municipalities and stakeholders provided additional in-kind, administrative and financial support. The process included hiring a professional biologist to complete a data/research component that included acquiring baseline data and defining the extent of the problem. This included:

- identifying regional participants that allowed access to private lands;
- gathering historical and anecdotal data;
- assessing agricultural impacts;
- habitat and habitat use mapping;
- goose population counts; and
- reporting the results through interim reports and a final Technical Report.

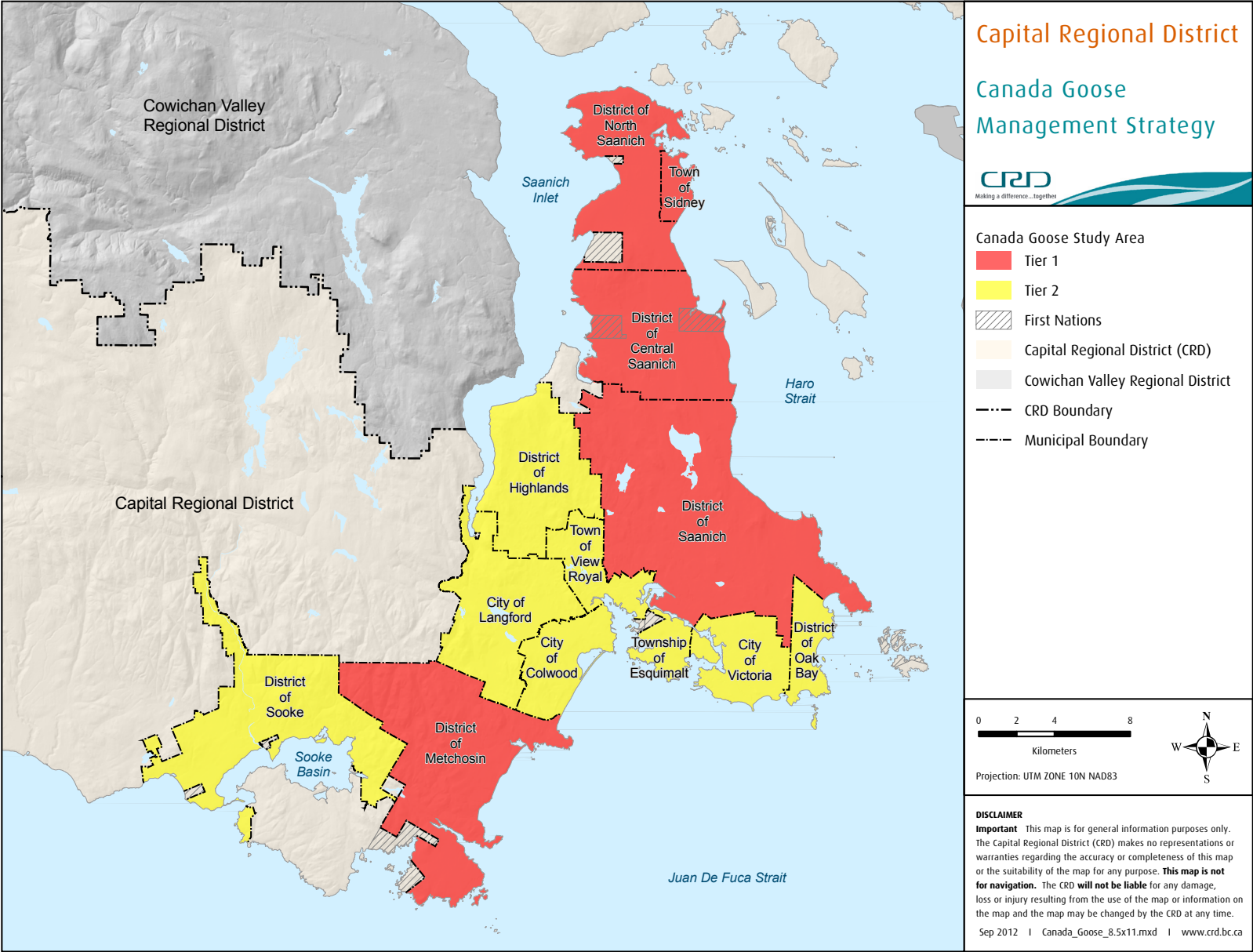
The Technical Report is included as Appendix A, although elements of the findings are included in the main document.

### 1.3 CANADA GOOSE MANAGEMENT AREA

The capital region consists of 13 municipalities and three electoral areas on the southern tip of Vancouver Island. The City of Victoria is the urban centre, but the region also contains Gulf Islands, rural municipalities and wilderness. The Goose Management Area (GMA) was originally defined as 12 contiguous municipalities on southern Vancouver Island (Fig. 1). The GMA was a compromise between including those municipalities that expressed concern over goose management, working at the largest landscape scale possible, and minimizing logistic challenges. Further definition of the GMA included categorizing municipalities as Tier 1 or Tier 2 (Fig. 1). This definition was determined by the interest and ability of a municipality to contribute resources towards the development of the RCGMS.

The capital region is characterized by a mosaic of urban, rural, and natural landscapes. The southern and eastern boundaries are bordered by coast line; the remaining boundaries are coastal and upland wilderness. Within the capital region are several freshwater systems that feed lakes, the largest being the Elk-Beaver Lake system situated in the District of Saanich. The Victoria International Airport and the Town of Sidney are located on the Saanich Peninsula, and are largely surrounded by farmland. Farmland is particularly prevalent in districts that make up the Saanich Peninsula (i.e., North Saanich, Central Saanich and Saanich) and Metchosin. In some districts, farmland is encapsulated by urban development creating hard edges in landscape change and land management practices.

Figure 1. Administrative boundaries of the Goose Management Area in the capital region (interim draft figure)



## 1.4 CANADA GEESE IN THE CAPITAL REGION

The global population of Canada geese (*Branta canadensis*) and the smaller, closely related cackling geese (*Branta hutchinsii*) together comprise 12 subspecies of geese (Banks et al. 2004) hereafter collectively referred to as Canada geese. Prior to the 1960's, Canada geese were considered migrants and summer visitants in British Columbia (Campbell et al. 1990). However, the status of Canada geese changed dramatically in British Columbia during the 1960's and 70's. In these years, a Canada goose introduction program was initiated by the Canadian Wildlife Service (CWS; Environment Canada), the provincial Fish and Wildlife Branch and conservation organizations. The goals of the well-intended program were to establish breeding populations on Vancouver Island, the Lower Mainland and other parts of BC where Canada geese were uncommon at the time, to improve wildlife viewing and sport-hunting opportunities. Goslings and breeding stock from different, large-bodied, taxonomic stocks of Canada geese that originated from elsewhere in British Columbia, Canada, and the United States were introduced to different areas of British Columbia, including the capital region (Campbell et al. 1990, Dawe and Stewart 2010, Simmons and Nightingale 2011).

Canada geese in western North America are naturally migratory. However, the transplanted young of the 1960's and 70's had little opportunity to learn natural behaviour patterns from mature geese (i.e., imprint) and did not learn to seasonally migrate. These non-migratory geese and their offspring remained in the areas to which they were relocated. Importantly, the offspring are hybrids of the different stocks of geese that were introduced to the region decades ago. As such, these birds with their admix of genetic material have created a new population of non-migratory resident geese with no single identifiable status and which are not native to the region.

At the time of the relocations, the British Columbia landscape began a rapid transformation. Urban and rural areas increased and many areas were closed to hunting. Consequently, increased habitat with fewer population controls assisted non-migratory resident Canada geese to increase exponentially in some areas of the province. Christmas Bird Count data from the Victoria count circle between 1950-2010 show the increase in the number of geese (Victoria Natural History Society 2011). Note that prior to 1958, no geese were observed in the count (Fig 2; further detail on goose population growth in the region is provided in the Technical Report).

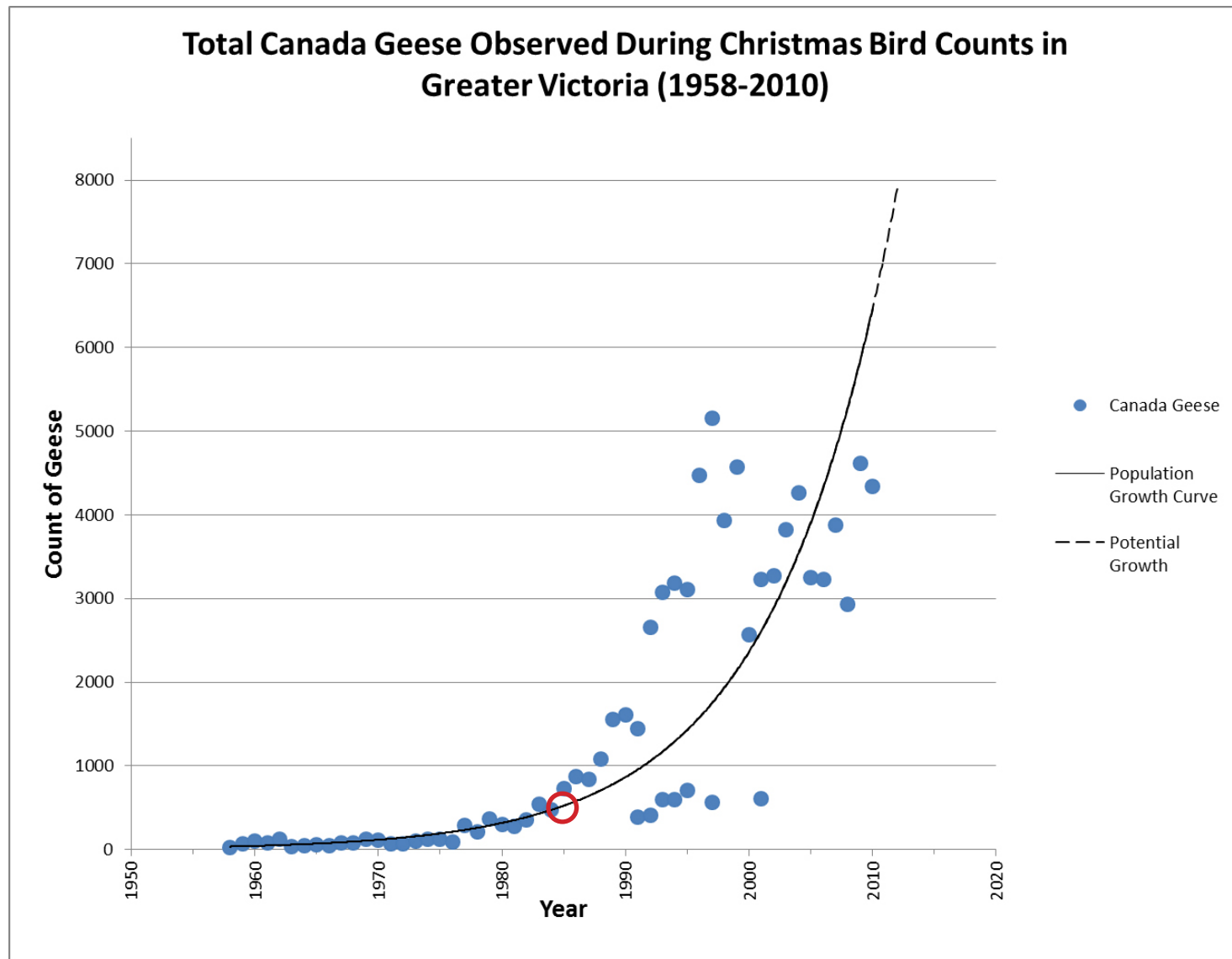
Today, non-migratory resident populations of Canada geese in urban and rural parts of southern BC are largely perceived as problem wildlife, due to their abundance, territorial behaviour during breeding season, crop damage, potential risks to human health, fouling of grassy areas with droppings, risk of contribution to fecal coliform levels in public swimming areas and other waters, damage to lawns and green spaces, as well as other economic losses (Alderisio and DeLuca 1999, Smith et al. 2005, Meays et al. 2006). Non-migratory resident Canada geese can be found on land governed by various jurisdictions including federal, provincial, municipal, and private properties such as golf courses, schools, and agricultural lands.

Non-migratory resident Canada goose populations have increased in the capital region to the extent that they are a general public nuisance in some areas; posing significant hazards to aviation at the Victoria International Airport; causing crop damage and economic losses to farmers; and impacting parks, natural habitats, and recreational areas.

Unlike most familiar wildlife in British Columbia (e.g., deer and other mammals), which fall solely under jurisdiction of the provincial *Wildlife Act*, Canada geese and other waterfowl are also protected under the federal *Migratory Birds Convention Act* and pursuant Migratory Birds Regulations which provides the senior jurisdictional authority. Thus, any attempts to manage geese must abide by the federal Act as well as any provincial and municipal regulations that apply in their respective regions.



**Figure 2.** Canada goose observations during Christmas Bird Counts (1958-2010) in Greater Victoria. The increase in the goose numbers is typical of exponential growth as depicted by the growth curve. (The red circle depicts when farmers began mitigating goose damage; more detailed analyses are contained in the Technical Report).



## 2 Impacts of Non-migratory Resident Canada Geese in the Capital Region

Problems from non-migratory resident Canada geese began in approximately 1985 when an increasing goose population forced farmers to employ mitigation to prevent damage to their crops. Since then, negative impacts have increased in agricultural sectors as well as elsewhere in the region. Negative impacts include:

- Damage to agricultural crops and associated costs of mitigation;
- Hazard risks at the Victoria International Airport;
- Concerns over water quality and public beach use during the summer;
- Conflict with presence of geese in parks and associated costs of mitigation; and
- Degrading of natural and environmentally sensitive habits (e.g. estuaries) including losses in ecological function and biodiversity.

The Peninsula Agricultural Commission (PAC; unpublished data) estimated that annual farming losses attributed to goose damage and mitigation costs are in excess of \$300,000.00 across the GMA. This number is supported by farmer questionnaire data collected for the RCGMS in 2011-12. Costs of goose-related impacts range from no impact to tens of thousands of dollars spent or lost by individual farmers in crop damage and mitigation each year. A less measurable impact is the conflict which can arise between farmers and their urban neighbours when goose mitigation such as hazing, noise makers, or killing is used for crop protection. Much of the general public is not aware of the origins of the non-migratory resident Canada geese in the region, impacts geese have on crops, and the tools (e.g. damage permits) that farmers are allowed to mitigate goose damage.

Agricultural land is not the only land-use type in the region impacted by geese. Although no specific studies have quantified the damage potentially related to Canada geese, biologists and land managers have witnessed degradation of sensitive ecosystems. For example, the Goldstream estuary was assessed following an oil spill in early 2011. The biologist in charge stated that the area affected by resident Canada geese amounted to an area several hundred times larger than that impacted by the fuel (Ian Bruce, RPBio, Executive Director Peninsula Streams Society, pers. comm). In addition, the Warden of the Trial Islands Ecological Reserve stated that Trial Island has perhaps the highest concentration of plant species at risk compared to any similar sized location in Canada and the invasive [non-migratory resident] Canada geese pose the greatest risk to these rare plant communities (Matt Fairbairns, Warden, Trial Island Ecological Reserve, pers. comm). In most instances where biological degradation such as this has occurred, biodiversity also suffers. This has already been documented in estuaries north of the GMA in Parksville-Qualicum (Dawe et al. 2011).

The Victoria International Airport has a continuous and aggressive bird management program to reduce hazards to aviation at the airport. The most recent goose strike event occurred in 2011 when a pair of geese hit (and were killed by) an Air Canada Express CRJ on its final approach over Pat Bay. For reasons unknown, a flock of geese lifted from the water and entered the flight path of the aircraft (Captain Scott Snow, Wildlife Control Officer, Victoria International Airport, pers. comm.). An additional 369 Canada geese were encountered throughout 2011 and hazed away from the airport to prevent such accidents. Geese are the third most encountered species at the airport behind gulls and starlings (Victoria Airport Authority 2011).

Goose conflicts related to park use and management have been growing since approximately 1990 (McKelvey no date, CRD Regional Parks no date). Documented conflicts include:

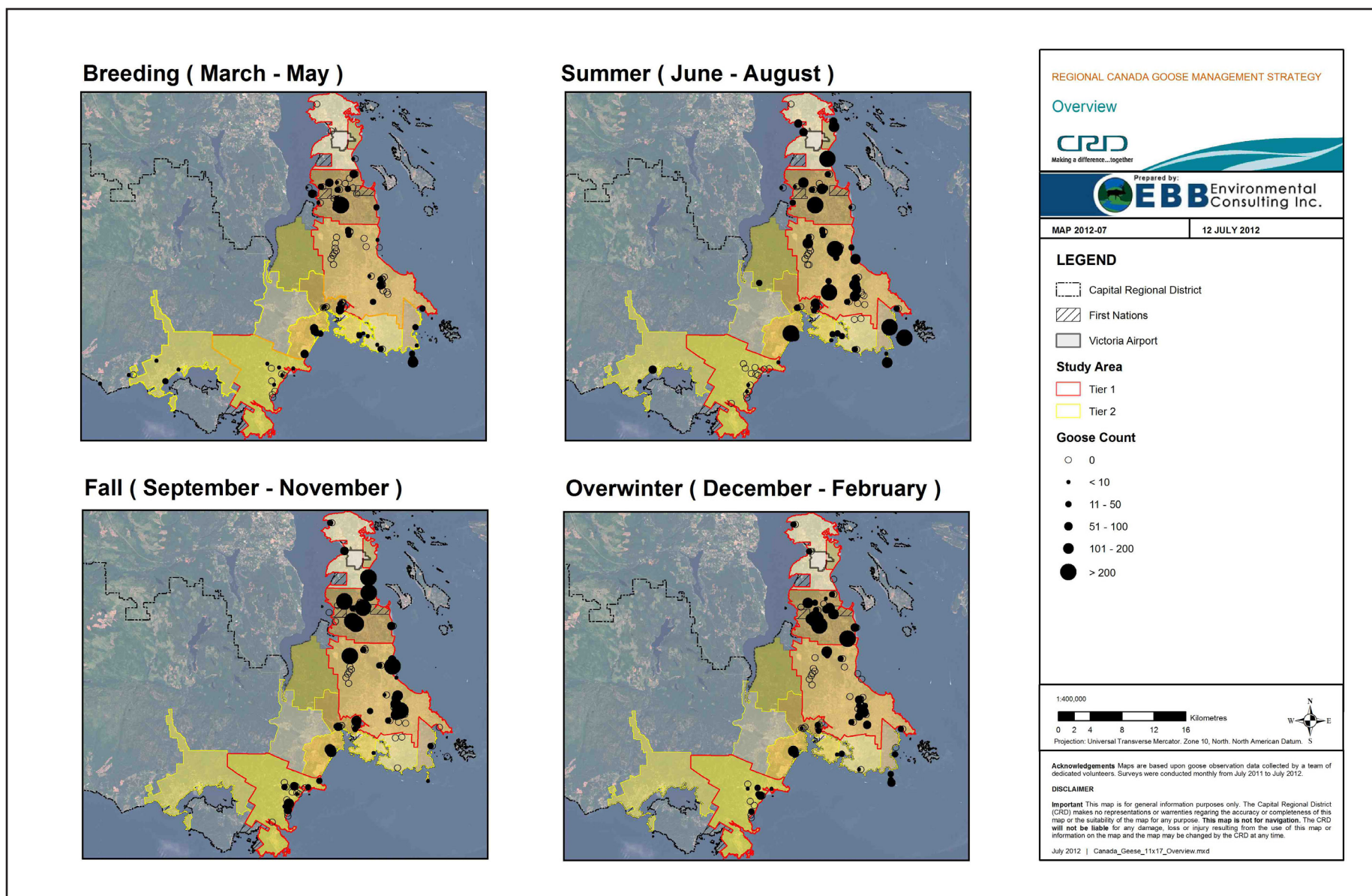
- territorial geese actively protecting their nest sites and young broods,
- families of geese crossing streets within parks creating traffic hazards,
- geese aggressively begging for food,
- high density of fecal matter on beaches and grass, and
- concerns over fecal coliform originating from goose feces entering swimming water (McKelvey no date, CRD Regional Parks no date).

Geese move seasonally throughout the region and use habitats differently throughout the year (Fig. 3). Consequently, conflicts related to high goose use of specific habitats vary seasonally as well. Figure 4 shows the distribution of the number of geese/hectare on key habitats in the capital region throughout the year. These data were collected by volunteers during 2011-2012. Key elements of Figure 4 include:

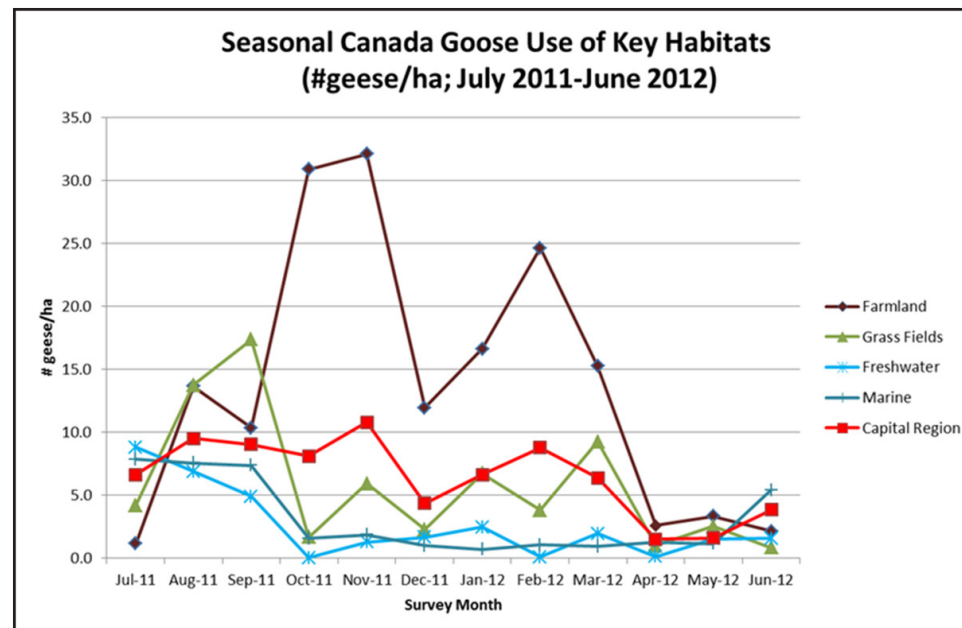
- the high use of agricultural land relative to the other habitats for most of the year;
- within agricultural habitat use, seasonally flooded farmland has the highest concentration of use (Fig. 4b)
- the increase in use of non-agricultural grass fields (e.g., playing fields and schools) and freshwater (e.g., ponds and lakes) in the summer when geese are moulting;
- that nesting geese (i.e. during April-May) are less visible on the landscape as they seek protected areas to nest and hatch young.

A more detailed explanation of the goose surveys results is provided in the Technical Report along with supporting maps (Appendix A).

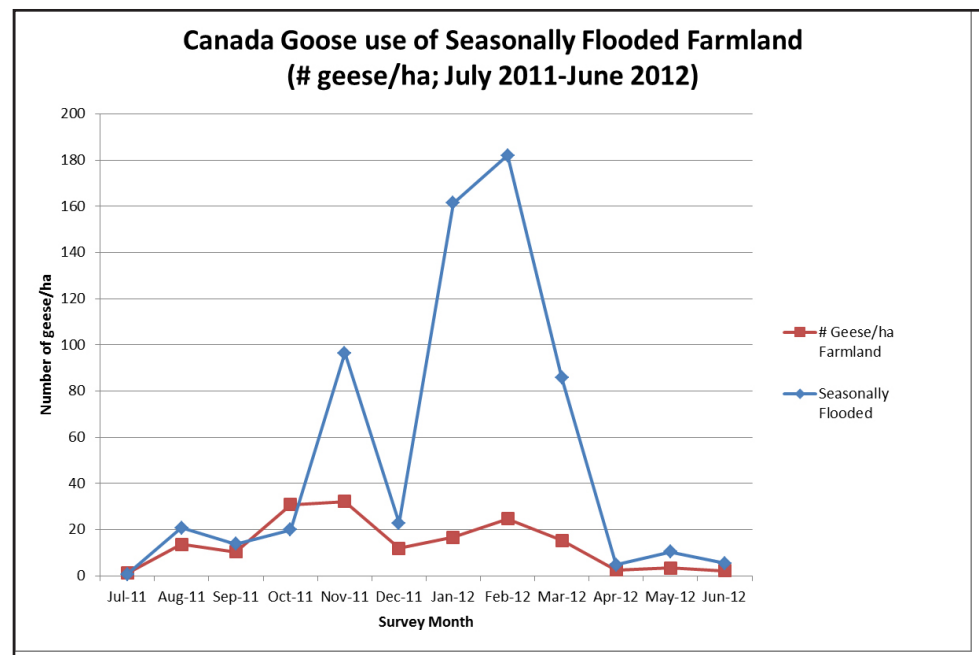
**Figure 3.** Seasonal abundance and distribution of Canada geese in the GMA



**Figure 4a.** Seasonal habitat use by geese expressed in number of geese/hectare for key habitats in the capital region (July 2011-June 2012; grass fields refer to non-agricultural fields such as schools and parks).



**Figure 4b.** Canada goose use of farmland and within farmland, the use of seasonally flooded fields (July 2011-June 2012)



## 3 RCGMS Targets

### 3.1 OVERALL GOAL

The overall long-term goal of the RCGMS is to humanely reduce impacts from the non-migratory resident Canada goose population in the capital region to a level that prevents conflict between geese and human activities. By doing so, health and safety concerns related to geese will diminish and the ability of farmers and other land managers to conduct their works will improve. Additionally, goose-related degradation of natural habitats will be alleviated.

### 3.2 IF GEESE ARE NOT MANAGED

#### 3.2.1 Goose Population Growth

Non-migratory resident Canada geese in the capital region do not experience limiting factors similar to natural populations (e.g., hunting pressure, limits to food availability). Consequently, the growth rate is inflated compared to natural populations. Data on gosling recruitment (i.e., the number of geese that survive from hatching to enter into the population), mortality, and immigration are currently insufficient to estimate growth rate based on population parameters; however, some studies have estimated the growth rate based on annual counts. The rate estimates vary, but all studies indicate an increasing trend in the region. Christmas Bird Count data shown in Figure 2 indicate an annual growth rate of 10-11% (see Technical report for further detail on population growth in the GMA).

Using dynamic population modelling, Figure 5 depicts the projected responses of the regional goose population to management strategy simulations. Modeling revealed that the current population of about 5,000 non-migratory resident Canada geese will likely increase if no new action is taken. Growth is flattened at different rates when population controls such as egg addling and lethal removal are applied. The population can be stabilized with a combination of egg addling and removal of about 100 adults each year (Fig. 5b). These actions must be maintained or the population will quickly resume growth. This concept was tested in a model that assumed 200 adults were removed each year, but only for two years. The population resumed growing at approximately the same rate as if the adults had not been removed (Fig. 5b).

Figure 5 also depicts that after an estimated 15 years of egg addling and annual removal of 100 geese, the total population begins to decline. However, many other actions can be taken, that when combined, may reduce population impacts. Additional management measures such as widespread habitat modification, adjusted hunting regulations, hazing by land owners, and use of agricultural damage permits may assist with alleviating impacts. The results of these control measures are not easily modelled; however, these activities are reviewed and recommendations made in following sections of the RCGMS.

In reality, the region cannot likely host the 60,000 geese projected in the “status quo” scenario of Figure 5; however, the models demonstrate the resiliency of geese and the effectiveness strategic management can have on the population.



**Figure 5a.** Population modelling projecting the response of the goose population to four different management simulations 1) status quo, 2) addition of egg addling--depressing population output by 50%, 3) addling and lethal removal of 100 geese each year and 4) addling and lethal removal of 200 geese in each of the first two years of management only.

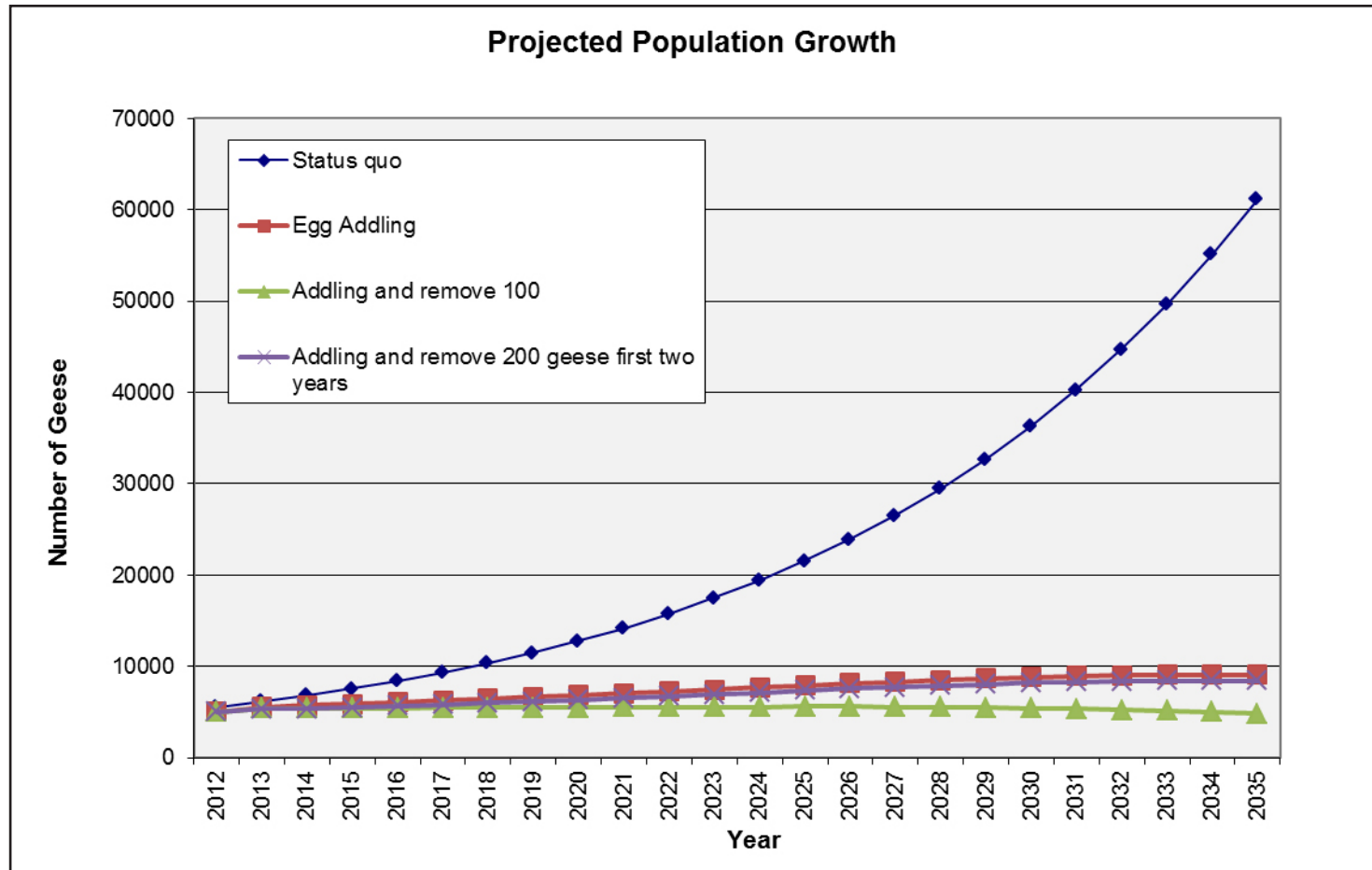
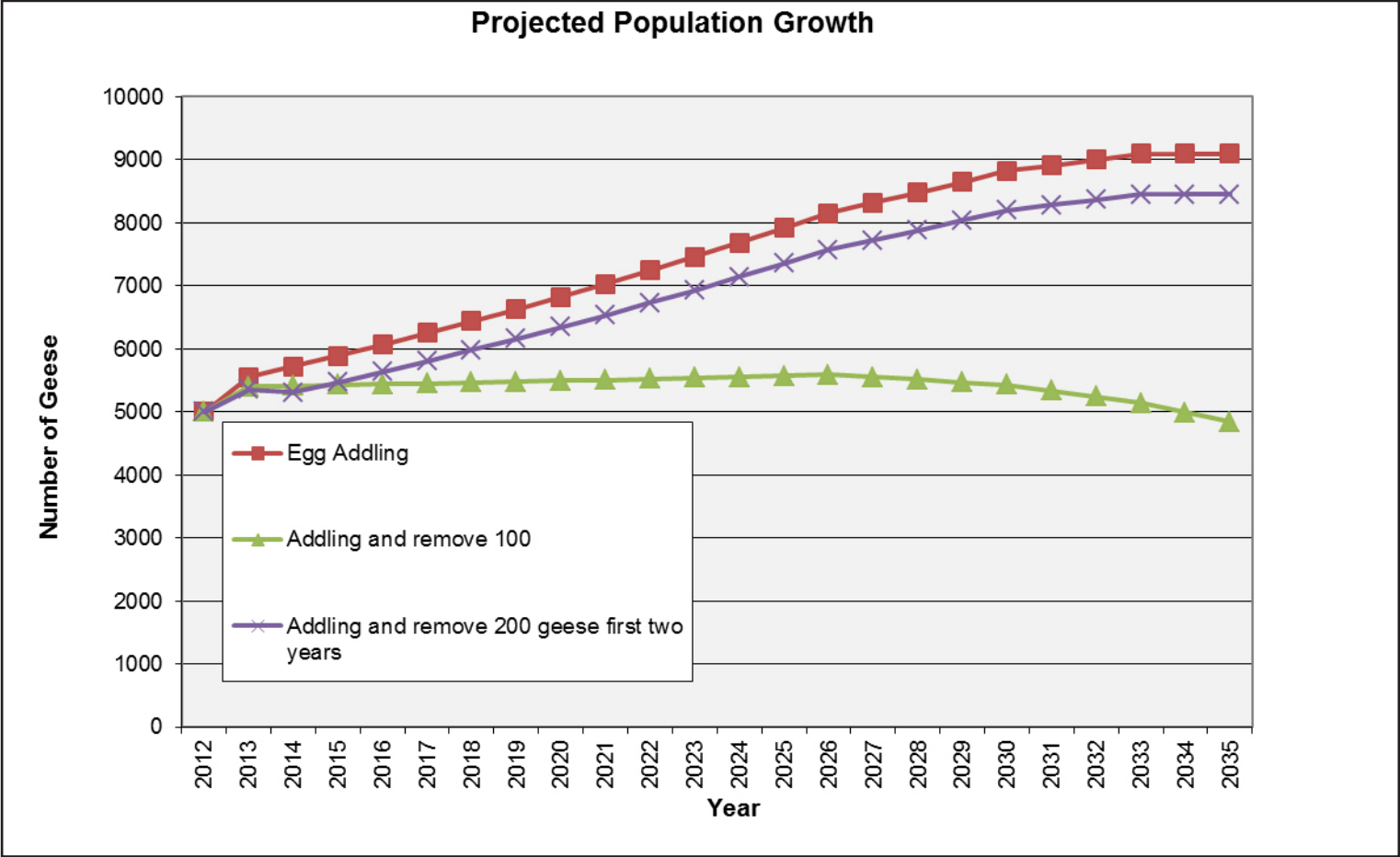




Figure 5b. Closer examination of the three management simulations



### 3.2.2 Humane Treatment of Geese

Humane treatment of non-migratory Canada geese is a critical consideration in goose management. As the goose population grows, more land managers will be required to mitigate goose impacts, or mitigate more intensely. Consequently, the overall conditions for geese will deteriorate. This particularly applies to hazing practices where geese are scared off properties using a variety of techniques. Hazing is a humane technique, provided geese have options to land elsewhere. However, as goose density in the capital region increases, alternative options for geese will diminish. Eventually, geese may be bounced from property to property with limited loafing and foraging sites. This becomes an inhumane approach to goose management which could result in a slow die-off of weaker segments of the population, or distribute geese more broadly on the landscape and not an approach condoned by the RCGMS. Here, the RCGMS needs to carefully consider 1) what is an acceptable non-migratory resident Canada goose population level, 2) what humane management practices are appropriate to achieve that level, and 3) how should the population be sustainably managed to alleviate conflicts between people and geese.

### 3.3 IDENTIFICATION OF AN ACCEPTABLE POPULATION LEVEL

A key component of developing a regional strategy is identifying the level of Canada geese that is acceptable in the region. This can be expressed as an absolute population number, and/or as a level of effort (likely expressed in dollars) that is acceptable to mitigate goose impacts. Once this line is established, the goose population should be managed to stay below this level. If left unmanaged, the population will increase until it saturates the habitat in the capital region.

Through the data collected in 2011-12 we were able to pair goose population data with mitigation activities reported by farmers and records of geese impacting CRD Regional Park operations. Referring again to Figure 2, the red circle indicates approximately when geese started impacting farming practices and park operations in the region. The population level at the red circle is between 500-1000 geese, and represents a level at which impacts from geese required minimal management. Consequently, the goal for the RCGMS is to reduce impacts from geese to a manageable level such as before the 1990's. This will be done through a combination of techniques described in the report, to be reviewed in an adaptive management framework as the effectiveness of the management strategy is evaluated.

## 4 Management Tools

### 4.1 MITIGATION TECHNIQUES

No single management tool will provide the solution for reducing Canada goose conflict. A management program must utilize a range of techniques that are seasonally timed to humanely and effectively control the goose population and its impacts. It is the responsibility of the RCGMS to recommend which mitigation techniques are appropriate for the capital region and the methods of implementation. In general, to manage the goose population and reduce conflict between people and geese the RCGMS committee members and their respective jurisdictions need to be aware of mitigation techniques allowable under the Migratory Birds Regulations. The recently published Handbook, *Canada and Cackling Geese: Management in Southern Canada* outlines all techniques allowable in Canada (Environment Canada 2010; provided as Appendix B). Techniques appropriate for the capital region are outlined in the following sections.

#### 4.1.1 Mitigation Techniques Appropriate for the Capital Region

##### A. Habitat Modification

Preventing geese from using an area is the most pro-active and benign way to reduce conflict. In some circumstances this can be done by modifying habitat so it is not attractive or suitable for geese. In urban and rural environments trees, hedges, or other barriers can be installed to prevent easy access to water from land. Seed mixes of grass that are less palatable to geese should be considered when installing lawns, and mowing regimes can be changed to encourage longer, coarse grasses that are less favoured by geese. On agricultural land, farming practices such as laser levelling fields to prevent ponding, harvest rotation and leaving crop residue may lure geese away from cash crops.

**Action:** Suggestions for habitat enhancement for developers and commercial land owners such as golf courses and educational institutions should be prepared and included as part of the communications plan (Section 4.2).

**Action:** Parks within the region that are impacted by geese should look to see if there are options to create less goose-friendly landscapes. This may be a seasonal exercise that targets critical times such as when geese moult (approximately June-July) and flightless geese seek areas with safe and easy access to water and grass.

**Action:** Provide education to seed suppliers on less goose-friendly seed mixes and maintenance tips to make lawns less appealing to geese. Suppliers are then able to inform clients of this information.

**Action:** Share new and innovative farming practices that reduce goose impacts at key times.

##### B. Water Management

Water management is a specific and crucial element of habitat modification. Open water sources, particularly fresh water adjacent to lawns or fields are attractants to geese. Water management addresses the locations and characteristics of water features (e.g., irrigation ponds). Water features must be rimmed with appropriate vegetation preventing easy access between lawn and water, increasing predation risk, and reducing forage potential. Additional mitigation techniques include recommended design practices for water feature and retention pond construction.

**Action:** Work with the government and other agencies to determine feasibility of assisting farmers with ponds to reduce attractiveness to geese. In addition, work with municipalities to develop Best Management Practices (BMPs) for installing water features and water management guidelines. BMPs would be relevant to any water feature (e.g., irrigation ponds, storm drain overflow, parks pond).

### C. Hazing/Scaring

Hazing is an effective means of temporarily scaring geese away from a conflict area and can be useful in parks during peak summer public use, golf courses, and agricultural fields. The key to hazing is to prevent a routine to which geese become habituated and hazing no longer works. An unintended consequence of hazing geese can be the shift of geese from one location to another, thus diffusing and spreading the problem, instead of alleviating the problem.

**Action:** In the first year of the program, a pilot coordinated hazing program should be conducted within a defined area to determine what are the levels of effort, best combination of techniques, the potential for taking advantage of economies of scale, and the ability to prevent “ping-ponging” of geese back and forth between habitats and still achieve results desired by the management committee. This will provide a real estimate of effort and cost for an on-going effective hazing program. Training should be provided to farmers and land managers to help develop the most effective hazing protocols specific to their lands.

### D. Temporary Relocation

Currently, with the large and widely distributed non-migratory resident Canada goose population, relocation is not feasible. However, as the goose population declines, relocation may be a reasonable future option to manage small conflict pockets of geese. Relocation guidelines are provided in *Best Practices for Capturing, Transporting, and Caring for Relocated Canada Geese* (Environment Canada 2011).

**Action:** Relocation is not recommended, but is a management tool that the RCGMS remains aware of.

### E. Population Control

Reduction of Canada goose numbers must occur in the capital region to achieve a balance between geese and people. Increasing egg addling, hunting within regulated seasons, and farmers taking advantage of damage permits for crop protection will slow goose population growth. However, a significant portion of all land in the GMA is closed to hunting. As such, the burden of population control occurs on a relatively small land base and is conducted by a relatively small number of people (i.e. hunters and farmers). This inherently limits the potential impacts of some Actions.

**Action: Egg addling** The most likely route towards reducing the population will be addling. Addling is a technique that renders the embryo in an egg non-viable (e.g., through coating the egg with corn oil to prevent gas exchange across the shell membrane). Egg addling is a relatively simple and humane tool for controlling the reproductive output of Canada geese. To be effective, crews must be trained to systematically access nesting areas and addle eggs in such a way that geese will not attempt to immediately re-nest. In addition, crews must be thorough, ensuring all nests in a targeted area are included. Egg addling should occur in April and must be done under federal permit. The RCGMS proposes to target a key area and conduct a pilot egg addling project to determine the level of effort and success. In doing so, the goose management committee will receive a real idea of effort and costs to run a program at a regional scale.

Egg addling is often within public viewing and crew members must be able to sensitively address questions and refer the public to the project manager and other educational resources for additional information.

In addition to the actual addling, the pilot addling program should include provision of an egg addling protocol manual, mapped nest locations using GPS technology and maintaining records of nest sites and addling activities. The addling protocol should be available at the onset of the program to be used as a resource to answer public inquiries specific to the capital region egg addling process.

Field methodology should be consistent with the *Handbook, Canada and Cackling Geese: Management in Southern Canada* (Environment Canada 2010) and the recently revised *Humane Society of the United States Canada Goose Egg Addling Protocol* (2009). The incorporation of Humane Society methods ensures that the addling program is sensitive to public concerns while still remaining thorough. This is an important tie to the public information program.

**Action: Hunting** utilizing the existing hunting framework to help control population growth is administratively efficient and can be implemented almost immediately. Bag and possession limits have been increased for the 2012-2014 seasons, in addition to implementing four staggered Canada goose seasons (see <http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/>). As part of the communications program and permitting information package, landowners should be made aware of the BC Wildlife Federation Outdoor Passport Program, which assists hunters and landowners with access and control issues related to hunting on private land (see [www.bcwf.bc.ca](http://www.bcwf.bc.ca) and click on programs). The RCGMS should also assist hunters and farmers with coordinating hunting efforts for the purpose of goose control. Accordingly, Aboriginal members should be encouraged to participate in Canada goose hunting on lands impacted by geese. As part of the coordinated effort, the RCGMS should assist farmers and hunters to identify problem pockets of non-migratory resident Canada geese. This will achieve two purposes 1) hunters will assist farmers with maximum removal of problem birds and 2) migratory sub-species of Canada geese that are not typically problematic will not be targeted in the hunts.

**Action:** Evaluate firearms discharge bylaws within the GMA boundaries to ensure the practicality of hunting as a management tool. The RCGMS should work with municipalities within the GMA and management agencies to develop a system where firearms discharge bylaws and associated permits are streamlined across the GMA. This could be part of a program similar to the Fraser Valley Special Area Hunting License system used for waterfowl hunting on the Lower Mainland (see <http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/fvsah.html>).

**Action:** Request municipalities define areas where hunting is allowed. In conjunction with the review of firearm discharge bylaws, the RCGMS should work with municipalities within the GMA and management agencies to maximize areas open to hunting, and to clearly identify areas that could support at least limited openings for goose hunting during regular goose seasons.

**Action:** Facilitate damage permits for agricultural damage

The CWS may issue damage permits to farmers/farm managers to protect crops from damage caused by Canada geese. The two types of damage permits are:

- 1) Kill-to-support-scaring: issued to farmers when the intent of the mitigation technique is not to reduce the goose population, but to protect crops through changing goose behaviour. Generally, the conditions of these permits allow two geese per day (maximum) to be killed. The carcasses are left in the field to act as deterrents for other geese. In doing so, geese learn the consequences of grazing in fields where scaring techniques are used.
- 2) Kill-to-remove permit: issued only if the land manager/farmer is able to demonstrate all other management practices have not been successful. The applicant is required to provide a management plan for the property(ies). The goal of this permit is allow the farmer to reduce the number of geese on the agricultural land being damaged by geese.

The use of blinds, decoys, baiting or calls is not permitted with any damage permit as per Section 27 (2) of the Migratory Birds Regulations that states “No person while acting under the authority of a permit issued under section 25 or 26 shall use decoys, duck or goose calls or blinds or other concealment”. The intent of this regulation is to avoid conflicts of interest by land owners claiming damage in order to extend hunting seasons.

The RCGMS should be available to assist with the documents required for the permit (e.g. a management plan). In addition, a RCGMS member should be available to answer questions, assist with the application, or at minimum, provide direction to the communications package that addresses permitting requirements (see Policy Review and Streamlining).

**Action:** Review federal damage permit conditions

For farmers in the GMA, the permit conditions lead to frustration from the inability to maximize the number of geese killed under permit (e.g., restrictions on the most efficient methods to kill geese outside of regular hunting season). In other circumstances, when the maximum number of geese killed under permit

has been achieved, farmers are frustrated by the length of time it takes to renew permits. A final frustration for farmers is the condition that they must provide proof that all other management practices have been attempted with no success. Communications with CWS regarding permit conditions should be initiated. In addition, coordination of effort between farmers should be facilitated by the RCGMS to improve the potential to maximize goose kill success with damage permits.

**Action:** Examine the need and feasibility of a regionally implemented, managed goose kill

Several management tools are identified in this strategy to reduce impacts and control the population of non-migratory resident Canada geese. If these tools are used to their maximum ability, optimal results (e.g. reduction/prevention of goose impacts) may be achieved without having to engage in goose population reduction through a managed kill.

Under the current framework, federal kill-to-remove permits can only be considered if the land manager is able to demonstrate all other management practices have not been successful. In addition, the permits only apply to agricultural lands. As such, the burden of reducing impacts of geese throughout the GMA through population reduction lies with farmers and hunters (accessing farmland). Several areas in the GMA which produce geese (i.e. nesting sites) and provide forage for geese are outside of agricultural lands and are permanently excluded from hunting (e.g. public parks and golf courses). The RCGMS must address the potential imbalance of management activities so that no one sector or jurisdiction shoulders management in terms of supplying resources and monitoring results.

A managed kill would reduce the non-migratory resident Canada goose population, decreasing its size and breeding potential across the GMA. The non-migratory resident goose population should be monitored (see Section 6.2.2) to determine how the population responds to management tools and if the feasibility of a managed kill should be discussed with CWS.

#### F. Policy Review and Streamlining

A barrier to Canada goose management in the capital region, particularly to individual land managers and farmers, is the inconsistency in by-laws and policies across the region. This is further complicated by the several permits that are often required from different regulatory agencies for different management techniques.

**Action:** Review of relevant municipal policies, best practices guidelines and by-laws across the region. These may pertain to feeding wildlife, discharge of firearms, noise, water management, vegetation management and development guidelines. Municipalities would need to be responsible for ensuring streamlining occurred across the region.

**Action:** Develop a regional communication piece or package that outlines the permits, authorizing agency, application process, timelines, costs, and provides a single point of contact so a landowner/manager can easily conduct appropriate goose management on his/her property. As part of, or in addition to this package, a fact sheet should be designed for farmers to provide to citizens. The fact sheet would explain the rationale for goose mitigation and the tools that are available. In addition it could provide citizens with a point of contact, other than the farmer, to further discuss the issue. This should be developed as part of the larger communications program (Section 4.2).

## 4.2 MANAGEMENT SCENARIOS

The population modelling provided in Section 3.3 indicates long-term implementation will be required to achieve management goals. Examples of management timelines are provided below:

### Management Scenario 1:

Timeline: 15-25 years

Goal: Stabilizing the population with eventual plateau (approximately 9,000-10,000 geese) and then a decline if management activities are maintained

Key Management Actions: Slowing population growth through annual coordinated regional egg addling; mitigation such as coordinated hazing and habitat modification to reduce impacts of geese in the GMA.

### Management Scenario 2:

Timeline: 5-15 years

Goal: Flattening population growth, and a gradual population reduction (3000-4000 geese) with continued decline if activities are maintained

Key Management Actions: Assisting farmers with maximizing population control through damage permits; maximizing areas open to hunting; streamlining by-laws and permits across municipalities (e.g. firearm by-laws); annual regional egg addling; coordinated hazing; habitat modification.

### Management Scenario 3:

Timeline: 3-5 years

Goal: Significant population reduction; remaining population growth rate controlled

Key Management Activities: Assisting farmers with maximizing population control through damage permits; maximizing areas open to hunting; streamlining by-laws and permits across municipalities (e.g. firearm by-laws); implementing a managed kill program; annual regional egg addling; coordinated hazing; habitat modification.

The goose population of 1985 (ca. 1000 geese) was the threshold above which serious impacts from geese occurred. This may be the population level that can be managed in the region and as such, should be the population target. Under the current federal regulatory framework, population reduction through a managed kill (Management Scenario 3) is not permitted and would be illegal. However, upon reviewing the effectiveness of all other management techniques used in the GMA, the RCGMS should engage CWS in discussions regarding the feasibility of a managed kill (if considered necessary). These discussions would initially focus on lethal removal to mitigate agricultural impacts, and eventually include mitigation of all adverse impacts in the GMA. Only if a managed kill is approved would Scenario 3 become a viable option.



## 4.3 COMMUNICATION PROGRAM

### 4.3.1 Objectives

A critical part of urban wildlife management is an effective communications plan. It is the responsibility of the RCGMS to educate the public on the origins of non-migratory resident Canada geese in the region and the associated impacts.

Management of any species, particularly one that is visible, beautiful and named for the country, may be received by the public at an emotional level rather than one that regards concerns for health and safety or economic losses. The RCGMS must develop a communications plan that delivers consistent messages regarding goose management and fosters a culture that supports a well-planned strategy. Messages provided to the public must address the misconceptions associated with the capital region goose population, identify the problems associated with non-migratory resident geese and outline the goals of the management strategy.

### 4.3.2 Communication Plan Characteristics

The communications plan should be

- 1) transparent, and clearly define the program's aim,
- 2) informative without being patronizing;
- 3) consistent across jurisdictions;
- 4) a point of contact for further information and resources; and
- 5) scientifically defensible--every message must have a supporting argument.

### 4.3.3 Target Audience

The subject of Canada goose management will likely attract interest from a diverse audience. At one end of the spectrum, citizens will ardently and vocally express opposition to any form of management. At the opposite end of the spectrum, citizens may be supportive of immediately removing/reducing the non-migratory resident Canada goose population, but not necessarily supportive of expending resources and time to research the goose population and associated impacts. Within the middle ground people likely to be interested in learning about the RCGMS will include:

- Park users;
- Naturalists;
- Golf course superintendents;
- Park managers;
- Land managers of institutions/grounds (e.g., CFB Esquimalt, Royal Roads);
- Airport Management Team;
- School districts (e.g., if geese are damaging and fouling school grounds);
- Agricultural producers;
- Wildlife rescue/support groups;
- Homeowners (particularly with large tracts of land, ponds, or waterfront);
- Marina managers;
- Any citizens who have aggressive or high numbers of geese on their property; and

- Wildlife and wildlife habitat biologists/managers.

Therefore, information should be directed at this audience, and be comprehensive enough that individuals can make informed opinions on goose management, and access further resources should they want to learn more or participate in goose management activities. The RCGMS will benefit from a transparent process with a well-developed communications plan that will more likely result in community support.

## 5 Moving Forward

### 5.1 STAKEHOLDERS

Stakeholder responsibilities will vary depending on the jurisdiction each stakeholder represents. Example stakeholders may expand to include:

- Associations (e.g., farming, marina, golf course, tourism, flying clubs),
- School Districts/Educational Institutions,
- Municipalities,
- CRD,
- First Nations,
- Victoria International Airport,
- Vancouver Island Health Authority, and
- Federal and provincial government agencies.
- Wildlife and Wildlife Habitat biologists/managers

Responsibilities will vary, but may include funding, administration, communications, by-law development, enforcement, relevant authorizations, and advisory roles.

Additional groups (e.g., Vancouver Island Health Authority, animal welfare, government agency veterinarians, and conservation groups) may be approached for discussion. The continuation of a RCGMS will ensure that management occurs across the capital region and geese are less likely to be bumped back and forth between jurisdictions. In practical terms this may mean some changes to municipal operations. Municipalities should be prepared to:

- write and enforce by-laws that prohibit the feeding of geese on municipal lands and allow hunting where possible;
- ease or streamline permitting restrictions to encourage landowners to take responsibility for managing geese on their own lands;
- reduce the attractiveness of public lands to geese by modifying habitats or employing deterrents;
- examine water management so that irrigation ponds or other open-water features are not goose attractants or provide refugia for geese; conversely identify areas where geese can seek refuge and not be harassed;
- consider geese when determining landscape decisions and development applications;
- support growers with mitigation policies so that the stigma associated with mitigation is removed from individual farmers and lies with the municipalities (i.e., farmers do not suffer a public backlash);
- provide a sophisticated public information program that may be delivered in parks, on signage, a website etc.

### 5.2 FUNDING

A funding structure should be developed (e.g., per capita representation from each of the stakeholder municipalities and a flat-fee for non-municipal stakeholders). Stakeholders should make goose management a regular line item in their respective budgets to ensure management is long-term and well planned.

## 6 RCGMS Implementation

### 6.1 ESTABLISH A MANAGEMENT COMMITTEE

Consistent with the fact that Canada goose management must be long term, a committee or working group (e.g., 5-6 members) must be established to guide the management strategy over the long term as well. This committee would ensure community needs are being met, the goals of the strategy are maintained (e.g., management through humane and scientifically founded measures) qualified staff or contractors implement technical facets of the program as required, budgets are developed and adhered to, and the program is reviewed. The committee will need to establish governance to ensure objectives are met and administrative functions are completed. Similar models for management committees have included representatives from each of the participating stakeholders and sharing the leadership responsibilities through an annually rotating chair that acts as a point of contact for media, consultants, and administrative duties.

### 6.2 SHAPE OF AN ANNUAL PROGRAM

#### 6.2.1 Mitigation Techniques

The implementation of techniques recommended in this document should be coordinated and a record of each technique should be maintained. Tracking the data will determine the effectiveness of individual mitigation techniques as well as contribute to evaluating the overall success of the regional program.

#### 6.2.2 Canada Goose Population Monitoring

On-going monitoring will allow assessment of the population response in terms of growth, abundance and distribution on the landscape. Population monitoring should occur at key times: 1) spring pairs/nest surveys, 2) post-nesting gosling surveys, and 3) utilize Christmas Bird Count data for mid-winter census.

The summer moulting season is an optimal time to mark geese with leg bands. Leg bands allow individuals or cohorts of geese to be identified at remote distances (~300 m) and are a strong tool for population monitoring. Banding data would provide more scientifically founded answers to specific population demographic questions.

#### 6.2.3 Evaluation

Evaluation must consider implementation costs and effectiveness of the program. Evaluation should weigh feedback from stakeholders, general public, ease of logistics/implementation, costs, levels of goose damage and impacts to the goose population.

#### 6.2.4 Administration and Reporting

Each year, permits will be required for regional goose management activities. Regulatory agencies that grant authorizations for goose management activities will require documentation on the results of activities. In addition, data collected during management activities must be compiled prior to evaluation. Reporting should be provided to stakeholders so they are clearly aware of the process and results that each year of management has accomplished. These results are essential to prove success of the strategies.

## 7 Acknowledgements

The goose population data collection during 2011-2012 was successful due to dedicated volunteers: A. Barnes, B. Beach, M. Bentley, P. Boyce, F. Boyce, B. Brown, T. Button, J. Carder, B. Dancer, M. Dickman, W. Drinnan, J. Finlay, K. Finlay, K. Forster, M. Haig-Brown, B. Hardy, N. Hockey, J. Hoole, J. Hunter, J. Kimm, M. Lambert, A. Lynn, C. Mackie, S. MacPherson, A. Marr, M. McGrenere, B. Mitchell, J. Moran, M. Motek, J. Motek, A. Nightingale, G. Norris, W. Pugh, M. Robichaud, A. Scarfe, R. Schortinghuis, M. Simmons, A. Stewart, T. Thomson, A. Tran, and N. Tutt.

Farmers and landowners generously allowed access to lands for exclosure studies (Michell Farms, Perry Bay Sheep Farms, Sluggett Farms, M. Doehnel), shared information on farming practices, and discussed past and present impacts of non-migratory resident Canada geese. We also acknowledge J. Hatter, and B. Maxwell for sharing their data on the history of geese and impacts to farming in the region.

The contribution of time, expertise, and data in this report is for technical purposes only and does not imply endorsement of this management plan.

## 8 References

- Alderisio, K.A. and N. DeLuca. 1999. Seasonal enumeration of fecal coliform bacteria from the feces of ring-billed gulls (*Larus delawarensis*) and Canada geese (*Branta canadensis*). *Applied and Environmental Microbiology* 65(12): 5268-5630.
- Banks, R.C., C. Cicero, J.L. Dunn, A.W. Kratter, P.C. Rasmussen, J.V. Remsen, J.D. Rising, and D.F. Stotz. 2004. Forty-fifth supplement to the American Ornithologists' Union check-list of North American birds. *The Auk* 121: 985-994.
- Bird Studies Canada. 2011. Available: <http://www.bsc-eoc.org/> (Accessed October 2011)
- Buckland, Nigel. 2010. Canada Goose Egg Addling in the Greater Victoria Water Supply Area and Sooke Hills Regional Park in 2011. CRD Integrated Water Services Department. Watershed Protection Division Report. Unpublished report.
- British Columbia Ministry of Forests, Lands and Natural Resources Operations. 2012. 2012-2014 Hunting and Trapping Regulations Synopsis. Available: <http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/> (Accessed June 2012).
- British Columbia Wildlife Federation. 2012. Outdoor Passport Program: Solutions for Private Land Management Access. Available: <http://www.bcwf.net/index.php> (Accessed June 2012).
- Campbell W.R., N.K. Dawe, I. McTaggart-Cowan, J. M. Cooper, G.W. Kaiser, and M.C.E. McNall. 1990. *The Birds of British Columbia Volume 1*. Royal British Columbia Museum, Victoria
- CRD Regional Parks. No date. *The Management of Canada Geese in CRD Regional Parks: A Problem Analysis*. Unpublished report.
- Dawe, N.K., W. S. Boyd, R. Buechert, and A.C. Stewart. 2011. Recent, significant changes to the native marsh vegetation of the Little Qualicum River estuary, British Columbia; a case of too many Canada Geese (*Branta canadensis*)? *British Columbia Birds* 21:11-31.
- Dawe, Neil K, and Andrew C. Stewart. 2010. The Canada Goose (*Branta canadensis*) on Vancouver Island, British Columbia. *British Columbia Birds* 20: 24-40.

- Dawe, Neil K, Terri D. Martin, and Karen Morrison. 1989. Vancouver Island Canada Goose Survey 1989. Unpublished report.
- Dawe, Neil K, Terri D. Martin, and Karen Morrison. 1994. Vancouver Island Canada Goose Survey 1991 and 1993. Unpublished report.
- Environment Canada. 2010. Handbook, Canada and Cackling Geese: Management in Southern Canada. Canadian Wildlife Service. Environment Canada.
- Environment Canada. 2011. Best Practices for Capturing, Transporting and Caring for Relocated Geese: Canada Goose Management. Canadian Wildlife Service. Environment Canada.
- Environment Canada. 2011. Best Practices for Killing Birds and Disposing of Carcasses: Canada Goose Management. Canadian Wildlife Service. Environment Canada.
- Humane Society of the United States. 2009. Canada Goose Egg Addling Protocol, the Humane Society of the United States Wild Neighbours program. Humane Society of the United States, Washington, USA.
- National Audubon Society. 2012. Christmas Bird Count Results Data and Research. Available: <http://birds.audubon.org/christmas-bird-count> (Accessed June 2012).
- McKelvey, Rick. No date. A Management Plan for Canada Geese in the Capital Regional District. Unpublished report.
- Meays, C.L., K. B. Broersma, R. Nordin, A. Mazumder, and M. Samadpour. 2006. Spatial and annual variability in concentrations and sources of *Escherichia coli* in multiple watersheds. *Environmental Science and Technology* 40:5289-5296.
- Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22). Current to June 27, 2012. Minister of Justice. Available at: <http://laws-lois.justice.gc.ca>.
- Migratory Birds Regulations (C.R.C. c. 1035). Current to June 1, 2012. Minister of Justice. Available at: <http://laws-lois.justice.gc.ca>.
- Patuxent Wildlife Research Center. 2011 North American Breeding Bird Survey Trend Analysis Form 1966 – 2009. Available: <http://www.mbr-pwrc.usgs.gov/bbs/trend/tf09.html>. (Accessed October 2011)
- Simmons, M. and A. Nightingale. 2011. The Canada goose on southern Vancouver Island--is it an alien and invasive species? *The Victoria Naturalist* Vol 67.6 (2011).
- Smith, D.W., G. White and G. Grigg. 2005. A Handbook for the Control of Problem Canada Geese, Revision 2005. Environment Canada Canadian Wildlife Service Pacific Wildlife Research Centre, Delta BC.
- Victoria Airport Authority. 2012. Annual strike summary report: Victoria International Airport. Unpublished report.
- Victoria Natural History Society. 2011. Christmas Bird Count Data: Victoria Circle. Unpublished data file.
- Zar, J.H. 1999. *Biostatistical Analysis*. 4th ed. Prentice Hall Inc. Upper Saddle River, New Jersey.

## APPENDICES

APPENDIX A: Regional Canada Goose Management Strategy - TECHNICAL REPORT

APPENDIX B: HANDBOOK - Canada and Cackling Geese: Management and Population Control in Southern Canada



**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, OCTOBER 12, 2022**

---

**SUBJECT**     **Bylaw No. 4522 – Regional Goose Management Service**

**ISSUE SUMMARY**

The Capital Regional District (CRD) Board requested the development of a regional Goose Management Service and a report outlining costs for such a service.

**BACKGROUND**

At the June 8, 2022 CRD Board meeting, staff were directed to bring back a report outlining costs for a Canada Goose Management Service. Staff provided an Initiative Business Case that included the costs for this service in the provisional budget. This report provides a draft establishing bylaw for consideration (Appendix A) and provides further details of the proposed cost-share for a goose management service (Appendix B).

**ALTERNATIVES**

*Alternative 1*

1. That Bylaw No. 4522, "Canada Goose Management Service Establishment Bylaw No. 1, 2022", be introduced and read a first, second and third time;
2. That participating area approval be obtained by regional alternative approval process; and
3. That Bylaw No. 4522 be forwarded to the Inspector of Municipalities for review of the elector approval method.

*Alternative 2*

That Bylaw No. 4522 be deferred pending further information from staff.

**IMPLICATIONS**

*Environmental & Climate Implications*

The current Vancouver Island Canada goose population ranges from 10,000 to 15,000, with an estimated 3,500-7,000 birds over-wintering in the capital region. Data from banded birds confirms that Canada geese are moving between regions on Vancouver Island. In the capital region, the Canada goose population had an annual growth rate of 16% from 1977-1997 (Christmas bird count), while survey data from 2017-2021 indicates the population is roughly doubling every 4.3 years.

The inconsistent and uncoordinated approach to managing goose populations across the region has resulted in moving geese and their associated impacts into new areas, continued expansion of nesting and over-wintering populations, and increasing ecological, economic and social impacts to agricultural and recreational lands, estuaries and wetlands. Stewardship groups report

significant and ongoing damage to native ecosystems on nearshore islands and to important estuaries, as a result of increasing goose populations, while the farming community reports significant and ongoing agricultural and economic impacts from geese.

#### *Service Delivery and Intergovernmental Implications*

A regional Canada Goose Management Service would provide coordinated management of Canada goose populations and would include:

- a) monitoring, mapping, reporting on Canada Goose populations and their impacts
- b) coordinating and establishing collaborative partnerships with municipalities, First Nations, large landowners, Peninsula and Area Agricultural Commission, other government agencies and stewardship groups to implement the CRD's Regional Canada Goose Management Strategy and manage Canada Goose populations in the region
- c) facilitating the development and implementation of a communications strategy and public education program to support the management of Canada Goose populations; and
- d) collaboration with other Vancouver Island regional districts, local governments and First Nations to reduce Canada Goose populations through the Vancouver Island Canada Goose Management Working Group.

#### *Financial Implications*

An Initiative Business Case outlining the proposed annual budget for a Regional Goose Management Service has been submitted as part of the provisional budget package.

Staff have proposed potential costs for this regional service be cost-shared based on population (50%) and converted assessment (50%) for the participating partners. The proposed cost apportionment for the participating partners for 2023 is presented in Appendix B.

#### *Legal Implications*

A regional district may operate any service it deems desirable, provided that on establishment of the service by way of service establishing bylaw, it received participating area approval. There are three options to obtain participating area approval for Bylaw No. 4522: regional alternative approval process; municipal consent on behalf with alternative approval process (AAP) in the electoral areas; and referendum/elector assent.

As a regional goose management service is only effective if all municipalities and electoral areas participate, a regional AAP is advised. This would put the responsibility of objecting to the service on the electors, who, if 10% were not in favour, could determine not to proceed. An alternative is the municipal consent process, which would permit any municipality or electoral area, by AAP, to effectively veto the creation of the service if they were not in favour of its establishment. Given an AAP is already required in the Electoral Areas, it is recommended a regional AAP be pursued.

### **CONCLUSION**

Increasing populations of Canada geese in the capital region are causing significant impacts to estuary habitats, ecological reserves, recreational fields, beaches and lakes, and agricultural crops, resulting in increasing pressure on local governments to take coordinated action. Staff

have prepared a service establishing bylaw to monitor goose populations and to coordinate partnerships between land use agencies under various jurisdictions, including First Nations, federal and provincial wildlife agencies, parks and recreation boards, local and regional governments, airport authorities, farmers and other owners of large properties to support effective management of Canada geese in the capital region.

**RECOMMENDATION**

1. That Bylaw No. 4522, “Canada Goose Management Service Establishment Bylaw No. 1, 2022”, be introduced and read a first, second, and third time;
2. That participating area approval be obtained by regional alternative approval process; and
3. That Bylaw No. 4522 be forwarded to the Inspector of Municipalities for review of the elector approval method.

Submitted by:	Peter Kickham, M.E.T. R.P.Bio. Acting Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENTS**

- Appendix A: Bylaw No. 4522, “Canada Goose Management Service Establishment Bylaw No. 1, 2022”
- Appendix B: Goose Management Service – Participant Apportionment

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4522**

\*\*\*\*\*

**A BYLAW TO ESTABLISH A SERVICE FOR THE PURPOSE OF  
CANADA GOOSE MANAGEMENT**

\*\*\*\*\*

**WHEREAS:**

- A. The Board of the Capital Regional District wishes to establish a regional Canada Goose monitoring and coordination service (the "Service") to address increasing populations of non-migratory, resident Canada geese populations, reduce their environmental impacts and to coordinate management of Canada geese with public authorities and groups across the capital region under s.263(1)(a) of the *Local Government Act*;
- B. Participating area approval is required and assent of the electors has been obtained by regional alternative approval process, pursuant to s. 342(4) of the *Local Government Act*; and,
- C. The approval of the Inspector of Municipalities has been obtained under s. 343(1)(a) of the *Local Government Act*.

**NOW THEREFORE** the Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

**Service**

- 1. The Service being established and to be operated is a service for the purpose of regional Canada Goose management and coordination, including, without limiting the foregoing:
  - a) monitoring, mapping, reporting on Canada Goose populations and their impacts;
  - b) coordinating and establishing collaborative partnerships with municipalities, First Nations, large landowners, Peninsula and Area Agricultural Commission, government agencies, and stewardship groups to implement the Regional Canada Goose Management Strategy and manage Canada Goose populations in the region;
  - c) facilitating the development and implementation of a communications strategy and public education program to support the management of Canada Goose populations; and
  - d) collaboration with other Vancouver Island regional districts, local governments and First Nations to reduce Canada Goose populations through the Vancouver Island Canada Goose Management Working Group.

**Boundaries**

- 2. The boundaries of the service area are coterminous with the boundaries of the Capital Regional District.

**Participating Areas**

3. All municipalities and electoral areas within the Capital Regional District are the participating areas for this service.

**Cost Recovery**

4. As provided in Section 378 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
  - (a) property value taxes imposed in accordance with Division 2 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, enterprises, gift, grant or otherwise.

**Cost Apportionment**

5.
  - (a) The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating areas, as follows:
    - i. Fifty (50) per cent of the costs shall be recovered on the basis of the population of the participating areas; and
    - ii. Fifty (50) per cent on the converted value of land and improvements in the participating areas.
  - (b) Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.

**Maximum Requisition**

6. In accordance with Section 339 (1)(e) of the Local Government Act, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
  - (a) Two hundred and fifty-one thousand nine hundred (\$251,900); or
  - (b) An amount equal to the amount that could be raised by a property value tax rate of \$0.0016 per ONE THOUSAND DOLLARS (\$1,000.00) that, when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

**Citation**

7. This Bylaw may be cited as the “Canada Goose Management Service Establishment Bylaw No. 1, 2022”.

READ A FIRST TIME THIS day of

READ A SECOND TIME THIS day of

READ A THIRD TIME THIS day of

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS day of

RECEIVED PARTICIPATING AREA  
APPROVAL UNDER SECTION 342(4)  
OF THE *LOCAL GOVERNMENT ACT* THIS day of

ADOPTED THIS day of

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS day of

## GOOSE MANAGEMENT SERVICE

## PARTICIPANT APPORTIONMENT

Service Participants	Basis of Apportionment		Percent of Total	Requisition (\$)
	50% Regional Planning Population (2021)	50% Converted Assessments (2022)		
<b>Municipalities</b>				
City of Colwood	19,693	676,387,481	4.09%	9,705
City of Victoria	94,890	4,562,581,324	23.16%	54,982
District of Central Saanich	18,522	821,112,902	4.34%	10,294
Township of Esquimalt	18,764	592,077,215	3.76%	8,916
City of Langford	47,313	1,807,943,089	10.31%	24,469
District of Saanich	124,639	4,885,131,652	27.48%	65,232
District of Oak Bay	18,930	1,171,428,027	5.31%	12,616
District of North Saanich	12,500	814,676,641	3.62%	8,590
District of Metchosin	5,186	203,434,625	1.14%	2,715
Town of Sidney	12,279	656,173,316	3.17%	7,530
Town of View Royal	12,034	443,000,748	2.58%	6,117
District of Highlands	2,582	120,325,439	0.62%	1,472
District of Sooke	15,539	517,468,098	3.18%	7,555
	402,871	17,271,740,557	92.76%	220,194
<b>Electoral Areas</b>				
Juan de Fuca	5,756	331,978,346	1.55%	3,683
Saltspring Island	12,276	647,554,560	3.15%	7,474
Southern Gulf Islands	5,261	490,465,703	1.92%	4,546
	23,293	1,469,998,609	6.62%	15,704
<b>First Nations</b>				
Tsawout	1,790	37,233,100	0.31%	729
Songhees	1,839	37,506,403	0.31%	744
	3,629	74,739,503	0.62%	1,474
<b>Total</b>	<b>429,793</b>	<b>18,816,478,669</b>	<b>100.00%</b>	<b>237,372</b>

*Prepared September 22, 2022. Data based on information used for 2022 Final Budget.*



**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, FEBRUARY 08, 2023**

---

**SUBJECT**     **AAP Results & Adoption for Bylaw 4515 – Solid Waste Disposal Loan Authorization**

**ISSUE SUMMARY**

To report back on the results of the Alternate Approval Process for Bylaw No. 4515 and advance the bylaw for adoption.

**BACKGROUND**

At its meeting held October 12, 2022, the CRD Board gave three readings to the following bylaw, attached as Appendix A:

- **Bylaw No. 4515**, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*” to authorize the borrowing of thirty six million dollars (\$36,000,000) for the purpose of acquiring, designing and constructing solid waste facilities and site improvements at the Hartland Landfill site, construction of remote transfer stations and all related ancillary works and equipment.

On December 14, 2022, the CRD Board established that elector assent be obtained by Alternative Approval Process (AAP) for the electors in the entire service area in accordance with section 345 of the *Local Government Act (LGA)*. The number of registered electors was determined to be 332,080 of which 10% is 33,208 electors [the number needed to voice opposition]. Notice was published on December 17<sup>th</sup> and December 22<sup>nd</sup> in the Times Colonist newspaper publications in accordance with section 345(2) of the *LGA*.

The CRD received 2 valid response forms indicating opposition to the adoption of the bylaw by the closing date of January 23, 2023. As the response rate was less than 10% of electors, elector approval was received for Bylaw No. 4515. In accordance with section 86(8) of the *LGA*, the Corporate Officer’s certification of results is attached as Appendix B.

For information on the proposed borrowing, please refer to the previous staff report dated October 12, 2022, attached as Appendix C.

**ALTERNATIVES**

*Alternative 1*

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received; and
2. That Bylaw No. 4515, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*” be adopted.

*Alternative 2*

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

**CONCLUSION**

On January 23, 2023, elector approval was obtained by an Alternative Approval Process for Bylaw No. 4515, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*”. The purpose of the bylaw is to borrow up to \$36,000,000 for the purpose of acquiring, designing and constructing solid waste facilities and site improvements at the Hartland Landfill site, construction of remote transfer stations and all related ancillary works and equipment. The debt servicing costs will be recovered through the tipping fees at Hartland Landfill site over a period of 15 years. The Bylaw is now ready for adoption, having received approval from the Inspector of Municipalities and the electors in the Capital Regional District.

**RECOMMENDATION**

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received; and
2. That Bylaw No. 4515, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*” be adopted.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
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. 4515

Appendix B: Certificate of Results for Bylaw No. 4515

Appendix C: Previous Staff Report (October 12, 2022)

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4515

\*\*\*\*\*

**A BYLAW TO AUTHORIZE THE BORROWING OF THIRTY SIX MILLION DOLLARS  
(\$36,000,000) FOR THE PURPOSE OF ACQUIRING, DESIGNING AND CONSTRUCTING  
SOLID WASTE FACILITIES AND SITE IMPROVEMENTS**

\*\*\*\*\*

**WHEREAS:**

- A. By Bylaw 1903, "Solid Waste Disposal Local Service Establishment Bylaw No. 1, 1991", the Regional Board continued a service for solid waste disposal;
- B. It is deemed desirable to provide solid waste management, waste reduction, recycling and waste disposal facilities hereunder described in accordance with the local service of Solid Waste Disposal;
- C. The works shall include landfill facilities, roads and improvements at the Hartland Landfill site, construction of remote transfer stations, water supply facilities, composting facilities, watershed management, and all related ancillary works and equipment deemed necessary by the Board for landfill and operations, including but not limited to those works in the Solid Waste Management Plan and its amendments;
- D. The estimated cost of the refuse disposal facilities and improvements including expenses incidental thereto to be funded from debt servicing, is the sum of Thirty Six Million (\$36,000,000) dollars, which is the amount of debt intended to be created by this bylaw;
- E. Pursuant to section 407 of the *Local Government Act*, participating area approval is required for this borrowing and shall be obtained by alternative approval process for the entire service area under section 345 of the *Local Government Act*.
- F. Financing is proposed to be undertaken by the Municipal Finance Authority of British Columbia pursuant to agreements between it and the Capital Regional District;

**NOW THEREFORE** the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the planning, study, public consultation, site selection, design, land and material acquisition, construction, supply and installation of all material, equipment and components and all construction necessary for the solid waste facilities and equipment therein before described and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) to borrow upon the credit of the Capital Regional District a sum not exceeding Thirty-Six Million Dollars (\$36,000,000); and

- b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the design and construction of the landfill facilities, roads and improvements at the Hartland Landfill facilities and all related ancillary works and equipment deemed necessary by the Board for landfill and operations, including but not limited to those work in the Solid Waste Management Plan and its amendments.
2. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is fifteen (15) years.
3. This Bylaw may be cited as "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022".

READ A FIRST TIME THIS 12<sup>th</sup> day of October, 2022

READ A SECOND TIME THIS 12<sup>th</sup> day of October, 2022

READ A THIRD TIME THIS 12<sup>th</sup> day of October, 2022

APPROVED BY THE INSPECTOR  
OF MUNICIPALITIES THIS 8<sup>th</sup> day of December, 2022

APPROVED BY ALTERNATIVE APPROVAL  
PROCESS PER S. 345 OF THE  
*LOCAL GOVERNMENT ACT* THIS 23<sup>rd</sup> day of January, 2023

ADOPTED THIS day of 202\_

---

CHAIR

---

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS <sup>th</sup> day of 20\_\_



Making a difference...together

**CORPORATE OFFICER'S CERTIFICATION**

I, the undersigned Corporate Officer, as the person assigned responsibility for corporate administration under section 236 of the *Local Government Act*, certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Capital Regional District **Bylaw No. 4515 "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022"** as follows:

332,080	Estimated number of eligible electors
33,208	10% of the number of eligible electors
2	Number of elector response forms submitted by the deadline
0	Number of elector response forms rejected
2	Number of elector response forms accepted

and in accordance with section 86 of the *Community Charter*, the approval of the electors was obtained.

Dated this 23<sup>rd</sup> day of January, 2023

A handwritten signature in black ink, appearing to read 'Kristen Morley', is written over a horizontal line.  
Kristen Morley, Corporate Officer

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, OCTOBER 12, 2022**

---

**SUBJECT**     **Bylaw No. 4515: Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022**

**ISSUE SUMMARY**

A Capital Regional District (CRD) Board resolution is required to approve Loan Authorization Bylaw No. 4515 for the purpose of financing specific projects in the Solid Waste Disposal Service five year (2023-2027) capital plan.

**BACKGROUND**

On September 21, 2022, the Board gave provisional approval of the CRD 2023 financial plan, inclusive of the Solid Waste Disposal Service five year (2023-2027) capital plan. As is the case each year following plan approval, staff prepare necessary loan authorization bylaws and security issuing bylaws. The Solid Waste Disposal Service capital plan includes planned infrastructure and improvements totalling \$75.6 million, which requires borrowing of \$36 million. These capital projects include a renewable natural gas plant construction, landfill cell liner renewal, and sendimentation pond relining and expansion.

By legislation, loan authorization bylaws expire after five years, and so are most commonly drafted to cover the five-year financial plan. The loan authorization bylaw sets out the purpose of the borrowing, the maximum amount to be borrowed and the maximum duration of the borrowing. Requests for funds to be drawn against the loan authorization bylaw will only be authorized upon Board approval of a subsequent security issuing bylaw. The security issuing bylaws are prepared twice annually and include only those borrowings for which there is a cash flow need as authorized by the approved financial plan.

As part of the loan authorization bylaw process, the bylaw requires Municipal Inspector approval and elector consent. The following bylaw is proposed:

Service Area	Action	Purpose	Bylaw
Environmental Resource Management	Loan Authorization Bylaw	To create a loan authorization bylaw to permit long-term borrowing related to the capital plan for this service.	4515

**ALTERNATIVES**

*Alternative 1*

1. That Bylaw No. 4515, "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022", be introduced and read a first, second and third time; and
2. That Bylaw No. 4515 be referred to the Inspector of Municipalities for approval, and if received, that staff conduct an alternative approval process for the entire service area, as per section 345 of the *Local Government Act*, and, if successful, that Bylaw 4515 then be brought forward for adoption.

*Alternative 2*

That the proposed bylaw be referred back to staff for further information.

**IMPLICATIONS**

*Financial & Legislative Implications*

Section 24 of the *Municipal Finance Authority Act*, RSBC 1996 c 325 states that a regional district security issuing bylaw may only be enacted and financed if the long-term borrowing is arranged through the Municipal Finance Authority of British Columbia (MFABC). The loan authorization required is \$36 million and will support the planned five year capital plan expenditures commencing in January 2023. The estimated debt servicing costs for the borrowing are included in the 2023 CRD provisional financial plan. Based on MFABC's current indicative interest rate, the estimated annual debt servicing cost of approximately \$1.3 million over an amortization term of 15 years will total approximately \$19.6 million. The debt servicing costs within the plan are funded by tipping fees. Actual borrowings in each of the next five years will be based on the cash flow requirements for the year.

Long-term borrowing (i.e. loans with a term of more than five years) cannot be undertaken without the loan authorization bylaw being approved and, subsequently and separately, a security issuing bylaw being approved, in accordance with the *Local Government Act*.

As part of the loan authorization bylaw approval process the bylaw requires elector approval. Elector approval can be obtained through consent on behalf of municipal participants and electoral participating areas (by sub-regional AAP), a referendum, or by a regional alternative approval process (AAP) for the entire service area. A regional AAP is initiated when the loan authorization bylaw has received third reading by the Board and approval by the Inspector of Municipalities and is the preferred method administratively in this instance.

To ensure optimization of interest and timing of long term debt, issuance of a temporary borrowing will be proposed if Ministerial approval is obtained and the AAP proves successful. The timing of the debt issuance will be based on the timing of expenditures and will be dependent on prevailing interest rates at the time. Before long term debt issuance can be exercised, a security issuing bylaw will be brought forward for approval. The term of debt issuance under the loan authorization will be 15 years.

**CONCLUSION**

The CRD 2023 provisional financial plan sets out the capital expenditure of each service, including planned borrowings. Borrowing for the Solid Waste Disposal Service was identified as \$36 million for planned infrastructure and improvements. Bylaw No. 4515, "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022", is presented now in preparation for future borrowing to enable the identified projects within the Service's five year (2023-2027) capital plan.



**RECOMMENDATION**

1. That Bylaw No. 4515, “Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022”, be introduced and read a first, second and third time; and
2. That Bylaw No. 4515 be referred to the Inspector of Municipalities for approval, and if received, that staff conduct an alternative approval process for the entire service area, as per section 345 of the *Local Government Act*, and, if successful, that Bylaw 4515 then be brought forward for adoption.

Submitted by:	Rianna Lachance, BCom, CPA, CA, Senior Manager, Financial Services
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: Bylaw No. 4515, Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022

## CAPITAL REGIONAL DISTRICT

## BYLAW NO. 4515

\*\*\*\*\*

**A BYLAW TO AUTHORIZE THE BORROWING OF THIRTY SIX MILLION DOLLARS  
(\$36,000,000) FOR THE PURPOSE OF ACQUIRING, DESIGNING AND CONSTRUCTING  
SOLID WASTE FACILITIES AND SITE IMPROVEMENTS**

\*\*\*\*\*

**WHEREAS:**

- A. By Bylaw 1903, "Solid Waste Disposal Local Service Establishment Bylaw No. 1, 1991", the Regional Board continued a service for solid waste disposal;
- B. It is deemed desirable to provide solid waste management, waste reduction, recycling and waste disposal facilities hereunder described in accordance with the local service of Solid Waste Disposal;
- C. The works shall include landfill facilities, roads and improvements at the Hartland Landfill site, construction of remote transfer stations, water supply facilities, composting facilities, watershed management, and all related ancillary works and equipment deemed necessary by the Board for landfill and operations, including but not limited to those works in the Solid Waste Management Plan and its amendments;
- D. The estimated cost of the refuse disposal facilities and improvements including expenses incidental thereto to be funded from debt servicing, is the sum of Thirty Six Million (\$36,000,000) dollars, which is the amount of debt intended to be created by this bylaw;
- E. Pursuant to section 407 of the *Local Government Act*, participating area approval is required for this borrowing and shall be obtained by alternative approval process for the entire service area under section 345 of the *Local Government Act*.
- F. Financing is proposed to be undertaken by the Municipal Finance Authority of British Columbia pursuant to agreements between it and the Capital Regional District;

**NOW THEREFORE** the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the planning, study, public consultation, site selection, design, land and material acquisition, construction, supply and installation of all material, equipment and components and all construction necessary for the solid waste facilities and equipment therein before described and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) to borrow upon the credit of the Capital Regional District a sum not exceeding Thirty-Six Million Dollars (\$36,000,000); and

- b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the design and construction of the landfill facilities, roads and improvements at the Hartland Landfill facilities and all related ancillary works and equipment deemed necessary by the Board for landfill and operations, including but not limited to those work in the Solid Waste Management Plan and its amendments.
2. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is fifteen (15) years.
3. This Bylaw may be cited as "Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022".

READ A FIRST TIME THIS	th	day of	202__
READ A SECOND TIME THIS	th	day of	202__
READ A THIRD TIME THIS	th	day of	202__
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	th	day of	202__
APPROVED BY ALTERNATIVE APPROVAL PROCESS PER S. 345 OF THE <i>LOCAL GOVERNMENT ACT</i> THIS	th	day of	202__
ADOPTED THIS	th	day of	202__

---

 CHAIR

---

 CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS      th      day of      20\_\_

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, FEBRUARY 08, 2023**

---

**SUBJECT     Capital Regional District Signage Guidelines**

**ISSUE SUMMARY**

To seek direction on the Capital Regional District (CRD) corporate sign guidelines implementation.

**BACKGROUND**

As a local government, the CRD delivers over 200 services to ensure a sustainable, livable and vibrant capital region. These services have diverse signage requirements, including facility, entrance, wayfinding, educational, safety and amenity signage. In addition, consistent CRD signage throughout the region is required as an important tool to present an immediate and recognizable brand to support the needs of visitors and residents, whether travelling as a pedestrian, cyclist or in a vehicle.

Through the 2020 Service Planning process, an Initiative Business Case (IBC) was put forward and approved to develop and implement corporate signage guidelines. In January 2021, the corporate signage guidelines were approved by the Executive Leadership Team – see Appendix A. An update to the Board was included in the 2021 quarter one Priorities Dashboard under the Corporate Priority of Accountability, as well as the rolling Priorities Dashboard in quarterly updates for the remainder of the previous Board term.

As identified in the IBC, the strategy for implementation focused on replacing signs at end-of-life or as signage needs emerge, such as when new facilities are built. Since the sign strategy was finalized in January 2021, five public signs have been installed (see Appendix B).

As part of the signage implementation, the 2022 Regional Parks budget includes \$137,000 to replace three portal (entry) signs at Thetis Lake Regional Park and Elk/Beaver Lake Regional Park, and one tertiary portal sign at East Point Regional Park. In January, a social media post on the CRD Facebook page noted that a new sign was scheduled to replace the current 35+-year-old hand-carved log entry sign at Thetis Lake Regional Park.

The post garnered significant community attention, and most comments requested that the original legacy log sign at Thetis Lake Regional Park remain in place. Key themes of public feedback included strong sentiment toward keeping the existing sign, dislike of the proposed sign design for a park, work with Indigenous communities and local artists for input into the design, and concern over the new signage expenditures.

Given the strong public sentiment, the decision to replace the Thetis Lake entry sign was paused until staff brought the CRD guidelines to the CRD Board for discussion and consideration.

## **ALTERNATIVES**

### *Alternative 1*

1. That staff be directed to proceed with implementing the CRD signage guidelines, with the exception of the Regional Parks entry signs (portal signs); and
2. That staff be directed to bring the matter of Regional Parks entry signs to the Regional Parks Committee for further consideration.

### *Alternative 2*

That this report be referred back to staff with direction.

## **IMPLICATIONS**

### *Financial Implications*

The cost of developing the CRD corporate sign guidelines was approximately \$15,000. Funding of signage is the responsibility of each CRD service area and, in some instances, requires additional budgeting requirements beyond regular core annual budget amounts.

Regional Parks capital plan, which was approved by the Board 2022, included \$137,000 for 2022 and \$117,000 per subsequent year over the four-year budget to initiate the installment of the new portal signs. Change in design may require a review of the existing resources allocated.

The Capital Region Housing Corporation capital replacement budget has approximately \$200,000 for new and replacement signage for 2023, which may be carried forward.

### *Alignment with Board & Corporate Priorities*

The CRD Board identified its strategic priorities for the 2019-2022 term in early 2019. Subsequently, staff prepared the 2019-2022 CRD Corporate Plan to align with this direction. The CRD Corporate Plan presents the work the CRD needs to deliver over the Board term to meet the region's 15 most important needs (Community Needs).

Annually, the operational adjustments and initiatives proposed through the service planning process are captured in the 15 Community Needs Summaries, which inform the Provisional Budget. Each summary provides an overview of the strategic context for service areas, core service levels associated with each service and a summary of the business model and performance metrics associated with targeted outcomes. It also provides details of the initiatives, associated staffing, timing and service levels required to advance the CRD's work in the coming year.

### *Board Priority: First Nations Reconciliation*

The CRD has prioritized taking steps toward developing respectful government-to-government relationships and partnerships with First Nations to foster shared prosperity for all. The Parks' portal sign design includes a dedicated space for an Indigenous park name that would result from engagement and collaboration with Nations on whose Traditional Territory the park is located, as

per Regional Parks' naming policy and as set out in the 2022-2032 Regional Parks and Trails Strategic Plan (Interim).

*Corporate Priority: Accountability*

In efforts for greater signage consistency in approach and design, the CRD signage guidelines were developed to improve customer service and CRD identity. The previous CRD Board was informed of the development and approval of the corporate sign guidelines via the Priorities Dashboard.

**CONCLUSION**

The Capital Regional District Board approved the creation of new corporate signage guidelines as an initiative in 2019 as part of the 2020 service planning process. Implementation of the CRD signage guidelines is underway, with the most recent proposal to remove and replace the entry sign at Thetis Lake Regional Park. The CRD received significant opposition to the replacement of this sign and staff were asked to put this work on hold until the corporate sign guidelines could be brought forward to the Board for direction.

**RECOMMENDATION**

1. That staff be directed to proceed with implementing the CRD signage guidelines, with the exception of the Regional Parks entry signs (portal signs); and
2. That staff be directed to bring the matter of Regional Parks entry signs to the Regional Parks Committee for further consideration.

Submitted by:	Andy Orr, Senior Manager, Corporate Communications
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

Appendix A: CRD Signage Guidelines

Appendix B: CRD Signs Developed under the Signage Guidelines

# CRD Signage Guidelines

Comprehensive standards for CRD signage applications

VERSION 1.0 – JANUARY 2021

A decorative graphic consisting of several overlapping, flowing teal and white waves located in the bottom right corner of the page.



# Table of Contents



Making a difference...together

<b>Executive Summary</b> .....	<b>1</b>
--------------------------------	----------

<b>Section 1   Signage Components</b> .....	<b>2</b>
---	----------

Brand Strategy.....	3
---------------------	---

Colour Schedule & Typographic Styling.....	4
--	---

Graphic Elements.....	5
-----------------------	---

Sign Types by Category.....	6
-----------------------------	---

<b>Section 2   Signage Categories</b> .....	<b>7</b>
---	----------

## Identification Signage

IDHQ-1 Headquarters ID .....	8
------------------------------	---

IDF-1 Primary Free Standing Facility ID.....	9
--	---

IDF-2 Secondary Free Standing Facility ID.....	10
--	----

IDF-3 Tertiary Free Standing Facility ID.....	10
---	----

IDF-4 Wall Mounted Facility ID.....	11
-------------------------------------	----

IDF-5 Storefront Facility ID.....	12
-----------------------------------	----

IDP-1 Primary Park Portal ID.....	13
-----------------------------------	----

IDP-2 Secondary Park Portal ID.....	14
-------------------------------------	----

IDP-3 Tertiary Park Portal ID.....	14
------------------------------------	----

IDH-1 Free Standing Housing ID.....	15
-------------------------------------	----

## Information Signage

IN-1 Large Information Sign.....	16
----------------------------------	----

IN-2 Small Information Sign.....	16
----------------------------------	----

## Regulatory Signage

R-1 Large Regulatory Sign.....	17
--------------------------------	----

R-2 Small Regulatory Sign.....	17
--------------------------------	----

## Directional Signage

D-1 Free Standing Directional Sign.....	18
---	----

D-2 Wall Mounted Directional Sign.....	18
--	----

## Interior Signage

ININ-1 Directory Information Sign.....	19
--	----

ININ-2 Insert Information Sign.....	19
-------------------------------------	----

INID-1 Hanging ID Sign.....	19
-----------------------------	----

INID-2 Room ID Sign.....	19
--------------------------	----

INID-3 Work Station ID Sign.....	19
----------------------------------	----

IND-1 Hanging Directional Sign.....	19
-------------------------------------	----

<b>Section 3   Implementation &amp; Evaluation</b> .....	<b>20</b>
--	-----------

Project Implementation.....	21
-----------------------------	----

Sign Process Diagram.....	22
---------------------------	----

Project Maintenance Considerations.....	23
---	----

# Executive Summary

Signage within the Capital Regional District is an important tool for users to identify and navigate through facilities and spaces. The design, materials and consistency of the signage, speaks to the integrity of the CRD identity.

This document provides applications, inventory for design, colour, and materials. It is essential that this document is used for all expressions of signage in order to maintain the integrity of the signage program and consistent brand image.

Implementing a corporate signage strategy will better inform and direct visitors and residents to and around the region. This strategy aims to meet the needs of visitors and residents, whether traveling as a pedestrian, cyclist or in a vehicle. Other goals of this strategy include:

- **To develop a region-wide sign strategy that will meet the needs of residents, visitors and staff.**
- **To create a strategy that is scalable and varied, addressing the needs of residents and visitors using and visiting CRD buildings and operational sites. Authenticity, sustainability, legibility, brand application, safety, maintenance are important considerations.**
- **To present a strategy that applies the existing graphic standards to ensure and promote a cohesive and coherent brand that conveys quality, sustainability and authenticity in its design and construction.**
- **To promote a strategy that elevates the CRD presence and recognition across the region.**

All aspects of the signage program are coordinated by CRD Communications Staff and the department GM. They are responsible for overseeing corporate signage within the CRD.

This signage strategy applies to all departments that fall under the CRD, CRHC and CRHD brand. Regional Parks will continue to use their specific existing parks and trails signage guidelines.



# Section 1 | Signage Components

## General Logo Use

The consistent use of branding elements on signage helps establish the corporate recognition, connection, and authority of the corporation as a whole within a given location or space.

The CRD logo is used on all facility Identification, Information, and Regulatory signage. It is also used on all Primary Park Portal IDs. The CRHC and CRHD logos may be used in place of the CRD logo when the signage is used on their respective facilities or properties.

The logo is always reversed either on a corporate colour (CRD Teal, CRHC Blue, and Grey) or in Black on one-colour applications. It always appears on either a rectangular band/field of colour on the top of identification signs, or on a wave band on information and regulatory signs. Always organize spacing as per layout guide shown on this page.

## Affiliate Logo Usage

When the CRD logo is used along with an affiliate/partner logo within a signage context, it always appears as shown in either horizontal or vertical applications.

All logos should consistently appear in either one-colour (positive or reverse depending on background for best contrast) or full-colour applications. In colour applications, the CRD logo appears on a CRD Teal panel as shown.

### Capital Regional District logo



### Capital Regional Housing Corporation logo



### Capital Regional Hospital District logo



## Typical Logo Applications



Height of logo = X

Rectangular band



Height of logo = X

Wave band

## Affiliate Logo Usage

Horizontal Application (Full colour)



Height of logo = X

Vertical Application (One-colour, Positive)





# 1 | Colour Schedule & Typographic Styling

## Colour Schedule

In order to create a cohesive signage program, it is imperative that the sign family colours remain consistent throughout all applications. The colour schedule provided has been selected specifically for the signage program, providing high legibility and making areas of information easily discernible.

All painted applications, powdercoating, vinyl, and digital outputs for the signage program are to match the Pantone Matching System (PMS) numbers shown. Variations or substitutions are not permitted.

## Typographic Styling

All signs are typeset in DaxOT Font Family upper and lower case. This is the official font for the signage program. Only three weights are used in the program - Regular, Medium, and Bold - limiting the hierarchy of emphasized information to only 3 levels to keep content succinct.

Temporary signs may use the Arial font, common to computers used by CRD.

In lieu of the colors shown you may use the specified PANTONE® equivalent, the standard for which can be found in the current edition of the PANTONE Color Formula Guide.

The colors shown on this page and throughout these guidelines have not been evaluated by Pantone, Inc. for accuracy and may not match the PANTONE Color Standards Guide.

PANTONE® is a registered trademark of Pantone, Inc.

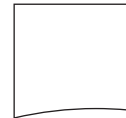
### PRIMARY

#### CRD TEAL



Pantone 361 C  
Vinyl: 3M Teal  
7725-96

#### WHITE



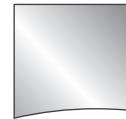
White  
Vinyl: 3M White  
7725-10

#### GREY



Pantone Cool Gray 11 C  
Vinyl: 3M Nimbus  
Gray 7725-101

#### SILVER



Pantone 877 C  
Vinyl: 3M Satin  
Aluminum 7725-120  
Paint: MP 18082 Brightray  
Silver Metallic

### REGULATORY

#### RED



Pantone 1797 C  
Vinyl: 3M Tomato  
Red 7725-13

#### YELLOW



Pantone 124 C  
Vinyl: 3M Sunflower  
7725-25

#### ORANGE



Pantone 165 C  
Vinyl: 3M Bright  
Orange 50-34

#### BLACK



Black  
Vinyl: 3M Black  
7725-12

### HOUSING

#### CRHC BLUE



Pantone 292 C  
Vinyl: 3M Peacock  
Blue 7725-77

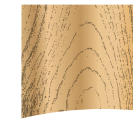
#### CRHC GREY



Pantone 445 C  
Vinyl: 3M Matte  
Black 7725-22

### NATURAL ELEMENTS

#### WOOD



Exterior grade  
western red  
cedar with  
eco-wood  
treatment

#### STONE



ECOSTONE  
Natural –  
Mt. Assiniboine  
(or equivalent)

## Dax Regular

ABCDEFGHIJKLMNOPQRSTUVWXYZ

abcdefghijklmnopqrstuvwxyz0123456789

## Dax Medium

ABCDEFGHIJKLMNOPQRSTUVWXYZ

abcdefghijklmnopqrstuvwxyz0123456789

## Dax Bold

ABCDEFGHIJKLMNOPQRSTUVWXYZ

abcdefghijklmnopqrstuvwxyz0123456789

### Wayfinding Signage

- Set in title case
- In most cases, letter-spacing/tracking is set to 20
- Secondary body copy, that is in complete sentences, is set in typical sentence case

### Not permitted:

- No periods unless a period improves readability, for example, when there are two or more sentences following the other
- No variations or substitutions are permitted to these elements

# 1 | Graphic Elements

## Pictograms

A cross-section of approved pictograms are shown on this page. All pictograms have been selected to conform to international standards (SEGD/AIGA/DOT) and to express a consistent visual style across the CRD signage program.

- No variations or substitutions are permitted to these elements
- Other desired pictograms need to be designed in keeping with the international symbol style
- Only use approved pictograms by the communications department
- Pictograms are occasionally updated when required. For the complete, up-to-date inventory of approved artwork, please contact the communications department.

## Pictograms



## Restricted Pictograms



## Arrows

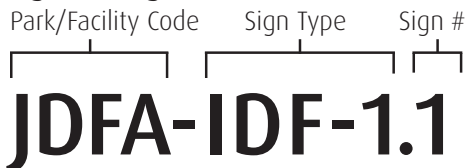


# 1 | Sign Types by Category

The list of sign types shown here represents the complete inventory of the CRD signage program.

Each sign type is designed to fulfill a unique function and utilize design elements in a specific manner. The program is built on the consistent use of typography, symbols, colour, shape, size, materials, and fabrication methods.

## Sign Naming Convention



## Park/Facility Codes

Unique two to four letter codes for each Park or Facility in the CRD based on the park name, facility name, or location, assigned by the Project Manager.

For example, use:

**JDFA** = JDF Administration Bldg

**SBA** = Saanich Bylaw & Animal

**EBL** = Elk/Beaver Lake Regional Park

**IWS** = Integrated Water Services

## Sign Types

- As shown at right

## Sign Numbers

- A running number of signs within the sign type
- Always start from 1 for each sign type

## Identification Signage

- IDHQ-1** Headquarters ID
- IDF-1** Primary Free Standing Facility ID
- IDF-2** Secondary Free Standing Facility ID
- IDF-3** Tertiary Free Standing Facility ID
- IDF-4** Wall Mounted Facility ID
- IDF-5** Storefront Facility ID
- IDP-1** Primary Park Portal ID
- IDP-2** Secondary Park Portal ID
- IDP-3** Tertiary Park Portal ID
- IDH-1** Free Standing Housing ID

## Information Signage

- IN-1** Large Information Sign
- IN-2** Small Information Sign

## Regulatory Signage

- R-1** Large Regulatory Sign
- R-2** Small Regulatory Sign

## Directional Signage

- D-1** Free Standing Directional Sign
- D-2** Wall Mounted Directional Sign

## Interior Signage

- ININ-1** Directory Information Sign
- ININ-2** Insert Information Sign
- INID-1** Hanging ID Sign
- INID-2** Room ID Sign
- INID-3** Work Station ID Sign
- IND-1** Hanging Directional Sign



## Section 2 | Signage Categories

## 2 | Identification Signage

### IDHQ-1 • Headquarters ID

The headquarters identification signage is unique to the 625 Fisgard Street location and function as stand-alone designs for this facility.

Additional signage needed for the headquarters should follow the same look, feel, and fabrication method as the existing signage on site. No other facility should copy these designs.

Should the headquarters move to a different location or have renovations done that affect the existing signage, an overall design realignment with the rest of the signage program may be considered.



Photos of existing signage



## 2 | Identification Signage

### Free Standing Facility ID Signs

Free standing facility IDs are the first representations of the CRD identity at its facilities and properties, making its use important as a visual marker of arrival or entry to a CRD location.

It should typically contain the following information and content: The CRD logo, Facility name, and the address with the number shown larger than the street or highway name.

These signs are located facing major roadways with a clear view for approaching traffic. Use a reflected back side if back side graphics are visible and can be useful for the opposite lane traffic.

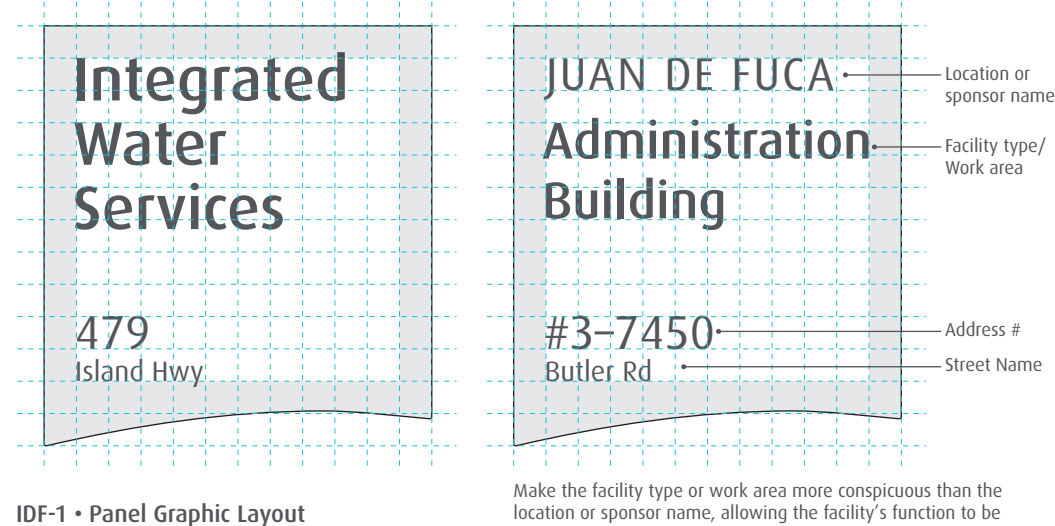
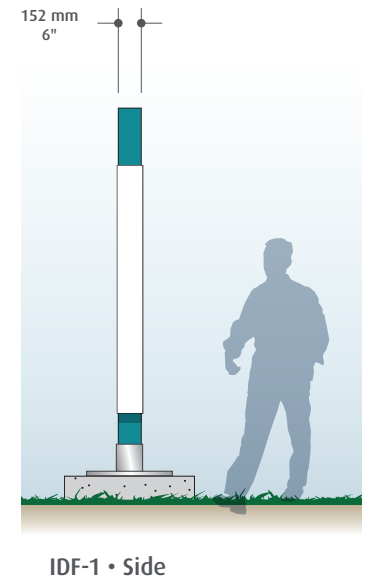
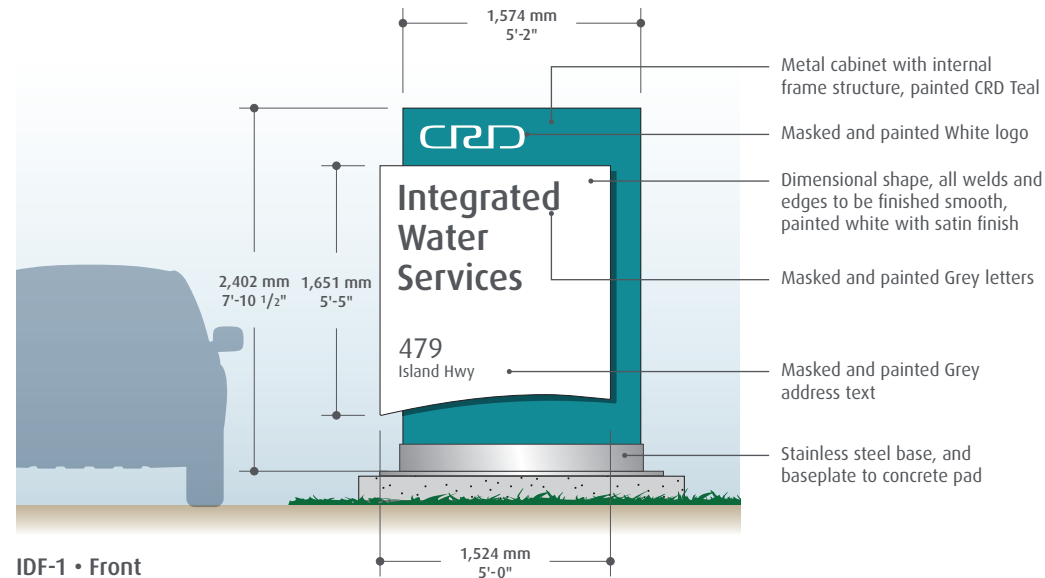
These signs are vertical to occupy a smaller footprint and to maximize height for visibility. If a horizontal version is desired, use the layout and proportion as shown on Park Portal IDs.

### IDF-1 • Primary Free Standing Facility ID

The IDF-1 Primary Facility ID is the largest and most robust option, making it ideal for larger corporate facilities and sites that have frequent public use or interaction.

Follow the layout grid as shown when applying content, maximizing facility name text size when possible.

Use front face flood lighting where illumination is needed.



Make the facility type or work area more conspicuous than the location or sponsor name, allowing the facility's function to be clearer and more identifiable. This also makes the representation of all facility names more consistent throughout the region and creates a hierarchy of information needed for quick retention.



NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

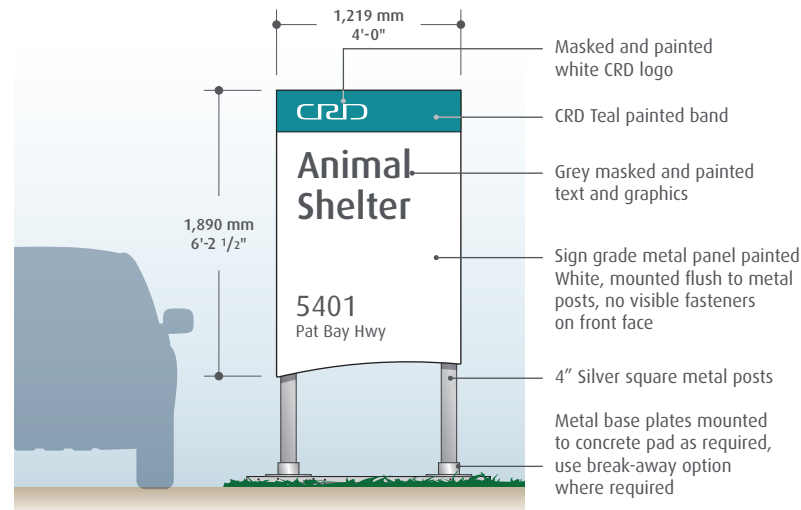
## 2 | Identification Signage

### IDF-2 • Secondary Free Standing Facility ID

Less robust than the Primary ID, IDF-2 is the most commonly used option. This is ideal for medium-sized public facilities. This can also be used for large facilities that have little to no public interaction, with mostly only employees and contractors using the site.

Follow the layout grid as shown when applying content, maximizing facility name text size when possible.

Use front face flood lighting where illumination is needed. Optional add-on tab may be used to show operation hours.



IDF-2 • Front (Back side may have same graphics if needed)



IDF-2 • Side

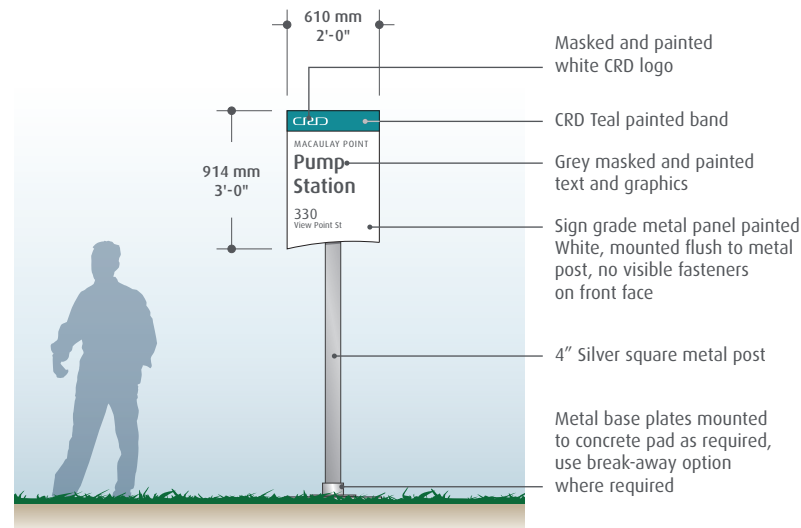


IDF-2 • Hartland-Specific Sign

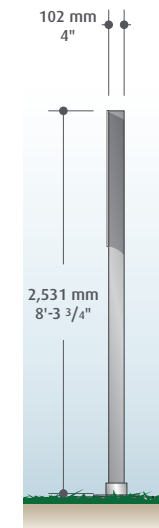
### IDF-3 • Tertiary Free Standing Facility ID

This option is for smaller facilities with little to no public interaction. This sign can also be mounted directly to the exterior wall of a small stand-alone office or structure, where appropriate.

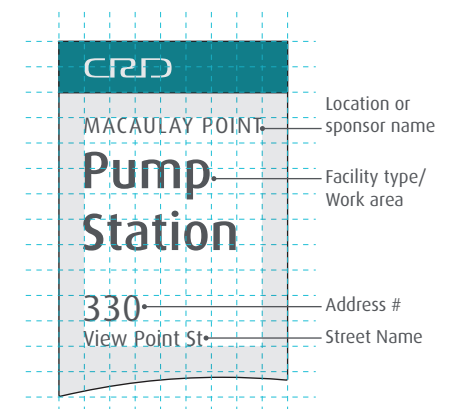
Follow the layout grid as shown when applying content, maximizing facility name text size when possible.



IDF-3 • Front (Back side may have same graphics if needed)



IDF-3 • Side



IDF-3 • Panel Graphic Layout

NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

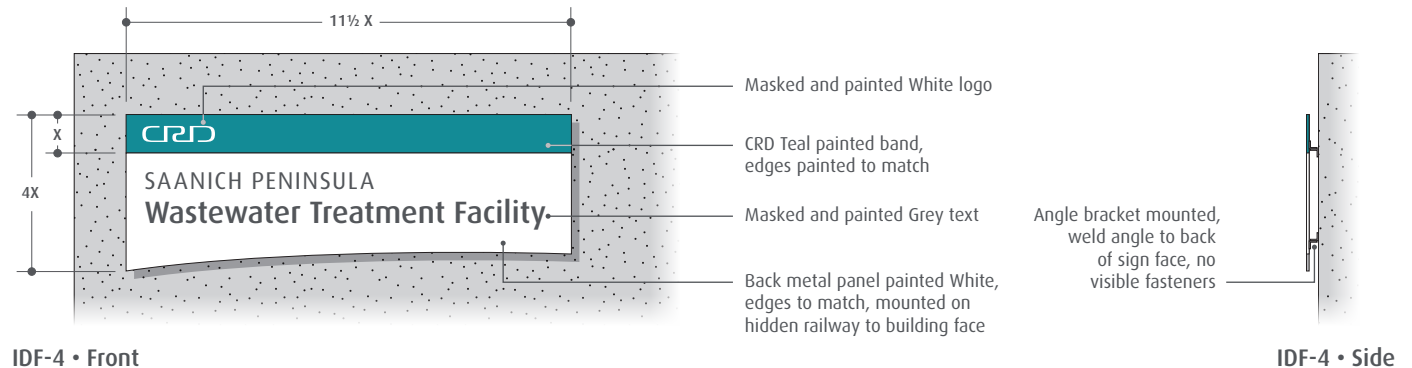
## 2 | Identification Signage

### IDF-4 • Wall Mounted Facility ID

The Wall Mounted Facility IDs confirm the arrival to the facility itself. This sign is typically located on an area of the building that fulfills at least one of the following requirements:

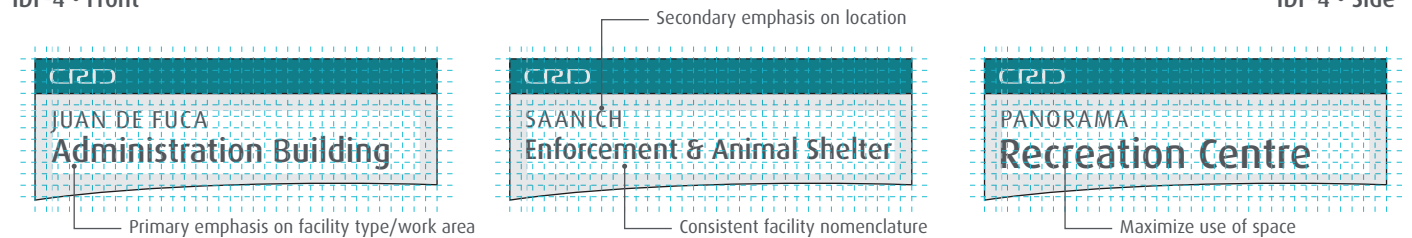
- Best visibility from the adjacent road of entry, parking lot, or pedestrian path
- Close to main entry point of building

Scale sign as required for optimal viewing while keeping proportions intact as shown. Sign area should fall between 5%–10% of overall building face area. However, each application needs to be assessed on a case by case basis.



IDF-4 • Front

IDF-4 • Side



### IDF-4A • Stand-alone Logo

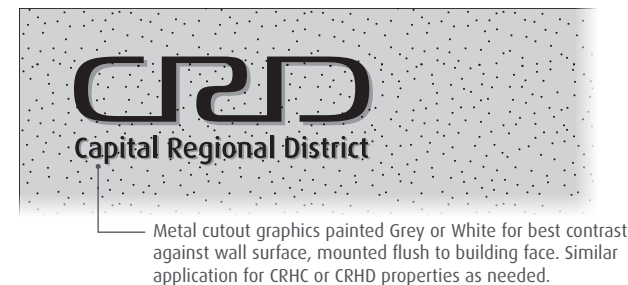
Application for unique instances such as the headquarters, main lobby wall, or podiums where required, to be approved by Communications or General Manager.

### IDF-4B • Affiliate/Partnership Logo

For facilities with partnered or sponsored operations. Scale proportionately as shown in Section 1 - Brand Strategy.

All logos should consistently appear in either one-colour or full-colour applications. Positive, full-colour application shown for reference.

IDF-4 • Panel Graphic Layout – Potential Variations



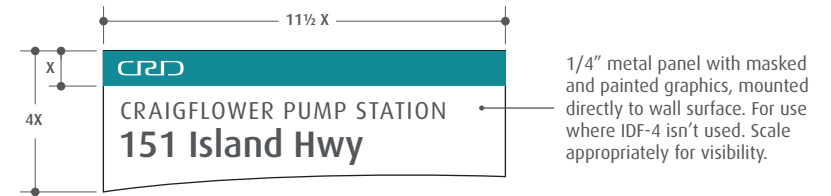
IDF-4A • Stand-alone Logo (if needed)



IDF-4C • Address Sign – Address Only Option



IDF-4B • Affiliate/Partnership Logo (if needed) – Full Colour Application Shown



IDF-4C • Address Sign – Panel Option

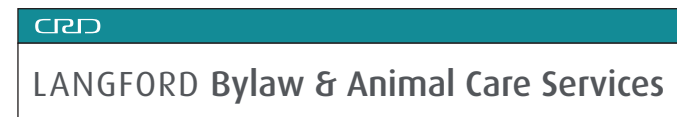
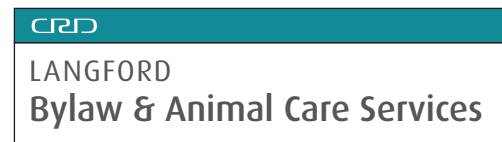
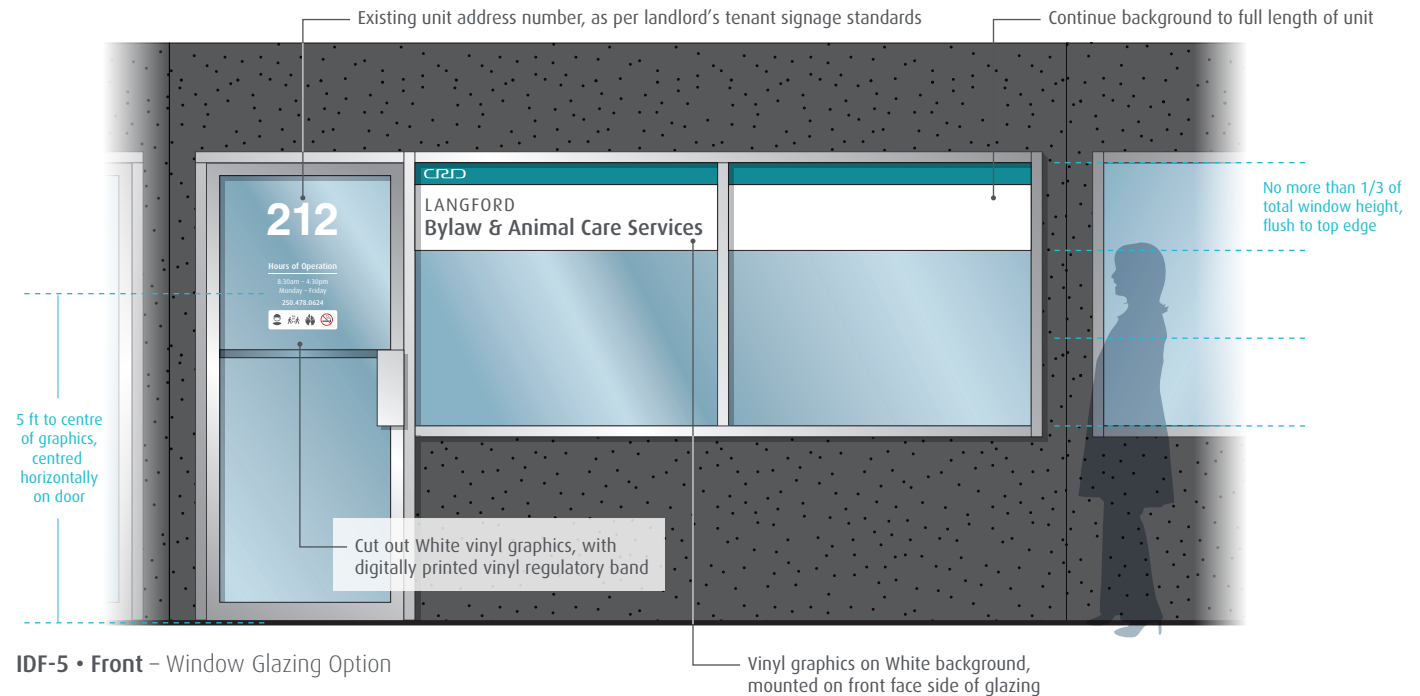
NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

## 2 | Identification Signage

### IDF-5 • Storefront Facility ID

Use this sign type for locations found within a mixed-use complex. Though signage space and provisions may vary, maintain general layout standard with teal band and logo on top, with facility name in grey on a white background below.

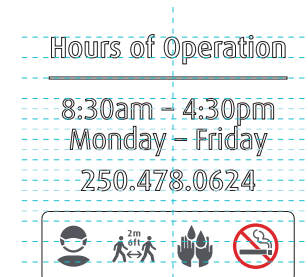
If independent sign cabinets are allowed for each tenant within the complex, use IDF-4 wherever possible.



### IDF-5 • Front – Potential Cabinet Options



IDF-5A • Graphic Layout



IDF-5B • Graphic Layout

NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY



## 2 | Identification Signage

### Park Portal ID Signs

Park portal IDs are among the most important manifestations of the Park's identity. These are landmark signs that are intended for approaching vehicular and pedestrian traffic. They are located at the primary and secondary entrances to a Park and are available in three sizes.

They can be single or double sided, depending on the position of the sign and if the back is visible to the public.

The unique features of the park portal identification signs are the size, shape, bottom wave cutout, wood posts, Park name, and the CRD logo against a CRD Teal band background.

### IDP-1 • Primary Park Portal ID

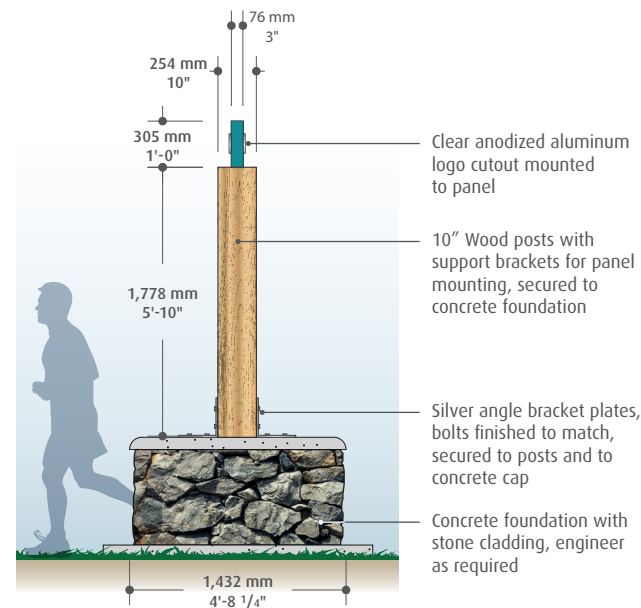
The Primary Portal ID is used for larger flagship parks. It is generally single sided, with some landscaping allowed around the sign, provided growth is managed and plant life does not obscure the sign.

Follow the layout grid as shown when applying content, maximizing park name text size when possible.

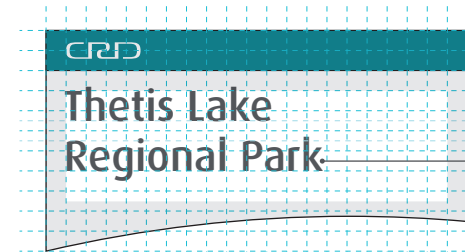
In the event that inclusion of the First Nations park name is required, follow panel graphic layout as shown. Replace panel and graphics only as required, keeping posts and base as is.



IDP-1 • Front (Back side may have same graphics if needed)



IDP-1 • Side



English Park Name Only

Maximize size of park name, in Dax Medium



Future First Nations Name Inclusion

Primary emphasis on English name, in Dax Medium

When First Nations name is included, use Dax Regular, approximately 80-85% of English name cap height

IDP-1 • Panel Graphic Layout – Potential Variations

NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

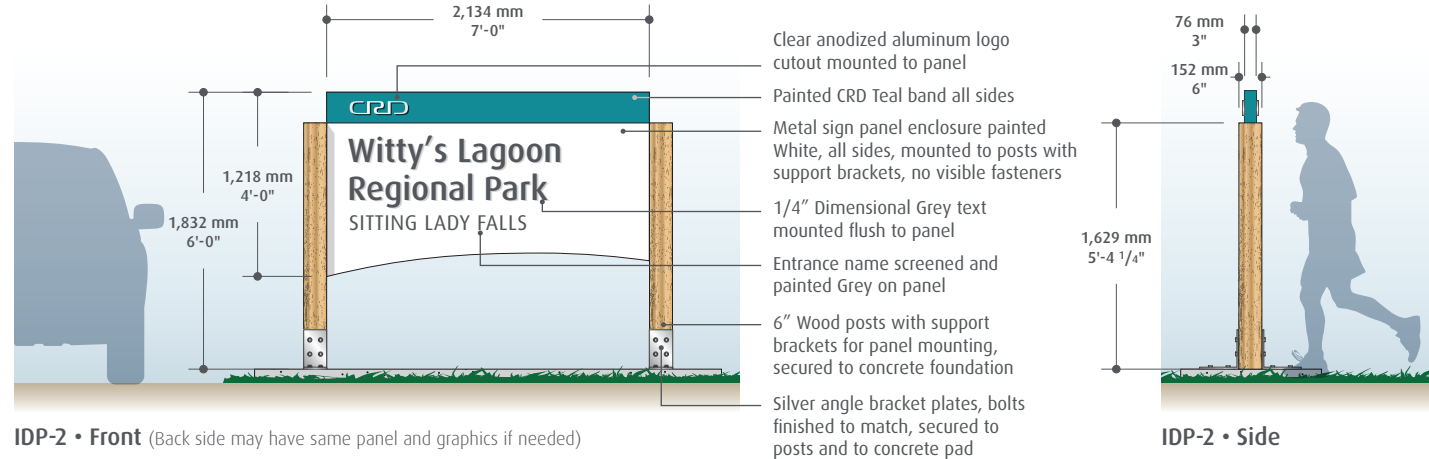
## 2 | Identification Signage

### IDP-2 • Secondary Park Portal ID

Secondary Portal IDs are used for smaller parks (as designated by CRD) or as secondary entrance signs to flagship parks.

These signs do not have stone clad bases and are mounted to concrete pads directly. Otherwise, all other fabrication is consistent to the Primary Portal Identification sign.

Follow the layout grid as shown when applying content, maximizing park name text size when possible.

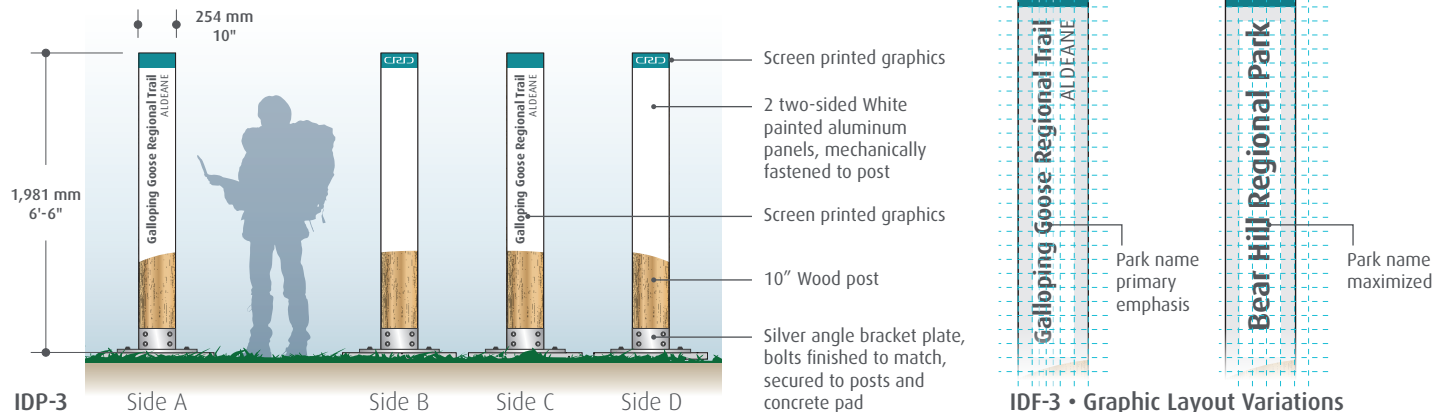
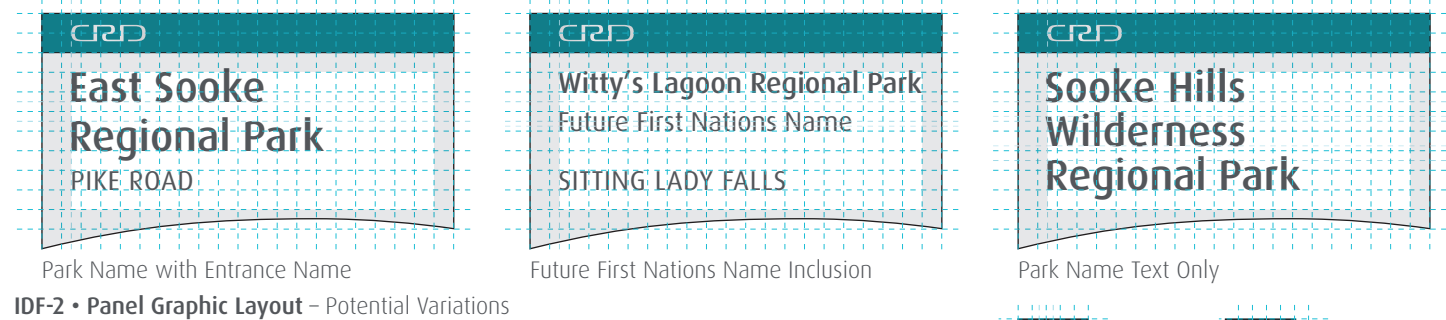


### IDP-3 • Tertiary Park Portal ID

Tertiary Portal IDs are used for minor parks, green spaces, or trails. They can also be used for secondary pedestrian or trail entrances to larger parks.

These signs have graphics on all four sides, with a curve shape along the bottom edge.

Follow the layout grid as shown when applying content, maximizing park name text size when possible.



NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY



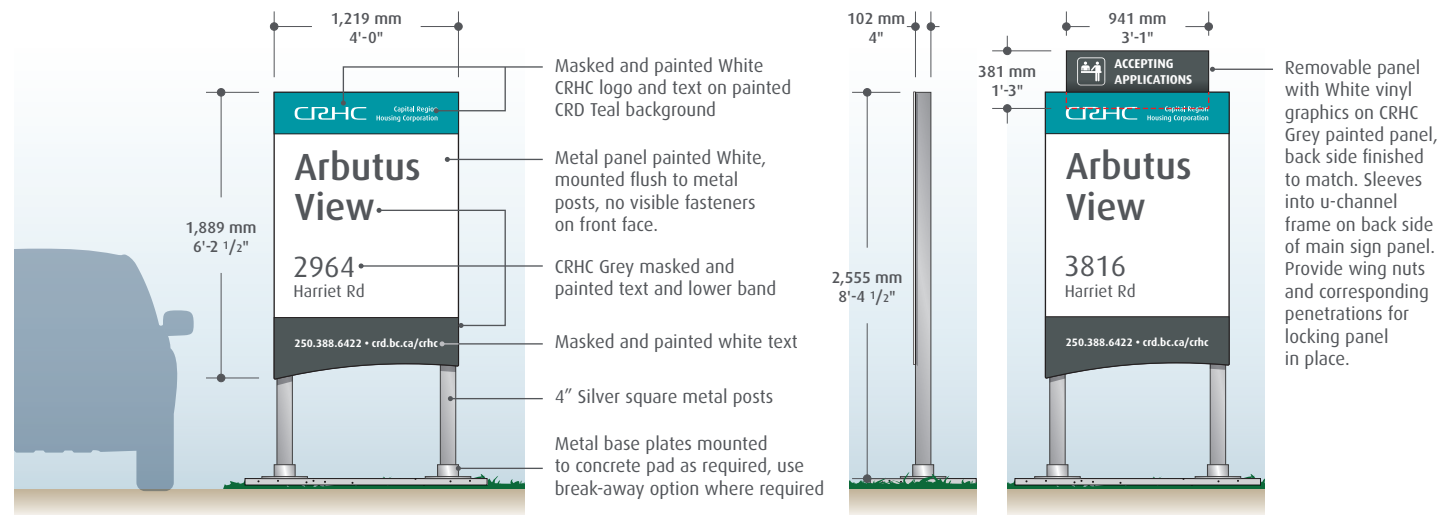
## 2 | Identification Signage

### IDH-1 • Housing ID

Similar to IDF-2, the Housing ID sign is used to identify CRHC properties throughout the region. These signs are typically single sided, with a removable add-on tab panel noting unit availability.

These signs use the CRD colour palette and always include the following info: CRHC logo with text, housing name, address, phone number, and website.

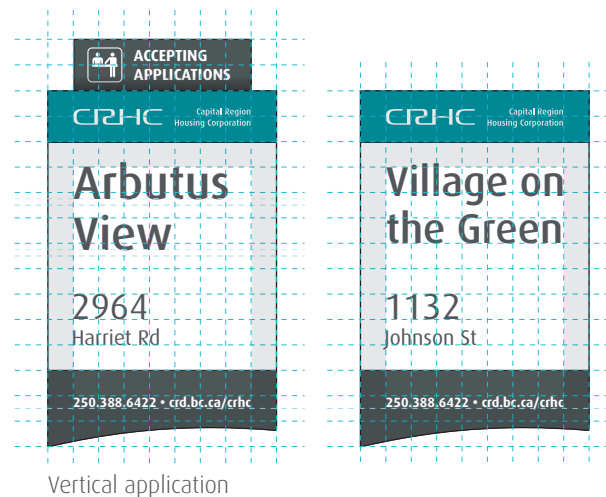
Use vertical application wherever possible. If horizontal application is desired, use layout as shown.



IDH-1 • Front (Back side may have same graphics if needed)

IDH-1 • Side

IDH-1 • With Add-on Tab Option



Vertical application

IDH-1 • Panel Graphic Layout – Potential Variations



Horizontal application

NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

## 2 | Information Signage

### Information Signs

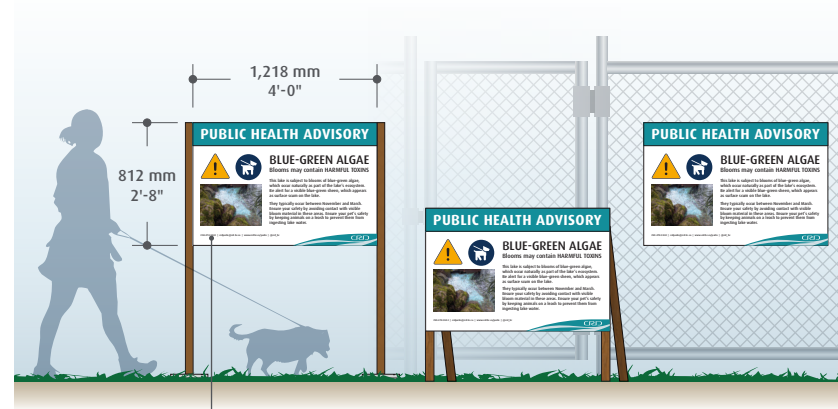
Information signs are used to convey corporate messages to all users of CRD facilities and properties. It is important to use a consistent layout and design that delivers the message instantly while establishing the information as an official message from CRD.

Signs include a CRD Teal band with White text noting the primary message of the sign, a White body area for the main content, and the Teal wave with a White CRD logo sign-off at the bottom.

Keep the message direct and succinct. Use pictograms to represent information as much as possible for quicker retention.

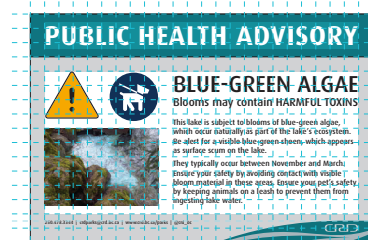
#### IN-1 • Large Information Sign

Used for messages meant for a larger amount of users or for more urgent messaging. May be mounted on two posts, a movable frame, or on a wall or fence.



IN-1 • Front

Direct digital print on White sign grade metal panel or substrate suitable for exterior application, with clear laminate overlay to protect graphics, mounted as required to posts, wall, or surface



IN-1 • Panel Graphic Layout – Potential Variations

#### IN-2 • Small Information Sign

Used for messages meant for a smaller amount of users or for less urgent messaging. May be mounted on a single post or directly onto the wall.

#### IN-2b • Sandwich Board Insert

For temporary movable messaging. Use artwork template provided.

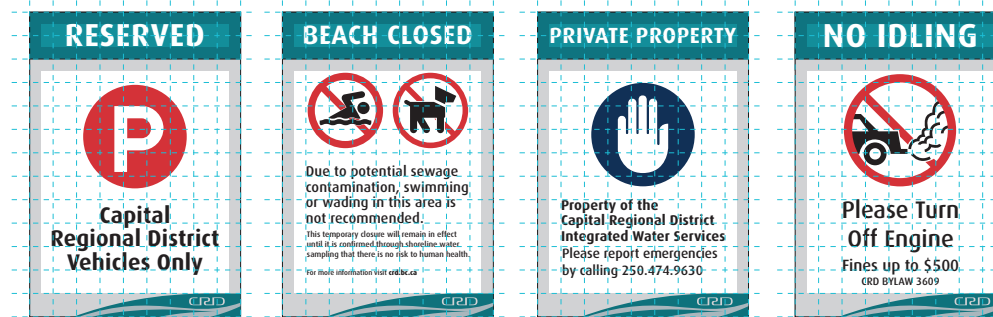


IN-2 • Front

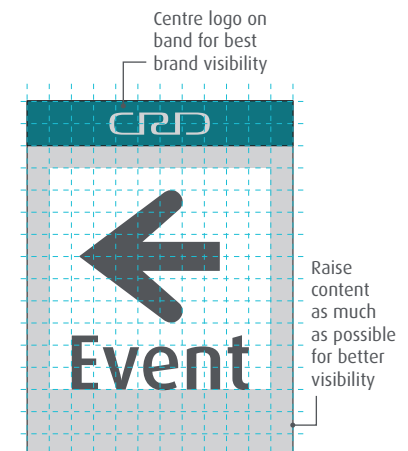
Direct digital print on White sign grade metal panel or substrate suitable for exterior application, with clear laminate overlay to protect graphics, mounted as required to posts, wall, or surface

IN-2b • Front

Direct digital print on insert, applied to sandwich board/A-frame insert sign as required



IN-2 • Panel Graphic Layout – Potential Variations



IN-2b • Panel Graphic Layout

Centre logo on band for best brand visibility

Raise content as much as possible for better visibility

NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

## 2 | Regulatory Signage

### Regulatory Signs

Regulatory signs are used to convey safety and restriction messages to all users of CRD facilities and properties. It is important to use a consistent layout and design that draws more attention than regular information signs and delivers the message instantly while establishing the information as an official safety regulation imposed by CRD.

It consists of a top coloured band with text noting the primary message, a White body area for the main content, and the CRD Teal wave with a White CRD logo sign-off at the bottom. Use **RED** to restrict actions, **ORANGE** for construction awareness, and **YELLOW** for cautionary or safety messaging.

Keep message direct and succinct. Use pictograms to represent information as much as possible for quicker retention.

#### R-1 • Large Regulatory Sign

Used for messages meant for a larger amount of users or for more urgent messaging. May be mounted on two posts, a movable frame, or on a wall or fence.

#### R-2 • Small Regulatory Sign

Used for messages meant for a smaller amount of users or for less urgent messaging. May be mounted on a single post or directly onto the wall.



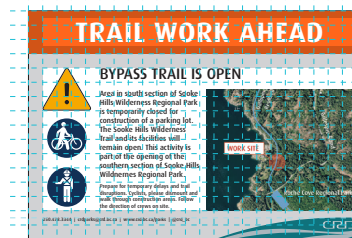
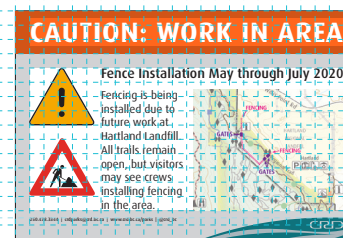
R-1 • Front

Direct digital print on White sign grade metal panel or substrate suitable for exterior application, with clear laminate overlay to protect graphics, mounted as required to posts, wall, or surface



R-2 • Front

Direct digital print on White sign grade metal panel or substrate suitable for exterior application, with clear laminate overlay to protect graphics, mounted as required to posts, wall, or surface



R-1 • Panel Graphic Layout – Potential Variations



R-2 • Panel Graphic Layout – Potential Variations

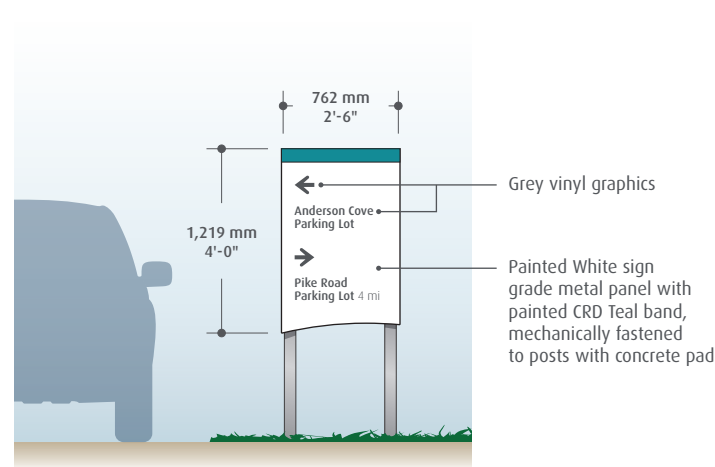
NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

## 2 | Directional Signage

Directional signs are required to direct public users through CRD facilities and properties to major destinations. They are located at major decision points and are oriented perpendicular to the major traffic flow for maximum visibility.

Do not use ID signs for directional information. Instead, consider placing a directional sign at turns until facility ID sign is visible from the vehicle.

Unique features of these signs include a top CRD Teal band, White background panel with Grey text and graphics, and curved bottom edge. With the ID signs establishing the site as a CRD property, the logo is not needed on these signs..



D-1 • Front



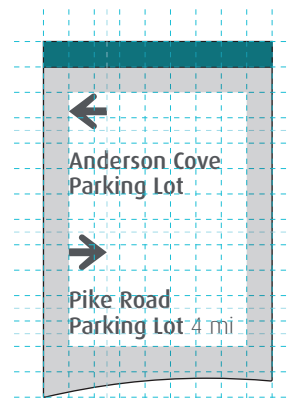
D-2 • Front

### D-1 • Free Standing Directional Sign

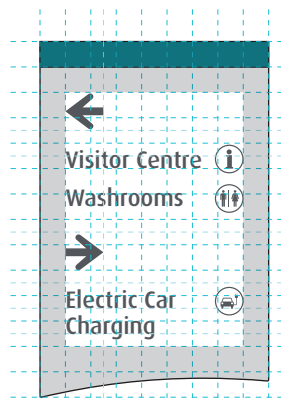
Used primarily for vehicular traffic, these signs can be mounted onto wooden or metal posts, depending on location.

### D-2 • Wall Mounted Directional Sign

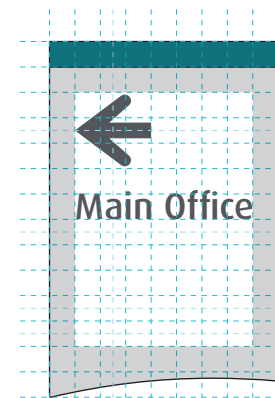
Used primarily for pedestrian traffic, these signs can be mounted onto a post or directly onto the wall.



Multiple Destinations



D-1 and D-2 • Panel Graphic Layout – Potential Variations



Single Destination



NOTE: GRAPHIC LAYOUTS SHOW CLEAR BORDER AREA IN GREY

## 2 | Interior Signage

Interior signs use a pre-built modular insert system. Coordinate insert sizes, modular signage pieces, and content needed with Communications.

The following sign types are examples of potential layouts needed. Follow the layout grid as shown when applying content. Use the CRD logo only on directories and personal workstation/office ID signs.

### ININ-1 • Directory Information Sign

Lists destinations per floor, typically found at elevator lobbies or main stairways.

### ININ-2 • Insert Information Sign

In-house, temporary signs with corporate messaging. Use templates provided.

### INID-1 • Hanging ID Sign

Identifies departments or service desks. Use pictograms wherever possible.

### INID-2 • Room ID Sign

Identifies room # and name.

### INID-3 • Workstation ID Sign

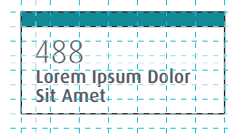
Identifies employee name, position, and department.

### IND-1 • Hanging Directional Sign

Directs to one direction only. Group destinations towards the same direction. Use separate signs for different directions.

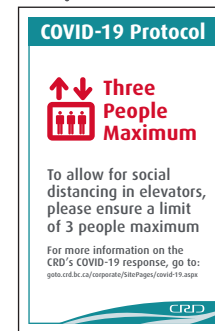
CRD
1st Floor
Building Inspection
Regional & Strategic Planning
Protective Services
2nd Floor
Information Technology & GIS
Parks & Environmental Services
3rd Floor
Arts & Culture
Health & Capital Planning
Engineering Services & Facilities Management
Asset Management
Risk & Insurance
Real Estate Services

ININ-1 • Directory Sign

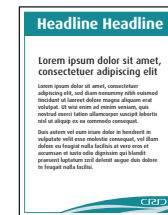


INID-2 • Room ID Sign

Use same content guide as exterior information signs



11x17 Insert



8.5x11 Insert

ININ-2 • Insert Information Sign

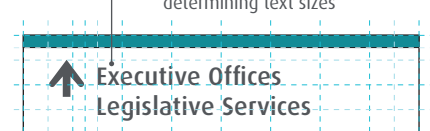


INID-3 • Workstation ID Sign

Use icons where possible, especially for public-facing service desks



INID-1 • Hanging ID Sign



IND-1 • Hanging Directional Sign

Consider viewing distance when determining text sizes

## Section 3 | Implementation & Evaluation

This section covers signage planning, design, development, implementation priorities, phasing, and budget estimates. Designing effective signage requires careful coordination and planning of the entire process, from pre-planning through to installation.

1. **Developing New Signage**
2. **Replacing Existing Signage**
3. **Sign Maintenance**

## Signage Process

The following process should be followed when developing new signage. It is provided in a sequence of phases that will ensure the proper steps have been taken prior to signage production.

### Phase 1 - Planning

- ☐ **A. Project charter or proposal:** In the development of project charters and capital projects, identify early on if signage is required. Is one sign required or a series of signs? Interior or exterior signage? Is this a new sign(s) or replacement sign(s). The charter or proposal should identify and demonstrate the priority and if necessary a phasing plan. Identify if budget is available or if an IBC is required.
- ☐ **B. Priorities and phasing:** Each area with signage needs should prepare a project proposal or detailed master plan outlining priority sign requirements and a schedule for installation.
- ☐ **C. Team organization:** The project team should be organized according to required expertise, including: communications staff, facility management, content developers/writers, interpreters/educators, graphic designers and contractors. Determine who is responsible for sign design, fabrication, installation and maintenance. Are external contractors for design, fabrication and installation required?
- ☐ **D. Planning meeting:** The project team should meet to discuss objectives and distribute pre-planning data and discuss what type of sign(s) are needed for the project.
- ☐ **E. Site documentation:** Site visits, aerial and digital photographs, identify potential locations.
- ☐ **F. Locate existing signage, site barriers, utilities and rights-of-way.**
- ☐ **G. Cross reference collected data for potential site locations and rank locations according to suitability.**
- ☐ **H. Is a permit required? Are you in compliance with site regulations? Are there any visual obstructions to existing elements? Does the signage location create any hazards?**

### Phase 2 - Design

- ☐ **A. Determine what sign type(s) are required** (ex. Facility building mount)
- ☐ **B. Content development:** The project team should collaborate to develop the primary, secondary and tertiary messages.
- ☐ **C. Image development:** Relevant photographs, historical images, maps and illustrations should be planned and created alongside text development.
- ☐ **D. Graphic design:** Once draft content development has been undertaken, the provided signage templates should be used to develop the graphic layout for the sign. Content should be carefully edited for brevity, composition and layout so as to fit within the overall design strategy for the chosen typology.

### Phase 3 - Development

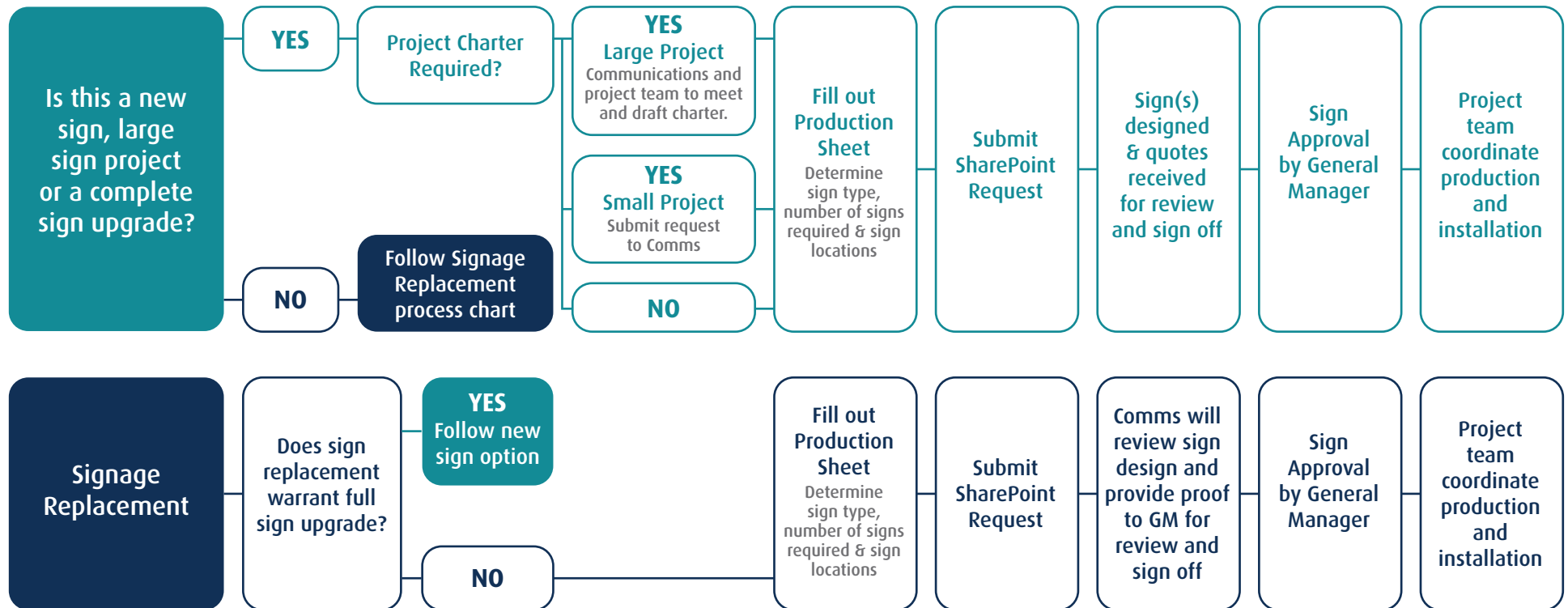
- ☐ **A. After the graphic layout has been created according to the specified template for the sign type, the final design should be converted to the necessary software file formats for manufacturing.** This may include the creation of CAD drawings, the conversion of text to outlines to ensure proper typography details, and the development of site-specific installation details.
- ☐ **B. Final site planning:** A final site plan should be developed showing the chosen location and installation details for new signage. Installation locations should be accurately dimensioned and georeferenced for locating final site location using GPS.
- ☐ **C. Drawing review and approval:** Once the drawing set has been completed by the signage designers, the project team should review all the drawings for omissions and errors. If no revisions are required, the lead individual on the project team should provide written authorization that the drawings are ready for production.
- ☐ **D. Prior to fabrication, physical samples of materials and finishes should be approved by the project team lead.**
- ☐ **E. Signs should be reviewed post installation to ensure quality control (finishes, hardware) and any deficiencies or revisions noted for future sign production.**

### Phase 4 - Plan Finalization

- ☐ **A. After all necessary approvals have been made, all drawings should be collected into a cohesive set and prepared for distribution to contractors/sign shop staff for production.**
- ☐ **B. Once installation is complete, the construction documents should be archived for future reference and the signage location and details added to existing GPS data for inventory purposes.**



## Sign Process All new signs require both Communications and designated GM approval.



### 3 | Project Maintenance Considerations

All proposed sign types within this Comprehensive Signage Strategy have been designed to require as little maintenance as possible, and except in the event of extreme deliberate vandalism, should provide many years of trouble free use. Two scenarios where maintenance may be required involve damage to the graphic signage panels or significant damage to the structural component.

All sign types incorporating graphic panels have been specified to be treated with an anti-graffiti coating. All panels are to be UV, graffiti, burn and corrosion resistant. Should the graphic panel need to be amended or replaced, the designs offer ease of removal with the appropriate tamper resistant fittings. Panel replacement requires unbolting the damaged or outdated panel and attaching the replacement panel.

All sign types have been designed to resist high levels of structural stress; component durability and vandalism resistance have been key priorities throughout the design process. In the event of significant structural damage, the sign should be evaluated by a qualified structural engineer and components should be replaced as recommended.

Regular maintenance of the signs should be limited. However, signs that accumulate grime should be cleaned using the following method:

- **Flush surface with clean water to remove any loose dirt and soften accumulated grime.**
- **Concrete and masonry stone can be pressure washed with a non-abrasive biodegradable detergent that will not damage surrounding vegetation.**
- **Graphic elements should be washed with a soft brush, rag or sponge. Use a mild, non-abrasive biodegradable detergent that will not harm surrounding vegetation. A list of appropriate cleaners is available from the signage manufacturer.**
- **Wash from the top down, taking care not to “over scrub” and abrade the sign surface - doing so lessens the effectiveness of the anti-graffiti coating.**
- **When finished, rinse entire sign with clean water and allow to dry.**

Over time, some signs may display efflorescence, a leaching of minerals displayed on the surface as a whitish tint. Although this should not detract from their readability, restoration is possible with an acid wash and re-application of the anti-graffiti coating.

## CAPITAL REGIONAL DISTRICT SIGNS DEVELOPED UNDER THE SIGNAGE GUIDELINES

---

Since the CRD Signage Guidelines document was approved in January 2021, the following five public signs have been installed.

### REGIONAL PARKS

- One primary portal sign at Elk/Beaver Lake Regional Park at the Beaver Beach Entrance – replacement sign installed January 12, 2023



- One new tertiary portal sign at East Point Regional Park due to a previous commitment to Parks Canada around jurisdictional confusion – installed the week of September 28, 2022



The following two signs are under a current contract for installation but have not been installed yet and are on hold pending Board direction.

- Primary sign at Thetis Lake Regional Park Main Entrance
- Secondary sign at Thetis Lake Regional Park Highlands Road entrance

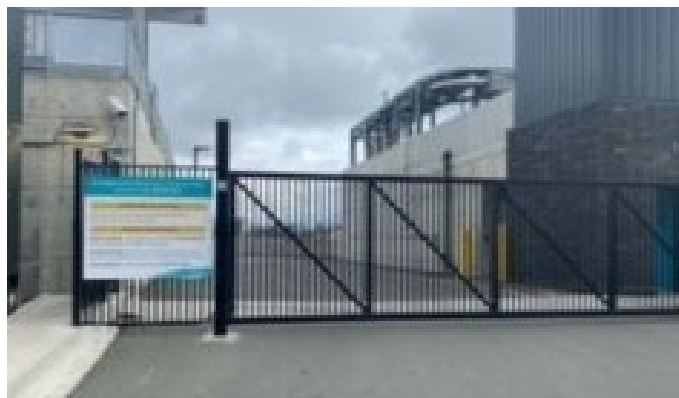
## HOUSING

- 2782 Spencer – new sign installed January 5, 2023



## WASTEWATER

- McLoughlin Point Wastewater Treatment Plant gate – new sign installed the week of April 11, 2022





**ENVIRONMENTAL RESOURCE MANAGEMENT**

- Port Renfrew Transfer Station – replacement sign – installed week of December 5, 2022





Making a difference...together

## REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, JANUARY 17, 2023

---

**SUBJECT**      **Radiocommunication and Broadcasting Antenna Systems Application for Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290 - 6246 Gordon Road**

### **ISSUE SUMMARY**

An application has been received from 1291956 BC ULC for a 49 m radio communication antenna system. The purpose of the tower is to provide long-range, high-throughput data communications in the high frequency band to support business activities in the area of data communications.

### **BACKGROUND**

1291956 BC ULC. has requested a statement of concurrence from the CRD to construct a 49 m radio communication antenna system on the subject property (Appendix A).

The approximately 18.44 hectare (ha) property at 6246 Gordon Road is zoned Rural Residential 3 (RR-3) in the Juan de Fuca Land Use Bylaw, Bylaw No. 2040. The property is designated Settlement by the East Sooke Official Community Plan (OCP) Bylaw, Bylaw No. 4000, which signifies that the predominant land use is rural residential. The property is also partially designated as Steep Slope, Riparian and Sensitive Ecosystem development permit areas. There are two existing towers on the property.

The proposal includes a fenced compound enclosing a self-supported tower structure and associated infrastructure (Appendix B).

In accordance with the Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application policy, staff initiated a 30-day public consultation period for the application from September 15 - October 14, 2022. Nine submissions were received from members of public and forwarded to the applicant to provide a response. A web petition with 90 names was also forwarded to the applicant. Responses and a response matrix as provided by the applicant are included as Appendices C and D. CRD First Nations Relations and CRD Regional Parks responded to the referral sent to CRD departments (Appendix E). As the land use authority for the application, the CRD Board is requested to provide a statement of concurrence or non-concurrence to the applicant and Industry Canada.

### **ALTERNATIVES**

#### *Alternative 1*

The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That a statement of concurrence be provided to 1291956 BC ULC for the proposed 49 m radio communication and broadcasting antenna system on Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290.

#### *Alternative 2*

The Juan de Fuca Land Use Committee recommends to the CRD Board:

That a statement of non-concurrence be provided to 1291956 BC ULC for the proposed 49 m radio communication and broadcasting antenna system on Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290.

### **IMPLICATIONS**

#### *Legislative*

Section 5 of the *Radiocommunication Act* states that the Minister may, taking into account all matters that the Minister considers relevant for ensuring the orderly development and efficient operation of radio communication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. Further, the Minister may approve the erection of all masts, towers and other antenna-supporting structures. Accordingly, proponents must follow the process outlined in Innovation, Science and Economic Development Canada's (ISED) *Spectrum Management and Telecommunications Client Procedures Circular* when installing or modifying an antenna system.

Part of the process includes contacting the land use authority and following the required consultation process. The CRD is the land use authority for the Juan de Fuca Electoral Area where the subject property is located.

The CRD Board approved Bylaw No. 3885, the Juan de Fuca Development Fees and Procedures Bylaw No. 3, 2018, and the Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy (the “Policy”) in 2019. The Policy establishes a public consultation process and procedures.

#### *Public Consultation*

In accordance with the Policy, a notice was published in the local newspaper and a notice was delivered to property owners and occupants within 500 m of the subject property to advise of the application and the opportunity to provide written comments and questions. The notice was published on September 15, 2022, and submissions were to be received by 9:00 am on October 14, 2022. Nine submissions and a web petition with 90 names were received for LP000034 during the notification period. The submissions were forwarded to the applicant who then provided a response to the concerns and questions raised (Appendix C).

In advance of the January 17, 2023, Land Use Committee meeting, notices were sent to property owners and occupants within 500 m of the subject property advising of the second opportunity to be heard and provide additional comment at the meeting.

A recommendation from the Land Use Committee along with any additional public comments received will be considered by the CRD Board and forwarded to the applicant and Industry Canada.

#### *Referral Comments*

In accordance with the JdF Radiocommunication and Broadcasting Antenna Systems policy, staff referred the application to applicable CRD departments.

CRD First Nations Relations commented that the closest registered archaeological site is located ~800m north of the proposed tower and, given that there is no registered archaeological site on the property, a *Provincial Heritage Conservation Act* permit is not required to undertake the work. A *Provincial Heritage Conservation Act* permit would be required if archaeological deposits, features or materials are exposed and/or encountered during land-altering activities that includes tree felling.

CRD Regional Parks commented that its primary concern is that the tower be sited in such a way as to minimize the height difference between the tower and the surrounding trees in order to reduce its visual impact on park visitors. CRD Regional Parks further replied that it does not support any trail or road development from the tower compound into East Sooke Regional Park. Upon review of additional information provided by the applicant (Appendix E), which states that the tower will be hidden from view from most vantage points due to the rolling terrain of the area and that access points from the tower site to East Sooke Regional Park are not planned, CRD Regional Parks has stated that it does not believe its interests will be unduly impacted by the tower.

#### *Land Use*

The RR-3 zone does not expressly permit radio communication towers; however, it is considered a use permitted in all zones in accordance with Part 1, Section 4.15 of Bylaw No. 2040, which states: “Except where specifically excluded, the following uses shall be permitted in any zone: public utility poles, pipelines, radio, television, and transmission towers and wires; traffic control devices; and underground or submarine utility systems, the installation of which may be sited on any portion of a lot.”

Portions of the property are designated as Steep Slope, Riparian and Sensitive Ecosystem development permit areas by Bylaw No. 4000; however, the proposed tower and compound are located outside these DP areas. CRD Building Inspection has indicated that a building permit is not required for the tower.

Evaluation criteria to be considered by the CRD when reviewing an application for a radio communication and broadcasting antenna system is outlined in the Policy and included in Appendix F.

Rationale for the proposed location: 1291956 BC UCL stated that the site location was chosen as it can provide the line of sight required for technical purposes while minimizing the visual impact of the tower. It was further stated that the location was also chosen as there are already existing towers on the subject property and that the proposed tower location is located outside of the designated Steep Slope, Riparian and Sensitive Ecosystem development permit areas.

Proximity to residential uses, institutions, and public lands: The proposed tower site is adjacent to RR-3



zoned properties to the north and west, a Rural Watershed (AW) zoned property to the north, and Public Recreation (P-1) zoned properties to the east and south. The AW zoned property is held by the CRD. The P-1 zoned properties are part of East Sooke Regional Park. The closest dwelling is located on the subject property, approximately 360 m from the tower. The next closet dwelling is located on Copper Mine Road, approximately 390 m away.

Visibility and measures to integrate the tower into local surroundings: The proposed antenna system would be located adjacent to undeveloped portion of East Sooke Regional Park. The applicant has stated that tower will be hidden from view from most vantage points due to the rolling terrain of the area and due to the local tree canopy, which is approximately 38 m tall.

Security measures: The applicant stated that there is an existing locked gate at the beginning of the access road to the proposed site and that the compound and tower area would be fenced and signed to restrict public access. The applicant further stated that the widening of Valentine Road, required to permit access to construction vehicles, will be backfilled once construction is completed. Security cameras to be considered in future.

Alternatives/mitigation measures: The proposed location for the tower meets the applicant's required conditions, including line of sight, ease of access, cleared land and a willing property owner. Other locations were investigated and were either found to be unsuitable because line of sight could not be achieved or for technical operation reasons including structure and height requirements. The applicant also examined colocation options in the area and has determined that no existing structures are available to satisfy its coverage objectives. The applicant has stated that the display of any type of lighting, except where required by Transport Canada, will be avoided.

Hazardous areas: There are no known hazardous conditions in proximity to the proposed tower location.

Environmentally sensitive areas: The proposed tower and compound are located outside the Steep Slope, Riparian and Sensitive Ecosystem development permit areas; therefore, there is no requirement for a professional report or permit.

Aeronautical safety requirements: The applicant will be required to abide by any Transport Canada specifications for installing lights on the proposed antenna system.

Impact on community: Nine submissions from members of the public and a web petition with 90 names were received during the notification period. The petition spoke in opposition to the proposed tower; however, it does not provide information to determine if the individuals reside or own property in the local community. The remainder of the submissions requested information regarding the identity of the applicant, purpose of the tower installation, tower and antenna design details and public consultation measures. The submissions expressed general health and safety concerns including concerns related to emissions/transmissions. The applicant responded that the radiation type is non-ionizing radiation and that the power level is below levels established by Health Canada and ISED Safety Code 6 levels, and that the transmission technology is mature and tested.

The submissions stated concern regarding the tower's vicinity to a residential neighbourhood and/or East Sooke Regional Park and the potential impacts of light pollution and potential impacts to property values and to wildlife. The applicant responded to state its responsibility under ISED Procedures Circular CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems, for ensuring that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements. The applicant further replied that issues related to the impact on property values are outside of the scope of the application. One submission questioned how East Sooke will benefit from the tower installation. The applicant responded that it may consider third-party requests for colocation for the purpose of hosting safety/emergency services telecommunication infrastructure. Five of the submissions and the petition stated non-support for the application.

In addition to replying to each submission, the applicant has provided a response matrix which is included as Appendix D.

Designs that address the guidelines: The distance between the proposed tower and adjacent residences is greater than three times the tower height, as recommended by the CRD policy. The proposed tower site is located adjacent to undeveloped portion of East Sooke Regional Park. The closet dwelling on an adjacent property is located on Copper Mine Road, approximately 390 m away.

ISED Procedures Circular CPC-2-0-03 outlines matters and concerns that are considered “reasonable” and “unreasonable” under the public consultation process for proponents. Matters that are considered “reasonable” include: why the use of an existing antenna system or structure is not possible; why an alternate site is not possible; what the proponent is doing to ensure that the antenna system is not accessible to the general public; how the proponent is trying to integrate the antenna into the local surroundings; what options are available to satisfy aeronautical obstruction marking requirements at this site; what steps the proponent took to ensure compliance with the general requirements of this document. These concerns form the basis of the information requested of applicants in the CRD’s radio antenna system application policy in order to guide staff in providing a recommendation regarding antenna proposals.

Matters that are considered by ISED to be “unreasonable” include: those that are related to disputes with members of the public related to the proponent’s service, but unrelated to antenna installations; potential effects that a proposed antenna system will have on property values or municipal taxes; and questions as to whether the *Radiocommunication Act*, the CPC-2-0-03 document itself, Safety Code 6, locally established bylaws, or other legislation, procedures and processes are valid or should be reformed in some manner.

The concerns raised by the public primarily relate to uncertainty around the health consequences attributed to electromagnetic fields and around benefits to the local community of the proposal as a system intended for research purposes rather than improving service directly to residents. However, the proposed tower location and design satisfy the evaluation criteria outlined in the CRD’s policy. The applicant has presented rationale for the proposed location, demonstrated consideration of alternatives and mitigation measures, and provided information that address comments and questions received from members of the public. Therefore, staff recommend that a statement of concurrence be provided for the proposed 49 m telecommunications tower (LP000034).

## **CONCLUSION**

An application has been received from 1291956 BC ULC to construct a 49 m telecommunications antenna system at 6246 Gordon Road for the purpose of providing long-range, high-throughput data communications in the high frequency band to support business activities in the area of data communications. Through the public consultation process, owners and occupants of land in proximity to the subject properties were provided opportunity to comment or ask questions. Nine submissions and a web petition with 90 names were received. The applicant submitted responses to each of the submissions and has provided a response matrix. The proposal addresses the evaluation criteria in the CRD’s Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy and concerns raised in the submissions are outside the scope of matters that are considered “relevant” as part of the public consultation process outlined in ISED Procedures Circular CPC-2-0-03. Therefore, staff recommend that a statement of concurrence be provided.

## **RECOMMENDATION**

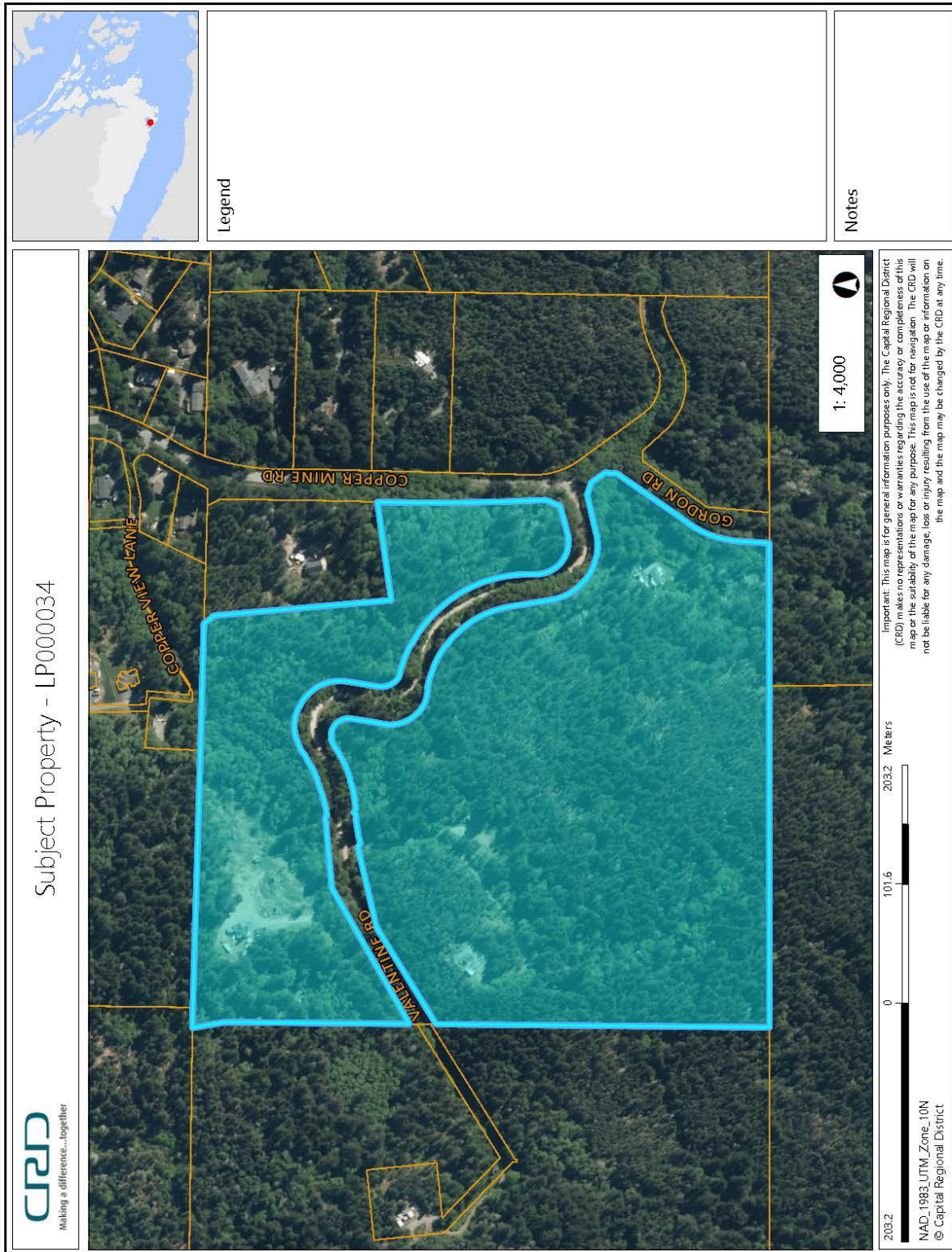
The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board: That a statement of concurrence be provided to 1291956 BC ULC. for the proposed 49 m radio communication and broadcasting antenna system on Lot 2, District Lots 143 and 200, and Section 154, Sooke District, Plan 42290.

Submitted by:	Iain Lawrence, MCIP, RPP, Senior Manager, JdF Local Area Services
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Larisa Hutcheson, P. Eng., Acting Chief Administrative Officer

## **ATTACHMENTS**

Appendix A: Subject Property Map  
Appendix B: Development Proposal  
Appendix C: Public Submissions and Applicant Responses  
Appendix D: Response Matrix  
Appendix E: Referral Comments  
Appendix F: Evaluation Criteria

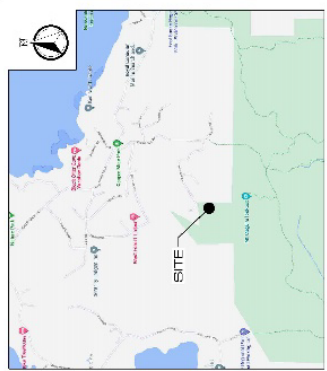
Appendix A: Subject Property Map



Appendix B: Development Proposal

DRAWING INDEX	
DWG NO	DRAWING TITLE
T-1	TITLE SHEET
A-1	SITE PLAN
A-2	ENLARGED SITE PLAN
A-3	EAST ELEVATION


  

KEY PLAN	
	
<p>LATITUDE: N 4835778 LONGITUDE: W 725684.57</p>	

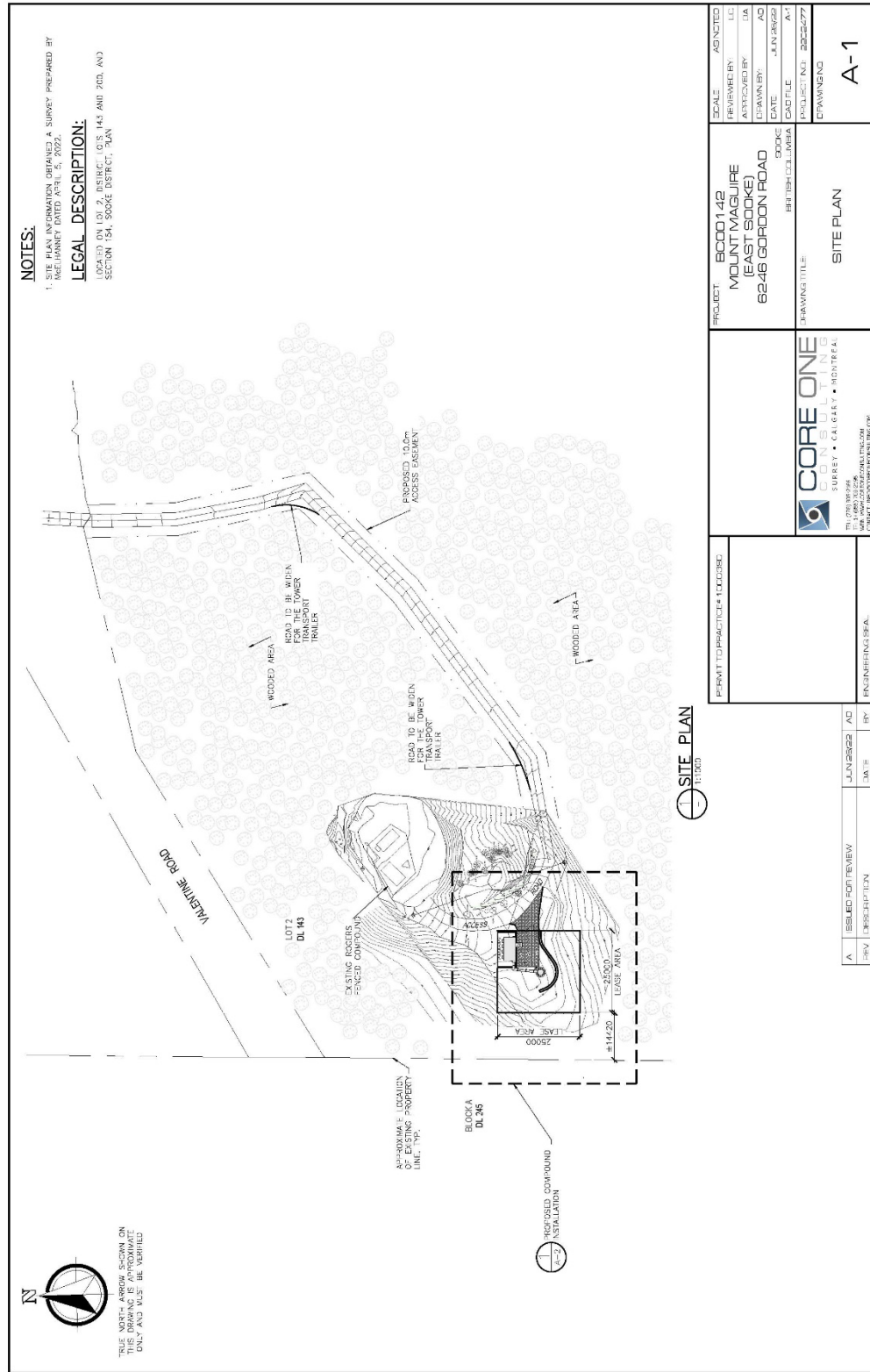
SITE INFORMATION	
SITE ID:	B000142
SITE NAME:	MOUNT MAGUIRE (EAST SIOCKE)
SITE ADDRESS:	6246 GORDON ROAD SIOCKE BC
LEGAL DESCRIPTION:	REFERENCE PLAN OF PART OF LOT 2, DISTRICT LOTS 149 AND 200 AND SECTION 154, SIOCKE DISTRICT, PLAN 42280
SITE CONFIGURATION:	MONDPOLE
APPLICANT:	GLOBAL NETWORK TRANSPORT

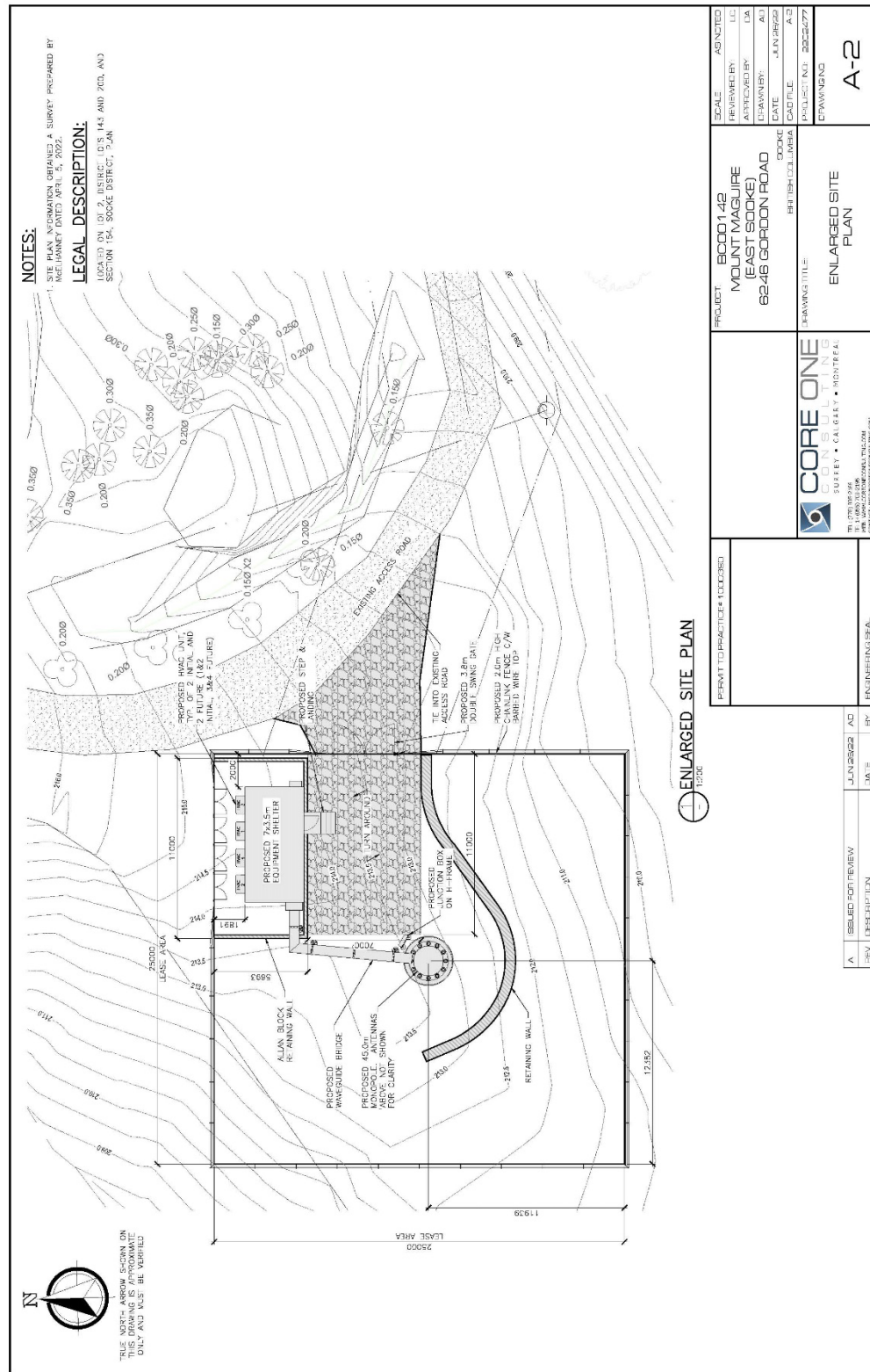
CORE ONE	
 <p>CORE ONE SIOCKE • CALGARY • MONTREAL</p>	<p>PROJECT: B000142 MOUNT MAGUIRE (EAST SIOCKE) 6246 GORDON ROAD SIOCKE BC</p>
<p>DATE: 2023/01/17 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]</p>	<p>TITLE SHEET</p>

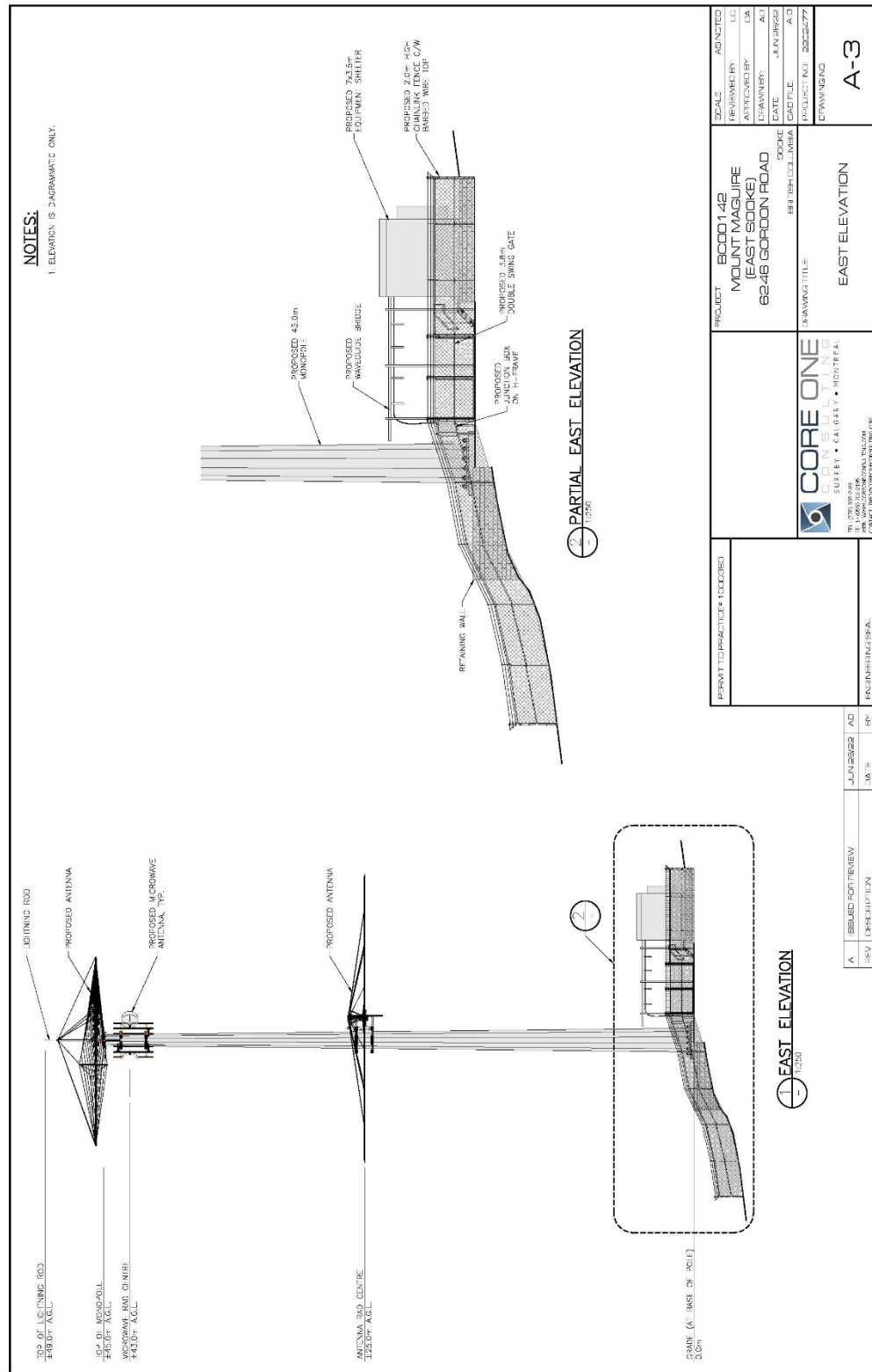
  

REVISIONS	
REV	DESCRIPTION
1	ISSUED FOR PERMIT











Appendix C: Public Submissions and Applicant Responses

Submission #1: Kim Amorim

**From:** [REDACTED]  
**To:** [jdf info](#)  
**Subject:** Radio communications tower at Gordon road / East Sooke  
**Date:** Friday, September 16, 2022 7:08:01 PM

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Thanks for the info dated September 15 /22 referring to the subject.

1 - Unfortunately, the attachment 2 is illegible and therefor worthless.

Is this a lapse or is it intentional ?

2 – what is the radiation type and its radius, emitted by the antenna ?

Best Regards,

Kim Amorim

[REDACTED]  
East Sooke BC

Applicant's Response #1: Kim Amorim

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Friday, September 30, 2022 2:28:59 PM  
**Attachments:** [image001.png](#)  
[understanding-safety-code-6-eng.pdf](#)  
[6246 Gordon Road, Sooke- PRELIM REV 0.pdf](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please find response to the questions below.

1. As to the attachment of the letter sent by JDF being illegible and whether lapse or intentional? Pretty sure this was not intentional, please see attached copy of preliminary designs, in case JDF wants to send full set.
2. The radiation type is non-ionizing radiation, and power is below levels established in Health Canada and ISED Safety Code 6 standard. See Attached Government Safety-code 6 document.

Please let me know if you have any questions, comments or concerns.

Thank you,  
Regards,  
FRED

Fred Mullie  
Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)  
18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4  
(O) (778) 805-2166 | (M) (778) 9035200  
(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)  
[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)



### ABOUT SAFETY CODE 6

Safety Code 6 is a document that sets out recommended safety limits for human exposure to radiofrequency electromagnetic fields (EMF) in the frequency range from 3 kHz to 300 GHz.

This range covers the frequencies used by communications devices and equipment that emit radiofrequency EMF such as:

- › Wi-Fi
- › cell phones
- › smart meters
- › cell phone towers
- › those using 5G technology

### ABOUT THE SAFETY LIMITS

The safety limits in the code:

- › protect against all established adverse health effects related to radiofrequency EMF, no matter the source
- › incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources
- › provide protection for people of all ages and sizes, from exposure to all forms of radiofrequency EMF on a continuous (24 hours a day/7 days a week) basis

The exposure limits in Safety Code 6 are based on:

- › Health Canada research
- › an ongoing review of published scientific studies on potential adverse health effects

You are **protected** from the combined exposure of radiofrequency EMF from multiple sources with Safety Code 6 exposure limits in place. Safety Code 6 takes into account the total exposure from all sources of radiofrequency EMF in the range of 3kHz to 300 GHz. This includes those that may be used in 5G technology.

Safety Code 6 is reviewed on a regular basis to confirm that it continues to provide protection against all known potentially adverse health effects.

Visit **Canada.ca** and search **Safety Code 6** for more information.



Health  
Canada

Santé  
Canada

Canada

UNDERSTANDING  
**SAFETY CODE 6**



### HOW DEVICES ARE REGULATED

Innovation, Science and Economic Development Canada (ISED) regulates wireless communication equipment such as:

- › Wi-Fi
- › cell phones
- › cell phone towers

ISED also:

- › oversees the licensing and placement of cell phone towers
- › ensures that these towers comply with regulatory standards for human exposure limits outlined in Safety Code 6
- › considers the effects on the environment and local land use before towers are installed

- › develops regulatory standards that require compliance with the human exposure limits outlined in Safety Code 6
- › ensures that exposure to radiofrequency EMF from cell phones and cell phone towers do not exceed the specified limits
- › maintains a market surveillance program and routinely audits antenna installations and devices to verify compliance

If new scientific evidence were to show that exposure to radiofrequency EMF below the levels found in Safety Code 6 poses a risk, the Government of Canada would take steps to **protect the health** of Canadians.

Visit **Canada.ca** and search **Safety Code 6** for more information.

© Her Majesty the Queen in Right of Canada, as represented by the Minister of Health, 2021. Cat.: H129-113/2021E-PDF ISBN: 978-0-660-37401-7 Pub.: 200426



Health  
Canada

Santé  
Canada

Canada

Submission #2a: Sean Holland

**From:** [REDACTED]  
**To:** [jdf.info](#)  
**Subject:** Contact Us - Submission  
**Date:** Monday, September 19, 2022 1:26:10 PM

The following message was received through the form at 'https://www.crd.bc.ca/contact-us?r=juan-de-fuca-information'. Neither the name nor the e-mail address can be confirmed as accurate.

.....

**Your Name:**  
Sean Holland

**Your Email Address:**  
[REDACTED]

**Message:**

I live on [REDACTED] in East Sooke and received notice that we are within 500 metres of the radio communication tower on Gordon Road proposed in an application. What I haven't been able to find out is: Who is applying to put up that tower? What will its purpose be? Please let our neighbourhood know this information that could significantly affect whether or not we are happy about this application. Thank you.

Applicant's Response #2a: Sean Holland

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Friday, September 30, 2022 1:19:47 PM  
**Attachments:** [image001.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below.

#1291956 B.C. Unlimited Liability Company is applying to put up the Tower.

Purpose of tower and antenna and radio systems:

The purpose of the tower and antenna and radio system is to test and investigate the possibilities of long-range data communications to complement traditional terrestrial transport technologies. 1291956 B.C. Unlimited Liability Company is progressing and advancing a mature, tested, and safe radio transmission technology. The objective for the experiment include the determination of the feasibility of reliable long range data communication in a real world environment that cannot be simulated in a laboratory. 1291956 B.C. Unlimited Liability Company experimental operations will use commercially available and experimental radio equipment all complying with Health Canada's Safety Code 6 guidelines.

Thank you,  
Regards,  
FRED

Fred Mullie  
Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)  
18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4  
(O) (778) 805-2166 | (M) (778) 9035200  
(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)  
[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)

Submission #2b: Sean Holland

**From:** [REDACTED]  
**To:** [jdf info](#)  
**Subject:** Contact Us - Submission  
**Date:** Friday, October 14, 2022 8:27:01 AM

The following message was received through the form at 'https://www.crd.bc.ca/contact-us?r=juan-de-fuca-information'. Neither the name nor the e-mail address can be confirmed as accurate.

.....

**Your Name:**  
Sean Roderick Holland

**Your Email Address:**  
[REDACTED]

**Message:**  
Please do not approve the application for the proposed 'experimental' radio communications tower at the top of Coppermine Rd in East Sooke. This type of facility is not appropriate for a residential neighbourhood right next to East Sooke Park.

Applicant's Response #2b: Sean Holland

**From:** [Fred Mullie](#)  
**To:** [Wendy Miller](#)  
**Subject:** Re: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Monday, October 31, 2022 11:32:41 AM  
**Attachments:** [image002.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see the response below.

Roderick Holland

Our evaluation of the environmental conditions in the area of the proposed tower location (the "Proposed Site") confirmed that the tower is unlikely to cause negative environmental impacts. Along the Valentine Road, there is an area noted as "riparian and sensitive," but this area is not in close proximity to the Proposed Site. We acknowledge our responsibility under Innovation, Science and Economic Development Canada ("ISED") Procedures Circular CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems, for ensuring that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements.

Thank you,  
Regards,  
FRED

Submission #3a: Alex Stringer

**From:** [REDACTED]  
**To:** [jdf.info](#)  
**Subject:** Contact Us - Submission  
**Date:** Wednesday, October 05, 2022 12:59:23 PM

---

The following message was received through the form at 'https://www.crd.bc.ca/contact-us?r=juan-de-fuca-information'. Neither the name nor the e-mail address can be confirmed as accurate.

.....

**Your Name:**  
Alex Stringer

**Your Email Address:**  
[REDACTED]

**Message:**

Hello, I am writing in reference to the proposed radio communication tower/application LP000034 on gordon road in east sooke. I am against having this tower installed so close to residential neighborhoods. Regardless of what you believe are relevant concerns or not (as listed in the public consultation letter we received from the CRD), my main concern is for my son's health. He is immunocompromised and one of the numerous reasons we moved out to east sooke was to allow him to grow up as healthy as possible. This tower being so close to where we live, sending out signals 24 hours a day until he turns 18 is not something we were looking for when we decided to move out here. I know the general response is "the science isn't conclusive" regarding health effects when companies want to install towers in the middle of residential neighborhoods however, I firmly believe living this close to a tower would be detrimental to his health. We already have uhf signals from existing towers in the area, and our proximity to the rocky point military base does not help matters either. I would very much like to avoid another trip to the emergency room with him. You may view this as a dramatic approach, however in this case every little bit helps. Furthermore I have a difficult time deciding the placement of the tower. Of course I understand towers are necessary and the location proposed may seem like a good spot being so elevated, however why not somewhere that does not have an entire neighborhood living under it?? To be honest unfortunately I'm already feeling defeated as there are a number of proposals in our area that are "in progress", and it doesn't really seem like anybody really wants to know what the communities input is. A public inquiry is opened for a period of time, the community has their say, and the proposal moves forwards regardless of what the public thinks. This is one of the main reasons we moved away from langford. In this instance however, I hope you will listen to the general public's opinion and seriously consider whether you HAVE to put the tower where it has been proposed. I am a homeowner who really doesn't care what this tower will do to my home value. I don't care about what it looks like. I wouldn't care where you put it in all honesty if it wasn't for the various radio signals etc it would be broadcasting through our homes walls 24 hours a day. I care about my son's health, and the health and well being of my neighborhood as a whole. Thank you.



Applicant's Response #3a: Alex Stringer

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Friday, October 14, 2022 2:44:57 PM  
**Attachments:** [image001.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below,

Alex Stringer

1291956 B.C. cares about safety. The proposed structure will be operated in a manner that complies with Health Canada's RF exposure guideline, Safety Code 6

Thank you,  
Regards,  
FRED

Fred Mullie  
Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)  
18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4  
(O) (778) 805-2166 | (M) (778) 9035200  
(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)  
[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)



Submission #3b: Alex Stringer

**From:** [REDACTED]  
**To:** [jdf.info](#)  
**Subject:** Contact Us - Submission  
**Date:** Monday, October 10, 2022 10:29:21 AM

---

The following message was received through the form at 'https://www.crd.bc.ca/contact-us?r=juan-de-fuca-information'. Neither the name nor the e-mail address can be confirmed as accurate.

.....

**Your Name:**  
Alex Stringer

**Your Email Address:**  
[REDACTED]

**Message:**

Hello, I have already emailed you regarding the proposed tower on gordon Rd in east sooke. I felt the need to email again as I have just learned that the tower is going to be used to "test and investigate" the possibility of long-range data communications and "experiment" to determine the feasibility of their technology in a "real world environment". I do not under any circumstances want new technology, or existing technology being used in new ways to be tested just above my house. We live in east sooke to be away from development, towers, and major infrastructure etc. Please put your tower somewhere else.

Applicant's Response #3b: Alex Stringer

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy.Miller@fred.mullie@coreoneconsultants.com](mailto:Wendy.Miller@fred.mullie@coreoneconsultants.com)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Wednesday, November 02, 2022 1:05:08 PM  
**Attachments:** [image002.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below;

**Alex Stringer**

We acknowledge the receipt of this feedback. As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, “current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6.” (at pg. 13). We note that existing provincial and federal regulations for the permitting of telecommunication towers do not require applicants to provide research or studies to prove these facilities will have no health effect on local residents. We have taken steps to minimize any potential issues regarding visual aesthetic impact. One of the main reasons we selected the Proposed Site was its close proximity to two existing communication towers. We also considered the Proposed Site to be appropriate as it is distant from community sensitive locations

Thank you,  
Regards,  
FRED

Fred Mullie  
Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)  
18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4  
(O) (778) 805-2166 | (M) (778) 9035200  
(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)  
[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee, you should not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

Submission #4: Justin Rubelo

**From:** [East Sooke](#)  
**To:** [jdfinfo](#)  
**Subject:** Proposed 49 m radiocommunications facility  
**Date:** Friday, October 07, 2022 3:40:36 PM

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

I live very near the proposed new facility and have owned this property for over 7 years and for some reason I was only just informed about this proposal by my next-door neighbour who tells me that he got a notice in the mail about this. Why is it that I was not delivered any such notice? How many of my neighbours were also not notified?

It is unacceptable that this proposal could be ruled on when clearly you have failed to sufficiently notify the nearby residents of their opportunity to comment and it should be required for you to ensure that all of the affected residents are properly given notice and opportunity to comment.

As it stands, I object to the proposal both on the grounds that we do not need yet another radio tower here (we already have one) and that it could be seen as though someone is intentionally trying to allow this to go through by failing to inform all of the affected parties about the proposal so that the number of negative comments will be very low and make it appear as if you have the consent of the majority who in fact may not even be aware of the proposal.

I would like to receive a response confirming that you are going to do something about this issue. The local residents MUST be made aware of this and their opportunity to comment must be extended since they have not been notified in a reasonable timeline.

Justin Rubelo  
[REDACTED]

Applicant's Response #4: Justin Rubelo

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#); [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Wednesday, November 02, 2022 12:10:20 PM  
**Attachments:** [image003.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below.

**Justin Rubelo**

The community has been engaged in accordance with the JDF Policy. As part of this engagement, CDR posted on its website a notice of the application and an invitation for public input on September 15, 2022. The CRD's notice of application and invitation for comments was also published on the Sooke News Mirror on the same day.

Thank you,  
Regards,  
FRED

Fred Mullie  
Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)  
18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4  
(O) (778) 805-2166 | (M) (778) 9035200  
(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)  
[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)

Submission #5: Josh Stewart

**From:** [REDACTED]  
**To:** [idf.info](#)  
**Subject:** Contact Us - Submission  
**Date:** Monday, October 10, 2022 11:08:19 AM

---

The following message was received through the form at 'https://www.crd.bc.ca/contact-us?r=juan-de-fuca-information'. Neither the name nor the e-mail address can be confirmed as accurate.

.....

**Your Name:**  
Joshua Stewart

**Your Email Address:**

[REDACTED]

**Message:**

Hello, I am a resident of East Sooke in the Copper Mine Rd area and have learned of the radio tower proposal. I firmly oppose the idea of this construction. The tower would be far too close to many residences, would protrude far to high above the existing forest canopy, would be a source of light pollution and Electromagnetic frequency pollution within close proximity to wildlife passages and residential areas. I don't want my children to have to grow up under a radio tower.

I would like to know what group or business is funding the tower and the reason to build an experimental radio tower between a neighborhood and a popular community wilderness park.

Josh Stewart

Applicant's Responses #5: Josh Stewart

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Friday, October 14, 2022 2:28:40 PM  
**Attachments:** [image002.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below.

Joshua Stewart

– The tower/business planning the tower is 1291956 B.C. Unlimited Liability Company. The location was chosen as it fits the requirements necessary for the Company's needs. The proposed structure will be operated in a manner that complies with Health Canada's RF exposure guideline, Safety Code 6. The transmission technology is mature and tested. The experimental nature of the signal is in reference to the novel application of an existing technology.

Thank you,  
Regards,  
FRED

Fred Mullie  
Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)  
18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4  
(O) (778) 805-2166 | (M) (778) 9035200  
(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)  
[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee, you should not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. If you are not the intended recipient, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

---

**From:** Wendy Miller <[wmiller@crd.bc.ca](mailto:wmiller@crd.bc.ca)>  
**Sent:** October 11, 2022 4:20 PM  
**To:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**Subject:** Submission Received - CRD File LP000034/6246 Gordon Road

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Wednesday, November 02, 2022 12:16:28 PM  
**Attachments:** [image003.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below,

**Josh Stewart -**

The applicant, 1291956 B.C. ULC is funding the tower. The purpose of the tower is to provide long-range, high-throughput data communications in the HF band to complement traditional, terrestrial transport technologies. The tower and associated antennas are needed to support business activities in the area of data communications.

As for concerns regarding light pollution to nearby residences, in accordance with CRD's *Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy* ("JDF Policy") the applicant will avoid the display of any type of lighting except where required by Transport Canada. If lighting is required for security reasons, the applicant will endeavour to shield it from adjacent properties and keep it to a minimum intensity (ensuring, where possible, it is downward facing and motion-sensory designed). Further, we will comply with the setback from adjacent dwellings imposed by the JDF Policy, or a different setback as may be required by CRD.

As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, "current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6." (at pg. 13). We note that existing provincial and federal regulations for the permitting of telecommunication towers do not require applicants to provide research or studies to prove these facilities will have no health effect on local residents

Thank you,  
Regards,  
FRED



Submission #6: Eric Hughes

**From:** [Eric](#)  
**To:** [jdf info](#)  
**Subject:** Opposition to the radio tower at 6246 Gordon Road and questions  
**Date:** Monday, October 10, 2022 3:28:40 PM

---

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

I am 100% against this radio tower project. As someone who has opted to rarely use a cell phone, have a "radio off" hydro meter at the house etc I moved out here to be away from the multitudes of RF sources found in town.

To have a potentially high powered antenna transmitting from within 500m of my house is something I am steadfastly against. What do I have to do to stop this project?

Here are my questions.

- 1) How many antenna will be on the tower?
- 2) What power outputs will the antennas be putting out?
- 3) What frequencies will the tower be transmitting in?
- 4) What is the expected effect on the surrounding area?
- 5) What will be the expected measurable RF radiation at 50m, 100m, 250m and 500m from the tower?
- 6) What research and or studies has been done or consulted that prove that the tower will have no effect over the local residents?
- 7) At 49m tall the tower will detract from the natural beauty of the local park and neighbourhood. This will reduce our property values. What compensation will be provided to the residents due to the unsightly tower ruining the local beauty?
- 8) Will there be regular RF level testing in the surrounding area to ensure that the tower remains within compliant levels? If the tower is found to exceed levels, what remedies will be taken and how quickly will they be applied?

Eric Hughes

Applicant's Response #6: Eric Hughes

**From:** [fred.mullie@coreoneconsultants.com](mailto:fred.mullie@coreoneconsultants.com)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Wednesday, November 02, 2022 12:23:13 PM  
**Attachments:** [image003.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below:

**Eric Hughes**

1. The tower will have three antennas.
2. The two high frequency ("HF") antennas will be transmitting < 1000W. The 10.7-11.7GHz microwave will be <1W.
3. Two antennas will be transmitting in the HF band 5-30MHz, and one will be transmitting in the 10.7-11.7GHz microwave band.
4. Our evaluation of the environmental conditions in the area of the proposed tower location (the "Proposed Site") confirmed that the tower is unlikely to cause negative environmental impacts. Along the Valentine Road, there is an area noted as "riparian and sensitive," but this area is not in close proximity to the Proposed Site.
5. As we confirmed in our "Conditions and Declarations" document, the tower will be designed and operated in accordance with Health Canada's *Safety Code 6: Radiofrequency Exposure Guidelines* ("Safety Code"). We will retain a licensed engineer to ensure compliance with the *Safety Code*. Our obligation to comply with the *Safety Code* is ongoing and, at any time, we may be required, as directed by Innovation, Science and Economic Development Canada ("ISED"), to demonstrate compliance by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures (as required by CPC-2-0-20, *Radio Frequency (RF) Fields – Signs and Access Control*). We note that the radio equipment powering the antennas is designed for *Safety Code* adherence, and we will not operate it over the limit recommended by manufacturing specifications. For clarity, potential equipment malfunctioning would not lead to inadvertent power output beyond *Safety Code* limits. Therefore, inspection of the equipment for this reason is not required.
6. As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, "current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6." (at pg. 13). We note that existing provincial and federal regulations for the permitting of telecommunication towers do not require applicants to provide research or studies to prove these facilities will have no health effect on local residents.
7. Issues related to impact on property values are outside the scope of this application. As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, "potential effects that a proposed antenna system will have on property values" is not a "relevant" concern (pg. 8) and, therefore, applicants are not required to address it.
8. As we confirmed in our "Conditions and Declarations" document, the tower will be designed and operated in accordance with Health Canada's *Safety Code 6: Radiofrequency Exposure Guidelines* ("Safety Code"). We will retain a licensed engineer to ensure compliance with the *Safety Code*. Our obligation to comply with the *Safety Code* is ongoing and, at any time, we may be required, as directed by Innovation, Science and Economic Development Canada ("ISED"), to demonstrate compliance by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures (as required by CPC-2-0-20, *Radio Frequency (RF) Fields – Signs and Access Control*). We note that the radio equipment powering the antennas is designed for *Safety Code* adherence, and we will not operate it over the limit recommended by manufacturing specifications. For clarity, potential equipment malfunctioning would not lead to inadvertent power output

beyond *Safety Code* limits. Therefore, inspection of the equipment for this reason is not required.

Thank you,

Regards,

FRED

Fred Mullie

Director Business Development and Network Infrastructure Projects | [Core One Consulting](#)

18525 53rd Avenue, Suite 229, Surrey, BC V3S 7A4

(O) (778) 805-2166 | (M) (778) 9035200

(E) [fred.mullie@coreoneconsulting.com](mailto:fred.mullie@coreoneconsulting.com)

[www.coreoneconsulting.com](http://www.coreoneconsulting.com) | [info@coreoneconsulting.com](mailto:info@coreoneconsulting.com)

Submission #7: Shandelle Conrad

**From:** [REDACTED]  
**To:** [jdf.info](#)  
**Subject:** Contact Us - Submission  
**Date:** Thursday, October 13, 2022 1:46:46 PM

The following message was received through the form at 'https://www.crd.bc.ca/contact-us?r=juan-de-fuca-information'. Neither the name nor the e-mail address can be confirmed as accurate.

.....

**Your Name:**  
Shandelle Conrad

**Your Email Address:**  
[REDACTED]

**Message:**  
I am opposed to the tower proposed at Gordon's Rd & Valentine. This is an eco-sensitive area. The community has not been engaged.

Shandelle

Applicant's Response #7: Shandelle Conrad

**From:** [Fred Mullie](#)  
**To:** [Wendy Miller](#)  
**Subject:** Re: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Monday, October 31, 2022 11:19:51 AM  
**Attachments:** [image002.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see response below.

Shandelle Conrad

We acknowledge our responsibility under Innovation, Science and Economic Development Canada ("ISED") Procedures Circular CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems, for ensuring that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements. The community has been engaged in accordance with the JDF Policy. As part of this engagement, CRD posted on its website a notice of the application and an invitation for public input on September 15, 2022. The CRD's notice of application and invitation for comments was also published on the Sooke News Mirror on the same day.

Thank you,  
Regards,  
FRED

Submission #8: Ron King

**From:** [Ron King](#)  
**To:** [jdfinfo](#)  
**Subject:** Written Submission for file: LP000034  
**Date:** Thursday, October 13, 2022 6:00:57 PM

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello;

I am an owner/occupier within 500 meters of the subject site (6246 Gordon Road) and would like to provide the following comments and questions about the application.

I feel that is important to voice my questions and concerns as I have noticed that information about this project seems to be fluid.

My family purchased and moved to our property nearly 20 years ago. We are very concerned about this project and the effects it could have on our community.

Why is a numbered company listed as the applicant and not a parent company or corporation?  
Is this for protection from possible liability?

Why is this rather large and expensive endeavor being proposed for a test?

What happens with the tower and equipment after the test is completed?

What is the proposed duration of the project? (from start of construction to end of testing experiment)

Who if anyone would be monitoring the construction process/progress and during testing/experimenting operations for potential harmful output from the testing equipment?

Who would assume liability if there were harmful health damages to local residents or properties as a result of construction or operations of the facility?

Has the possible harmful effects of the construction and operation of the facility been thoroughly investigated?

The area is a sensitive location as there is East Sooke Park adjacent to the proposed facility.

There is a public trail access to East Sooke Park adjacent to the proposed facility.

As mentioned by CRD "This area is important habitat for large carnivores as well as many smaller organisms including the Warty Jumping - Slug - a Species of Special Concern under the Federal Species at Risk Act"

Widening and constructing a larger access road would definitely have a negative impact.

We purchased our home and moved to this neighbourhood to enjoy the peaceful lifestyle that came with the area. If this facility is built, the negative effects would definitely compromise our daily lives. We chose to live here to be away from the effects and signs of industry, not to be living and now retired, adjacent to it.

The applicant mentioned that the project would be complying with Health Canada Safety Code 6 Guidelines. These are only safe in a perfect scenario. Who's to say that something harmful wouldn't go wrong? The potential damage can't always be seen or proven until long after it's done. An example would be with the tobacco industry and the effects of smoking causing extremely high risk for lung cancer in humans.

One may say that there is no science to prove there is harm to human health from RADIOCOMMUNICATIONS FACILITIES and one can also say that there is no science to prove otherwise.

My suggestion would be for this facility to be suitably constructed at a safe distance away from any residential neighbourhoods.

Thank you for your time and I look forward to your reply.



Applicant's Response #8: Ron King

**From:** [Fred Mullie](#)  
**To:** [Wendy Miller](#)  
**Subject:** Re: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Tuesday, November 08, 2022 9:21:01 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,  
Please see response below.

**RON KING**

The bullets correspond to the various questions:

- The applicant, 1291956 B.C. ULC. will own and operate the tower and, therefore, is the appropriate named applicant. The applicant is the entity with legal authority to bind the company.
- On the subject of liability, we note that we are a Canadian corporation and, as such, subject to Canadian common law and applicable provincial and federal statutes.
- The purpose of the tower is to provide long-range, high-throughput data communications in the HF band to complement traditional, terrestrial transport technologies. The tower and associated antennas are needed to support our business activities in the area of data communications.
- We have not yet determined for how long we will operate the tower. Such determination depends on a number of factors that have yet to be assessed, including how well the tower will perform in the Proposed Site. When the tower is removed from the Proposed Site, we will comply with any legal requirements for reclamation and remediation of the site, as applicable.
- We have not yet determined for how long we will operate the tower. Such determination depends on a number of factors that have yet to be assessed, including how well the tower will perform in the Proposed Site. When the tower is removed from the Proposed Site, we will comply with any legal requirements for reclamation and remediation of the site, as applicable.
- The applicant and/or its contractors will monitor construction progress.
- As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, “current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6.” (at pg. 13). We note that existing provincial and federal regulations for the permitting of telecommunication towers do not require applicants to provide research or studies to prove these facilities will have no health effect on local residents.
- As we confirmed in our “Conditions and Declarations” document, the tower will be designed and operated in accordance with Health Canada’s Safety Code 6: Radiofrequency Exposure Guidelines (“Safety Code”). We will retain a licenced engineer to ensure compliance with the Safety Code. Our obligation to comply with the Safety Code is ongoing and, at any time, we may be required, as directed by Innovation, Science and Economic Development Canada (“ISED”), to demonstrate compliance by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures (as

required by CPC-2-0-20, Radio Frequency (RF) Fields – Signs and Access Control)

- Our evaluation of the environmental conditions in the area of the proposed tower location (the “Proposed Site”) confirmed that the tower is unlikely to cause negative environmental impacts. Along the Valentine Road, there is an area noted as “riparian and sensitive,” but this area is not in close proximity to the Proposed Site. We will ensure the tower is installed and operated in a manner that complies with statutory requirements, such as those under the *Migratory Birds Convention Act* (1994, SC 1994, c 22) and the *Species at Risk Act* (SC 2002, c 29), as applicable. We note that the tower is not expected to represent a source of light pollution in the surrounding area. Once our proposal is reviewed by Transport Canada, we will inform the community of Transport Canada’s marking/lighting requirements for the tower. As indicated in our “Community Impact Statement,” we do not anticipate the need for day lighting. We do not anticipate constructing a large access road for the tower. However, a small section of Valentine Road will be temporarily widened for construction vehicle access to the Proposed Site. We note that the road widening will be backfilled once construction is completed.

Thank you,  
Regards,  
FRED



Submission #9: Natalia Day

**From:** [Natalia Day](#)  
**To:** [jdfinfo](#)  
**Cc:** [Jain Lawrence](#); [Wendy Miller](#)  
**Subject:** Application for Radiocommunication Tower - 6246 Gordon Road  
**Date:** Thursday, October 13, 2022 6:18:18 PM

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello,

This message is regarding the proposed radio communications tower for 6246 Gordon Road.

I wish to have the following questions answered by the applicant.

Who is the actual owner of the tower? As Core One Consulting is likely representing someone, who are they representing?

What is the intended purpose of their 'experiment' and how does that relate to use of the tower over the long term?

What benefits will this tower bring to East Sooke, and the JDF?

What laboratory results has this testing generated, and how has that deemed field testing to be safe?

What other locations are currently being considered to complete this testing?

Should residents suffer consequences as a result of this testing (health impacts, property value decline) who is responsible?

What will be done to mitigate light pollution, and impacts to resident's view?

It has been stated that the tower height will be in excess of the current tree canopy. What will the applicant do to ensure it is not an eye-sore for residents?

Thank you.

Natalia Day  
[REDACTED]

Applicant's Response #9: Natalia Day

**From:** [Fred Mullie](#)  
**To:** [Wendy Miller](#)  
**Subject:** Re: Submission Received - CRD File LP000034/6246 Gordon Road  
**Date:** Tuesday, November 08, 2022 9:27:08 AM  
**Attachments:** [image001.png](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Wendy,

Please see below response

**NATALIA DAY**

1. Core One Consulting is representing the applicant, 1291956 B.C. ULC.
2. The purpose of the tower is to provide long-range, high-throughput data communications in the HF band to complement traditional, terrestrial transport technologies. The tower and associated antennas are needed to support our business activities in the area of data communications.
3. Regarding benefits to East Sooke and the Juan de Fuca community, we may consider, on a case-by-case basis, third-party requests to collocate additional equipment on the tower for the purposes of hosting safety/emergency services telecommunication infrastructure. We note we will only consider collocation requests for the strict purpose of safety and/or emergency services and not for business or commercial purposes.
4. As we confirmed in our "Conditions and Declarations" document, the tower will be designed and operated in accordance with Health Canada's *Safety Code 6: Radiofrequency Exposure Guidelines* ("Safety Code"). We will retain a licensed engineer to ensure compliance with the *Safety Code*. Our obligation to comply with the *Safety Code* is ongoing and, at any time, we may be required, as directed by Innovation, Science and Economic Development Canada ("ISED"), to demonstrate compliance by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures (as required by CPC-2-0-20, *Radio Frequency (RF) Fields – Signs and Access Control*). We note that the radio equipment powering the antennas is designed for *Safety Code* adherence, and we will not operate it over the limit recommended by manufacturing specifications. For clarity, potential equipment malfunctioning would not lead to inadvertent power output beyond *Safety Code* limits. Therefore, inspection of the equipment for this reason is not required.
5. At present, no other locations are being considered for the installation of this tower other than the Proposed Site. However, we have received a statement of concurrence and ISED license to install a tower for similar research reasons in Essex, Ontario. The Essex tower has been in operation since February 2022.
6. Issues related to impact on property values are outside the scope of this application. As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, "potential effects that a proposed antenna system will have on property values" is not a "relevant" concern (pg.

8) and, therefore, applicants are not required to address it. As stated in CPC-2-0-03 — *Radiocommunication and Broadcasting Antenna Systems*, “current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6.” (at pg. 13). We note that existing provincial and federal regulations for the permitting of telecommunication towers do not require applicants to provide research or studies to prove these facilities will have no health effect on local residents.

7. We note that the tower is not expected to represent a source of light pollution in the surrounding area. Once our proposal is reviewed by Transport Canada, we will inform the community of Transport Canada’s marking/lighting requirements for the tower. As indicated in our “Community Impact Statement,” we do not anticipate the need for day lighting. In accordance with CRD’s *Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy* (“JDF Policy”) we will avoid the display of any type of lighting except where required by Transport Canada. If lighting is required for security reasons, we will endeavour to shield it from adjacent properties and keep it to a minimum intensity (ensuring, where possible, it is downward facing and motion-sensory designed). Further, we will comply with the setback from adjacent dwellings imposed by the JDF Policy, or a different setback as may be required by CRD.
8. We have taken steps to minimize any potential issues regarding visual aesthetic impact. One of the main reasons we selected the Proposed Site was its close proximity to two existing communication towers. We also considered the Proposed Site to be appropriate as it is distant from community sensitive locations. Additionally, the proposed tower and antenna have a low-profile visual impact.

Thank you,  
Regards,  
FRED

**From:** [Ron King](#)  
**To:** [jdfinfo](#)  
**Subject:** Submission for file: LP000034  
**Date:** Thursday, October 13, 2022 8:57:37 PM  
**Attachments:** [Names for Tower 1 \(1\).pdf](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello;

Please accept this community petition started by some local neighbours who oppose the tower in the Coppermine Area of East Sooke. As of right now, we have 90 supporters. Their names and postal codes are attached. We hope that you consider this information as part of the community engagement process. The petition was only started on Monday and people are still signing. If I can send you an updated list in the future please let me know. Thank you for your attention to this matter.

Ron King

53/90 East Sooke or Sooke (59%)

64/90 CRD (71%)

26/90 Outside area (29%)

*Say No to Proposed East Sooke 'Experimental' Radio Tower*  
*Petition Names and Location*  
*10/13/2022 5:00PM*

Shandelle Conrad	V9Z	
Joshua Stewart	V9Z	
Brook Reed	V9Z	
Eric Hughes	V9Z	
Oleksiy Dzyuba	M3J	
Ali Samavati I	T3A	
Judy Bruce	L9Z 2B1	
Ellen Hurst	V9Z 1B2	
Stefan Nowak	V9Z 1B3	
Kerry Mewhort	VoH 1T0	
Brynn Watson	V5R	
m mil	V9Z	
Elnaz jajouei		
moghadam	V5P	
Joan Hughes	K2M 2N6	
Nicci Simon	V9Z	
Corey Phillips	M6P	
John Palliser	V9Z	
Jessica Petley	V5K	
Alex Stringer	V9Z	
Rick Mcmurdo	V9Z	
Wayne Skeritt	K2M2N6	
Jacqueline Klose		64720
Armaghan Keshmiri	V6V 3z1	
Maryam Mahmoudi	V6	
Jennifer Bryce	V9Z	
Steven Grebanier	V8r1g5	
Pamela Boulding	V2M 2Z6	
Mailo Paukkunen	V0R 1A1	
Doug Gradecki	B0K 1V0	
Katharine Allen	V9Z	
Michelle Landry	V9Z	
Dana Hughes	V9A3M7	
Lynn Noel	V9Z	
Julie Hughes	V9Z	
Rebecca Clarke-Coates	V9Z	

*Say No to Proposed East Sooke 'Experimental' Radio Tower*  
*Petition Names and Location*  
*10/13/2022 5:00PM*

Manon Bolliger	V0N 1G2	
Alison Charlton	V9Z1A9	
Cory Hobbs	V9Z	
Reiner Meyer	V9Z	
Peter Andrachuk	V9Z	
D G	v8v2p6	
Erica McMillen	V9Z	
Terrie Wilcox	V9B	
Ute Schnarr	V9Z 1A2	
Stefanie Russell	V9Z	
Dana Livingstone	V9Z 1B3	
Genessa Henderson	V9Z0Z7	
Jocelyne Thibeault	V9Z	
Melanie Walton	V9Z1A9	
Luke Thonp	V6B	
Jenna Hobbs	V9z1a9	
Barbara Quick		95954
Steve Pridgeon	V9Z	
Nelson Karger	V3T	
Sarah Buchinski	V9Z	
Keldi Forbes	V9Z	
Nkhia Furlow		36701
haymanpt yimam		89129
Cameron Armstrong		96819
Mercedes Arias		11234
Lenore Black	L3R	
Alexandra Collicott	V9Z	
Wes Collicott	V9Z	
Madison Grothen	V3N	
Marion Schubert	V9B	
Richard Champ	V9Z	
Wendy Cooper	V9Z	
Chris Lewis	V9Z	
Madison Frost	V9Z	
Jesse Baker	V9A	
Noah Morgan	V9A	
Krissy Forward	V9A	

*Say No to Proposed East Sooke 'Experimental' Radio Tower*  
*Petition Names and Location*  
*10/13/2022 5:00PM*

Levi Clark	V6K	
Catherine Albertson	V9C 4H9	
Justin Rebelo	V9Z1B1	
T Forbes	V9Z	
Elizabeth Summers	V9Z	
Les Smith	V9Z	
Krista Kielbusiewicz	V9Z	
J. Hutchins	V9Z	
Bonnie Thynne	V9Z	
Sandra Meyer	V9Z	
Charlotte Senay	V9Z 1A6	
Kimberley McTaggart	V9Z 1A1	
Aleana Repay	V9Z	
Leslie Sharon	V8W 1K2	
S White		98160
Amy Stringer	V9Z	
Nico Mennie	V9Z	
Brad Jones	T6W 1E7	



Appendix D: Response Matrix

Residents' Comments re Telecommunications Tower

Categories	Residents' comments	Applicant's response:
<p>Environmental concerns – including:</p> <ul style="list-style-type: none"> <li>Wildlife</li> </ul>	<p>Concerns/Questions regarding:</p> <ul style="list-style-type: none"> <li>The tower would be a source of light pollution as it would be too high above the existing forest canopy, affecting nearby wildlife passages.</li> <li>This is an eco-sensitive area.</li> <li>Widening and constructing a larger access road would have a negative impact.</li> <li>Proposed experimental radio communications tower is not appropriate for a residential neighborhood beside East Sooke Park.</li> </ul>	<p>Our evaluation of the environmental conditions in the area of the proposed tower location (the "Proposed Site") confirmed that the tower is unlikely to cause negative environmental impacts. Along the Valentine Road, there is an area noted as "rural and sensitive," but this area is not in close proximity to the Proposed Site.</p> <p>We acknowledge our responsibility under Innovation, Science and Economic Development Canada ("ISED") <i>Procedures Circular CPC-2-0-03: Radiocommunication and Broadcasting Antenna Systems</i>, for ensuring that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements.</p> <p>We note that the tower is not expected to represent a source of light pollution in the surrounding area. Once our proposal is reviewed by Transport Canada, we will inform the community of Transport Canada's marking/lighting requirements for the tower. As indicated in our "Community Impact Statement," we do not anticipate the need for day lighting.</p> <p>We do not anticipate constructing a large access road for the tower. However, a small section of Valentine Road will be temporarily widened for construction vehicle access to the Proposed Site. We note that the road widening will be backfilled once construction is completed.</p> <p>The purpose of the tower installation is to allow us to gather data on the performance of such towers in remote locations. However, the technology of the tower is not novel and has been widely used in the last decades. Similarly, the frequency at which we proposed to operate the antenna is not "experimental."</p>
<p>Health concerns – including:</p> <ul style="list-style-type: none"> <li>Electromagnetic field concerns</li> <li>Compliance with radiofrequency requirements</li> <li>Issues with liability associated with health concerns</li> <li>Light pollution</li> </ul>	<p>Concerns/Questions regarding:</p> <ul style="list-style-type: none"> <li>The tower would be a source of light pollution as it is too close to many residences.</li> <li>There are concerns about a high-powered antenna transmitting within proximity of residences.</li> <li>Despite the project being compliant with Health Canada Safety Code 6 Guidelines, there remain concerns with the potential damage not being seen until after testing is completed.</li> <li>Number of antennas</li> <li>Power outputs of antennas</li> <li>Expected measurable radio frequency ("RF") radiation at 50m, 100m, 250m, 500m of the tower</li> <li>Whether there will be regular RF level testing and applicable remedy if test results indicate non-compliance</li> <li>monitoring for health impacts associated with this experiment</li> <li>liability if there are health effects</li> <li>Whether research has been conducted to prove field testing is safe or has no effect on the residents</li> </ul>	<p>As we confirmed in our "Conditions and Declarations" document, the tower will be designed and operated in accordance with Health Canada's <i>Safety Code 6: Radiofrequency Exposure Guidelines ("Safety Code")</i>. We will retain a licensed engineer to ensure compliance with the <i>Safety Code</i>.</p> <p>Our obligation to comply with the <i>Safety Code</i> is ongoing and, at any time, we may be required, as directed by Innovation, Science and Economic Development Canada ("ISED"), to demonstrate compliance by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures (as required by CPC-2-0-20, <i>Radio Frequency (RF) Fields – Signs and Access Control</i>). We note that the radio equipment powering the antennas is designed for <i>Safety Code</i> adherence, and we will not operate it over the limit recommended by manufacturing specifications. For clarity, potential equipment malfunctioning would not lead to inadvertent power output beyond <i>Safety Code</i> limits. Therefore, inspection of the equipment for this reason is not required.</p> <p>As stated in CPC-2-0-03 — <i>Radiocommunication and Broadcasting Antenna Systems</i>, "current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with <i>Safety Code 6</i>." (at pg. 13). We note that existing provincial and federal regulations for the permitting of telecommunication towers do not require applicants to provide research or studies to prove these facilities will have no health effect on local residents.</p>

ADMIN\5234313.4

<p>Project details – including:</p> <ul style="list-style-type: none"> <li>Issues related to the project's purpose, location, ownership, duration, etc.</li> </ul>	<p>Concerns/Questions regarding:</p> <ul style="list-style-type: none"> <li>The ownership of the tower.</li> <li>Why is a numbered company listed as the applicant as opposed to the parent or corporation?</li> <li>Why is this test of this scale and expense?</li> <li>What happens to the tower and equipment once the testing is completed?</li> <li>Proposed duration of the project (start of construction to end of testing).</li> <li>Installing another radio tower when one already exists.</li> <li>What is the intended purpose of the 'experiment' and how it relates to the use of the tower long term?</li> <li>What other locations are being considered to complete this testing?</li> <li>One resident indicated they do not want new technology or existing technology to be researched on its feasibility just above their house.</li> </ul>	<p>Concerns/Questions regarding:</p> <ul style="list-style-type: none"> <li>Who will be responsible for monitoring the construction progress?</li> </ul>
<p>As for concerns regarding light pollution to nearby residences, in accordance with CRD's <i>Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy</i> ("JDF Policy") we will avoid the display of any type of lighting except where required by Transport Canada. If lighting is required for security reasons, we will endeavour to shield it from adjacent properties and keep it to a minimum intensity (ensuring, where possible, it is downward facing and motion-sensory designed). Further, we will comply with the setback from adjacent dwellings imposed by the JDF Policy, or a different setback as may be required by CRD.</p> <p>On the subject of liability, we note that we are a Canadian corporation and, as such, subject to Canadian common law and applicable provincial and federal statutes.</p> <p>Please see our response regarding the specific questions about the tower's technical specifications:</p> <ul style="list-style-type: none"> <li>The tower will have three antennas.</li> <li>The two high frequency ("HF") antennas will be transmitting &lt;1000W. The 10.7-11.7GHz microwave will be &lt;1W.</li> <li>Two antennas will be transmitting in the HF band 5-30MHz, and one will be transmitting in the 10.7-11.7GHz microwave band</li> </ul>	<p>The applicant, 1291956 B.C. ULC, will own and operate the tower and, therefore, is the appropriate named applicant. The applicant is the entity with legal authority to bind the company.</p> <p>The purpose of the tower is to provide long-range, high-throughput data communications in the HF band to complement traditional, terrestrial transport technologies. The tower and associated antennas are needed to support our business activities in the area of data communications.</p> <p>Although our proposed tower may assist in evaluating the reliability of HF band usage for connectivity purposes in remote areas, we clarify that the purpose of the tower is to gather data on how it performs in a remote site. The type and purpose of the tower is not new to the industry and a number of similar towers exist in Vancouver Island. Additionally, we have undertaken extensive laboratory and testing on our communication system and associated equipment to ensure it will comply with the <i>Safety Code</i>.</p> <p>We have not yet determined for how long we will operate the tower. Such determination depends on a number of factors that have yet to be assessed, including how well the tower will perform in the Proposed Site. When the tower is removed from the Proposed Site, we will comply with any legal requirements for reclamation and remediation of the site, as applicable.</p> <p>At present, no other locations are being considered for the installation of this tower other than the Proposed Site. However, we have received a statement of concurrence and ISED licence to install a tower for similar research reasons in Essex, Ontario. The Essex tower has been in operation since February 2022.</p>	<p>The applicant and/or its contractors will monitor construction progress.</p>

ADMIN\*324313.4

Visual Impact and Impact on property values – including: • Compensation for reduced property values	Concerns/Questions regarding: • The tower would detract from the natural beauty of the local park and neighbourhood and reduce residential property values. • Who will be responsible for the decline property value as a result of this experiment? • What will be done to mitigate impacts to resident's views since the tower height will be above the current tree canopy?	Issues related to impact on property values are outside the scope of this application. As stated in CPC-2-0-03 – <i>Radiocommunication and Broadcasting Antenna Systems</i> , "potential effects that a proposed antenna system will have on property values" is not a "relevant" concern (pg. 8) and, therefore, applicants are not required to address it.  We have taken steps to minimize any potential issues regarding visual aesthetic impact. One of the main reasons we selected the Proposed Site was its close proximity to two existing communication towers. We also considered the Proposed Site to be appropriate as it is distant from community sensitive locations. Additionally, the proposed tower and antenna have a low-profile visual impact.
Lack of Notice	Concerns/Questions regarding: • Applicant's failure to provide affected resident with proper notice and allow them an opportunity to comment on the proposal. • Lack of community engagement on the proposal.	The community has been engaged in accordance with the JDF Policy. As part of this engagement, CDR posted on its website a notice of the application and an invitation for public input on September 15, 2022. The CPD's notice of application and invitation for comments was also published on the Sooke News Mirror on the same day.
Benefits	Concerns/Questions regarding: • What benefits the tower will bring to East Sooke and JDF • Various residents rose concerns about moving to this neighborhood to be away from industry	As indicated above, it is not anticipated the tower will negatively impact the nearby residents as it will be compliant with applicable safety measures and has been designed to minimize as much as possible potential visual impacts.  Regarding benefits to East Sooke and the Juan de Fuca community, we may consider, on a case-by-case basis, third-party requests to collocate additional equipment on the tower for the purposes of hosting safety/emergency services telecommunication infrastructure. We note we will only consider collocation requests for the strict purpose of safety and/or emergency services and not for business or commercial purposes.

ADMIN\*3234313.4

Appendix E: Referral Comments

Referral Response – CRD First Nations Relations

**From:** Shauna Huculak  
**Sent:** Monday, October 03, 2022 10:52 AM  
**To:** Iain Lawrence <[ilawrence@crd.bc.ca](mailto:ilawrence@crd.bc.ca)>; Wendy Miller <[wmiller@crd.bc.ca](mailto:wmiller@crd.bc.ca)>  
**Cc:** Caitlyn Vernon <[CVernon@crd.bc.ca](mailto:CVernon@crd.bc.ca)>  
**Subject:** RE: Referral: Radiocommunications Tower Application at 6246 Gordon Road - East Sooke (LP000034)

Recommendations:

Although the property is not located within or immediately adjacent to a registered *Heritage Conservation Act* (HCA) protected archaeological site, it is located in an area of **archaeological potential** as determined by the Provincial archaeological overview assessment (CRD 2008) available via the *Remote Access to Archaeological Data* (RAAD) manage by the BC Archaeology Branch (Ministry of Forests). A search of RAAD was undertaken by the CRD on 3-October-2022 as related to Referral: Radiocommunications Tower Application at 6246 Gordon Road - East Sooke (LP000034).

The search indicated that the closest registered archaeological site is located ~800m north of the proposed Radiocommunications Tower. Given that there is no registered archaeological site on the property, a Provincial *Heritage Conservation Act* permit is not required to undertake the work. However, a Provincial *Heritage Conservation Act* permit will be required if archaeological deposits, features or materials are exposed and/or encountered during land-altering activities that includes tree felling. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

All archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the HCA (S.13) this includes culturally modified trees. Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The *Heritage Conservation Act* does not distinguish between those archaeological sites which are "intact," (i.e., those sites which are in a pristine, or undisturbed state) and those which are "disturbed" (i.e., those sites which have been subject to alteration, permitted or otherwise). All

archaeological sites, regardless of condition, are protected by the HCA, as described above. *Heritage Conservation Act* -protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests).

Referral Response – CRD Regional Parks

**From:** [Lynn Wilson](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Larissa Rathwell](#); [Mike Macintyre](#)  
**Subject:** RE: Referral: Radiocommunications Tower Application at 6246 Gordon Road - East Sooke (LP000034)  
**Date:** Monday, October 03, 2022 11:30:17 AM  
**Attachments:** [RE Transmission Tower application at 6246 Gordon Road Sooke B.C. .msq](#)  
[image001.png](#)

---

Hi Wendy:

Based on our review of the referral package documents and additional information provided by the proponent (see attached from Fred Mullie on behalf of 1291956 B.C. Unlimited Liability Company), we don't believe the transmission tower at 6246 Gordon Road in East Sooke will unduly impact CRD Regional Park interests for East Sooke Regional Park. Our primary concern is siting of the transmission tower in such a way that it minimizes the height difference between the tower and surrounding trees in order to reduce its visual impact on park visitors. We also do not support any trail or road development from the tower compound into East Sooke Regional Park.

If any significant changes are proposed to the application during the review and approvals process, we would like to request another opportunity to comment on the referral prior to project approval.

Please feel free to reach out to me if you have any questions or comments.

Thank you,  
Lynn

Lynn Wilson M.A., RPP MCIP | Park Planner  
Regional Parks | Capital Regional District  
490 Atkins Avenue, Victoria, BC V9B 2Z8  
T: 250.360.3369 | C: 250.889.8029  
[www.crd.bc.ca](http://www.crd.bc.ca) | [Facebook](#) | [Twitter](#) | [YouTube](#)



In order to prepare comments on the application, I have a few questions that I am hoping you can answer:

- How tall is the proposed tower in relation to the existing tower on the Gordon property? The proposed tower height is at 45 meters. The existing tower on the Gordon property is 36 meters tall. Note that the proposed tower is quite a ways downhill from the existing (Rodgers) tower so that AMSL (above mean sea level) difference in height of the two towers is significantly lessened.
- How tall is it in relation to surrounding trees or other built structures? The local tree canopy is roughly 38 meters tall.
- Do you know if the height of the new tower will be visible to people using trails in East Sooke Regional Park—particularly along the northern parts of the Anderson Cove Trail, Copper Mine Trail, and from the summit of Mount Maguire (summit elevation is 268m)? Tower visibility will be mainly determined by the viewing angle of the person. The tower will be hidden from view from most vantage points on the roads/towns due to the rolling terrain of the area. The tower may be visible from certain higher elevations; however it is hard to specify exactly where as this is dependent on the angle and viewing position of the viewer.
- Does the proposed lease area include any portion of the adjacent East Sooke parcel to the west of the tower site? (it is a little unclear where the lease area boundary is relative to the property boundary) No.
- Does the tower emit any noise or sound related to its operation that would impact wildlife or park visitors in the nearby vicinity? The tower does not emit any impactful sounds.
- Will any trails or other access points be developed between the tower site and East Sooke Regional Park? This is not currently in the development plans.
- Should park visitors in the vicinity of the tower be concerned about any potential health issues arising from the operation of this tower? No, this antenna uses a mature and tested technology which does not pose any potential health issues to people in the vicinity of the tower.
- Will the installation and operation of the tower result in any predicted harms to wildlife that may use this area to travel to/from East Sooke Regional Park? (i.e., will wildlife be allowed to safely travel through the site outside of the fenced area?) We do not predict any harms to wildlife. Wildlife will be able to travel safely outside of the fenced compound.
- What is the predicted need for servicing and maintaining the tower, from a traffic volume/type/timing perspective? Very minimal once construction is complete. Estimated between (2) and (6) visits annually, dependent on ground equipment replacement needs. Service and maintenance, when necessary, can mostly be done with one to two workers in a standard work truck.
- Are there examples of similar towers installed elsewhere that you can send pictures of? (i.e., the site plan shows a significant structure going in, and it would be good to see what it looks like in relation to its environment elsewhere). Similar tower deployments done by 1291956 BC ULC have been in very dissimilar environments (open fields) and would not be illustrative of how the proposed structure would look in relation to the environment.

Appendix F: Evaluation Criteria

Evaluation Criteria:

The CRD Board may consider the following when reviewing an application for an antenna system:

1. Rationale for proposed location;
2. Proximity to residential uses, institutions and public lands;
3. Visibility and measures to integrate the antenna system into the local surroundings;
4. Security measures;
5. Alternatives and/or mitigation measures;
6. Hazardous areas;
7. Environmentally sensitive areas;
8. Transport Canada's aeronautical safety requirements;
9. Referral responses including compliance with BC Building Code, if applicable;
10. Comments received through public notification;
11. Potential impact on the community if the application is approved.
12. Designs that address the following guidelines:
  - i) antenna systems are as unobtrusive and inconspicuous as possible;
  - ii) the visual aesthetic impacts on the community is minimized;
  - iii) landscaping or screening is incorporated;
  - iv) displays of any type of lighting are avoided except where required by Transport Canada. Where lighting is proposed for security reasons, it shall be shielded from adjacent properties and kept to a minimum intensity by being of capped, downward facing and motion-sensory designs;
  - v) antenna systems are set back at least three times the height of the antenna system from adjacent dwellings. The CRD may request a different setback due to factors such as buffering topography and vegetation, transportation and utility corridors, watercourses, or public comments.





Making a difference...together

## REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, JANUARY 17, 2023

---

**SUBJECT**      **Zoning Amendment Application for Strata Lot A (3692 Waters Edge Drive) & Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939, Together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form V**

### **ISSUE SUMMARY**

Landowners of a non-conforming two-lot building strata property in Jordan River have submitted a joint application to amend Bylaw No. 2040 by changing the zone from Rural Residential 2A (RR-2A) to the Rural Residential 1 (RR-1) zone for the purposes of dissolving the strata and subdivision.

### **BACKGROUND**

The 0.94 ha property is located in Jordan River on the corner of Waters Edge Drive of West Coast Road and is subject to the Rural Residential 2A (RR-2A) zone under Bylaw No. 2040 (Appendix A). The property is designated as Pacific Acreage under the Shirley-Jordan River Official Community Plan (OCP), Bylaw No. 4001.

The property is a non-conforming two-lot building strata that was constructed prior to adoption of the bylaw that zoned the land RR-2A, which permits only one dwelling unit per parcel. Buildings and structures cover approximately 3% of the property and are arranged as two limited common property areas aligned with the siting of the two existing one-family dwellings. The eastern dwelling and related land area is identified as "A" (Strata Lot A – 3692 Waters Edge Drive) with the western lands, dwelling and detached accessory suite identified as "B" (Strata Lot B – 12051 West Coast Road). The dwelling units are serviced by separate wells and septic systems.

The landowners have made an application to change the zone from RR-2A (Appendix B) to Rural Residential 1 (RR-1) (Appendix C). The RR-1 zone includes a minimum parcel size that would permit subdivision to dissolve the existing building strata and divide the property into two 0.4 ha fee-simple parcels that reflect the current arrangement of buildings and limited common property areas (Appendix D). Staff have prepared Bylaw No. 4519 for consideration (Appendix E).

At its meeting of October 18, 2022, the Juan de Fuca Land Use Committee recommended referral of the proposed bylaw to the Shirley-Jordan River Advisory Planning Commission (APC); appropriate CRD departments; BC Hydro; District of Sooke; the Archaeology Branch and Water Protection Section within the Ministry of Forests; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; the Pacheedaht First Nation; RCMP; Sooke School District #62; and the T'Sou-ke First Nation. Comments have been received and are included in Appendix F.

### **ALTERNATIVES**

#### *Alternative 1*

The Land Use Committee recommends to the Capital Regional District Board:

1. That the referral of proposed Bylaw No. 4519, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 159, 2022", to the Shirley-Jordan Advisory Planning Commission, CRD departments, BC Hydro; District of Sooke; the Archaeology Branch and Water Protection Section within the Ministry of Forests; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; the Pacheedaht First Nation; RCMP; Sooke School District #62; and the T'Sou-ke First Nation be approved and the comments received;

2. That proposed Bylaw No. 4519 be introduced and read a first time and read a second time; and
3. That in accordance with the provisions of section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4519.

*Alternative 2*

That the CRD Board not proceed with proposed Bylaw No. 4519.

**IMPLICATIONS**

*Legislative Implications*

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them related to Part 14 of the *Local Government Act (LGA)*. The Shirley-Jordan River APC considered the application at its meeting on November 15, 2022.

Should the proposal proceed, a public hearing pursuant to Part 14, Division 3 of the *LGA* will be required subsequent to the amendment passing second reading by the CRD Board. Property owners within 500 m of the Land will be sent notice of the proposed bylaw amendment and the public hearing would be advertised in the local paper and on the CRD website.

*Regional Growth Strategy Implications*

Section 445 of the *LGA* requires that all bylaws adopted by a regional district board after the board has adopted a Regional Growth Strategy (RGS) be consistent with the RGS. In accordance with CRD policy, where a zoning bylaw amendment that applies to land within the Shirley-Jordan River OCP (OCP) area is consistent with the OCP, it does not proceed to the full CRD Board for a determination of consistency with the RGS. The proposed zoning amendment is consistent with the Shirley-Jordan River OCP.

*Referral Comments*

Referrals were sent to 11 agencies, CRD departments and to the Shirley-Jordan River APC. Comments received are summarized below and included in Appendix F.

BC Hydro has no issues or concerns with the zoning amendment.

District of Sooke has no concerns.

T'Sou-ke First Nation stated that there are no comments to provide at this time.

Ministry of Transportation & Infrastructure explained that this proposed bylaw amendment does not require Ministry approval under Section 52 of the *Transportation Act*. However, the Ministry noted that a subdivision application to the Ministry will be required once the strata has been dissolved.

Ministry of Forests, Water Protection advised that it may be in the interests of owners of the unregistered well identified within the application to have it registered. Pursuant to the *Water Sustainability Act*, any and all wells must be licenced if used for non-domestic purposes. Water Protection also noted that, while the subject aquifer (aquifer 944) is classified as moderately vulnerable to surface sourced contamination, the location of the subject properties may be highly vulnerable. The Ministry provided links to information for guiding the landowners for future use on their property to reduce potential impacts to the subject aquifer.

School District # 62 specified that they have no concerns with respect to this application.

CRD First Nations Relations and Archaeology stated that this department has no comments.

CRD Bylaw Enforcement expressed no issues with the proposed bylaw.

The Shirley-Jordan River APC considered the application at their November 15, 2022, meeting with approximately 4 members of the public in attendance. The Shirley-Jordan River APC moved the following motion:

**MOVED** by Fiona McDannold, **SECONDED** by Vivi Curutchet that the Shirley-Jordan River Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee support for zoning amendment application RZ000281.

**CARRIED**

### *Land Use*

The subject property is on the southwestern corner of the intersection between Waters Edge Drive and West Coast Road. The abutting parcels to the west and south are subject to the RR-2A zone, the parcel on the opposite side of Waters Edge Drive is subject to the Resource Land (RL) zone, and a large 130.8 ha property on the north side of West Coast Road is split-zoned Wildwood Terrace Neighbourhood Commercial (C-1A) and Wildwood Terrace 4 (WT-4). The Shirley-Jordan River OCP, Bylaw No. 4001, designates the subject property as Pacific Acreage. The intent of the Pacific Acreage land use designation is to support residential uses, suites and duplexes to create housing affordability, home based businesses, agriculture, and small-scale commercial and tourism activities. Supported parcel sizes are generally on parcels in the 2 ha range, which is larger than the proposed minimum parcel size. The Shirley-Jordan River OCP does not designate any development permit areas on the subject building strata property.

Notwithstanding the development policies for the Pacific Acreage designation, the Shirley-Jordan River OCP allows for consideration of rezoning applications of building strata properties for subdivision, provided that the subject strata was registered prior to the adoption of the OCP. In particular, the OCP stipulates that the total number of parcels that can be created as a result of such a rezoning application must be equivalent to the number of existing dwellings. Registration of the subject building strata occurred in April 2010, prior to adoption of the Shirley-Jordan River OCP in July 2018. Proposed Bylaw No. 4519 deletes the property from the RR-2A zone and adds it to the RR-1 zone. Such an amendment is consistent with the OCP.

The proposed RR-1 zone includes *agriculture* as a permitted use, whereas the RR-2A zone permits *horticulture* accessory to a residential use. Furthermore, the RR-1 does not permit an additional camper/travel trailer for temporary accommodation of guests or Category 3 home based businesses (home industry), which are listed as permitted within the current RR-2A zoning. The proposed RR-1 zone permits a minimum parcel size of 0.4 ha, one two-family dwelling per parcel, community care facilities, which are densities and uses that are excluded from the RR-2A zone. While both the current and proposed zones allow for either one secondary or one detached accessory suite; suites are not permitted on properties with a two-family dwelling and must adhere to Part 1, Subsection 4.19 or 4.20 of Land Use Bylaw No. 2040.

Comments received have been reviewed by staff in conjunction with proposed Bylaw No. 4519. Based on the information provided by the applicants, received comments, and the policies of the Shirley-Jordan River OCP, staff recommend that proposed Bylaw No. 4519, be introduced, read a first and second time, and that a public hearing be held with respect to the proposed bylaw.

### **CONCLUSION**

The purpose of Bylaw No. 4519 is to amend the Juan de Fuca Land Use Bylaw No. 2040 by changing the zone of the subject property from RR-2A to RR-1. Staff have prepared proposed Bylaw No. 4519 and recommend receipt of referral comments, first and second reading and advancement to public hearing.

## **RECOMMENDATION**

The Land Use Committee recommends to the Capital Regional District Board:

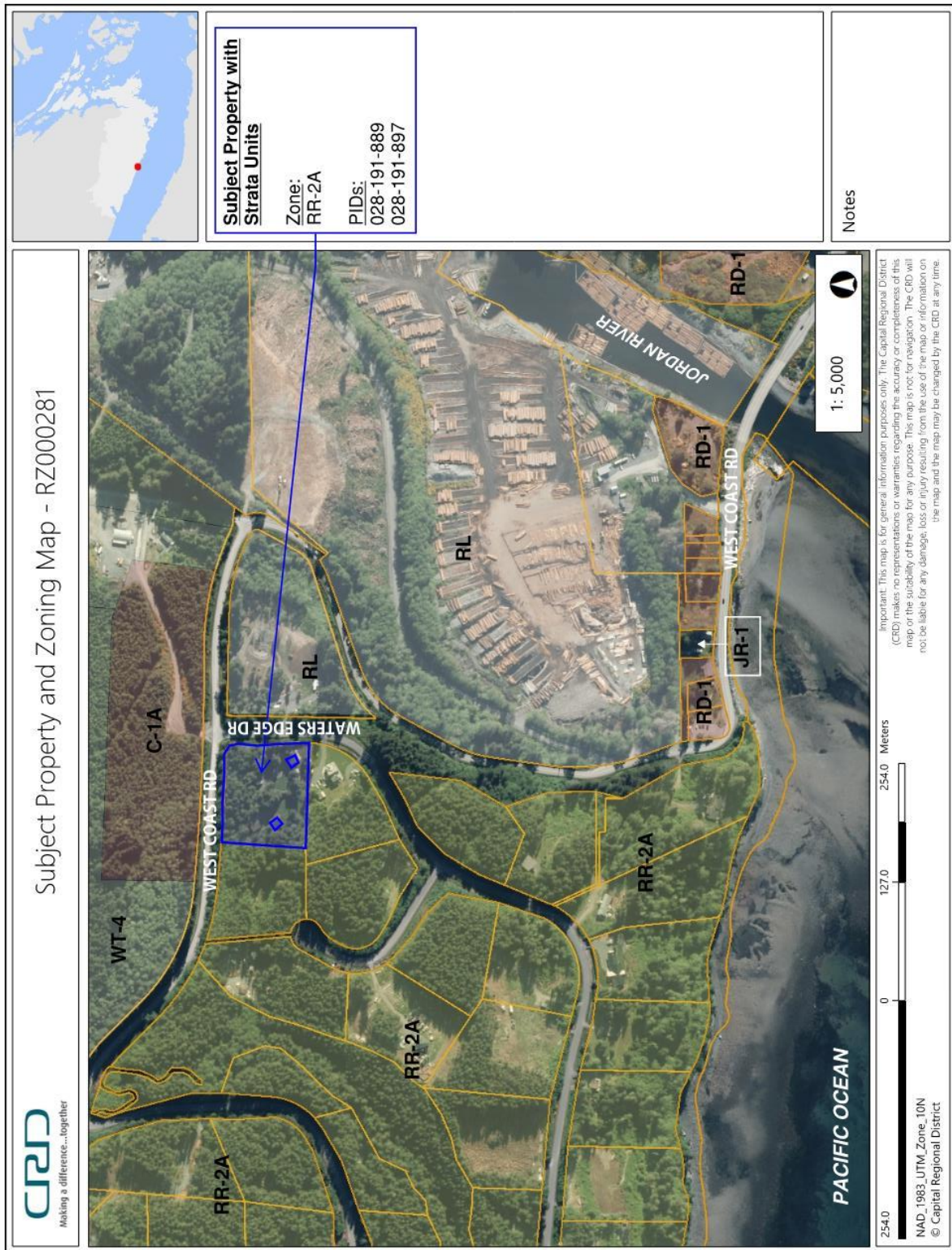
1. That the referral of proposed Bylaw No. 4519, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 159, 2022", to the Shirley-Jordan Advisory Planning Commission, CRD departments, BC Hydro; District of Sooke; the Archaeology Branch and Water Protection Section within the Ministry of Forests; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; the Pacheedaht First Nation; RCMP; Sooke School District #62; and the T'Sou-ke First Nation be approved and the comments received;
2. That proposed Bylaw No. 4519 be introduced and read a first time and read a second time; and
3. That in accordance with the provisions of section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4519.

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Local Area Services
Concurrence:	Kevin Lorette, P.Eng, MBA, General Manager, Planning & Protective Services
Concurrence:	Larisa Hutcheson, P. Eng., Acting Chief Administrative Officer

## **ATTACHMENTS**

- Appendix A: Subject Property and Zoning Map  
Appendix B: Current Rural Residential 2A Zone – RR-2A  
Appendix C: Proposed Rural Residential 1 Zone – RR-1  
Appendix D: Proposed Strata Conversion Plan  
Appendix E: Proposed Bylaw No. 4519  
Appendix F: Referral Comments

Appendix A: Subject Property and Zoning Map





Appendix B: Current Rural Residential 2A Zone – RR-2A

Schedule “A” of Capital Regional District Bylaw No. 2040  
Juan de Fuca Land Use Bylaw

**6A.0 RURAL RESIDENTIAL 2A ZONE - RR-2A**

*Bylaw 3689*

**6A.01 Permitted Uses**

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others are permitted in the Rural Residential 2A RR-2A Zone:

- a) One-family dwelling;
- b) Horticulture, accessory to a residential use;
- c) Two Boarders or Lodgers;
- d) Home Based Business Categories One, Two and Three; *Bylaw 3705*
- e) One travel trailer or one camper may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors
- f) Secondary Suite pursuant to Part 1, Subsection 4.19;
- g) Detached Accessory Suite pursuant to Part1, Subsection 4.20.

**6A.02 Minimum Lot Size for Subdivision Purposes**

Minimum lot size is 1ha.

**6A.03 Number of Residential Buildings**

One one-family dwelling is permitted on a lot.

**6A.04 Height**

Maximum height shall be 9m.

**6A.05 Lot Coverage**

Lot coverage shall not exceed 25 percent.

**6A.06 Maximum Size of Residential Buildings**

Provided applicants having either met the *Sewerage System Regulation* (e.g., a filing) or acceptance by VIHA via referral: *Bylaw 3705*

- a) On lots of less than 1ha in area, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45 or a Total Floor Area of 418m<sup>2</sup>, whichever is less;
- b) On lots of 1ha or more in size, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45.

**6A.07 Yard Requirements**

- (a) Front yards shall be a minimum of 7.5m;
- (b) Side yards shall be a minimum of 6m; except that for lots of greater than 1ha in size and where residential uses exceed a Total Floor Area of 418m<sup>2</sup>, minimum side yards shall be 15m each side;
- (c) Flanking yards shall be a minimum of 6m CTS;
- (d) Rear yards shall be a minimum of 10m.

Appendix C: Proposed Rural Residential 1 Zone – RR-1

Schedule "A" of Capital Regional District Bylaw No. 2040  
Juan de Fuca Land Use Bylaw

**5.0 RURAL RESIDENTIAL 1 ZONE - RR-1**

**5.01 Permitted Uses**

In addition to the uses permitted in Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential RR-1 Zone:

- (a) One-family dwelling;
- (b) Two-family dwelling;
- (c) Home Based Business Categories One and Two; *Bylaw 3705*
- (d) Community Care Facilities;
- (e) Agriculture;
- (f) Two Boarders or Lodgers;
- (g) Secondary suite pursuant to Part 1, Subsection 4.19; *Bylaw 2674*
- (h) Detached Accessory Suites pursuant to Part 1, Subsection 4.20. *Bylaw 3605*

**5.02 Minimum Lot Size for Subdivision Purposes** Minimum lot size shall be 0.4ha.

**5.03 Number of Residential Buildings** One one-family dwelling or one two family dwelling is permitted on a lot.

**5.04 Height** Maximum height shall be 9m.

**5.05 Lot Coverage** Lot coverage shall not exceed 25 percent.

**5.06 Maximum Size of Residential Buildings** Provided applicants having either met the *Sewerage System Regulation* (e.g., a filing) or acceptance by VIHA via referral: *Bylaw 3705*  
(i) On lots of less than 1ha in area, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45 or a Total Floor Area of 418m<sup>2</sup>, whichever is less;  
(ii) On lots of 1ha or more in size, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45.

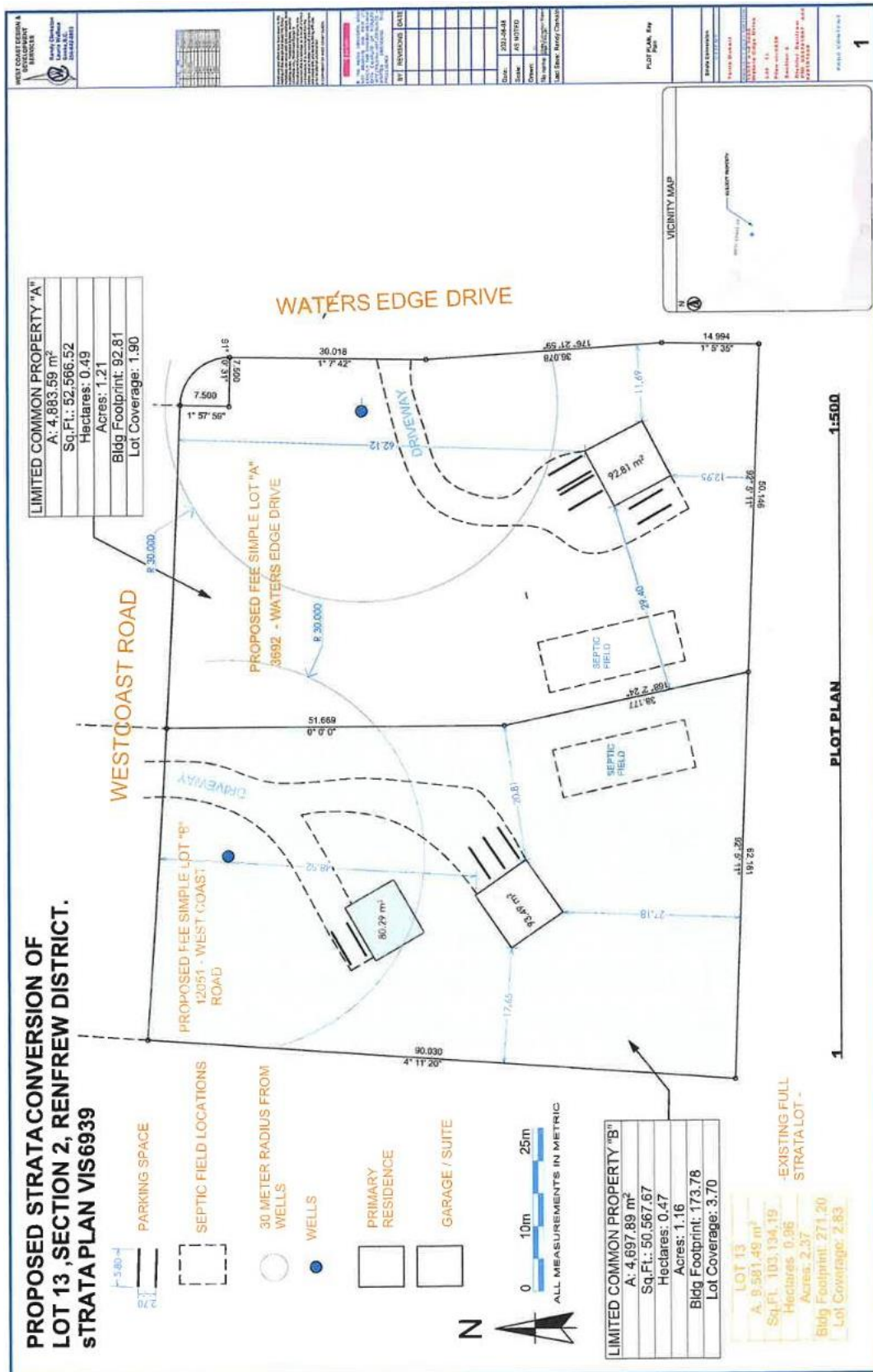
**5.07 Yard Requirements**  
(a) Minimum front yard shall be 7.5m;  
(b) Minimum side yard shall be 6m; except that for lots of greater than 1ha in size and where residential uses exceed a Total Floor Area of 418m<sup>2</sup>, minimum side yards shall be 15m each side;  
(c) Minimum flanking yard shall be 6m CTS;  
(d) Minimum rear yard shall be 10m.

**5.08 Setbacks for Agricultural Uses** Buildings and structures for agriculture use shall be not less than 30m from the front lot line and not less than 15m from any other lot line; excludes greenhouses accessory to residential uses.

**5.09 Minimum Lot Frontage** The minimum frontage of lots for subdivision purposes shall be 6m.



Appendix D: Proposed Strata Conversion



**ADDENDUM TO REZONING APPLICATION – DISSOLVING STRATA – VIS6939**

To support our application and to provide further information for the consideration of dissolving our strata, please note the following:

**i. Wells/Septic Systems**

- As per the BC Public Health Act – Sewerage System Regulation, and as can be noted on the Plot Plan with this application:
  - the sewerage systems for both properties are more than 30 metres (100 feet) from the wells.
  - As per Section 42, both wells meet the requirement to be set back at least 30 metres (100 Feet) from possible sources of contamination, ie. the distance of the wells from the septic field and holding tanks, and the placement, elevation and flow of the septic fields do not have the potential to contaminate wells.

**ii. Shirley – Jordan River OCP Alignment**

- Currently designated as Pacific Acreage and once strata is dissolved and each property rezoned, both properties will continue to meet the Pacific Acreage designation.
- Once re-zoned, both properties will continue to meet the criteria in the OCP as Rural A.
- Will continue to meet Water Policies in the OCP as water needs will remain the same, ie. wells and septic systems have always been separate and will remain separate. Going forward water use will continue to be used for residential purposes only on each property.

**iii. Support for Rezone to RR1**

- To sub-divide the common property in 2010 into separate lots, a strata was formed. As per Strata Plan VIS6939 drawings completed by Island Land Surveying Ltd. in 2010 a property line was formed between the common property. Each property owner has considered this property line their boundary in which they have followed for placement of buildings, structures, and fences.
- The boundary line that separates the common property proposed on the Plot Plan submitted with this application is inline with the same boundary line that is on the current strata plan.
- All buildings, structures and fences do not need to be disturbed, moved, dismantled or re-claimed with the proposed property lines on the Plot Plan.

**iv. Rezone Fit with Existing Community and Surrounding Properties**

- Currently the common property lot size does not fit the current zoning of RR-2A as per Bylaw No. 2040.
- RR-2A requires a minimum lot size of 1 ha for minimum lot size for subdivision purposes. The total common property lot size is approximately .94 ha, which is less than the 1 ha requirement. We are already sub-divided and do not meet the 1 ha requirement.
- Once the strata is dissolved, each property will be just over the 0.4 ha minimum lot size for subdivision purposes requirement to meet the RR-1 zone, as requested in this application for rezoning.
- The RR-1 zoning will fall in line with surrounding residential properties, which also fall into the RR-1, RR-2 and RR-2A zones.
- Both property lot owners have been long term Jordan River residents, each original owners of their property for 10+ years. Both use their property for residential purposes – raising families – and follow permitted uses within their zone.

**v. Bylaw No. 2040 Compliance**

- The application and additional information provided for the purposes of the rezone and dissolve of the current strata adheres to the compliance with the regulations of Bylaw No. 2040.

Appendix E: Proposed Bylaw No. 4519

CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4519

A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended as follows:

A. SCHEDULE B, Map No. 3 – SHIRLEY JORDAN RIVER ZONING

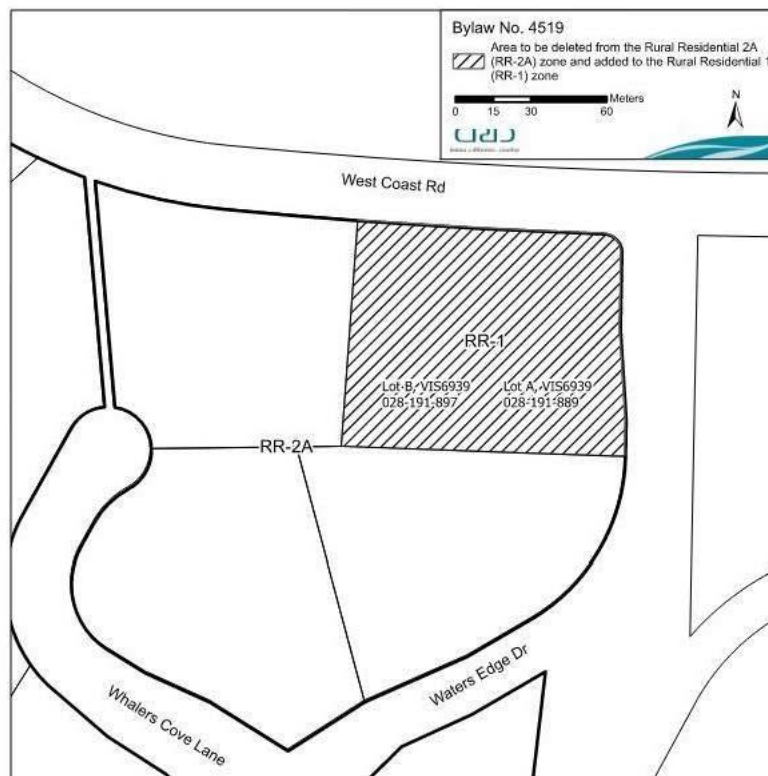
- (a) By deleting

Strata Lot A Section 2 Renfrew District Strata Plan VIS6939;

Strata Lot B Section 2 Renfrew District Strata Plan VIS6939; and

Together with an interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lots as Shown on Form V from the Rural Residential 2A (RR-2A) zone and adding to the Rural Residential 1 (RR-1) zone, as shown on Plan No. 1.

Plan No. 1 of Bylaw No. 4519, an amendment to Bylaw No. 2040



CRD Bylaw No. 4519

2

2. This bylaw may be cited as "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 159, 2022".

READ A FIRST TIME THIS                      day of                      , 2023.

READ A SECOND TIME THIS                      day of                      , 2023.

READ A THIRD TIME THIS                      day of                      , 2023.

ADOPTED THIS                      day of                      , 2023.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

Appendix F: Referral Comments

**From:** [Design, SVI](#)  
**To:** [Wendy Miller](#)  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Monday, November 21, 2022 11:13:02 AM  
**Attachments:** [REFERRAL-FORM-AGENCIES-RZ000281.pdf](#)  
[PPS-JDF-2022-10-18-RZ000281-Referral-LUC-Report.pdf](#)  
[COMMON\\_PROPERTY-VIS6939.pdf](#)  
[TITLE-BB1539689-PID-028-191-889.pdf](#)  
[TITLE-CA6942163-PID-028-191-897.pdf](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello Wendy,

BC Hydro has no issues or concerns with the zoning amendment.

Thanks,

**Mike Hoekstra**  
Design Technician Work Leader  
**BC Hydro**  
4400 West Saanich Rd  
Victoria, BC V8Z 3E9

**T** 250.727.5172  
**M** 250.888.8486  
**E** [michael.hoekstra@bchydro.com](mailto:michael.hoekstra@bchydro.com)  
**E** [design.svi@bchydro.com](mailto:design.svi@bchydro.com)

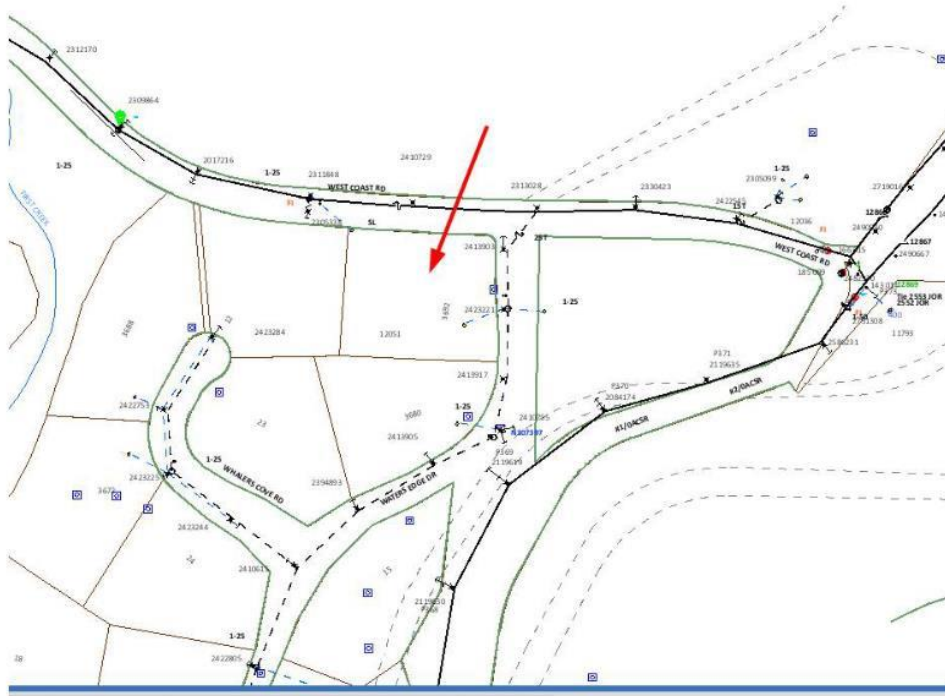
[Initiate & Manage Connection Requests Online with MyHydro](#)

---

**From:** Mann, Elaine <Elaine.Mann@bchydro.com>  
**Sent:** 2022, November 21 8:38 AM  
**To:** Design, SVI <design.svi@bchydro.com>  
**Cc:** Reidy, Drew <Drew.Reidy@bchydro.com>  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

Zoning bylaw change and conversion of strata lots to 2 separate residential lots. See pages 4 and 7 in their report for the location and the proposed subdivision. Please provide your comments back to CRD.

Thank you.



Elaine Mann | Property Coordinator, Property Rights Services

BC Hydro  
Vancouver Island  
400 Madsen Road | Nanaimo, BC V9R 5M3

P 250-755-7169  
E [elaine.mann@bchydro.com](mailto:elaine.mann@bchydro.com)

[bchydro.com](http://bchydro.com)

**Smart about power in all we do.**



**From:** [Lauren Mattiussi](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Planning](#)  
**Subject:** RE: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Thursday, November 10, 2022 2:44:10 PM

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good Afternoon Wendy,

District of Sooke has no concerns with this proposal.

Best,  
Lauren

---

**From:** Planning <[planning@sooke.ca](mailto:planning@sooke.ca)>  
**Sent:** October 31, 2022 8:04 AM  
**To:** Lauren Mattiussi <[LMattiussi@sooke.ca](mailto:LMattiussi@sooke.ca)>  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

---

**From:** Wendy Miller <[wmiller@crd.bc.ca](mailto:wmiller@crd.bc.ca)>  
**Sent:** Friday, October 28, 2022 12:02 PM  
**To:** Planning <[planning@sooke.ca](mailto:planning@sooke.ca)>  
**Subject:** Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please find attached a referral form and staff report with proposed Bylaw No. 4519 for zoning amendment application RZ000281.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

Comment is requested by November 28, 2022.

Comments received are distributed as part of the public record.



RESPONSE SUMMARY – REZONING APPLICATION RZ000281

X Interest Affected by Proposal for Reasons Outlined Below

     Interest Unaffected by Proposal

Comments:

The Ministry of Forests, Water Protection, has received a referral with respect to proposed land-use change of the subject area (Strata Lot A (3692 Waters Edge Drive) & Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939).

The Groundwater Wells database (GWELLS) shows one well record on the east side of the subject area lot, WTN90561, in the unconsolidated sand and gravel Aquifer 944 (AQ 944) to a depth of 21.6 m with a potential yield of 20 US gallons per minute (US GPM). AQ 944 (Fact Sheet: <https://apps.nrs.gov.bc.ca/gwells/aquifers/944>) consists of confined sand and gravel, known to have a moderate productivity. The median finished depth of 71 unconsolidated wells registered in the Groundwater Wells database (GWELLS <https://apps.nrs.gov.bc.ca/gwells>) within 1 km of this site is 36 m, ranging from 13 m to 130 m. AQ 944 is underlain by fractured crystalline bedrock aquifer AQ 943. The median finished depth of 12 bedrock wells within 1 km is 85 m, ranging from 36 to 182 m.

According to the Report to the Juan de Fuca Land Use Committee (Appendix D, October 18, 2022) an additional well exists on the west side of the subject area. This well is not registered. It may be in the interests of the well owner to register this well. If it is used for non-domestic use, then the well must be licenced.

As this area does not have a local water service provider, the applicants should be advised that a water licence for surface water or for non-domestic groundwater use is required under the *Water Sustainability Act* (<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14015>). Information about water application requirements and process can be found here: <https://portal.nrs.gov.bc.ca/web/client/-/water-licence-application>.

The nearest water body, Jordan River, lies approximately 500 m to the east of the property. For information on water licensing and rights refer to: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights>. A groundwater license for domestic use on a single lot is not required for domestic parcels serviced by individual wells.

Aquifer 944 is classified as having an overall moderate vulnerability to contaminants introduced at the land surface. Intrinsic vulnerability mapping (<https://catalogue.data.gov.bc.ca/dataset/drastring-aquifer-intrinsic-vulnerability>) indicates that aquifer vulnerability to contamination in the area of the subject parcel may be high. Animal grazing areas, paddocks and locations of manure storage can be a source of nutrient and bacterial contamination of surface and groundwater sources, therefore adequate (minimum 30 m) setbacks of these contaminant source from wells and surface water sources is required (in accordance with *Public Health Act*, Health Hazard Regulation [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/216\\_2011](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/216_2011)), and agricultural best practices (Code of Practice for Agricultural Environmental Management [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/8\\_2019](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/8_2019)) to reduce runoff of contaminants are recommended to be employed.

No additional concerns are noted with respect to the proposed bylaw.

**RESPONSE SUMMARY – REZONING APPLICATION RZ000281**

☐ Interest Affected by Proposal for Reasons Outlined Below

☒ Interest Unaffected by Proposal

Comments:

The property does not fall within Section 52 of the Transportation Act and will not require Ministry formal approval. The Ministry has no objections to the rezoning, however, a subdivision application to the Ministry will be required once the strata has been dissolved.

Applications can be submitted online:

<https://www2.gov.bc.ca/gov/content?id=98219C50C0A74658AB8CC813D5A92558>



Senior Development Services Officer

Signed

Title

November 2, 2022

Ministry of Transportation and Infrastructure

Date

Agency

**From:** [Pete Godau](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Scott Stinson](#); [Harold Cull](#); [Windy Beadall](#); [Kristina Ross](#)  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Monday, November 14, 2022 1:08:14 PM  
**Attachments:** [REFERRAL-FORM-AGENCIES-RZ000281.pdf](#)  
[PPS-JDF-2022-10-18-RZ000281-Referral-LUC-Report.pdf](#)

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Afternoon Wendy,

At this time the school district does not have any concerns with this referral.

Thanks,

Pete

---

**From:** Wendy Miller <[wmiller@crd.bc.ca](mailto:wmiller@crd.bc.ca)>  
**Sent:** Friday, October 28, 2022 12:04 PM  
**To:** Pete Godau <[pgodau@sd62.bc.ca](mailto:pgodau@sd62.bc.ca)>  
**Subject:** Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

CAUTION - EXTERNAL SENDER: This email originated from outside of School District 62. Do not click links or open attachments unless you have verified the sender and know the content is safe.

Good Afternoon,

Please find attached a referral form and staff report with proposed Bylaw No. 4519 for zoning amendment application RZ000281.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

Comment is requested by November 28, 2022.

Comments received are distributed as part of the public record.

Please advise if you have any questions about our referral process.

Thank you,

Wendy Miller



2154 Lazzar Road, Sooke B.C., V9Z 1G1  
Ph.:250-642-3957 Fax: 250-642-7808

20 October 2022

Re: Zoning Amendment Application RZ000279

File: RZ000279

Attention: Wendy Miller

Dear Wendy:

T'Sou-ke Nation has no comment at this time. If you have any questions or follow up, please do not hesitate to contact our office.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Coggins".

Sam Coggins, PhD RPF  
A/Lands Manager, T'Sou-ke Nation

Cc:  
Michelle Thut; T'Sou-ke Nation Administration

**From:** [Shauna Huculak](#)  
**To:** [Wendy Miller](#); [Caitlyn Vernon](#)  
**Cc:** [Sandra Allen](#)  
**Subject:** RE: Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Monday, October 31, 2022 10:20:36 AM

---

No comments from archaeology at this time Wendy.

Caitlyn is away, so I ran a consultative areas database search and the nations you indicated below are the ones with an expressed interest in the area.

Thanks,  
shauna

---

**From:** Wendy Miller  
**Sent:** Friday, October 28, 2022 4:11 PM  
**To:** Caitlyn Vernon <CVernon@crd.bc.ca>  
**Cc:** Shauna Huculak <SHuculak@crd.bc.ca>; Sandra Allen <SAllen@crd.bc.ca>  
**Subject:** Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)

Good Afternoon,

At its meeting of October 18, 2022, the Juan de Fuca Land Use Committee (LUC) directed referral of proposed Bylaw No. 4519.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

I attach the staff report considered by the LUC at its October meeting.

The LUC supported referral of the proposal to Pacheedhat First Nation and T'Sou-ke First Nation.

As per our normal practice, I confirm that this office has referred the proposal to our contacts at the above Nations.

This office has also referred the proposal directly to the provincial Arch Branch.

Referral comments are summarized in the staff report to the LUC; the actual comments received are inserted verbatim into the staff report as an appendix.

Should First Nations Relations have comment, comment is requested by November 28, 2022.

Thank you,

---

**From:** [Mark Groulx](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Shayne Gorman](#); [Coral L. Henderson](#)  
**Subject:** Re: Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Sunday, October 30, 2022 9:54:41 AM

---

Good day Wendy,

No issues from Bylaw regarding this proposed change.

regards

---

**From:** Wendy Miller  
**Sent:** Friday, October 28, 2022 4:11 PM  
**To:** Mark Groulx  
**Cc:** Shayne Gorman; Coral L. Henderson  
**Subject:** Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)

Good Afternoon,

At its meeting of October 18, 2022, the Juan de Fuca Land Use Committee (LUC) directed referral of proposed Bylaw No. 4519.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

I attach the staff report considered by the LUC at its October meeting.

Referral comments are summarized in the staff report to the LUC; the actual comments received are inserted verbatim into the staff report as an appendix.

Comment is requested by November 28, 2022.

Thank you,

**Wendy Miller**

Administrative Clerk | JdF Local Area Services | 250.642.8100  
JdF Local Area Services Building | Capital Regional District  
3 – 7450 Butler Road, Sooke, BC V9Z 1N1





Making a difference...together

**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission  
Held November 15, 2022, at the Shirley Community Hall, 2795 Sheringham Point Road,  
Shirley, BC**

---

**PRESENT:** Fiona McDannold (Chair), Emily Anderson, Vivi Curutchet, Melody Kimmel

**Staff:** Iain Lawrence, Senior Manager, JdF Local Area Services;

Darren Lucas, Planner; Wendy Miller, Recorder

**ABSENT:** Wayne Jackaman

**PUBLIC:** 4

The meeting was called to order at 7:00 pm.

**1. Approval of the Agenda**

**MOVED** by Melody Kimmel, **SECONDED** by Vivi Curutchet that the agenda be approved. **CARRIED**

**2. Approval of the Supplementary Agenda**

No supplementary items.

**3. Adoption of the Minutes of August 9, 2022**

**MOVED** by Melody Kimmel, **SECONDED** by Emily Anderson that the minutes of August, 9, 2022, be adopted. **CARRIED**

**4. Planner's Report**

Iain Lawrence extended a thank you to the APC for its work over the last four years, noting that the term of the current APC concludes December 31, 2022. Certificates of appreciation as issued by the CRD Board Chair were presented to the APC.

It was advised that residents interested in becoming a member of the APC need to submit interest by November 18, 2022.

**5. Zoning Amendment Application**

**a) RZ000281 – Strata Lot A (3692 Waters Edge Drive) and Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939**

Darren Lucas spoke to the staff report for a joint application to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

The Chair confirmed that the applicants were present.

An applicant stated that, should the property be permitted to subdivide, the land will essentially remain status quo as the dwelling units are serviced by separate well and septic systems.



**Shirley-Jordan River Advisory Planning Commission Meeting Minutes  
November 15, 2022**

**2**

APC comments included:

- no other properties are zoned RR-1
- the RR-1 zone permits a minimum lot size of 0.4 ha which is significantly smaller than the minimum lot size permitted by the RR-2A zone, which may be precedent setting
- dissolution of the strata would grant more control to the property owners while not increasing the number of dwelling units permitted on each lot
- the RR-1 zone does not permit use of a trailer for temporary accommodation of guests unlike the RR-2A zone

Staff responded to questions for the APC advising that:

- the property is considered a non-conforming two-lot building strata as the dwellings were constructed prior to adoption of the bylaw that zoned the land RR-2A
- the Shirley-Jordan River OCP allows for consideration of rezoning applications of building strata properties for subdivision to create lots smaller than the lot size otherwise supported by the OCP, provided that the subject strata was registered prior to the adoption of the OCP
- the subject building strata was established prior to the adoption of the current OCP
- the number of building strata developments registered prior to the adoption of the current Shirley-Jordan River OCP is generally limited to a few Rural A zoned properties.
- should rezoning and subdivision of the subject property proceed, each lot would be permitted either one second suite or one detached accessory suite

**MOVED** by Fiona McDannold, **SECONDED** by Vivi Curutchet that the Shirley-Jordan River Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee support for zoning amendment application RZ000281.

**CARRIED**

**6. Adjournment**

The meeting adjourned at 7:12 pm.

\_\_\_\_\_  
Chair

**REPORT TO ELECTORAL AREAS COMMITTEE  
MEETING OF WEDNESDAY, FEBRUARY 8, 2023**

---

**SUBJECT**     **Bylaw No. 4535, “Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023”**

**ISSUE SUMMARY**

Clarifying the authority of the Chief Building Official to develop and amend forms related to building permits from time to time, discretion to allow a permit where a violation exists, and revocation of permits and occupancy certificates.

**BACKGROUND**

*Form Modification*

Forms related to building permits need to be reviewed and updated to ensure the requirements are current with respect to legislative changes, to accurately reflect practices within the Building Inspection Division and to address changes in the industry. The forms contained in Bylaw No. 3741, “Building Regulation Bylaw No. 5, 2010”, adopted March 9, 2011, no longer reflect the standards and practices of the Building Inspection Division (the Division).

Revisions are proposed to allow Building Inspection to develop and amend forms from time to time. Bylaw No. 4535, “Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023”, permits the Chief Building Official the authority to create, modify or adopt for usage forms related to building permits.

This authority does not apply to modifying fees associated with permit application, which is the responsibility of the Board by bylaw. However, it will permit modifications to the layout and content of forms relevant to ensuring permit requirements and application instructions are kept up-to-date. Certificates of Occupancy and Building Permit formats continue to be set by Bylaw No. 4535.

*Discretion of Building Official to allow Permit where violation exists*

Bylaw No. 3741 has historically prohibited the issuance of any building permits to an owner of the same property where a “violation” – a breach of the building bylaw, an enactment, or a Notice on Title under the *Community Charter* – exists, meaning that the violation must be corrected before another permit can be issued, even for unrelated buildings or structures. It is assumed this was done to encourage compliance by owners. Building officials have exercised discretion to issue permits for other buildings or structures on the same property where a plan for correction of a violation is provided or where the violation is unrelated to the new work. However, this is not clearly set out in Bylaw No. 3741 and amendments are proposed to describe how discretion may be exercised.

Further, given fractional “ownership” situations on the Gulf Islands, it is possible that some shareholder or member “owners” may be ineligible for a building permit where another such “owner” has conducted unlawful work. This works as unfairness against individuals who have not committed a wrong, who potentially cannot obtain a permit, and may not have the ability to force a correction against another such “owner” absent legal action within their corporation or society. While this is an issue that really is for the separate land society or corporation to remedy, and is

a type of property ownership no individual should enter into without legal advice and full disclosure of membership or corporate rules, it is in the interest of the regional district that new construction be built to the Building Code and inspectors should have discretion to issue permits where appropriate. The ability of the Building Inspector to secure a s.219 *Land Title Act* covenant, which may include a release and indemnity in favour of the CRD for work where remedy is too costly or impossible, is included in the bylaw.

#### *Revocation of Permits and Occupancy Certificates*

Building Officials have historically taken the position that they can revoke building permits where they are issued based on false or incorrect information, or where they are issued in error. This has recently been codified in other jurisdiction's building bylaws. This change is recommended at the same time, to ensure it is clearly set out in the bylaw. This change should also apply to Conditional Certificates of Occupancy, as they are subject to the same concerns relating to breach of conditions, as well as Certificates of Occupancy where issued in error or on false or incorrect information.

### **ALTERNATIVES**

#### *Alternative 1*

The Electoral Areas Committee recommends to the Capital Regional District Board:

- 1) That Bylaw No. 4535, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023", be introduced and read a first, second, and third time; and
- 2) That Bylaw No. 4535 be adopted.

#### *Alternative 2*

That the Bylaw No. 4535 – "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023" report be referred back to staff for further information based on Electoral Areas Committee direction.

### **IMPLICATIONS**

#### *Service Delivery*

Current forms do not reflect the requirements of the Division. As a result, the process for obtaining a building permit is not being clearly communicated to applicants, owners, builders and other members of the public. This leads to submission of incomplete and inaccurate applications, time spent by Building Inspectors and Clerks explaining new or revised requirements and confusion and delays in the permitting process. The authority to revise and update forms will allow the Division to provide more effective service.

#### *Social and Environmental Impacts*

Addressing the ability to revoke permits or to issue permits where a "violation" exists will allow the public and professional builders to understand the expectations and processes of the regional district and its building officials. It will also allow, in appropriate circumstances, permits to be issued where otherwise they would not be available, and encourage new construction or renovation work to be consistent with the requirements of building legislation, rather than encouraging owners in the electoral areas to work outside the permit process, which leads to additional notices on title, remedial action claims, and enforcement action by the Building Division, incurring additional costs and expenses for the region.

*Administrative Impacts*

It is not anticipated that the requirement for the Building Division to update forms as appropriate will lead to additional administrative burden. Forms can be updated and stored publicly, as they are now; they can be updated as needed with appropriate archiving and document control for earlier versions of forms.

The clarifying of the ability of an individual with a property with a “violation” to submit a request for a permit, including any rectification plan, may lead to additional administrative burden to review these plans. However, this is a service Building Inspection has historically provided, absent specific language in the bylaw. Should it become labour intensive, an additional fee for such a plan review could be created by the Board.

**CONCLUSION**

Updating the forms contained in the Bylaw No. 3741 is necessary to address legislative changes and ensure the application process is clear and accurate with respect to Division practices. Additional modifications to the bylaw will also modernize it and codify the authority of the building officials during the permit process, currently exercised but not clearly documented.

**RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District Board:

- 1) That Bylaw No. 4535, “Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023”, be introduced and read a first, second, and third time; and
- 2) That Bylaw No. 4535 be adopted.

Submitted by:	Mike Taylor, RBO, Manager and Chief Building Inspector, Building Inspection
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, 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**

Appendix A – Amendment Bylaw No. 4535, including appendices  
Appendix B – Unofficial Consolidation Bylaw No. 3741 (Redlined)

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4535**

\*\*\*\*\*

**A BYLAW TO AMEND BUILDING REGULATION BYLAW NO. 5, 2010 (BYLAW NO. 3741)  
A Bylaw to Regulate the Construction, Alteration, Repair or Demolition of  
Buildings and Structures in the Electoral Areas of the Capital Regional District**

\*\*\*\*\*

**WHEREAS:**

- A. Under Bylaw No. 3741, "Building Regulation Bylaw No. 5, 2010", the Regional Board established a Bylaw to Regulate the Construction, Alteration, Repair or Demolition of Buildings and Structures in the Electoral Areas of the Capital Regional District;
- B. The Chief Building Official desires the ability to change forms, which are used to intake information and documentation from the public, without the need to amend this bylaw in advance of a modification of such forms, and to specifically codify the ancillary powers of the Chief Building Official to revoke or cancel Permits or Certificates of Occupancy where such permits are issued in error or based on false or incorrect information;
- C. Bylaw No. 3741 prohibits the issuance of a Building Permit where there has been a violation described in Bylaw No. 3741, including a notice on title on the property under the *Community Charter*, and this may lead to unfairness for those successors in title or those in non-traditional property ownership structures attempting to obtain permits for new buildings or structures or to revoke existing buildings or structures subject to a notice on title;
- D. The Board wishes to amend Bylaw No. 3741 to clarify authority of the Chief Building Official to develop and amend forms related to permits from time to time, to ensure appropriate discretion of a Building Official to issue Building Permits where a violation or notice on title exists in relation to a building or structure on a property; to clarify the ability of the Chief Building Official to revoke or cancel a Building Permit or Certificate of Occupancy where issued in error, based on false or incorrect information, or where a condition has been breached; and to encourage compliance with the Building Code and the intent of the Code in setting minimum construction standards in the electoral areas;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. Bylaw No. 3741, "Building Regulation Bylaw No. 5, 2010", is hereby amended as follows:

- (a) By inserting into section 1.2.2, Definitions, the following definitions where alphabetically appropriate:

"Certificate of Occupancy" includes a Conditional Certificate of Occupancy where appropriate.

"Conditional Certificate of Occupancy" means a partial certificate of occupancy issued by a Building Inspector, of a temporary nature, in accordance with sections 2.5.9 and 2.6 of this Bylaw.

- (b) By renumbering section 2.1.1 as 2.1.1 (1);
- (c) By inserting the following as section 2.1.1 (2):

(2) The Chief Building Official shall create, modify, or adopt for usage, forms (other than those prescribed by enactment) in relation to Permit applications, in order to collect or make use of information or documentation necessary for the administration and enforcement of this bylaw, the Building Code, and other applicable enactments. The Building Department shall maintain a list of such forms.

(c) By inserting the following as section 2.1.1 (3):

(3) In creating or modifying Permit forms, the Chief Building Official shall ensure forms contain a limitation of liability substantially similar to the clauses in Sections 2.1.4 to 2.1.6 of this Bylaw, as well as *Freedom of Information and Protection of Privacy Act* personal information collection statements. The Chief Building Official may include fee calculation materials in Permit forms, consistent with fee appendices attached to this Bylaw, for ease of administration of the Permits.

(d) By inserting the following as section 2.1.1 (4):

(4) The following appendices form part of this Bylaw:

Appendix A: Fees and Charges

Appendix B: Permit Fees Based on Construction Value

Appendix C: Construction Values for Buildings Other Than Single Family Dwellings, Factory-Built Homes, Mobile Homes, and Moved Buildings

Appendix D: Construction Values for Single and Two-Family Dwellings, Factory-Built Homes, Mobile Homes, and Moved Buildings

Appendix E: Conditional Certificate of Occupancy

Appendix F: Certificate of Occupancy

Appendix H: Building Permit

(b) By replacing section 2.3.1 in its entirety with:

2.3.1 An application for a Permit shall be made on the appropriate form, issued from time to time in accordance with this Bylaw.

(c) By replacing section 2.3.3 in its entirety with:

2.3.3 Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of the building or structure as determined in accordance with Appendices A to D of this Bylaw.

(d) By replacing section 2.3.4 (1)(a) in its entirety with:

(a) be made on the appropriate form issued from time to time, signed by the owner, or by a signing officer with sufficient authority to bind the corporation if the owner is a corporation;

(e) By replacing section 2.3.5 (1)(a) in its entirety with:

(a) be made on the appropriate form issued from time to time, signed by the owner or by a signing officer with sufficient authority to bind the corporation if the owner is a corporation;

(f) By replacing 2.3.7 (3) in its entirety with:

(3) When a Permit is issued in accordance with Section 2.3.4 or Section 3.4.1 of this Bylaw, the Permit fee shall be reduced by 10% of the fees payable pursuant to Appendix E to this Bylaw, up to a maximum reduction of \$1000 (one thousand dollars).

(g) By replacing the words “the forms attached as appendices C, D, E, or F to this Bylaw” with the words “appendices A to D”;

(h) In section 2.4.2, by replacing the reference to Appendix K with Appendix B;

(i) In section 2.4.4(2)(a), by replacing the reference to Appendix L and M with Appendix C and D;

(j) By replacing section 2.4.5 in its entirety with:

2.4.5 A plan processing fee, as set out below, shall accompany an application made for a building permit to this Bylaw.

(1) The plan processing fee for a building or structure with a construction value as established in 2.4.4 of less than \$50,000 (fifty thousand dollars) shall be \$100 (one hundred dollars).

(2) The plan processing fee for a building or structure with a construction value as established in 2.4.4 between \$50,000 (fifty thousand dollars) and \$200,000 (two hundred thousand dollars) shall be \$200 (two hundred dollars).

(3) The plan processing fee for a building or structure with a construction value as established in 2.4.4 of greater than \$200,000 (two hundred thousand dollars) shall be \$300 (three hundred dollars).

(k) By amending section 2.5.1, sections (4) and (5) and creating a section (6) as follows:

(4) the proposed construction does not contravene any covenant under Section 219 of the *Land Title Act*;

(5) no enactment authorizes the Permit to be withheld; and

(6) the owner is not disentitled to a Permit by operation of Section 2.5.5 [*Violations and Notices on Title*].

(l) By replacing section 2.5.4, Revocation of a Permit, in its entirety with the following:

The building official may revoke a Permit if one or more of the following violations occurs:

(1) there is a contravention of a condition under which the Permit was issued;



- (2) there is a contravention of a provision of the *Building Code*, this Bylaw or other applicable bylaws or enactments;
- (3) the Permit was issued in error; or
- (4) the Permit was issued on the basis of false or incorrect information.

The revocation shall be in writing and transmitted to the Permit holder by registered mail, and is deemed served at the expiration of three days after the date of mailing.

(m) By replacing section 2.5.5, Denial of Permits, in its entirety with:

- (1) Any person who has a notice placed in their property's title under section 57 of the *Community Charter*, or who has been notified in writing that work done by him or her or on his or her behalf is a violation referred to in Section 2.5.4 (collectively an "Infraction Notice"), shall have no Permit issued in respect of the same property, until the person has complied, corrected the violation, or the issue identified in any notice on title, or satisfied the building official of their ability to do so.
- (2) As an exception to Section 2.5.5(1), if the building permit application is for a building or structure other than the building or structure for which an Infraction Notice was issued, a building inspector may issue the building permit if:
  - a. the building inspector is satisfied that the construction and occupancy of the new building or structure does not adversely affect health or life safety aspects of any existing buildings or structures, and any existing buildings or structures do not adversely affect health or life safety aspects of the new structure; or
  - b. the owner undertakes to alleviate any health or life issues created by the construction or occupancy of the new building or structure. The building inspector may make alleviating the issue a condition of the permit, and may require the owner to secure its undertaking by providing a section 219 *Land Title Act* covenant. Without limiting the requirements that the building inspector can require in the section 219 covenant, the covenant may prohibit occupancy of the new building or structure until the health and life safety issues have been alleviated to the satisfaction of the building inspector.
- (3) As an exception to Section 2.5.5(1), if the building permit application is for the same building or structure for which an Infraction Notice has been issued, the building inspector may issue a permit if:
  - a. the owner satisfies the building inspector that the issue is capable of being rectified; and the owner undertakes to rectify the issue. The building inspector may make rectifying the issue a condition of the permit, and may secure the owner's undertaking by requiring the owner provide a section 219 *Land Title Act* covenant. Without limiting the requirements that the building inspector can require in the section 219 covenant, the covenant may prohibit occupancy of the building or structure until the existing health and life safety issues have been alleviated to the satisfaction of the building inspector; or
  - b. it is practically unfeasible to rectify the subject matter of the Infraction Notice, and the building inspector is satisfied that issuing a building permit for the subject matter of the building permit application would not adversely affect any existing life safety or health issues with the building or structure. The building inspector may note on an occupancy permit for the work that the

occupancy permit relates only to the work authorized by the building permit, and that the issuance of the permit does not relate to any previous construction or work. The building inspector may also require the owner to provide a section 219 *Land Title Act* covenant requiring the owner to only construct the work in accordance with the submitted plans, and releasing and indemnifying the CRD and the building official from and against any liability resulting from construction and occupancy of the building, including any past construction.

(4) Despite having discretion in Section 2.5.5(2) and (3):

- a. there is no obligation on a building official to provide an advance ruling or decision on the exercise of their discretion to an owner or potential owner in advance of receipt of a completed action plan; and
- b. there is no obligation on a building official to exercise discretion in favour of an owner.

(n) By replacing section 2.6.1 in its entirety with:

2.6.1 An owner must obtain a Certificate of Occupancy, on the form attached as Appendix F to this Bylaw, prior to occupying a building or structure. Certificates of Occupancy are not required for accessory buildings.

(o) By replacing section 2.6.3 (1) in its entirety with:

(1) A building official may issue a Conditional Certificate of Occupancy, on attached as Appendix E to this Bylaw, for part of a building or structure when that part of the building or structure is self-contained, provided with essential services and meets requirements set out in Section 2.6.2 of this Bylaw.

(p) By inserting as section 2.6.3 (5):

(5) A Conditional Certificate of Occupancy may contain such conditions on occupancy of the building or structure or portion thereof as the Building Official deems necessary and desirable, and may list deficiencies required to be addressed to the satisfaction of the Building Official prior to the issuance of a Certificate of Occupancy.

(p) By inserting as section 2.6.4, Revocation of Certificate of Occupancy:

A building official may revoke a Certificate of Occupancy or Conditional Certificate of Occupancy where:

- (1) a condition of a Conditional Certificate of Occupancy is breached;
- (2) the Certificate of Occupancy was issued in error; or
- (3) the Certificate of Occupancy was issued on the basis of false or incorrect information.

The revocation shall be in writing and transmitted to the Owner by registered mail, and deemed served at the expiration of three days after the date of mailing.

(q) By replacing:

- (1) Appendix A with the Appendix A attached to this bylaw;
- (2) By replacing Appendix B with the Appendix B attached to this bylaw;
- (3) By replacing Appendix C with the Appendix C attached to this bylaw; and
- (4) By replacing Appendix D with the Appendix D attached to this bylaw.

(r) By renaming, and replacing references in the form located at the Appendix with:

- (1) Appendix I as Appendix E;
- (2) Appendix J as Appendix F; and
- (3) Appendix H as Appendix G.

2. This bylaw may be cited for all purposes as Bylaw No. 4535, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 4, 2023".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

---

CHAIR

---

CORPORATE OFFICER

**APPENDIX A  
FIREPLACE-CHIMNEY-WOOD STOVE APPLICATION FEES**

**FEE CALCULATIONS FOR PROPOSED WORK**

Check the appropriate options below	Fees (\$)	Number		Totals
Construct CHIMNEY – one single flue (masonry or metal)	\$44 X		=	
Each additional flue in masonry chimney above	\$22 X		=	
Construct FIREPLACE connected to single flue	\$22 X		=	
SOLID FUEL BURNING APPLIANCE connected at time of construction	\$22 X		=	
SOLID FUEL BURNING APPLIANCE connected to existing acceptable chimney	\$44 X		=	
CHIMNEY reline, repair or alter (masonry)	\$44 X		=	
<b>* APPLIANCES CONNECTED TO CHIMNEYS MUST COMPLY WITH AND BE INSTALLED TO ALL APPLICABLE REGULATIONS (See Building Inspector)</b>	<b>TOTAL PERMIT FEE</b>			

**PLUMBING PERMIT APPLICATION (RESIDENTIAL) FEES**

FEE SCHEDULE	Total No. of Fixtures		VALUE (\$)	UNITS	FEE
Fee (first 10 fixtures)			\$22 Per fixture	X =	0
Fee (additional fixtures)			\$17 per fixture	X =	0
Hot Water Tank (domestic)			\$22 per tank	X =	0
Lawn Sprinkler System			\$49	X =	
Hot Water Heating Boiler Connection			\$17	X =	
Connect to Existing Rough-In			\$12 per fixture	X =	
Alter Waste Line (no additional fixtures)			\$44	X =	
Water Connection			\$22	X 1 =	
Alter Water Lines or Add Special Valve			\$22	X =	
Sanitary Sewer Connection			\$22	X 1 =	
Storm or Sewage Lift Station			\$17	X =	
Remove or Make Safe Private Sewage System			\$17	X =	
Installation of Floor Drain			\$12 each	X =	
Install or Alter Rain Water Leads or Roof Drain			\$12	X =	
Install or Replace Cistern for Potable Water			\$34	X =	
Lawn Service Stand Pipe (not part of building plumbing)			\$22	X =	
Area Drains, Sumps, Catch Basins			\$22	X =	
Fire Protection Sprinkler System			\$22	X =	
Each Group of 10 Sprinklers or Portion Over First 10			\$17	X =	
<b>TOTAL FEES</b>					

**PLUMBING PERMIT APPLICATION (COMMERCIAL) FEES**

<b>FEE SCHEDULE</b>	<b>Total No. of Fixtures</b>	<b>VALUE (\$)</b>	<b>UNITS</b>		<b>FEE</b>
Fee (first 10 fixtures)		\$22 per fixture	X	=	
Fee (additional fixtures)		\$17 per fixture	X	=	
Hot Water Tank (domestic)		\$22 per tank	X	=	
Lawn Sprinkler System		\$49	X	=	
Hot Water Heating Boiler Connection		\$17	X	=	
Connect to Existing Rough-In		\$12 per fixture	X	=	
Alter Sanitary/Storm Drainage System (existing)		\$44	X	=	
Water Connection		\$22	X	=	
Sanitary Sewer Connection		\$22	X	=	
Alter or Add to Water System		\$22	X	=	
Install Floor Drain or Funnel Drain		\$12 each	X	=	
Install or Alter Rain Water Leads or Roof Drain		\$12	X	=	
Install or Replace Cistern for Potable Water		\$34	X	=	
Installation of Building Sanitary Sewer		\$21 per 100'	X	=	
Installation of Building Storm Sewer		\$21 per 100'	X	=	
<b>FIRE PROTECTION</b>					
Fire Protection Sprinkler System		\$21 each first 10 heads	X	=	
Each Group of 10 Sprinklers or Portion over First 10		\$21	X	=	
Fire Stand Pipe		\$21	X	=	
Fire Hydrant		\$32 each	X	=	
<b>OUTSIDE SERVICES</b>					
Pumping Station Other Than for S.F.D.		\$32 each	X	=	
Lawn Service Stand Pipe (not part of building plumbing)		\$21	X	=	
Storm or Sanitary Lift Station		\$32 each	X	=	
Remove or Make Safe Private Sewage System		\$16	X	=	
Area Drains / Catch Basins / Sumps		\$21	X	=	
Manholes and Interceptors (all kinds)		\$21	X	=	
Acid Neutralizers or Special Control Valve or Cap Off Sanitary, Storm, Water Connections		\$21	X	=	
<b>TOTAL FEES</b>					

**DEMOLITION – DECONSTRUCTION PERMIT APPLICATION FEES**

	<b>Demolition Fee</b>	<b>Deconstruction Fee</b>	<b>Totals</b>
Buildings up to 400 square feet in area	\$100	\$0	
Buildings over to 400 square feet in area	\$200	\$0	
Rendering private sewage disposal system safe	\$21	\$21	
Cap building sewer	\$16	\$16	
<b>Total Permit Fee</b>			

**APPENDIX B**  
**PERMIT FEES BASED ON CONSTRUCTION VALUE**

TOTAL CONSTRUCTION VALUE AS PRESCRIBED IN 2.4.4, APPENDIX "C" AND "D"	FEE
Less than \$100.00	\$ NIL
Over \$100 and not over \$1,000	\$50
Each additional \$1,000.00 or fraction thereof and not exceeding \$5,000.00	\$25
Each additional \$1,000.00 or fraction thereof and not exceeding \$400,000.00	\$13
Each additional \$1,000.00 or fraction thereof over \$400,000.00	\$10

**APPENDIX C**  
**CONSTRUCTION VALUES FOR BUILDINGS OTHER THAN SINGLE FAMILY DWELLINGS,**  
**FACTORY BUILT HOMES, MOBILE HOMES, AND MOVED BUILDINGS**

TYPE OF BUILDING	TYPE OF CONSTRUCTION	VALUE	
		PER SQ. FOOT	PER METER SQ.
Hotel / Motel	Wood Frame	\$200	\$2,152.00
Hotel / Motel	Reinforced masonry or concrete	\$260	\$2,797.00
Hotel / Motel	Steel frame	Contract	Value
Town House or Apartment	Wood Frame	\$200	\$2,152.00
Town House or Apartment	Reinforced masonry or concrete	\$260	\$2,797.00
Town House or Apartment	Steel frame	Contract	Value
Commercial Building (shell only)	Wood Frame or Heavy Timber	\$150	\$1,614.00
Commercial Building (shell only)	Reinforced masonry or concrete	\$200	\$2,152.00
Commercial Building (shell only)	Steel frame	\$150	\$1,614.00
Commercial Building Except Offices and Restaurant	Completion of Interior	\$80	\$860.80
Commercial Buildings Restaurants	Completion of Interior	\$110	\$1,183.60
Commercial Building Office Interiors	Completion of Interior	\$80	\$860.80
Industrial Buildings (shell only)	Wood Frame or Heavy Timber	\$110	\$1,183.60
Industrial Buildings (shell only)	Steel Frame	\$110	\$1,183.60
Industrial Buildings	Reinforced masonry or concrete	\$150	\$1,614.00
Industrial Buildings (interiors)	Completion of Interior	\$35	\$376.60
Temporary Buildings	Wood Frame	\$70	\$753.20



**APPENDIX D**  
**CONSTRUCTION VALUES FOR SINGLE AND TWO FAMILY DWELLINGS, FACTORY BUILT HOMES, MOBILE HOMES, AND MOVED BUILDINGS IN THE ELECTORAL AREAS OF JUAN DE FUCA, SALT SPRING ISLAND, SOUTHERN GULF ISLANDS**

FLOOR AREA OR TYPE OF STRUCTURE	VALUE	
	PER SQ. FT.	PER METER SQ.
Finished Main* Floor Areas	\$200	\$2,152
Finished Areas Other Than Main* Floor	\$150	\$1,614
Finishing previously Unfinished Basement,** Attics, or Other Floors	\$45	\$484.20
Garages and/or Workshops, Barns, or Sheds (Semi-Detached) Floor + Roof + Wall	\$90	\$968.40
Carports (Roof)	\$35	\$376.60
Sundecks (Floor)	\$35	\$376.60
Additions Where an Existing Wall Forms Part of the Additions	\$200	\$2,152
Finished Floor Areas of Factory Build Homes, Mobile Homes or Moved Dwellings	\$100	\$1,076
* Main Floor shall be defined as the floor area where the main activity takes place, usually the floor where the living room, dining room, and/or kitchen are located. ** Basement shall be defined as in the British Columbia Building Code		



**CAPITAL REGIONAL DISTRICT (CRD)  
BYLAW NO. 3741**

**BUILDING REGULATION BYLAW NO. 5, 2010**

**Consolidated for Public Convenience**  
(This bylaw is for reference purposes only)

ORIGINALLY ADOPTED OCTOBER 12, 2010  
(Consolidated with Amending Bylaws 3780, 4403, 4480)

For reference to original bylaws or further details, please contact the Capital Regional District,  
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6  
T: 250.360.3127, F: 250.360.3130, Email: [legserv@crd.bc.ca](mailto:legserv@crd.bc.ca), Web: [www.crd.bc.ca](http://www.crd.bc.ca)

# TABLE OF CONTENTS

## CAPITAL REGIONAL DISTRICT BYLAW NO. 3741

	Page
<b>PART 1 SCOPE AND DEFINITIONS</b>	<b><u>32</u></b>
1.1 SCOPE	<u>32</u>
1.2 DEFINITIONS	<u>43</u>
1.3 PURPOSE OF BYLAW	<u>65</u>
<b>PART 2 PERMITS AND PERMIT FEES</b>	<b><u>65</u></b>
2.1 GENERAL	<u>75</u>
2.2 COMPLIANCE	<u>97</u>
2.3 APPLICATIONS	<u>97</u>
2.4 PERMIT FEES AND PLAN PROCESSING FEES	<u>1344</u>
2.5 CONDITIONS OF A PERMIT	<u>1543</u>
2.6 CERTIFICATE OF OCCUPANCY	<u>1945</u>
<b>PART 3 PROHIBITIONS AND OBLIGATIONS</b>	<b><u>2046</u></b>
3.1 GENERAL	<u>2046</u>
3.2 BUILDING OFFICIALS	<u>2147</u>
3.3 RESPONSIBILITY OF THE OWNER	<u>2248</u>
3.4 PROFESSIONAL DESIGN AND FIELD REVIEW	<u>2248</u>
3.4A PROFESSIONAL DESIGN (POTABLE WATER SYSTEMS)	<u>2248</u>
3.5 INSPECTIONS	<u>2349</u>
<b>PART 4 ADMINISTRATIVE PROVISIONS</b>	<b><u>2524</u></b>
4.1 PENALTIES AND ENFORCEMENT	<u>2524</u>
<b>PART 5 GENERAL</b>	<b><u>2524</u></b>
5.1 SCHEDULES	<u>2524</u>
5.2 SEVERABILITY	<u>2524</u>
5.3 REPEAL OF BYLAWS	<u>2524</u>
5.4 CITATION	<u>2622</u>

### Bylaw Schedules

Appendix A: Fees and Charges

Appendix B: Permit Fees Based on Construction Value

Appendix C: Construction Values for Buildings Other Than Single Family Dwellings,  
Factory-Built Homes, Mobile Homes, and Moved Buildings

Appendix D: Construction Values for Single and Two-Family Dwellings, Factory-Built  
Homes, Mobile Homes, and Moved Buildings

Appendix E: Conditional Certificate of Occupancy

Appendix F: Certificate of Occupancy

Appendix H: Building Permit

Appendix A — Building Permit Application

Appendix B — Mobile Home Information Sheet

Appendix C — Fireplace Chimney Wood Stove Oil Furnace Application

Appendix D — Plumbing Permit Application (Residential)

Appendix E — Plumbing Permit Application (Commercial)

Appendix F — Demolition Deconstruction Permit Application

Appendix G — Change of Occupancy Classification

~~Appendix H — Building Permit~~  
~~Appendix I — Conditional Certificate of Occupancy~~  
~~Appendix J — Certificate of Occupancy~~  
~~Appendix K — Permit Fees Schedule~~  
~~Appendix L — Construction Values~~  
~~Appendix M — Construction Values~~

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 3741**

\*\*\*\*\*

**A BYLAW TO REPEAL EXISTING BUILDING REGULATIONS AND TO ADOPT  
NEW BUILDING REGULATIONS IN AREAS OF THE CAPITAL REGIONAL DISTRICT  
NOT WITHIN A CITY, DISTRICT, TOWN OR VILLAGE**

\*\*\*\*\*

**WHEREAS:**

- A. Section 298(1) of the *Local Government Act* and Section 53 of the *Community Charter* authorizes the Capital Regional District, for the health, safety and protection of persons and property to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw.  

**(BI 4403)**
- B. The Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the province.
- C. It is deemed necessary to provide for the administration of the building code.

**NOW THEREFORE** the Board of the Capital Regional District, in open meeting assembled hereby enacts as follows:

**PART 1 SCOPE AND DEFINITIONS**

**1.1 SCOPE**

**1.1.1 Electoral Areas**

The provisions of this Bylaw shall apply in all parts of Juan de Fuca, Southern Gulf Islands, and Salt Spring Island electoral areas in the Capital Regional District.

**(BI 4403)**

**1.1.2 Other Legislation**

Nothing contained in this Bylaw relieves any person from complying with all other applicable legislation or enactments respecting health, safety and the protection of persons and property.

**1.1.3 Application**

The provisions of this Bylaw shall apply to the:

- (1) design and construction of new buildings or structures; and

- (2) alteration, reconstruction, demolition, deconstruction and change in use or class of occupancy of existing buildings or structures.

(BI 4403)

## 1.2 DEFINITIONS

### 1.2.1 Non-defined Terms

Definitions of words or phrases used in this Bylaw that are not specifically defined under Section 1.2 and are not defined under the *Building Code* shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw, consistent with the specialized use of terms within the various trades and professions to which the terminology applies.

### 1.2.2 Definitions:

In this Bylaw:

**“Accessory Building”** means a building or structure, the use or intended use of which is ancillary, subordinate, customarily incidental and exclusively devoted to the principal use.

(BI 4403)

**“Alteration”** means a change or extension to any matter or thing or to any occupancy regulated by the *Building Code*.

(BI 4403)

**“Board”** means the Board of the Capital Regional District.

**“Building Code”** means the *British Columbia Building Code* as adopted from time to time by the Minister pursuant to Part 2 of the *Building Act*.

(BI 4403)

**“Building Official”** means a Building Inspector appointed by the Capital Regional District to administer this Bylaw.

**“Certificate of Occupancy”** includes a Conditional Certificate of Occupancy where appropriate.

**“Conditional Certificate of Occupancy”** means a partial certificate of occupancy issued by a Building Inspector, of a temporary nature, in accordance with sections 2.5.9 and 2.6 of this Bylaw.

**“Complex Building”** means:

- (a) a building classified as a post-disaster building;
- (b) a building used for major occupancies classified as:
  - (i) assembly occupancies,
  - (ii) care or detention occupancies,
  - (iii) high hazard industrial occupancies; and

(c) a building exceeding 600 square meters in building area or exceeding three storeys in building height used for major occupancies classified as:

- (i) residential occupancies,
- (ii) business and personal services occupancies,
- (iii) mercantile occupancies,
- (iv) medium and low hazard industrial occupancies.

**"Construct"** includes build, erect, install, repair, alter, add, enlarge, move, locate, reconstruct, demolish, remove, excavate or shore.

**(BI 4403)**

**"Construction Value"** means the fair market value of the work proposed to be undertaken, including the value of all labour and materials whether contracted, volunteered or provided by the owner, together with the value of all design and professional consulting services, construction management services, and contractor's profit and overhead, as determined in accordance with section 2.4.4 of this Bylaw.

**(BI 4403)**

**"Deconstruction"** means the taking apart of a building or structure whereby at least 70% of the framing members of the building or structure are removed in salvageable form and are capable of being reused as framing members.

**"Excavation"** means the removal of soil, rock or fill for the purpose of construction requiring a permit.

**(BI 4403)**

**"Health and Safety Aspects of the Work"** means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9, and 10, Division B, of the *Building Code*, and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B.

**(BI 4403)**

**"Owner"** includes a person who has been authorized by the owner to act as the owner's agent.

**"Permit"** means a Permit as required in Section 2 and may include a building permit, a plumbing permit, a demolition permit or a deconstruction permit, a permit for a change of occupancy, and a fireplace/chimney/woodstove/oil furnace/oil tank permit.

**"Registered Professional"** means a person who is registered or licensed to practice as an architect under the *Architects Act*, or a person who is registered or licensed to practice as a professional engineer under the *Engineers and Geoscientists Act*.

**"Simple Building"** means a building of three storeys or less in building height, having a building area not exceeding 600 square meters and used for major occupancies classified as:

- (a) residential occupancies,
- (b) business and personal services occupancies,



- (c) mercantile occupancies, or
- (d) medium and low hazard industrial occupancies.

**"Structure"** means a construction or portion of construction, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving, and retaining structures less than 1.2 meters in height.

**(BI 4403)**

**"Wetland"** means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions supports vegetation typically adapted for life in saturated soil conditions, including marshes, swamps and bogs.

### 1.3 PURPOSE OF BYLAW

#### 1.3.1 Interpretation

This Bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.

#### 1.3.2 General

This Bylaw is enacted for the purpose of regulating construction within all parts of the Juan de Fuca, Southern Gulf Islands and Salt Spring Island electoral areas in the general public interest. The activities undertaken by or on behalf of the Capital Regional District pursuant to this Bylaw are for the sole purpose of providing a limited spot check for health, safety, and protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:

- (1) to the protection of owners, owner/builders or constructors from economic loss;
- ~~(2)~~ to the assumption by the Capital Regional District or any building official of any responsibility for ensuring the compliance by an owner, his or her representatives or any employees, constructors or designers retained by him or her, with the *Building Code*, the requirements of this Bylaw or any other applicable codes, enactments or standards;
- ~~(2)(3)~~ to providing to any person a warranty of design or workmanship with respect to any building or structure for which a Permit or a Certificate of Occupancy is issued under this Bylaw;
- ~~(3)(4)~~ to providing to any person a warranty or assurance that construction undertaken pursuant to a Permit issued by the Capital Regional District is free of latent defects.

**(BI 4403)**

## PART 2 PERMITS AND PERMIT FEES

## 2.1 GENERAL

- 2.1.1 (1) A Permit is required whenever work regulated under the Building Code and this Bylaw is to be undertaken.

**(BI 4403)**

(2) The Chief Building Official shall create, modify, or adopt for usage, forms (other than those prescribed by enactment) in relation to Permit applications, in order to collect or make use of information or documentation necessary for the administration and enforcement of this bylaw, the Building Code, and other applicable enactments. The Building Department shall maintain a list of such forms.

**(BL 4535)**

(3) In creating or modifying Permit forms, the Chief Building Official shall ensure forms contain a limitation of liability substantially similar to the clauses in Sections 2.1.4 to 2.1.6 of this Bylaw, as well as *Freedom of Information and Protection of Privacy Act* personal information collection statements. The Chief Building Official may include fee calculation materials in Permit forms, consistent with fee appendices attached to this Bylaw, for ease of administration of the Permits.

**(BL 4535)**

(4) The following appendices form part of this Bylaw:

Appendix A: Fees and Charges

Appendix B: Permit Fees Based on Construction Value

Appendix C: Construction Values for Buildings Other Than Single Family Dwellings, Factory-Built Homes, Mobile Homes, and Moved Buildings

Appendix D: Construction Values for Single and Two-Family Dwellings, Factory-Built Homes, Mobile Homes, and Moved Buildings

Appendix E: Conditional Certificate of Occupancy

Appendix F: Certificate of Occupancy

Appendix H: Building Permit

**(BL 4535)**

### 2.1.2 Permits Required

Every person shall apply for and obtain:

- (1) a building permit before commencing:
  - (a) site excavation or blasting;
  - (b) construction, repairing or altering a building or structure;
  - (c) moving a building; or

- (d) changing an occupancy;
- (2) a plumbing permit prior to commencing the installation of any plumbing;
- (3) a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a solid fuel burning appliance or factory/masonry chimney unless the works are encompassed by a valid building permit;
- (4) a demolition permit before demolishing a building or structure;
- (5) a deconstruction permit prior to commencing the deconstruction or removal of a building.

**(BI 4403)**

### **2.1.3 Permits Not Required**

A Permit is not required in the following circumstances:

- (1) for minor repairs or alterations to non-structural components of the building;
- (2) when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared, or a leak repaired if no change to the piping is required;
- (3) for accessory buildings less than 10 square meters in area that do not create a hazard;
- (4) retaining structures less than 1.2 meters in height;
- (5) other retaining structures more than 1.2 meters in height and greater than 30° off vertical.

**(BI 4403)**

**2.1.4** Neither the issuance of a Permit under this Bylaw nor the acceptance or review of plans or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in accordance with the *Building Code*, this Bylaw and all other applicable enactments, codes and standards.

**2.1.5** It shall be the full and sole responsibility of the owner and where the owner is acting through a representative, the representative to carry out the work in respect of which the Permit was issued in compliance with the *Building Code*, this Bylaw and all other applicable enactments, codes and standards.

**2.1.6** Neither the issuance of a Permit, Certificate of Occupancy under this Bylaw nor the acceptance or review of plans, drawings, specifications, or supporting documents, nor any inspections made by or on behalf of the Capital Regional District constitute in any way a representation, warranty, assurance or statement that the *Building Code*, this Bylaw or any other applicable enactments, codes and standards have been complied with, nor does it constitute a representation or warranty that the building or structure meets any standard of materials or workmanship.

**(BI 4403)**

### 2.1.7 Essential Services

No Permit shall be issued for the construction of any residential, commercial, institutional or industrial buildings until the following essential services are provided for:

- (1) **Water (Potable)** A community water service or other source of potable water, approved by the medical health officer, public health inspector or the authority having jurisdiction, shall be provided;
- (2) **Sanitary Sewer** A community sewer or other method of sewage disposal, provided that, for a sewerage system, the owner has submitted to the building official all documents to be filed with the Vancouver Island Health Authority as prescribed in Section 8(2) of the Sewerage System Regulation BC Reg. 326/04; and for a holding tank, the owner has submitted to the building official a holding tank permit as prescribed in the Sewerage System Regulation BC Reg. 326/04;
- (3) **Storm Drainage** An approved method of storm drainage disposal shall be available to service the building or structure;
- (4) **Access to Property** A driveway of sufficient strength, grade and width for access and egress to all principal buildings by fire and emergency vehicles within 30 meters of a building;
- (5) Water supply as per NFPA 1142 "Standard for Water Supply for Suburban and Rural Fire Fighting" or equivalent documents for adequate water supply for fire fighting; and
- (6) Site visit to be completed by a registered professional or building official to determine if land is subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock-fall, subsidence or avalanche.

## 2.2 COMPLIANCE

- 2.2.1** No person shall rely upon any Permit as establishing compliance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced according to its terms.

## 2.3 APPLICATIONS

- 2.3.1** An application for a Permit shall be made on the appropriate form, ~~attached as Appendix A to this Bylaw~~ issued from time to time in accordance with this Bylaw. **(BL 4535)**

- 2.3.2** All plans submitted with Permit applications shall bear the name and address of the designer of the building or structure.

- 2.3.3** Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of the building or structure as determined in accordance with Appendices A to D of this Bylaw.

**(BI 4403)**

### 2.3.4 Applications for Complex Buildings

(1) An application for a building permit with respect to a complex building shall:

(a) be made on the appropriate form ~~attached as Appendix A to this Bylaw issued from time to time~~, signed by the owner, or by a signing officer with sufficient authority to bind the corporation if the owner is a corporation;

~~(a)~~

(BL 4535)

- (b) include a copy of a title search made within 30 days of the date of this application, complete with copies of all easements, statutory rights of way and covenants;
- (c) include a site plan prepared by a registered professional or British Columbia land surveyor showing:
  - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - (ii) the legal description and civic address of the parcel;
  - (iii) the location and dimensions of all statutory rights of way, easements, development permit areas and setback requirements;
  - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
  - (v) setbacks to the natural boundary of any sea, lake, wetland, pond or watercourse;
  - (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the Capital Regional District's or the Islands Trust's land use regulations establish siting requirements related to minimum floor elevation; and
  - (vii) the location, dimension and gradient of parking and driveway access.
- (d) include floor plans showing the dimensions and uses of all areas; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (e) include a cross-section through the building or structure illustrating foundations, drainage, ceiling heights, the dimensions and height of crawl and roof spaces, and construction systems;
- (f) include elevations of all sides of the building or structure to confirm that it substantially conforms to the *Building Code* and any other applicable enactments;
- (g) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *Building Code*;

- (h) include copies of approvals required under any enactment relating to health or safety, including, without limitation, Sewage Disposal permits, Highway Access permits and Ministry of Health Services approval;
  - (i) (include a letter of assurance in the form of Schedule A, as referred to in Division C of Part 2 of the *Building Code*, signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional;
  - (j) include letters of assurance in the form of Schedule B as referred to in Division C of Part 2 of the *Building Code*, each signed by such registered professionals as the building official or Building Code may require to prepare the design for and conduct field reviews of the construction of the building or structure;
  - (k) include two copies of specifications and two sets of drawings (three of each on the Southern Gulf Islands) at a scale of  $\frac{1}{4}" = 1'$  or 1:50 (or other appropriate scale) of the design prepared by each registered professional and including the information set out in Section 2.3.4(1) (d) to (g) of this Bylaw.
- (2) In addition to the requirements of Section 2.3.4(1), the following may be required by a building official to be submitted with a building permit application for the construction of a complex building where the complexity of the proposed building or structure or siting circumstances warrant:
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional;
  - (b) a section through the site showing grades, buildings, structures, parking areas and driveways; and
  - (c) any other information required by the building official or the *Building Code* to establish substantial compliance with this Bylaw, the *Building Code* and other bylaws and enactments relating to the building or structure.

### 2.3.5 Applications for Simple Buildings

- (1) An application for a building permit with respect to a simple building shall:
- (a) be made on the appropriate form ~~attached as Appendix A to this Bylaw~~issued from time to time, signed by the owner or by a signing officer with sufficient authority to bind the corporation if the owner is a corporation;
  - (b) include a copy of a title search made within 30 days of the date of the application, complete with copies of all easements, statutory rights of way and covenants;
  - (c) include a site plan showing:

- (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - (ii) the legal description and civic address of the parcel;
  - (iii) the location and dimensions of all statutory rights of way, easements, development permit areas and setback requirements;
  - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
  - (v) setbacks to the natural boundary of any sea, lake, wetland, pond or watercourse;
  - (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the Capital Regional District's or the Islands Trust's land use regulations establish siting requirements related to minimum floor elevation; and
  - (vii) the location, dimension and gradient of parking and driveway access.
- (d) include floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
  - (e) include a cross-section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
  - (f) include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, natural or finished grade as applicable and building height;
  - (g) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *Building Code*;
  - (h) include copies of approvals required under any enactment relating to health or safety, including, without limitation, Sewage Disposal permits, Highway Access permits and Ministry of Health Services approval;
  - (i) include two copies of specifications and two sets of drawings (three of each on the Southern Gulf Islands) at a scale of  $\frac{1}{4}" = 1' 0"$  or 1:50 (or other appropriate scale) of the design including the information set out in Section 2.3.5(1) (d) to (g) of this Bylaw;
  - (j) include any other information required by the building official or the *Building Code* to establish substantial compliance with this Bylaw the *Building Code* and other bylaws and enactments relating to the building or structure.

### **2.3.6 Applications for Moved Buildings or Structures**

- (1) A Permit is required for the rehabilitation of a moved building or structure on the property to which it is to be moved.



- (2) Before issuing a Permit under Section 2.3.6(1), the building official may require certification from a registered professional that the building meets the requirements of this Bylaw, the *Building Code* and any other applicable enactment.

### 2.3.7 Professional Plan Certification

- (1) The letters of assurance in the form of Schedules A, B and C-A and C-B referred in Division C of Part 2 – Administrative Provisions of the *Building Code* and provided pursuant to this Bylaw are relied upon by the Capital Regional District and its building officials as certification that the design and plans to which the letters of assurance relate comply with the *Building Code* and other applicable enactments. Any failure on the part of the building official to provide the owner with the written notice will not diminish or invalidate the reliance by the Capital Regional District or its building officials on the registered professionals.

**(BI 4403)**

- (2) A Permit issued pursuant to Section 2.3.4 or Section 3.4.1 of this Bylaw shall include a notice to the owner that the Permit is issued in reliance upon the certification of the registered professionals that the building complies with the *Building Code* and other applicable enactments relating to safety.
- (3) When a Permit is issued in accordance with Section 2.3.4 or Section 3.4.1 of this Bylaw, the Permit fee shall be reduced by 10% of the fees payable pursuant to Appendix ~~K-E~~ to this Bylaw, up to a maximum reduction of \$1000 (one thousand dollars).

## 2.4 PERMIT FEES AND PLAN PROCESSING FEES

**2.4.1** A Permit fee for any of the following work, calculated in accordance with ~~the forms attached as appendices C, D, E, or F to this Bylaw~~, Appendices A to D, shall be paid in full prior to issuance of:

- (1) a plumbing Permit pursuant to section 2.1.2(2) of this Bylaw;
- (2) a Permit for the installation of a fireplace, chimney, or wood stove pursuant to section 2.1.2(3) of this Bylaw;
- (3) a Permit for the demolition or deconstruction of a building or structure, pursuant to section 2.1.2(4) or (5) of this Bylaw.

**(BI 4403)**

**2.4.2** A Permit fee, calculated in accordance with Appendix ~~K-B~~ of this Bylaw, and based upon the construction value of the proposed work as determined in accordance with section 2.4.4 of this Bylaw, shall be paid in full prior to the issuance of a Permit for the construction, alteration or repair of a building or structure pursuant to section 2.1.2(1) of this Bylaw.

**(BI 4403, 4535)**

**2.4.3** An application for a Permit pursuant to section 2.1.2(1) of this Bylaw must be accompanied by the owner's declaration of the value of the proposed work.

**(BI 4403)**

**2.4.4** For the purpose of section 2.4.2, the construction value of the proposed work shall be the greater of the following:

- (1) the value of the proposed work, as declared by the owner under section 2.4.3,
- (2) the construction value of the proposed work, as determined by the building inspector using one of the following sources:
  - (a) the construction values set out in Appendix ~~L-C~~ and ~~M-D~~ to this Bylaw; or
  - (b) a construction costing manual or service that is nationally-recognized by the construction and real estate industries as authoritative, including but not limited to the Marshall & Swift Valuation Service or Residential Cost Handbook.

**(BI 4403, 4535)**

**2.4.5** A plan processing fee, as set out below, shall accompany an application made for a building permit to this Bylaw.

- (1) The plan processing fee for a building or structure with a construction value as established under section 2.4.4~~+~~ of less than \$50,000 (fifty thousand dollars) shall be \$100 (one hundred dollars).
- (2) The plan processing fee for a building or structure with a construction value as established under section 2.4.4~~+~~ between \$50,000 (fifty thousand dollars) and \$200,000 (two hundred thousand dollars) shall be \$200 (two hundred dollars).
- (3) The plan processing fee for a building or structure with a construction value as established under section 2.4.4~~+~~ of greater than \$200,000 (two hundred thousand dollars) shall be \$300 (three hundred dollars).

**(BI 4403, 4535)**

**2.4.6** The plan processing fee is non-refundable and shall be credited against the building permit fee when the Permit is issued.

#### **2.4.7 Cancellations and Refunds**

- (1) An application shall be cancelled and the plan processing fee forfeited if the Permit has not been issued within six months of the date that the Permit application was received.
- (2) When an application is cancelled, the plans and related documents submitted with the application may be destroyed.
- (3) The owner may obtain a refund of the Permit fee set out in Section 2.4.1 of this Bylaw, by way of a written request, when a Permit is surrendered and cancelled within six months of the Permit being issued and before any excavation or construction begins.

- (4) At the written request of the owner, after six months from the date of issuing the Permit and if the work has not commenced, including excavation, the Permit shall be cancelled and a refund to the Permit holder of 60% of the fees paid for the Permit.

**2.4.8** Where, due to non-compliance with this Bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge of \$100 (one hundred dollars) shall be paid prior to additional inspections being performed.

**2.4.9** The fee for a special inspection or consultation with the building inspector for work which is not addressed by an existing Permit shall be at the charge-out rate of \$92 (ninety-two dollars) per hour and prorated in the case of a partial hour to the nearest quarter hour.

**2.4.10** The fee for a letter report on the status of an existing building or structure shall be \$100 (one hundred dollars).

**(BI 4480)**

**2.4.11** The fee for removing a notice that has been placed on title to land in accordance with Section 57 of the *Community Charter* shall be \$500 (five hundred dollars).

**2.4.12** The fee for the review of a 219 Restrictive Covenant required in accordance with Section 219 of the *Local Government Act* and/or Section 56 of the *Community Charter* shall be \$300 (three hundred dollars) and, when requested, the fee for the execution of the approved covenant shall be \$200 (two hundred dollars).

**(BI 4403)**

## **2.5 CONDITIONS OF A PERMIT**

**2.5.1** A building official shall issue the Permit for which the application is made when:

- (1) a completed application in compliance with Section 2.1.2 and with Section 2.3.4 or Section 2.3.5 of this Bylaw, including all required supporting documentation, has been submitted and the review of the application has been completed;
- (2) the owner has paid all applicable fees set out in Section 2.4 of this Bylaw;
- (3) the owner has paid all charges and met all regulations and requirements imposed by any other bylaw or enactment;
- (4) the proposed construction does not contravene any covenant under Section 219 of the *Land Title Act*; ~~and~~
- (5) no enactment authorizes the Permit to be withheld; ~~and~~.

(6) the owner is not disentitled to a Permit by operation of Section 2.5.5 [Violations and Notices on Title].

**(BL 4535)**

**2.5.2** Every Permit is issued upon the condition that the Permit shall expire and the rights of the owner under the Permit shall terminate if:

- (1) work authorized by the Permit is not commenced within six months from the date of issuance of the Permit;
- (2) work is discontinued for a period of 12 months or no inspection as listed in Section 3.5.4 has been requested during that period;
- (3) work has not been completed within 24 months from the date of the issuance of the Permit; or
- (4) there is a sale or transfer of the property in respect of which the Permit is issued, unless the owner has first notified the building inspector in writing and the building inspector has authorized the transfer or assignment of the Permit to the new owner.

**(BI 4403)**

### **2.5.3 Reapplication**

- (1) Except as provided in 2.5.9, where a permit expires under section 2.5.2 the owner must apply for a new permit in order to complete the work.
- (2) An application under section 2.5.3(1) must be accompanied by any of the information referred to in sections 2.3.4 or 2.3.5 that the building inspector considers is necessary to verify that the health and safety aspects of the work that has yet to be substantially completed will conform with the requirements of the then-current Building Code, this Bylaw and any other applicable enactment.
- (3) The fee for a Permit issued under section 2.5.3(1):
  - (a) will be based upon the value of the work that remains to be completed, as determined by the building inspector in accordance with section 2.4.4 of this Bylaw;
  - (b) will in no event be less than \$300.00.

**(BI 4403)**

### **2.5.4 Revocation of a Permit**

The building official may revoke a Permit ~~where there is a violation of~~ one or more of the following violations occurs:

- (1) there is a contravention of a condition under which the Permit was issued; ~~or~~
- (2) there is a contravention of a provision of the *Building Code*, this Bylaw or other applicable bylaws or enactments;
- (3) the Permit was issued in error; or
- ~~(2)~~(4) the Permit was issued on the basis of false or incorrect information.

The ~~revoking of the Permit~~revocation shall be in writing and transmitted to the Permit holder by registered mail, and deemed served at the expiration of three days after the date of mailing.

## 2.5.5 Denial of Permits

- (1) Any person who has a notice placed on their property's title under section 57 of the Community Charter, or who has been notified in writing that work done by him or her or on his or her behalf is a violation referred to in Section 2.5.4 (collectively an "Infraction Notice"), shall have no Permit issued to him or her in respect of the same property, until he or she the person has complied, corrected the violation, or the issue identified in any notice on title, or satisfied the building official of his or her their ability to do so.
- (2) As an exception to Section 2.5.5(1), if the building permit application is for a building or structure other than the building or structure for which an Infraction Notice was issued, a building inspector may issue the building permit if:

  - a. the building inspector is satisfied that the construction and occupancy of the new building or structure does not adversely affect health or life safety aspects of any existing buildings or structures, and any existing buildings or structures do not adversely affect health or life safety aspects of the new structure; or
  - b. the owner undertakes to alleviate any health or life issues created by the construction or occupancy of the new building or structure. The building inspector may make alleviating the issue a condition of the permit, and may require the owner to secure its undertaking by providing a section 219 Land Title Act covenant. Without limiting the requirements that the building inspector can require in the section 219 covenant, the covenant may prohibit occupancy of the new building or structure until the health and life safety issues have been alleviated to the satisfaction of the building inspector.
- (3) As an exception to Section 2.5.5(1), if the building permit application is for the same building or structure for which an Infraction Notice has been issued, the building inspector may issue a permit if:

  - a. the owner satisfies the building inspector that the issue is capable of being rectified; and the owner undertakes to rectify the issue. The building inspector may make rectifying the issue a condition of the permit, and may secure the owner's undertaking by requiring the owner provide a section 219 Land Title Act covenant. Without limiting the requirements that the building inspector can require in the section 219 covenant, the covenant may prohibit occupancy of the building or structure until the existing health and life safety issues have been alleviated to the satisfaction of the building inspector; or
  - b. it is practically unfeasible to rectify the subject matter of the Infraction Notice, and the building inspector is satisfied that issuing a building permit for the subject matter of the building permit application would not adversely affect any existing life safety or health issues with the building or structure. The building inspector may note on an occupancy permit for the work that the

occupancy permit relates only to the work authorized by the building permit, and that the issuance of the permit does not relate to any previous construction or work. The building inspector may also require the owner to provide a section 219 Land Title Act covenant requiring the owner to only construct the work in accordance with the submitted plans, and releasing and indemnifying the CRD and the building official from and against any liability resulting from construction and occupancy of the building, including any past construction.

(4) Despite having discretion in Section 2.5.5(2):

- a. there is no obligation on a building official to provide an advance ruling or decision on the exercise of their discretion to an owner or potential owner in advance of receipt of a completed action plan; and
- b. there is no obligation on a building official to exercise discretion in favour of an owner.

**(BI 4403, 4535)**

## **2.5.6 Partial Permit**

A building official may issue a building permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, provided sufficient information has been provided to the Capital Regional District to demonstrate to the building official that the portion authorized to be constructed substantially complies with this Bylaw and other applicable bylaws and the Permit fee applicable to that portion of the building or structure has been paid. The issuance of the Permit, notwithstanding the requirements of this Bylaw, applies to the remainder of the building or structure as if the Permit for the portion of the building or structure had not been issued. This section does not apply to single family dwellings and accessory buildings.

**2.5.7** No person shall rely on the review or acceptance of the design, drawings, or specifications nor any inspection made by a building official as establishing compliance with the *Building Code*, this Bylaw, any other enactment or any standard of construction.

**2.5.8** An owner shall arrange for transportation of a building official to the property on which a building or structure is being constructed, where the location of the property is remote or not accessible by motor vehicle. Vessels used for the marine transportation of a building official shall comply with Transport Canada's Small Commercial Vessel Safety Guide.

## **2.5.9 Permit Renewal**

- (1) Where the rights of an owner under a Permit terminate under section 2.5.2, the owner may apply to renew the Permit provided the renewal application is made no later than 30 days after the expiry of the Permit.
- (2) Where all of the deficiencies listed on a Conditional Certificate of Occupancy have not been addressed to the satisfaction of the building inspector within 12 months of the issuance of the Conditional Certificate of Occupancy, the owner may apply to renew the Conditional Certificate of Occupancy, provided the renewal application is

made no later than 30 days after the expiry of the Conditional Certificate of Occupancy.

- (3) The fee for an application under sections 2.5.9(1) or (2) shall be \$300.00.
- (4) Upon receipt of an application under sections 2.5.9(1) or (2), a building inspector may renew the Permit or Conditional Certificate of Occupancy, as applicable, for a period not to exceed 12 months.
- (5) A Permit or Conditional Certificate of Occupancy may only be renewed once under this section 2.5.9.  
**(BI 4403)**

## **2.6 CERTIFICATE OF OCCUPANCY**

**2.6.1** An owner must obtain a Certificate of Occupancy, on the form ~~attached as Appendix I to this Bylaw~~, attached as Appendix F to this Bylaw, prior to occupying a building or structure. Certificates of Occupancy are not required for accessory buildings.

**2.6.2** A building official shall not issue a Certificate of Occupancy unless:

- (1) all letters of assurance have been submitted (when required) in accordance with Section 2.3.4 and Section 3.4.2 of this Bylaw, and
- (2) all aspects of the work requiring inspection and an acceptance pursuant to Section 3.5.4 of this Bylaw have been inspected and accepted.

Notwithstanding Sections 2.6.2(1) and 2.6.2(2), where owing to strikes, lock-outs or other emergencies, one or more of the inspections of buildings or structures required by this Bylaw have not been carried out, the building official may issue a Certificate of Occupancy stating the building or structure is substantially complete and suitable for occupancy if satisfied, after a final inspection, that the building is fit for occupancy, but the certificate shall list those inspections which were not carried out and shall state that the Certificate does not imply approval of such stages of construction.

### **2.6.3 Conditional Certificate of Occupancy**

- (1) A building official may issue a Conditional Certificate of Occupancy, on the form ~~attached as Appendix J to this Bylaw~~, attached as Appendix E to this Bylaw, for part of a building or structure when that part of the building or structure is self-contained, provided with essential services and meets requirements set out in Section 2.6.2 of this Bylaw.
- (2) A Conditional Certificate of Occupancy may be issued for a single family dwelling and is valid for a period of 12 months from date of issue.
- (3) If at a date 12 calendar months from the date a Conditional Certificate of Occupancy is issued, all of the deficiencies listed on the Certificate have not been addressed to the satisfaction of the building inspector Section 2.5.10 Renewal shall apply.
- (4) If upon expiry of a Permit, an owner desires to obtain a Certificate of Occupancy for a single family dwelling, he or she may apply for a new Permit under Section 2.5.3.



(4)(5) A Conditional Certificate of Occupancy may contain such conditions, including restrictions, on occupancy of the building or structure, or portion thereof, as the Building Official deems necessary and desirable, and may list deficiencies required to be addressed to the satisfaction of the Building Official prior to the issuance of a Certificate of Occupancy.

**(BI 4403)**

#### **2.6.4 Revocation of Certificate of Occupancy**

A building official may revoke a Certificate of Occupancy or Conditional Certificate of Occupancy where:

(1) a condition on a Conditional Certificate of Occupancy is breached;

(2) the Certificate of Occupancy was issued in error; or

(3) the Certificate of Occupancy was issued on the basis of false or incorrect information.

The revocation shall be in writing and transmitted to the Owner by registered mail, and deemed served at the expiration of three days after the date of mailing.

### **PART 3 PROHIBITIONS AND OBLIGATIONS**

#### **3.1 GENERAL**

##### **3.1.1 Work Without Permits**

No person shall commence or continue any construction, alteration, reconstruction, demolition, removal or relocation of any building or structure or other work related to construction, for which a Permit is required under this Bylaw unless a building official has issued a valid and subsisting Permit for the work.

**(BI 4403)**

##### **3.1.2 Demolish or Deconstruct**

No person shall demolish or deconstruct a building or structure unless a building official has issued a valid and subsisting demolition or deconstruction permit for the work.

##### **3.1.3 Occupancy**

No person shall occupy or use any building or structure unless a valid and subsisting Certificate of Occupancy has been issued by a building official for the building or structure. No person shall occupy or use any building contrary to the terms of any Permit issued or contrary to any notice given by a building official.

##### **3.1.4 Tampering with Notices**

No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, Permit or certificate posted upon or affixed to a building or structure pursuant to this Bylaw.

### **3.1.5 Approved Plans**

No person shall do any work that is substantially at variance with the approved design, plans or specifications of a building, structure or other works for which a Permit has been issued, unless that variance has been accepted in writing by a building official.

### **3.1.6 Obstruction to Entry**

No person shall obstruct the entry of a building official or other authorized official of the Capital Regional District on a property in the administration of this Bylaw.

### **3.1.7 Cessation of Work**

No person shall continue to do any work upon a building or structure or any portion of it after the building official has ordered cessation or suspension of work on it.

### **3.1.8 Work Contrary to Requirements**

No person shall do any work or carry out any construction contrary to a provision or requirement of this Bylaw, the *Building Code* or any other applicable enactment.

## **3.2 BUILDING OFFICIALS**

### **3.2.1** Each building official may:

- (1) administer this Bylaw, but owes no public duty to do so; and
- (2) keep records of Permit applications, Permits, notices and orders issued, inspections and tests made, and may retain copies of all documents related to the administration of this Bylaw.

**(BI 4403)**

### **3.2.2 Authority**

The building official:

- (1) is hereby authorized to enter, at all reasonable times, and in accordance with section 16 of the *Community Charter*, upon any property subject to the regulations of this Bylaw and the *Building Code*, in order to ascertain whether the regulations of or directions under them are being observed;
- (2) is directed, where any dwelling, apartment or guest room is occupied, to obtain the consent of the occupant or provide written notice 24 hours in advance of entry pursuant to Section 3.2.2(1);

**(BI 4403)**

- (3) may order the correction of any work which is being or has been improperly done under any Permit;
- (4) may order the cessation of work that is proceeding in contravention of this Bylaw, the *Building Code* or any other applicable bylaw by advising the Permit holder by letter or by a written notice on a card posted adjacent to the work;
- (5) may direct that tests of materials, devices, construction materials, structural assemblies, or foundation conditions be undertaken, or sufficient evidence be submitted, at the expense of the owner, where such evidence is necessary to determine whether the materials, devices, construction or foundation meet the requirements of this Bylaw, the *Building Code*, or any other applicable enactment. The records of such tests shall be kept available for inspection during the construction of the building as required by the building official.

### **3.3 RESPONSIBILITY OF THE OWNER**

**3.3.1** Every owner shall ensure that all construction complies with the *Building Code*, this Bylaw and other applicable enactments.

**3.3.2** Every owner to whom a Permit is issued shall, during construction:

- (1) post and maintain the Permit in a dry and conspicuous place on the property in respect of which the Permit was issued;
- (2) keep a copy of the accepted designs, plans and specifications on the property; and
- (3) post the civic address on the property in a location visible from any adjoining streets.

**3.3.3** Every owner shall, when notified of deficiencies by the building official, perform such alterations, corrections or replacements as may be necessary to ensure the work complies with this Bylaw, the *Building Code*, or any other applicable enactment or regulation, and advise the building official when the work is ready for re-inspection.

### **3.4 PROFESSIONAL DESIGN AND FIELD REVIEW**

#### **3.4A PROFESSIONAL DESIGN (POTABLE WATER SYSTEMS)**

**3.4A.1** In this section, “On Site Water Collection” means a system for the collection of rainwater to be used as a source of potable water.

**3.4A.2** As an exception to section 2.1.7(1), where an owner intends to provide potable water for a residential building that includes On Site Water Collection, the owner must provide to the building official certification by a qualified professional that the plans for the On Site Water Collection system, comply with the Building Code and other applicable enactments respecting safety of water supply and will provide the dwelling with potable water.

**3.4A.3** A building official may require an applicant for a building permit to provide the Capital Regional District with the certification referred to in section 3.4A.2.

**3.4A.4** In issuing a building permit where the owner has provided the certification of a qualified professional under section 3.4A.2:

(a) the Capital Regional District is not approving the water system, does not assume any responsibility to review or inspect the installation of the water system or the quality or quantity of the water from On Site Water Collection and will rely upon the certification provided by the engineer; and

(b) the portion of the Building Permit fee associated with the water catchment system shall be reduced by 10%.

**(BI 3780)**

**3.4.1** When a building official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a registered professional to provide design and plan certification and field review supported by letters of assurance in the form of Schedule B referred to in of Part 2 - Administrative Provisions of the *Building Code*.

**3.4.2** Prior to the issuance of a Certificate of Occupancy for a complex building, or simple building in circumstances where letters of assurance have been required in accordance with sections 2.3.4 or 3.4.1 of this Bylaw, the owner shall provide the building official with letters of assurance in the form of Schedule C-A and C-B as is appropriate, referred to in of Part 2 - Administrative Provisions of the *Building Code*.

**3.4.3** When a registered professional provides letters of assurance in accordance with sections 2.3.4 and 3.4.1 of this Bylaw, he or she shall also provide proof of professional liability insurance to the building official.

### **3.5 INSPECTIONS**

**3.5.1** When a registered professional provides letters of assurance in accordance with sections 2.3.4 and 3.4.1 of this Bylaw, the Capital Regional District will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to Section 3.4.2 of this Bylaw as certification that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *Building Code*, this Bylaw and other applicable enactments.

**3.5.2** Notwithstanding Section 3.5.1 of this Bylaw, a building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.

**3.5.3** A building official may attend periodically at the site of the construction of simple buildings or structures to ascertain whether the health and safety aspects of the work are carried out in substantial conformance with the portions of the *Building Code*, this Bylaw and any other applicable enactment.

**3.5.4** The owner, or his or her representative, shall give at least 24 hours notice to the Capital Regional District when requesting an inspection of the following aspects of the work and, in the case of a simple building, shall obtain an inspection and receive a building official's acceptance prior to concealing any aspect of the work:

(1) the foundation and footing forms, before concrete is poured; location to be verified by legal survey;

**(BI 4403)**

(2) installation of perimeter drain tiles, roof water leader system and damp-proofing, prior to backfilling;

**(BI 4403)**

(3) the preparation of ground, including ground cover and insulation when required, prior to the placing of a concrete slab (as applicable);

**(BI 4403)**

(4) rough-in of all chimneys and fireplaces and solid fuel and oil burning appliances;

(5) framing inspection, after the roof, all framing, fire blocking and bracing is in place, and all pipes, vents, chimneys, electrical wiring, roof space and crawlspace vents are completed;

(6) water and sewer connections (as applicable);

(7) rough-in plumbing;

(8) ventilation;

(9) building envelope;

(10) lath;

(11) stucco (1<sup>st</sup>, 2<sup>nd</sup>, final) (as applicable);

(12) insulation and vapour barrier;

(13) chimney (as applicable);

(14) solid fuel burning appliance, fireplace (as applicable);

(15) health and safety aspects of the work when the building or structure is substantially complete and ready for a Conditional Certificate of Occupancy

(16) final inspection/Certificate of Occupancy.

- 3.5.5** The requirements of Section 3.5.4 of this Bylaw do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance provided in accordance with sections 2.3.4, 3.4.1 or 3.4.2 of this Bylaw.

## **PART 4 ADMINISTRATIVE PROVISIONS**

### **4.1 PENALTIES AND ENFORCEMENT**

#### **4.1.1 Stop Work Notice**

A building official may order the cessation of any work that is proceeding in contravention of the *Building Code* or this Bylaw by posting a Stop Work Notice.

- (1) The owner of a property on which a Stop Work Notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this Bylaw have been substantially complied with and the Stop Work Notice has been rescinded in writing by a building official.
- (2) Every person who commences work requiring a Permit without first obtaining such a Permit shall, if a Stop Work Notice is issued, pay an additional charge equal to 100% of the required Permit fee prior to obtaining the required building permit.

#### **4.1.2 Do Not Occupy**

Where a person occupies a building or structure or part of a building or structure in contravention of Section 3.1.3 of this Bylaw a building official may post a Do Not Occupy Notice on the affected part of the building or structure.

#### **4.1.3 Penalty**

Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000 (ten thousand dollars) or to imprisonment for not more than six months.

## **PART 5 GENERAL**

### **5.1 SCHEDULES**

The schedules annexed hereto shall be deemed to be an integral part of this Bylaw.

### **5.2 SEVERABILITY**

If any section of this Bylaw is for any reason held to be invalid, by the decision of any court, such decision shall not affect the validity of the remaining portions of this Bylaw.

### **5.3 REPEAL OF BYLAWS**

Capital Regional District Bylaw 2990, "Building Regulation Bylaw No. 4, 2002, and amendment bylaws 3099, 3172, 3265 and 3394, are hereby repealed.

#### 5.4 CITATION

This Bylaw may be cited for all purposes as "Building Regulation Bylaw No. 5, 2010".

READ A FIRST TIME THIS	13 <sup>th</sup>	day of	October	2010
READ A SECOND TIME THIS	13 <sup>th</sup>	day of	October	2010
READ A THIRD TIME THIS	9 <sup>th</sup>	day of	March	2011
ADOPTED THIS	9 <sup>th</sup>	day of	March	2011

---

CHAIR

CORPORATE OFFICER



## BYLAW SCHEDULES

### APPENDIX A FIREPLACE-CHIMNEY-WOOD STOVE APPLICATION FEES

#### FEE CALCULATIONS FOR PROPOSED WORK

<u>Check the appropriate options below</u>	<u>Fees (\$)</u>	<u>Number</u>	<u>Totals</u>
Construct CHIMNEY – one single flue (masonry or metal)	\$44 X	=	
Each additional flue in masonry chimney above	\$22 X	=	
Construct FIREPLACE connected to single flue	\$22 X	=	
SOLID FUEL BURNING APPLIANCE connected at time of construction	\$22 X	=	
SOLID FUEL BURNING APPLIANCE connected to existing acceptable chimney	\$44 X	=	
CHIMNEY reline, repair or alter (masonry)	\$44 X	=	
<b>* APPLIANCES CONNECTED TO CHIMNEYS MUST COMPLY WITH AND BE INSTALLED TO ALL APPLICABLE REGULATIONS (See Building Inspector)</b>	<b><u>TOTAL PERMIT FEE</u></b>		

#### PLUMBING PERMIT APPLICATION (RESIDENTIAL) FEES

<u>FEE SCHEDULE</u>	<u>Total No. of Fixtures</u>	<u>VALUE (\$)</u>	<u>UNITS</u>	<u>FEE</u>
Fee (first 10 fixtures)		\$22 Per fixture	X =	0
Fee (additional fixtures)		\$17 per fixture	X =	0
Hot Water Tank (domestic)		\$22 per tank	X =	0
Lawn Sprinkler System		\$49	X =	
Hot Water Heating Boiler Connection		\$17	X =	
Connect to Existing Rough-In		\$12 per fixture	X =	
Alter Waste Line (no additional fixtures)		\$44	X =	
Water Connection		\$22	X 1 =	
Alter Water Lines or Add Special Valve		\$22	X =	
Sanitary Sewer Connection		\$22	X 1 =	
Storm or Sewage Lift Station		\$17	X =	
Remove or Make Safe Private Sewage System		\$17	X =	
Installation of Floor Drain		\$12 each	X =	
Install or Alter Rain Water Leads or Roof Drain		\$12	X =	
Install or Replace Cistern for Potable Water		\$34	X =	
Lawn Service Stand Pipe (not part of building plumbing)		\$22	X =	
Area Drains, Sumps, Catch Basins		\$22	X =	
Fire Protection Sprinkler System		\$22	X =	
Each Group of 10 Sprinklers or Portion Over First 10		\$17	X =	
<b><u>TOTAL FEES</u></b>				

**PLUMBING PERMIT APPLICATION (COMMERCIAL) FEES**

<b><u>FEE SCHEDULE</u></b>	<b><u>Total No. of Fixtures</u></b>	<b><u>VALUE (\$)</u></b>	<b><u>UNITS</u></b>		<b><u>FEE</u></b>
Fee (first 10 fixtures)		\$22 per fixture	X	=	
Fee (additional fixtures)		\$17 per fixture	X	=	
Hot Water Tank (domestic)		\$22 per tank	X	=	
Lawn Sprinkler System		\$49	X	=	
Hot Water Heating Boiler Connection		\$17	X	=	
Connect to Existing Rough-In		\$12 per fixture	X	=	
Alter Sanitary/Storm Drainage System (existing)		\$44	X	=	
Water Connection		\$22	X	=	
Sanitary Sewer Connection		\$22	X	=	
Alter or Add to Water System		\$22	X		
Install Floor Drain or Funnel Drain		\$12 each	X	=	
Install or Alter Rain Water Leads or Roof Drain		\$12	X	=	
Install or Replace Cistern for Potable Water		\$34	X	=	
Installation of Building Sanitary Sewer		\$21 per 100'	X	=	
Installation of Building Storm Sewer		\$21 per 100'	X	=	
<b><u>FIRE PROTECTION</u></b>					
Fire Protection Sprinkler System		\$21 each first 10 heads	X	=	
Each Group of 10 Sprinklers or Portion over First 10		\$21	X	=	
Fire Stand Pipe		\$21	X	=	
Fire Hydrant		\$32 each	X		
<b><u>OUTSIDE SERVICES</u></b>					
Pumping Station Other Than for S.F.D.		\$32 each	X	=	
Lawn Service Stand Pipe (not part of building plumbing)		\$21	X	=	
Storm or Sanitary Lift Station		\$32 each	X	=	
Remove or Make Safe Private Sewage System		\$16	X	=	
Area Drains / Catch Basins / Sumps		\$21	X	=	
Manholes and Interceptors (all kinds)		\$21	X	=	
Acid Neutralizers or Special Control Valve or Cap Off Sanitary, Storm, Water Connections		\$21	X	=	
<b><u>TOTAL FEES</u></b>					

**DEMOLITION – DECONSTRUCTION PERMIT APPLICATION FEES**

	<b><u>Demolition Fee</u></b>	<b><u>Deconstruction Fee</u></b>	<b><u>Totals</u></b>
Buildings up to 400 square feet in area	\$100	\$0	
Buildings over to 400 square feet in area	\$200	\$0	
Rendering private sewage disposal system safe	\$21	\$21	
Cap building sewer	\$16	\$16	
<b><u>Total Permit Fee</u></b>			

**APPENDIX B**  
**PERMIT FEES BASED ON CONSTRUCTION VALUE**

<u>TOTAL CONSTRUCTION VALUE AS PRESCRIBED IN 2.4.4, APPENDIX "C"</u> <u>AND "D"</u>	<u>FEE</u>
<u>Less than \$100.00</u>	<u>\$ NIL</u>
<u>Over \$100 and not over \$1,000</u>	<u>\$50</u>
<u>Each additional \$1,000.00 or fraction thereof and not exceeding \$5,000.00</u>	<u>\$25</u>
<u>Each additional \$1,000.00 or fraction thereof and not exceeding \$400,000.00</u>	<u>\$13</u>
<u>Each additional \$1,000.00 or fraction thereof over \$400,000.00</u>	<u>\$10</u>


**APPENDIX C**  
**CONSTRUCTION VALUES FOR BUILDINGS OTHER THAN SINGLE FAMILY DWELLINGS,**  
**FACTORY BUILT HOMES, MOBILE HOMES, AND MOVED BUILDINGS**


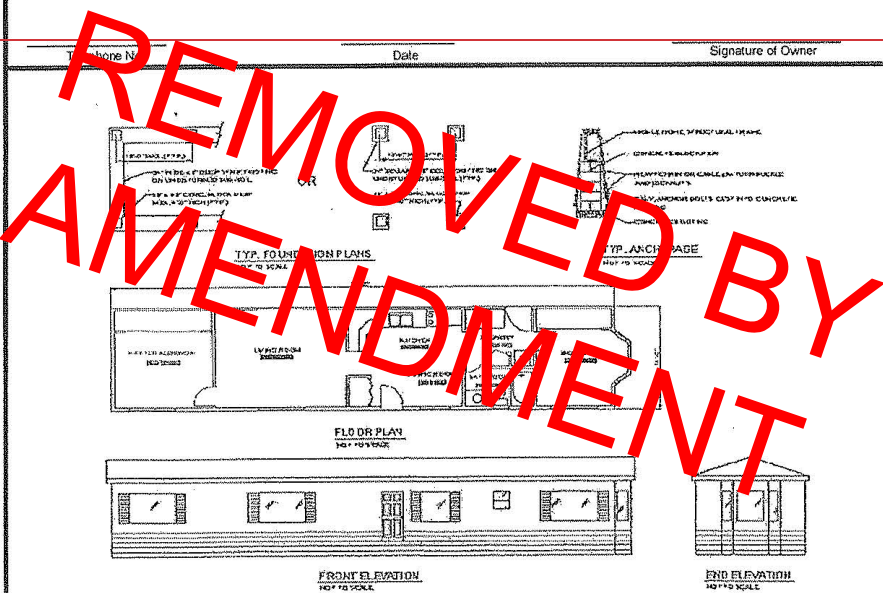
<u>TYPE OF BUILDING</u>	<u>TYPE OF CONSTRUCTION</u>	<u>VALUE</u>	
		<u>PER SQ. FOOT</u>	<u>PER METER SQ.</u>
<u>Hotel / Motel</u>	<u>Wood Frame</u>	<u>\$200</u>	<u>\$2,152.00</u>
<u>Hotel / Motel</u>	<u>Reinforced masonry or concrete</u>	<u>\$260</u>	<u>\$2,797.00</u>
<u>Hotel / Motel</u>	<u>Steel frame</u>	<u>Contract</u>	<u>Value</u>
<u>Town House or Apartment</u>	<u>Wood Frame</u>	<u>\$200</u>	<u>\$2,152.00</u>
<u>Town House or Apartment</u>	<u>Reinforced masonry or concrete</u>	<u>\$260</u>	<u>\$2,797.00</u>
<u>Town House or Apartment</u>	<u>Steel frame</u>	<u>Contract</u>	<u>Value</u>
<u>Commercial Building (shell only)</u>	<u>Wood Frame or Heavy Timber</u>	<u>\$150</u>	<u>\$1,614.00</u>
<u>Commercial Building (shell only)</u>	<u>Reinforced masonry or concrete</u>	<u>\$200</u>	<u>\$2,152.00</u>
<u>Commercial Building (shell only)</u>	<u>Steel frame</u>	<u>\$150</u>	<u>\$1,614.00</u>
<u>Commercial Building Except Offices and Restaurant</u>	<u>Completion of Interior</u>	<u>\$80</u>	<u>\$860.80</u>
<u>Commercial Buildings Restaurants</u>	<u>Completion of Interior</u>	<u>\$110</u>	<u>\$1,183.60</u>
<u>Commercial Building Office Interiors</u>	<u>Completion of Interior</u>	<u>\$80</u>	<u>\$860.80</u>
<u>Industrial Buildings (shell only)</u>	<u>Wood Frame or Heavy Timber</u>	<u>\$110</u>	<u>\$1,183.60</u>
<u>Industrial Buildings (shell only)</u>	<u>Steel Frame</u>	<u>\$110</u>	<u>\$1,183.60</u>
<u>Industrial Buildings</u>	<u>Reinforced masonry or concrete</u>	<u>\$150</u>	<u>\$1,614.00</u>
<u>Industrial Buildings (interiors)</u>	<u>Completion of Interior</u>	<u>\$35</u>	<u>\$376.60</u>
<u>Temporary Buildings</u>	<u>Wood Frame</u>	<u>\$70</u>	<u>\$753.20</u>

**APPENDIX D**  
**CONSTRUCTION VALUES FOR SINGLE AND TWO FAMILY DWELLINGS, FACTORY BUILT HOMES, MOBILE HOMES, AND MOVED BUILDINGS IN THE ELECTORAL AREAS OF JUAN DE FUCA, SALT SPRING ISLAND, SOUTHERN GULF ISLANDS**

<b><u>FLOOR AREA OR TYPE OF STRUCTURE</u></b>	<b><u>VALUE</u></b>	
	<b><u>PER SQ. FT.</u></b>	<b><u>PER METER SQ.</u></b>
<u>Finished Main* Floor Areas</u>	<u>\$200</u>	<u>\$2,152</u>
<u>Finished Areas Other Than Main* Floor</u>	<u>\$150</u>	<u>\$1,614</u>
<u>Finishing previously Unfinished Basement,** Attics, or Other Floors</u>	<u>\$45</u>	<u>\$484.20</u>
<u>Garages and/or Workshops, Barns, or Sheds (Semi-Detached) Floor + Roof + Wall</u>	<u>\$90</u>	<u>\$968.40</u>
<u>Carports (Roof)</u>	<u>\$35</u>	<u>\$376.60</u>
<u>Sundecks (Floor)</u>	<u>\$35</u>	<u>\$376.60</u>
<u>Additions Where an Existing Wall Forms Part of the Additions</u>	<u>\$200</u>	<u>\$2,152</u>
<u>Finished Floor Areas of Factory Build Homes, Mobile Homes or Moved Dwellings</u>	<u>\$100</u>	<u>\$1,076</u>
<u>* Main Floor shall be defined as the floor area where the main activity takes place, usually the floor where the living room, dining room, and/or kitchen are located.</u> <u>** Basement shall be defined as in the British Columbia Building Code</u>		

***(BI 4403)***

Appendix A  Making a difference...together		Building Permit Application		Permit No.
<b>SOUTHERN GULF ISLANDS</b> <b>WILLIS POINT &amp; MALAHAT</b> <b>BUILDING INSPECTION</b> PO Box 1000, 625 Figgard St Victoria BC V8W 2S6 T: 250.360.3230, F: 250.360.3232 Email binspection@crd.bc.ca	<b>JUAN DE FUCA</b> <b>BUILDING INSPECTION</b> 3-7450 Butler Rd Sooke BC V9Z 1N1 T: 250.642.8109 F: 250.642.5274 Email bijdf@crd.bc.ca	<b>SALT SPRING ISLAND</b> <b>BUILDING INSPECTION</b> 206 -118 Fulford Ganges Rd Salt Spring Island BC V8K 2S4 T: 250.537.2711 F: 250.537.9633 Email bisaltspring@crd.bc.ca	<b>PENDER ISLAND</b> <b>BUILDING INSPECTION</b> PO Box 113 30-4605 Bedwell Harbour Rd Pender Island BC V0N 2M0 T: 250.629.3424 Email bipender@crd.bc.ca	
<b>PLEASE PRINT CLEARLY</b> Pursuant to the regulations applicable to the CAPITAL REGIONAL DISTRICT:				
I, _____, address _____,				
being the owner or representing the owner hereby make application to: (check one in box 1 and one in box 2 below)				
<b>1</b> <input type="checkbox"/> Reactivate <input type="checkbox"/> Construct <input type="checkbox"/> Alter <input type="checkbox"/> Repair		<b>2</b> <input type="checkbox"/> Demolish <input type="checkbox"/> Add To <input type="checkbox"/> Move <input type="checkbox"/> Demolish <input type="checkbox"/> Single-Family Dwelling <input type="checkbox"/> Two-Family Dwelling <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Other: _____		
<b>Construction Value</b> _____ <i>Total Cost of Construction</i>				
<b>The above project is located at</b> _____				
<b>Legal Description</b> PID _____ Lot _____ Section _____ District _____ Plan _____ Folio _____				
<b>Contact Email</b> _____				
<b>Owner</b> _____ First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____				
<b>Architect</b> _____ First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____				
<b>Builder</b> _____ First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____				
<b>LIMITATION OF LIABILITY</b> Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings, or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments, codes, and standards.				
<b>FREEDOM OF INFORMATION WAIVER</b> Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix.				
<b>All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw Nos. 3741, 3780 and 4403.</b>				
<b>NOTE:</b> An Occupancy Permit will not be issued without either a holding tank permit issued by the Vancouver Island Health Authority or a letter of certification, as described in section 9 of the Sewerage System Regulation, B.C. Reg. 326/2004, from a registered practitioner or a professional confirming that an appropriate sewerage system has been constructed.				
<b>Phone Number</b> _____		<b>Date</b> _____		<b>Signature of Applicant</b> _____
<b>THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING:</b> 1. Plan Processing Fee. 2. Copy of BC Property Assessment Notice. 3. Copy of current Title Search, including copies of all covenants, easements and rights of way. 4. Site Plan drawn to scale showing: dimensions of property, location of septic tank and disposal field, location of proposed building, ground elevations, location of all existing buildings and details of site drainage. 5. Copy of documents filed with the Vancouver Island Health Authority under section 8(2) of the Sewerage System Regulation, B.C. Reg. 326/2004 and proof of potable water supply and well log. 6. Include specifications and scale drawings (two sets and a pdf) of the building with respect to which the work is to be carried out showing: foundation plan (fully dimensioned), floor plan of each level (fully dimensioned), elevations of all sides of the building and proposed and/or existing uses of room shown on floor plans. 7. Reverse printed plans not acceptable. 8. Documentation as required by the BC Housing New Home Registration.				<b>Date Received</b> _____

<b>Appendix B</b>  <b>Mobile Home Information Sheet</b> <small>To be used in conjunction with BUILDING PERMIT APPLICATION (Appendix A)</small>		Hold No.  Permit No.
Owner _____ Address _____		
<b>Details of Mobile Home</b> Name and Address of Manufacturer _____ NAME _____ ADDRESS _____ Model # _____ Serial # _____ Oil Approval # _____ Gas Approval # _____ Electrical Approval # _____ Z240 Series # _____ Year Built _____ Number of Bedrooms _____ Number of Plumbing Fixtures _____ Floor Area _____ Contractor _____ _____ ADDRESS Engineer _____ _____ ADDRESS	<b>Note</b> 1. An approved mobile home may be permanently installed in the Electoral Area of the Capital Regional District on property zoned for a Single Family Dwelling as long as all other requirements of the particular zone are met. Zoning Bylaws vary in their requirements depending on the location within the Capital Regional District. Please check with your local Building Inspection Office. 2. Factory built "Mobile Homes" must be certified as complying with Canadian Standards Association Standard "CAN/CSA-Z240 MH Series Mobile Homes". This standard does not apply to site preparations (foundations, basements, mountings), interconnection of modules, connection to services and installation of appliances. Mobile homes that do not meet the above standard will require the inspection and approval from a British Columbia registered professional engineer. It may be necessary for the Building Official to inspect the Mobile Home as well. 3. A completed Building Permit Application (form 1) must accompany this Information Sheet. 4. Include with the application a letter from the owner of the Mobile Home Park, the Tenant's Association or other relevant group or individual, confirming that there are no objections to the establishment of the mobile home, including any addition, on the proposed site. 5. The applicant will be notified of the permit fee when all aspects of the application have been approved.	
For inspection purposes where is the mobile now located? _____ ADDRESS		
Telephone No. _____ Date _____ Signature of Owner _____		
		



(BI 4403)

Appendix C		Fireplace - Chimney - Wood Stove Permit Application		Permit No.	
 Making a difference...together	<b>SOUTHERN GULF ISLANDS</b> <b>WILLIS POINT &amp; MALAHAT</b> <b>BUILDING INSPECTION</b> PO Box 1000, 625 Fisgard St Victoria BC V8W 2S6 T: 250.360.3230, F: 250.360.3232 Email binspection@crd.bc.ca	<b>JUAN DE FUCA</b> <b>BUILDING INSPECTION</b> 3-7450 Butler Rd Sooke BC V9Z 1N1 T: 250.642.8109 F: 250.642.5274 Email bijdf@crd.bc.ca	<b>SALT SPRING ISLAND</b> <b>BUILDING INSPECTION</b> 206 -118 Fulford Ganges Rd Salt Spring Island BC V8K 2S4 T: 250.537.2711 F: 250.537.9633 Email bisaltspring@crd.bc.ca	<b>PENDER ISLAND</b> <b>BUILDING INSPECTION</b> PO Box 113 30-4605 Bedwell Harbour Rd Pender Island BC V0N 2M0 T: 250.629.3424 Email bipender@crd.bc.ca	
<b>PLEASE PRINT CLEARLY</b>					
Pursuant to the regulations applicable to the CAPITAL REGIONAL DISTRICT:					
I, _____, address _____,					
being the owner or representing the owner hereby make application to:					
PROJECT: (check one) <input type="checkbox"/> New Chimney <input type="checkbox"/> Replace Existing Unit					
LOCATION: (check one) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Garage <input type="checkbox"/> Workshop <input type="checkbox"/> Other: _____					
Site Address _____ Complete Address _____					
Legal Description PID _____ Lot _____ Section _____					
District _____ Plan _____ Folio _____					
Contact Email _____					
Owner _____ First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____					
Builder _____ First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____					
<b>FEE CALCULATIONS FOR PROPOSED WORK</b>					
Select the appropriate option below:			<b>Fees</b>	<b>Number</b>	<b>Total \$</b>
Construct Chimney - one single flue (masonry or metal)			\$ 44.00	X	=
Each additional flue in masonry chimney above			22.00	X	=
Construct Fireplace connected to single flue			22.00	X	=
Solid Fuel Burning Appliance connected at time of construction			22.00	X	=
Solid Fuel Burning Appliance connected to existing acceptable chimney			44.00	X	=
Chimney - reline, repair or alter (masonry)			44.00	X	=
*Appliances connected to chimneys must comply with, and be installed to, all applicable regulations. (See Building Inspector)			<b>TOTAL PERMIT FEE</b>		<b>\$</b>
<b>LIMITATION OF LIABILITY</b> Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings, or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments, codes, and standards.					
<b>FREEDOM OF INFORMATION WAIVER</b> Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix. All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw Nos. 3741, 3780 and 4403.					
Phone Number _____		Date _____		Signature of Applicant _____	
Note: Design details of the fireplace and/or chimney may be requested for approval by the Building Inspector. An inspection must be requested for the reinforcement of the hearth before the concrete is poured.					

Appendix D		<b>Plumbing Permit Application (RESIDENTIAL)</b>		Hold No.																																																																																																									
CRD <small>Making a Difference, Together</small>				Permit No.																																																																																																									
<b>SOUTHERN GULF ISLANDS</b> <b>WILLIS POINT &amp; MALAHAT</b> <b>BUILDING INSPECTION</b> Mail to: P.O. Box 1000 (625 Fisgard Str.) Victoria, BC, V8W 2S8 (250)360-3230 FAX (250)360-3232 Toll Free: 1-866-475-1581	<b>JUAN DE FUCA</b> <b>BUILDING INSPECTION</b> Mail to: P.O. Box 283 2 - 6858 West Coast Rd. Sooke, BC, V9Z 0S9 (250)642-1500 FAX (250)642-5274	<b>SALT SPRING ISLAND</b> <b>BUILDING INSPECTION</b> 206 - 118 Fulford Ganges Rd. Salt Spring Island, BC, V8K 2S4 (250)537-2711 FAX (250)537-9633	<b>PENDER ISLAND</b> <b>BUILDING INSPECTION</b> Driftwood Centre, Box 45 Pender Island, B.C., V0N 2M0 (250)629-3424 FAX (250)629-350																																																																																																										
PLEASE PRINT CLEARLY Pursuant to the regulations applicable to the CAPITAL REGIONAL DISTRICT: I, _____, _____ <div style="display: flex; justify-content: space-between;"> <span>First Name</span> <span>Surname</span> </div> _____, being the owner or representing the owner hereby <div style="display: flex; justify-content: space-between;"> <span>Apt. # House #</span> <span>Street</span> <span>City</span> <span>Postal Code</span> </div> make application to, <b>INSTALL OR ALTER</b> <b>PLUMBING SYSTEM OR SEWERS</b> located at: <div style="display: flex; justify-content: space-between;"> <span>Site address:</span> <span>House Number</span> <span>Street</span> </div>																																																																																																													
LEGAL DESCRIPTION		FOLIO No.																																																																																																											
LOT	SECTION	BLOCK	PLAN	LAND DISTRICT																																																																																																									
Other Pertinent Information																																																																																																													
Owner		ADDRESS (UNIT#, HOUSE #, STREET, CITY, POSTAL CODE)																																																																																																											
Contractor		ADDRESS (UNIT#, HOUSE #, STREET, CITY, POSTAL CODE)																																																																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">FEE SCHEDULE</th> <th style="width: 10%;">Total No. of Fixtures</th> <th style="width: 10%;">VOLUME</th> <th style="width: 10%;">UNITS</th> <th style="width: 10%;">FEE</th> </tr> </thead> <tbody> <tr> <td>Fee (first 10 fixtures)</td> <td></td> <td>\$22. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Fee (additional fixtures)</td> <td></td> <td>17. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Hot Water Tank (domestic)</td> <td></td> <td>22. per tank</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Lawn Sprinkler System</td> <td></td> <td>49. per system</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Hot Water Heating Boiler connection</td> <td></td> <td>17. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Connect to Existing Rough-in</td> <td></td> <td>17. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Alter Waste Lines (no additional fixtures)</td> <td></td> <td>22. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Water Connection</td> <td></td> <td>22. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Alter Water Lines or Add Special Valve</td> <td></td> <td>22. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Sanitary Sewer Connection</td> <td></td> <td>22. per fixture</td> <td>X</td> <td>= 1</td> </tr> <tr> <td>Storm or Sewage Lift Station</td> <td></td> <td>17. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Remove or Make Safe Private Sewage System</td> <td></td> <td>17. per fixture</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Installation of Floor Drain</td> <td></td> <td>12. each</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Install or Alter Rain Water Leads or Roof Drain</td> <td></td> <td>12. each</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Install or Replace Cistern For Potable Water</td> <td></td> <td>34. each</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Lawn Service Stand Pipe (not part of building plumbing)</td> <td></td> <td>22. each</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Area Drains, Sumps, Catch Basins</td> <td></td> <td>22. each</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Fire Protection Sprinkler System</td> <td></td> <td>22. each of</td> <td>X</td> <td>= 0</td> </tr> <tr> <td>Each Group of 10 Sprinklers or Portion Over First 10</td> <td></td> <td>17. each of</td> <td>X</td> <td>= 0</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES</b></td> <td></td> </tr> </tbody> </table>					FEE SCHEDULE	Total No. of Fixtures	VOLUME	UNITS	FEE	Fee (first 10 fixtures)		\$22. per fixture	X	= 0	Fee (additional fixtures)		17. per fixture	X	= 0	Hot Water Tank (domestic)		22. per tank	X	= 0	Lawn Sprinkler System		49. per system	X	= 0	Hot Water Heating Boiler connection		17. per fixture	X	= 0	Connect to Existing Rough-in		17. per fixture	X	= 0	Alter Waste Lines (no additional fixtures)		22. per fixture	X	= 0	Water Connection		22. per fixture	X	= 0	Alter Water Lines or Add Special Valve		22. per fixture	X	= 0	Sanitary Sewer Connection		22. per fixture	X	= 1	Storm or Sewage Lift Station		17. per fixture	X	= 0	Remove or Make Safe Private Sewage System		17. per fixture	X	= 0	Installation of Floor Drain		12. each	X	= 0	Install or Alter Rain Water Leads or Roof Drain		12. each	X	= 0	Install or Replace Cistern For Potable Water		34. each	X	= 0	Lawn Service Stand Pipe (not part of building plumbing)		22. each	X	= 0	Area Drains, Sumps, Catch Basins		22. each	X	= 0	Fire Protection Sprinkler System		22. each of	X	= 0	Each Group of 10 Sprinklers or Portion Over First 10		17. each of	X	= 0	<b>TOTAL FEES</b>				
FEE SCHEDULE	Total No. of Fixtures	VOLUME	UNITS	FEE																																																																																																									
Fee (first 10 fixtures)		\$22. per fixture	X	= 0																																																																																																									
Fee (additional fixtures)		17. per fixture	X	= 0																																																																																																									
Hot Water Tank (domestic)		22. per tank	X	= 0																																																																																																									
Lawn Sprinkler System		49. per system	X	= 0																																																																																																									
Hot Water Heating Boiler connection		17. per fixture	X	= 0																																																																																																									
Connect to Existing Rough-in		17. per fixture	X	= 0																																																																																																									
Alter Waste Lines (no additional fixtures)		22. per fixture	X	= 0																																																																																																									
Water Connection		22. per fixture	X	= 0																																																																																																									
Alter Water Lines or Add Special Valve		22. per fixture	X	= 0																																																																																																									
Sanitary Sewer Connection		22. per fixture	X	= 1																																																																																																									
Storm or Sewage Lift Station		17. per fixture	X	= 0																																																																																																									
Remove or Make Safe Private Sewage System		17. per fixture	X	= 0																																																																																																									
Installation of Floor Drain		12. each	X	= 0																																																																																																									
Install or Alter Rain Water Leads or Roof Drain		12. each	X	= 0																																																																																																									
Install or Replace Cistern For Potable Water		34. each	X	= 0																																																																																																									
Lawn Service Stand Pipe (not part of building plumbing)		22. each	X	= 0																																																																																																									
Area Drains, Sumps, Catch Basins		22. each	X	= 0																																																																																																									
Fire Protection Sprinkler System		22. each of	X	= 0																																																																																																									
Each Group of 10 Sprinklers or Portion Over First 10		17. each of	X	= 0																																																																																																									
<b>TOTAL FEES</b>																																																																																																													
<b>LIMITATION OF LIABILITY</b> Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments, codes, and standards.																																																																																																													
<b>FREEDOM OF INFORMATION WAIVER</b> Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix.																																																																																																													
All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw No. 3741.																																																																																																													
Telephone No.		Date		Signature of Applicant																																																																																																									

Appendix E		<b>Plumbing Permit Application (COMMERCIAL)</b>		Hold No.																																																																																																																																																						
<b>CAPITAL REGIONAL DISTRICT</b>				Permit No.																																																																																																																																																						
<b>SOUTHERN GULF ISLANDS</b> <b>WILLIS POINT &amp; MALAHAT</b> <b>BUILDING INSPECTION</b> Mail to: P.O. Box 1000 (625 Fisgard Str.) Victoria, BC, V8W 2S6 (250)360-3230 FAX (250)360-3232 Toll Free: 1-866-475-1581		<b>JUAN DE FUCA</b> <b>BUILDING INSPECTION</b> Mail to: P.O. Box 283 2 - 6868 West Coast Rd. Sooke, BC, V6Z 0S0 (250)642-1500 FAX (250)642-5274		<b>SALT SPRING ISLAND</b> <b>BUILDING INSPECTION</b> 206 - 116 Fulford Ganges Rd. Salt Spring Island, BC, V8K 2S4 (250)537-2711 FAX (250)537-9633	<b>PENDER ISLAND</b> <b>BUILDING INSPECTION</b> Driftwood Centre, Box 45 Pender Island, B.C. V0N 2M0 (250)629-3424 FAX (250)629-3501																																																																																																																																																					
PLEASE PRINT CLEARLY Pursuant to the regulations applicable to the CAPITAL REGIONAL DISTRICT: _____, First Name _____, Surname _____, being the owner or representing the owner hereby																																																																																																																																																										
Apt. # _____ House # _____ Street _____ City _____ Postal Code _____ make application to, <b>INSTALL OR ALTER</b> <b>PLUMBING SYSTEM OR SEWERS</b> located at:		Site address: _____ House Number _____ Street _____																																																																																																																																																								
<b>LEGAL DESCRIPTION</b> _____				<b>FOLIO No.</b> _____																																																																																																																																																						
<b>LOT</b> _____		<b>BLOCK</b> _____		<b>PLAN</b> _____																																																																																																																																																						
<b>LAND DISTRICT</b> _____																																																																																																																																																										
<b>Other Pertinent Information</b>																																																																																																																																																										
<b>OWNER</b> _____ FIRST & LAST NAME _____ ADDRESS (UNIT, HOUSE #, STREET, CITY, POSTAL CODE) _____																																																																																																																																																										
<b>CONTRACTOR</b> _____ FIRST & LAST NAME _____ ADDRESS (UNIT, HOUSE #, STREET, CITY, POSTAL CODE) _____																																																																																																																																																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">FEE SCHEDULE</th> <th style="width: 15%;">Total No. of Fixtures:</th> <th style="width: 15%;">VALUE</th> <th style="width: 10%;">UNITS</th> <th style="width: 10%;">FEE</th> </tr> </thead> <tbody> <tr> <td>Fee (First 10 fixtures)</td> <td></td> <td>\$ 22. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Fee (Additional fixtures)</td> <td></td> <td>17. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Hot Water Tanks (domestic)</td> <td></td> <td>22. per tank</td> <td>X =</td> <td></td> </tr> <tr> <td>Lawn Sprinkler System</td> <td></td> <td>18. per zone</td> <td>X =</td> <td></td> </tr> <tr> <td>Hot Water Heating Boiler Connection</td> <td></td> <td>17. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Connect Existing Branch</td> <td></td> <td>12. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Alter Sanitary/Storm Drainage System (existing)</td> <td></td> <td>42. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Water Connection</td> <td></td> <td>22. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Sanitary Sewer Connection</td> <td></td> <td>22. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Alter or Add to Water System</td> <td></td> <td>22. per fixt.</td> <td>X =</td> <td></td> </tr> <tr> <td>Install Floor Drain or Floor Drain</td> <td></td> <td>each</td> <td>X =</td> <td></td> </tr> <tr> <td>Install or alter Rain Water Leads or Roof Drain</td> <td></td> <td>each</td> <td>X =</td> <td></td> </tr> <tr> <td>Install or Replace Cistern For Potable Water</td> <td></td> <td>each</td> <td>X =</td> <td></td> </tr> <tr> <td>Installation of Building Sanitary Sewer</td> <td></td> <td>21. per 10'</td> <td>X =</td> <td></td> </tr> <tr> <td>Installation of Building Storm Sewer</td> <td></td> <td>21. per 10'</td> <td>X =</td> <td></td> </tr> <tr> <td colspan="5"><b>FIRE PROTECTION</b></td> </tr> <tr> <td>Fire Protection Sprinkler System</td> <td></td> <td>21. each first 10' heads</td> <td>X =</td> <td></td> </tr> <tr> <td>Each Group of 10 Sprinklers or Portion Over First 10'</td> <td></td> <td>21.</td> <td>X =</td> <td></td> </tr> <tr> <td>Fire Stand Pipe</td> <td></td> <td>21.</td> <td>X =</td> <td></td> </tr> <tr> <td>Fire Hydrant</td> <td></td> <td>32. each</td> <td>X =</td> <td></td> </tr> <tr> <td colspan="5"><b>OUTSIDE SERVICES</b></td> </tr> <tr> <td>Pumping Station other than for S.F.O.</td> <td></td> <td>32. each</td> <td>X =</td> <td></td> </tr> <tr> <td>Lawn Service Stand Pipe (not part of building plbg.)</td> <td></td> <td>21.</td> <td>X =</td> <td></td> </tr> <tr> <td>Storm or Sanitary Lift Station</td> <td></td> <td>32. each</td> <td>X =</td> <td></td> </tr> <tr> <td>Remove or Make Safe Private Sewage System</td> <td></td> <td>16.</td> <td>X =</td> <td></td> </tr> <tr> <td>Area Drains / Catch Basins / Sumps</td> <td></td> <td>21.</td> <td>X =</td> <td></td> </tr> <tr> <td>Manholes and Interceptors (all kinds)</td> <td></td> <td>21.</td> <td>X =</td> <td></td> </tr> <tr> <td>Acid neutralizers or Special Control Valve or Cap Off Sanitary, Storm, Water Connections</td> <td></td> <td>21.</td> <td>X =</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES</b></td> <td></td> </tr> </tbody> </table>					FEE SCHEDULE	Total No. of Fixtures:	VALUE	UNITS	FEE	Fee (First 10 fixtures)		\$ 22. per fixt.	X =		Fee (Additional fixtures)		17. per fixt.	X =		Hot Water Tanks (domestic)		22. per tank	X =		Lawn Sprinkler System		18. per zone	X =		Hot Water Heating Boiler Connection		17. per fixt.	X =		Connect Existing Branch		12. per fixt.	X =		Alter Sanitary/Storm Drainage System (existing)		42. per fixt.	X =		Water Connection		22. per fixt.	X =		Sanitary Sewer Connection		22. per fixt.	X =		Alter or Add to Water System		22. per fixt.	X =		Install Floor Drain or Floor Drain		each	X =		Install or alter Rain Water Leads or Roof Drain		each	X =		Install or Replace Cistern For Potable Water		each	X =		Installation of Building Sanitary Sewer		21. per 10'	X =		Installation of Building Storm Sewer		21. per 10'	X =		<b>FIRE PROTECTION</b>					Fire Protection Sprinkler System		21. each first 10' heads	X =		Each Group of 10 Sprinklers or Portion Over First 10'		21.	X =		Fire Stand Pipe		21.	X =		Fire Hydrant		32. each	X =		<b>OUTSIDE SERVICES</b>					Pumping Station other than for S.F.O.		32. each	X =		Lawn Service Stand Pipe (not part of building plbg.)		21.	X =		Storm or Sanitary Lift Station		32. each	X =		Remove or Make Safe Private Sewage System		16.	X =		Area Drains / Catch Basins / Sumps		21.	X =		Manholes and Interceptors (all kinds)		21.	X =		Acid neutralizers or Special Control Valve or Cap Off Sanitary, Storm, Water Connections		21.	X =		<b>TOTAL FEES</b>				
FEE SCHEDULE	Total No. of Fixtures:	VALUE	UNITS	FEE																																																																																																																																																						
Fee (First 10 fixtures)		\$ 22. per fixt.	X =																																																																																																																																																							
Fee (Additional fixtures)		17. per fixt.	X =																																																																																																																																																							
Hot Water Tanks (domestic)		22. per tank	X =																																																																																																																																																							
Lawn Sprinkler System		18. per zone	X =																																																																																																																																																							
Hot Water Heating Boiler Connection		17. per fixt.	X =																																																																																																																																																							
Connect Existing Branch		12. per fixt.	X =																																																																																																																																																							
Alter Sanitary/Storm Drainage System (existing)		42. per fixt.	X =																																																																																																																																																							
Water Connection		22. per fixt.	X =																																																																																																																																																							
Sanitary Sewer Connection		22. per fixt.	X =																																																																																																																																																							
Alter or Add to Water System		22. per fixt.	X =																																																																																																																																																							
Install Floor Drain or Floor Drain		each	X =																																																																																																																																																							
Install or alter Rain Water Leads or Roof Drain		each	X =																																																																																																																																																							
Install or Replace Cistern For Potable Water		each	X =																																																																																																																																																							
Installation of Building Sanitary Sewer		21. per 10'	X =																																																																																																																																																							
Installation of Building Storm Sewer		21. per 10'	X =																																																																																																																																																							
<b>FIRE PROTECTION</b>																																																																																																																																																										
Fire Protection Sprinkler System		21. each first 10' heads	X =																																																																																																																																																							
Each Group of 10 Sprinklers or Portion Over First 10'		21.	X =																																																																																																																																																							
Fire Stand Pipe		21.	X =																																																																																																																																																							
Fire Hydrant		32. each	X =																																																																																																																																																							
<b>OUTSIDE SERVICES</b>																																																																																																																																																										
Pumping Station other than for S.F.O.		32. each	X =																																																																																																																																																							
Lawn Service Stand Pipe (not part of building plbg.)		21.	X =																																																																																																																																																							
Storm or Sanitary Lift Station		32. each	X =																																																																																																																																																							
Remove or Make Safe Private Sewage System		16.	X =																																																																																																																																																							
Area Drains / Catch Basins / Sumps		21.	X =																																																																																																																																																							
Manholes and Interceptors (all kinds)		21.	X =																																																																																																																																																							
Acid neutralizers or Special Control Valve or Cap Off Sanitary, Storm, Water Connections		21.	X =																																																																																																																																																							
<b>TOTAL FEES</b>																																																																																																																																																										
<b>LIMITATION OF LIABILITY</b> Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments.																																																																																																																																																										
<b>FREEDOM OF INFORMATION ACT</b> Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix.																																																																																																																																																										
A building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw No. 3741.																																																																																																																																																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Payment received by way of</th> </tr> </thead> <tbody> <tr> <td>cheque</td> <td><input type="checkbox"/></td> </tr> <tr> <td>cash</td> <td><input type="checkbox"/></td> </tr> <tr> <td>date</td> <td>_____</td> </tr> </tbody> </table>					Payment received by way of		cheque	<input type="checkbox"/>	cash	<input type="checkbox"/>	date	_____																																																																																																																																														
Payment received by way of																																																																																																																																																										
cheque	<input type="checkbox"/>																																																																																																																																																									
cash	<input type="checkbox"/>																																																																																																																																																									
date	_____																																																																																																																																																									
Telephone No. _____		Date _____		Signature of Applicant _____																																																																																																																																																						



(BI 4403)

Appendix F		Demolition - Deconstruction		Permit Application		Permit No.			
 Making a difference... together		<b>SOUTHERN GULF ISLANDS</b> <b>WILLIS POINT &amp; MALAHAT</b> <b>BUILDING INSPECTION</b> PO Box 1000, 625 Fisgard St Victoria BC V8W 2S6 T: 250.360.3230, F: 250.360.3232 Email binspection@crd.bc.ca		<b>JUAN DE FUCA</b> <b>BUILDING INSPECTION</b> 3-7450 Butler Rd Sooke BC V9Z 1N1 T: 250.642.8109 F: 250.642.5274 Email bijdf@crd.bc.ca		<b>SALT SPRING ISLAND</b> <b>BUILDING INSPECTION</b> 206 -118 Fulford Ganges Rd Salt Spring Island BC V8K 2S4 T: 250.537.2711 F: 250.537.9633 Email bisaltspring@crd.bc.ca		<b>PENDER ISLAND</b> <b>BUILDING INSPECTION</b> PO Box 113 30-4605 Bedwell Harbour Rd Pender Island BC V0N 2M0 T: 250.629.3424 Email bipender@crd.bc.ca	
<b>PLEASE PRINT CLEARLY</b>									
Pursuant to the regulations applicable to the CAPITAL REGIONAL DISTRICT:									
I, _____, address _____,									
being the owner or representing the owner hereby make application to DEMOLISH or DECONSTRUCT									
_____ located at: _____									
<i>Single Family Dwelling, Accessory Building etc.</i> <i>Complete Address</i>									
Reason for Demolition _____ Age of Building _____									
Legal Description PID _____ Lot _____ Section _____									
District _____ Plan _____ Folio _____									
Contact Email _____									
Owner _____									
First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____									
Builder _____									
First & Last Name _____ Address (Unit #, House, Street, City, Postal Code) _____									
All work relating to this application including rendering sewage disposal system safe and providing a safe demolition site, shall meet the requirements of the Capital Regional District and British Columbia Building Code and be completed by _____.									
<b>LIMITATION OF LIABILITY</b>									
Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings, or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments, codes, and standards.									
<b>FREEDOM OF INFORMATION WAIVER</b>									
Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix.									
All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw Nos. 3741, 3780 and 4403.									
Phone Number _____		Date _____		Signature of Applicant _____					
<b>FEE SCHEDULE</b>				<b>Demolition Fee</b>		<b>Deconstruction Fee</b>		<b>Totals</b>	
Check one of the following:									
<input type="checkbox"/> Buildings up to 400 square feet in area				\$100.00		\$0.00			
<input type="checkbox"/> Buildings over 400 square feet in area				200.00		0.00			
<input type="checkbox"/> Rendering private sewage disposal system safe				21.00		21.00			
<input type="checkbox"/> Cap building sewer				16.00		16.00			
				<b>TOTAL PERMIT FEE</b>					
								Payment received by: <input type="checkbox"/> Cheque <input type="checkbox"/> Cash Date: _____	

<b>Appendix G</b>  <small>Building &amp; Development Regulation</small>		<b>Change of Occupancy Classification</b>		Hold No. Permit No.											
<b>SOUTHERN GULF ISLANDS</b> WILLIS POINT & MALAHAT BUILDING INSPECTION <small>Mail to: P.O. Box 1000 (625 Flagland Str.)          Victoria, BC, V8W 2S6          (250)360-3230 FAX (250)360-3232          Toll Free: 1-866-475-1561</small>		<b>JUAN DE FUCA</b> BUILDING INSPECTION <small>Mail to: P.O. Box 283          2 - 6858 West Coast Rd.          Sooke, BC, V9Z 0S9          (250)642-1500 FAX (250)642-5274</small>		<b>SALT SPRING ISLAND</b> BUILDING INSPECTION <small>206 - 118 Fulford Ganges Rd.          Salt Spring Island, BC, V8K 2S4          (250)537-2711 FAX (250)537-9633</small>											
<b>PENDER ISLAND</b> BUILDING INSPECTION <small>Driftwood Centre, Box 45          Pender Island, B.C., V0N 2M0          (250)629-3424 FAX (250)629-3502</small>															
<b>PLEASE PRINT CLEARLY</b> Pursuant to the regulations applicable to the CAPITAL REGIONAL DISTRICT: I, _____, being owner hereby make a declaration to <b>CHANGE THE OCCUPANCY CLASSIFICATION</b> of the building or portion of the building located at: _____ LEGAL DESCRIPTION _____ FOLIO No. _____ Lot _____ Section _____ Block _____ Plan No. _____ District _____ Present use of building or area of building: _____ Use. Proposed Change to: _____ Use. Telephone No. _____ Date _____ Signature of Applicant _____ Signature of Property Owner _____															
<b>Office Use Only</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">FROM</td> <td style="width: 25%;"> <input type="checkbox"/> Group A, Division 1  <input type="checkbox"/> Group B, Division 1  <input type="checkbox"/> Group E         </td> <td style="width: 25%;"> <input type="checkbox"/> Group A, Division 2  <input type="checkbox"/> Group B, Division 2  <input type="checkbox"/> Group F, Division 1         </td> <td style="width: 25%;"> <input type="checkbox"/> Group A, Division 3  <input type="checkbox"/> Group C  <input type="checkbox"/> Group F, Division 2         </td> <td style="width: 25%;"> <input type="checkbox"/> Group A, Division 4  <input type="checkbox"/> Group D  <input type="checkbox"/> Group F, Division 3         </td> </tr> <tr> <td>TO</td> <td> <input type="checkbox"/> Group A, Division 1  <input type="checkbox"/> Group B, Division 1  <input type="checkbox"/> Group E         </td> <td> <input type="checkbox"/> Group A, Division 2  <input type="checkbox"/> Group B, Division 2  <input type="checkbox"/> Group F, Division 1         </td> <td> <input type="checkbox"/> Group A, Division 3  <input type="checkbox"/> Group C  <input type="checkbox"/> Group F, Division 2         </td> <td> <input type="checkbox"/> Group A, Division 4  <input type="checkbox"/> Group D  <input type="checkbox"/> Group F, Division 3         </td> </tr> </table>						FROM	<input type="checkbox"/> Group A, Division 1 <input type="checkbox"/> Group B, Division 1 <input type="checkbox"/> Group E	<input type="checkbox"/> Group A, Division 2 <input type="checkbox"/> Group B, Division 2 <input type="checkbox"/> Group F, Division 1	<input type="checkbox"/> Group A, Division 3 <input type="checkbox"/> Group C <input type="checkbox"/> Group F, Division 2	<input type="checkbox"/> Group A, Division 4 <input type="checkbox"/> Group D <input type="checkbox"/> Group F, Division 3	TO	<input type="checkbox"/> Group A, Division 1 <input type="checkbox"/> Group B, Division 1 <input type="checkbox"/> Group E	<input type="checkbox"/> Group A, Division 2 <input type="checkbox"/> Group B, Division 2 <input type="checkbox"/> Group F, Division 1	<input type="checkbox"/> Group A, Division 3 <input type="checkbox"/> Group C <input type="checkbox"/> Group F, Division 2	<input type="checkbox"/> Group A, Division 4 <input type="checkbox"/> Group D <input type="checkbox"/> Group F, Division 3
FROM	<input type="checkbox"/> Group A, Division 1 <input type="checkbox"/> Group B, Division 1 <input type="checkbox"/> Group E	<input type="checkbox"/> Group A, Division 2 <input type="checkbox"/> Group B, Division 2 <input type="checkbox"/> Group F, Division 1	<input type="checkbox"/> Group A, Division 3 <input type="checkbox"/> Group C <input type="checkbox"/> Group F, Division 2	<input type="checkbox"/> Group A, Division 4 <input type="checkbox"/> Group D <input type="checkbox"/> Group F, Division 3											
TO	<input type="checkbox"/> Group A, Division 1 <input type="checkbox"/> Group B, Division 1 <input type="checkbox"/> Group E	<input type="checkbox"/> Group A, Division 2 <input type="checkbox"/> Group B, Division 2 <input type="checkbox"/> Group F, Division 1	<input type="checkbox"/> Group A, Division 3 <input type="checkbox"/> Group C <input type="checkbox"/> Group F, Division 2	<input type="checkbox"/> Group A, Division 4 <input type="checkbox"/> Group D <input type="checkbox"/> Group F, Division 3											
AUTHORITY	REJECTED	APPROVED	SIGNATURE	DATE	COMMENTS										
BUILDING INSPECTION															
PLANNING ZONING															
HEALTH															
FIRE DEPARTMENT															

Appendix H		<b>BUILDING PERMIT</b> <b>CAPITAL REGIONAL DISTRICT</b> <b>Building Inspection Division</b> <small>G.S.T. Registration No. R121299836</small>		Hold No.
 <small>Making a difference... together</small>				Permit No.
<b>SOUTHERN GULF ISLANDS</b> <b>WILLIS POINT &amp; MALAHAT</b> <b>BUILDING INSPECTION</b> Mail to: P.O. Box 1000 (625 Fisgard Str.) Victoria, BC, V8W 2S8 (250)360-3230 FAX (250)360-3232 Toll Free: 1-866-475-1581	<b>JUAN DE FUCA</b> <b>BUILDING INSPECTION</b> Mail to: P.O. Box 283 2 - 6868 West Coast Rd. Sooke, BC, V9Z 0S9 (250)642-1500 FAX (250)642-5274	<b>SALT SPRING ISLAND</b> <b>BUILDING INSPECTION</b> 206 - 118 Fulford Ganges Rd. Salt Spring Island, BC, V8K 2S4 (250)537-2711 FAX (250)537-9633	<b>PENDER ISLAND</b> <b>BUILDING INSPECTION</b> Driftwood Centre, Box 45 Pender Island, B.C., V0N 2M0 (250)629-3424 FAX (250)629-3502	
PURSUANT TO REGULATIONS APPLICABLE TO THE CAPITAL REGIONAL DISTRICT				
Mr. / Mrs. / Ms. _____ # _____ Street _____ City _____ Postal Code _____ Being the owner is hereby granted a Permit to _____ Located at _____ where the accompanying _____ Telephone Number _____				
LEGAL DESCRIPTION			FOLIO No. _____	
LOT _____ SECTION _____ BLOCK _____ PLAN _____ LAND DISTRICT _____				
Owner _____		Address _____ # _____ Street _____ City _____ Postal Code _____		
Builder _____		Address _____ # _____ Street _____ City _____ Postal Code _____		
<b>THIS PERMIT IS ISSUED SUBJECT TO THE FOLLOWING SPECIAL REQUIREMENTS:</b> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>				
<b>Notes:</b> 1. Permit issued according to the above SPECIAL REQUIREMENTS, the accompanying plans and the applicable regulations. 2. Inspections must be requested in accordance with Building Regulation Bylaw requirements. At least 24 hours notice is required. 3. A re-inspection fee will be charged in accordance with the Building Regulation Bylaw 4. Work related to this permit must be started within 6 months of the date of issue and must not be discontinued or suspended for more than one year. Separate permits are required for plumbing installations, and fireplace / chimney construction. 5. A CERTIFICATE OF OCCUPANCY MUST BE APPLIED FOR AND OBTAINED PRIOR TO THE OCCUPANCY OF ANY BUILDING.		<b>LIMITATION OF LIABILITY</b> Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments, codes, and standards.  <b>FREEDOM OF INFORMATION WAIVER</b> Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix.  All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw No. 3741.		
<b>FEE SUMMARY</b>				
AREA OF BUILDING		FEE		
ESTIMATED COST				
PLUMBING PERMIT (residential)				
PLUMBING PERMIT (commercial)				
CHIMNEY / APPLIANCE PERMIT				
DEMOLITION / DECONSTRUCTION PERMIT				
OTHER				
Total Permit Fee				
		Payment By <input type="checkbox"/> cheque <input type="checkbox"/> cash date _____		
		BUILDING INSPECTOR CAPITAL REGIONAL DISTRICT  DATE PERMIT GRANTED _____		


NOW APPENDIX G


## Appendix E

Appendix I	<h3 style="margin: 0;">Conditional Certificate of Occupancy</h3> <p style="margin: 0;">ISSUED BY THE BUILDING INSPECTION DIVISION OF THE CAPITAL REGIONAL DISTRICT</p>	Permit No. _____										
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">FOLIO No. _____</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Owner _____</div> <div style="width: 40%;">Address _____</div> <div style="width: 30%;"># _____ Street _____</div> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">LEGAL DESCRIPTION _____</div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center; border-bottom: 1px solid black;">LOT</td> <td style="width: 20%; text-align: center; border-bottom: 1px solid black;">SECTION</td> <td style="width: 20%; text-align: center; border-bottom: 1px solid black;">BLOCK</td> <td style="width: 20%; text-align: center; border-bottom: 1px solid black;">PLAN</td> <td style="width: 20%; text-align: center; border-bottom: 1px solid black;">LAND DISTRICT</td> </tr> <tr> <td style="height: 30px;"></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>			LOT	SECTION	BLOCK	PLAN	LAND DISTRICT					
LOT	SECTION	BLOCK	PLAN	LAND DISTRICT								
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>THE CONDITIONAL CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:</b> </div> <ol style="list-style-type: none"> <li>1. The deficiencies listed below shall be rectified to the satisfaction of the building inspector.</li> <li>2. Upon satisfactory completion of all deficiencies the building inspector may issue a CERTIFICATE OF OCCUPANCY for the building.</li> <li>3. If at a date 12 calendar months from the date of issue of this CONDITIONAL CERTIFICATE OF OCCUPANCY, all of the deficiencies listed below have not been addressed to the satisfaction of the building inspector, the permit will need to be renewed for an additional one year period. A renewal fee of \$300 shall be charged for each renewal, to a maximum of three years after which the permit will expire and the Capital Regional District will register a notice against the title of the land, referring to the outstanding deficiencies. The notice will remain in place until the deficiencies have been rectified to the satisfaction of the building inspector. Upon expiry of a building permit and in order for the building inspector to conduct the required final inspection and issue the CERTIFICATE OF OCCUPANCY, it will be necessary for the owner to apply for a permit to complete the outstanding work. Upon completion of all deficiencies the notice will be removed and the building inspector may issue a permanent CERTIFICATE OF OCCUPANCY for the building.</li> <li>4. The CONDITIONAL CERTIFICATE OF OCCUPANCY confirms only that the building is believed to meet the minimum level of health and safety requirements and is not a representation, warranty, assurance or statement that the building complies with the Building Code, the Building Regulation Bylaw of the CRD, or any other applicable enactments, codes or standards.</li> </ol> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="font-size: small;">The following list of deficiencies should not be construed as a definitive list of all requirements. Known deficiencies outstanding at date of issue of CONDITIONAL CERTIFICATE OF OCCUPANCY are:</p> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div> </div>												
<div style="display: flex; justify-content: space-between; margin-bottom: 20px;"> <div>Date of Sewerage System Certification _____</div> <div>Authorized Use <input type="checkbox"/> SFD <input type="checkbox"/> Other _____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>APPROVED FOR OCCUPANCY _____ <span style="font-size: x-small;">Building Inspector</span></div> <div>DATE _____</div> </div>												



## APPENDIX F


Appendix J  	<h3 style="margin: 0;">Certificate of Occupancy</h3> <p style="margin: 0; font-size: small;">ISSUED BY THE BUILDING INSPECTION DIVISION OF THE CAPITAL REGIONAL DISTRICT PURSUANT TO THE BRITISH COLUMBIA LOCAL GOVERNMENT ACT</p>	Hold No.  Permit No.															
<b>THIS IS TO CERTIFY</b> that the premises named herein have been constructed under the authority of a valid Building Permit and have received the final inspection.																	
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>THIS BUILDING IS NOW COMPLETED AND READY FOR OCCUPANCY.</b> </div>																	
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 30%;">FOLIO No.</td> <td colspan="2"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Owner</td> <td style="border-bottom: 1px solid black;">Address #</td> <td style="border-bottom: 1px solid black;">Street</td> </tr> <tr> <td style="border-bottom: 1px solid black;">LEGAL DESCRIPTION</td> <td colspan="2"></td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">LOT</td> <td style="border-bottom: 1px solid black; text-align: center;">SECTION</td> <td style="border-bottom: 1px solid black; text-align: center;">BLOCK</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">PLAN</td> <td colspan="2" style="border-bottom: 1px solid black; text-align: center;">LAND DISTRICT</td> </tr> </table>			FOLIO No.			Owner	Address #	Street	LEGAL DESCRIPTION			LOT	SECTION	BLOCK	PLAN	LAND DISTRICT	
FOLIO No.																	
Owner	Address #	Street															
LEGAL DESCRIPTION																	
LOT	SECTION	BLOCK															
PLAN	LAND DISTRICT																
<p style="font-size: x-small;">No action may be brought against the Capital Regional District or its officials or servants for anything done or left undone in good faith in the performance or intended performance of any authority conferred or duty imposed under this or any other Bylaw adopted by the Capital Regional District pursuant to the British Columbia Local Government Act.</p> <p style="margin-top: 10px;"><b>NO REPRESENTATION BY CRD</b></p> <p style="font-size: x-small;">Neither the issuance of a permit, Certificate of Occupancy or Conditional Certificate of Occupancy under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District constitute in any way a representation, warranty, assurance or statement that the Building Code, this Bylaw or any other applicable enactments, codes, and standards have been complied with.</p> <p style="margin-top: 10px; font-size: x-small;">All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw No. 3741.</p>																	
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;"> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div>           Date         </td> <td style="width: 50%; text-align: center;"> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div>           Signature of Owner         </td> </tr> </table>			<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Signature of Owner													
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Signature of Owner																
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;"> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div>           Date         </td> <td style="width: 50%; text-align: center;"> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div>           Signature Building Inspector         </td> </tr> </table>			<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Signature Building Inspector													
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Signature Building Inspector																


Appendix K	<b>Permit Fees Schedule</b> for <b>Capital Regional District</b>	
		
TOTAL CONSTRUCTION VALUE AS PRESCRIBED IN APPENDIX "L" OR "M".		FEES
Less than \$100.00		\$0.00
Over \$100.00 and not over \$1,000.00		25.00
Each additional \$1,000.00 or fraction thereof and not exceeding \$5,000.00		25.00
Each additional \$1,000.00 or fraction thereof not exceeding \$400,000.00		13.00
Each additional \$1,000.00 or fraction thereof over \$400,000.00		10.00

NOW CONTAINED  
ABOVE

## APPENDIX G

<b>BUILDING PERMIT</b> <b>CAPITAL REGIONAL DISTRICT</b> Building Inspection Division G.S.T. Registration No. R121299836		Hold No.  Permit No.	
<b>SOUTHERN GULF ISLANDS</b> WILLIS POINT & MALAHAT BUILDING INSPECTION Mail to: P.O. Box 1000 (625 Fisgard Str.) Victoria, BC, V8W 2S8 (250)360-3230 FAX (250)360-3232 Toll Free: 1-866-475-1581	<b>JUAN DE FUCA</b> BUILDING INSPECTION Mail to: P.O. Box 283 2 - 6868 West Coast Rd. Sooke, BC, V9Z 0S9 (250)642-1500 FAX (250)642-5274	<b>SALT SPRING ISLAND</b> BUILDING INSPECTION 206 - 118 Fulford Ganges Rd. Salt Spring Island, BC, V8K 2S4 (250)537-2711 FAX (250)537-9633	<b>PENDER ISLAND</b> BUILDING INSPECTION Driftwood Centre, Box 45 Pender Island, B.C., V0N 2M0 (250)629-3424 FAX (250)629-3502
PURSUANT TO REGULATIONS APPLICABLE TO THE CAPITAL REGIONAL DISTRICT: Mr. / Mrs. / Ms. _____ # _____ Street _____ City _____ Postal Code _____ Being the owner is hereby granted a PERMIT to Located at _____ and as shown by the accompanying plan. Telephone Number _____			
LEGAL DESCRIPTION		FOLIO No.	
LOT	SECTION	BLOCK	
PLAN	LAND DISTRICT		
Owner _____ Address _____ # _____ Street _____ City _____ Postal Code _____ Builder _____ Address _____ # _____ Street _____ City _____ Postal Code _____			
THIS PERMIT IS ISSUED SUBJECT TO THE FOLLOWING SPECIAL REQUIREMENTS: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>			
<b>Notes:</b> 1. Permit issued according to the above SPECIAL REQUIREMENTS, the accompanying plans and the applicable regulations. 2. Inspections must be requested in accordance with Building Regulation Bylaw requirements. At least 24 hours notice is required. 3. A re-inspection fee will be charged in accordance with the Building Regulation Bylaw. 4. Work related to this permit must be started within 6 months of the date of issue and must not be discontinued or suspended for more than one year. Separate permits are required for plumbing installations, and fireplace / chimney construction. 5. A CERTIFICATE OF OCCUPANCY MUST BE APPLIED FOR AND OBTAINED PRIOR TO THE OCCUPANCY OF ANY BUILDING.		<b>LIMITATION OF LIABILITY</b> Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Capital Regional District shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in full accordance with the British Columbia Building Code, the Building Regulation Bylaw of the CRD and all other applicable enactments, codes, and standards.  <b>FREEDOM OF INFORMATION WAIVER</b> Personal Information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the appropriate building inspection office listed at the top of this appendix.  All building in the Capital Regional District Electoral Areas is regulated by Building Regulation Bylaw No. 3741.	
<b>FEE SUMMARY</b>			
AREA OF BUILDING	FEE	BUILDING INSPECTOR CAPITAL REGIONAL DISTRICT	
ESTIMATED COST			
PLUMBING PERMIT (residential)			
PLUMBING PERMIT (commercial)			
CHIMNEY / APPLIANCE PERMIT			
DEMOLITION / DECONSTRUCTION PERMIT			
OTHER		DATE PERMIT GRANTED _____	
Total Permit Fee			
Payment By <input type="checkbox"/> cheque <input type="checkbox"/> cash date _____			

Appendix L			
 <b>Construction Values</b>			
<i>for</i> <i>Buildings Other than Single Family Dwellings, Factory-Built Homes, Mobile Homes and Moved Buildings</i>			
For the use and application of this schedule, see section 2.4.4. of the Bylaw			
TYPE OF BUILDING	TYPE OF CONSTRUCTION	VALUE	
		PER SQ. FT.	PER METER SQ.
Hotel / Motel	Wood frame	\$ 200.00	\$ 2,152.00
Hotel / Motel	Reinforced masonry or concrete	260.00	2,797.60
Hotel / Motel	Steel frame	Contract	Value
Town House or Apartment	Wood frame	200.00	2,152.00
Town House or Apartment	Reinforced masonry or concrete	260.00	2,797.60
Town House or Apartment	Steel frame	Contract	Value
Commercial Building (shell only)	Wood frame or heavy timber	150.00	1,614.00
Commercial Building (shell only)	Steel frame	150.00	1,614.00
Commercial Building (shell only)	Reinforced masonry or concrete	200.00	2,152.00
Commercial Buildings Except Offices and Restaurants	Completion of interior	80.00	860.80
Commercial Buildings Restaurants	Completion of interior	110.00	1,183.60
Commercial Buildings Offices Interiors	Completion of interior	80.00	860.80
Industrial Buildings (shell only)	Wood frame or heavy timber	110.00	1,183.60
Industrial Buildings (shell only)	Steel frame	110.00	1,183.60
Industrial Buildings	Reinforced masonry or concrete	150.00	1,614.00
Industrial Buildings (interiors)	Completion of interior	35.00	376.00
Temporary Buildings	Wood frame	70.00	753.20

Appendix M		
 <b>Construction Values</b>		
<i>for</i> <i>Single and Two-Family Dwellings, Factory-Built Homes, Mobile Homes, and Moved Buildings in the Electoral Areas of Juan de Fuca, Salt Spring Island and Southern Gulf Islands</i>		
For the use and application of this schedule, see section 2.4.4. of the Bylaw		
FLOOR AREA OR TYPE OF STRUCTURE	VALUE	
	PER SQ. FT.	PER METER SQ.
Finished Main* Floor Areas	\$ 200.00	\$ 2,152.00
Finished Areas other than Main* Floor	150.00	1,614.00
Finishing Previously Unfinished Basement**, Attics, or Other Floors	45.00	484.20
Garages and/or Workshops, Barns, or Sheds (semi-detached) floor + roof + wall	90.00	968.40
Carports (roof)	35.00	376.60
Sundecks (floor)	35.00	376.60
Additions Where an Existing Wall Forms Part of the Addition	200.00	2,152.00
Finished Floor Areas of Factory-Built Homes, Mobile Homes or Moved Dwellings	100.00	1,076.00
* Main floor shall be defined as the floor area where the main activity takes place, usually the floor where the living room, dining room and/or kitchen are located. ** Basement shall be defined as in the British Columbia Building Code.		

**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, FEBRUARY 01, 2023**

---

**SUBJECT**     **Bylaw 4540 - Election and Voting Procedures Bylaw Amendment**

**ISSUE SUMMARY**

Updates to Bylaw 3543, “Capital Regional District Election and Voting Procedures Bylaw, 2008”, (the Elections Bylaw) must be adopted no later than February 27, 2023 to be in effect for the Salt Spring Island Local Community Commission Election scheduled for May 27, 2023.

**BACKGROUND**

The Elections Bylaw was last updated prior to the 2022 general local election to align the bylaw with the change to section 110 of the *Local Government Act (LGA)* which allows all eligible electors the opportunity to vote by mail ballot. The CRD had offered mail ballot voting in two elections prior to 2022 with minimal uptake.

The number of electors that voted by mail ballot were:

- 15 - 2018 General Local Election;
- 39 - 2021 Pender Islands Health Care Centre Referendum (assent voting); and
- 134 - 2022 General Local Election.

As a result of opening mail ballot voting to all eligible electors in 2022, the CRD received over 300 requests for mail ballot packages to be prepared for mailing or pick-up. Staff are recommending amendments to the Elections Bylaw to remove the non-statutory procedure and timelines around the process of voting by mail ballot to increase staff efficiency.

**ALTERNATIVES**

*Alternative 1*

The Governance Committee recommends to the Capital Regional District Board:

1. That Bylaw 4540, the “Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023” be introduced, read a first, second, and third time;
2. That Bylaw 4540 be adopted.

*Alternative 2*

That Bylaw 4540 be amended as directed.

**IMPLICATIONS**

The expanded availability of mail ballots during the 2022 election increased the number of electors who requested a mail ballot package, which in turn increased the workload for staff. The mail ballot process is further complicated by the fact that the CRD has 16 different types of ballots based on the local area of the elector. Furthermore, staff have a very short time frame from when the ballots are received from the printer to mail out due to Canada Post delivery timelines being longer for the island communities.

For instance, the earliest the ballot designs could be sent to the printer is less than 26 days before general voting (following the close of the withdrawal period for candidates and declaration of election by voting). It takes another 5 to 7 days for the printer to prepare and deliver the CRD's 16 unique ballot types. CRD Legislative Services staff had to work an average of 3 hours overtime for 3 consecutive days to process the high volume of mail ballot requests.

Currently, Part 4 of the Elections Bylaw outlines the requirements and process for mail ballot voting. Staff are recommending that Section 17(d) of the Elections Bylaw be amended to provide the Chief Election Officer (CEO) with the flexibility to establish the deadline for accepting voting by mail ballot, which must be no later than the close of voting on general voting day.

Staff are also recommending that Section 18 of the Elections Bylaw be amended to remove the non-statutory process and timeline of opening the mail ballot certification envelopes and placing the secrecy envelopes contained within in a ballot box after *"4:00 pm on the Thursday two days before general voting day"*. This non-statutory timeline is not connected to the deadline for submitting mail ballots, which is established by the CEO for each election. Instead, the bylaw has created an additional step in the administration of mail ballot voting which extends past regular office hours. Furthermore, candidates are permitted to have their representatives observe the opening of the certification envelope proceedings; however, the mandated 4:00 pm start time presents a challenge for those individuals travelling by ferry and limits the ability of staff to be flexibility on timing.

The purpose of the proposed amendments to the Elections Bylaw is to empower the CEO to set the timelines for mail ballot voting that works best with the scope and size of the election being conducted. Once the amending bylaw is adopted, the CEO will be able to set longer timelines for the processing of mail ballots for the Salt Spring Island Local Community Commission Election from the Salt Spring Island Administration Office.

## **CONCLUSION**

Last year Bylaw 3543, the "Capital Regional District Election and Voting Procedures Bylaw, 2008" (the Elections Bylaw) was amended to align the bylaw with the change to section 110 of the *Local Government Act (LGA)* which allows all eligible electors the opportunity to vote by mail ballots. The Elections Bylaw is being amended to simplify processing of voting by mail ballot to give the Chief Election Officer the authority to set the timeline for processing the mail ballots before or after the close of voting on general voting day. The last day the Board may adopt any changes to the Elections Bylaw is February 27, 2023 in order for it to apply to the Salt Spring Island Local Community Commission Election scheduled for May 27, 2023.

## **RECOMMENDATION**

The Governance Committee recommends to the Capital Regional District Board:

1. That Bylaw 4540, the "Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023" be introduced, read a first, second, and third time;
2. That Bylaw 4540 be adopted.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
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 4540, "Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023"

Appendix B: Redlined version of proposed amendments to Bylaw 3543, "Capital Regional District Election and Voting Procedures Bylaw, 2008"



**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4540**

\*\*\*\*\*

**A BYLAW TO AMEND THE ELECTION AND VOTING PROCEDURES BYLAW  
(BYLAW NO. 3543)**

\*\*\*\*\*

**WHEREAS:**

- A. Under Bylaw No. 3543, "Capital Regional District Election and Voting Procedures Bylaw, 2008", the Regional Board provided for the conduct of local government elections and other voting in the Capital Regional District; and
- B. The Board wishes to update this bylaw to authorize the chief election officer to establish time limits in relation to voting by mail ballot;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 3543, "Capital Regional District Election and Voting Procedures Bylaw, 2008", is hereby amended as follows:
  - (a) In section 17.2(d), after the words "that it is received", inserting the following:  
"within the time limits established by the chief election officer which must be";
  - (b) In section 18.1, deleting the words "Until 4:00 p.m. on the Thursday two days before general voting day", and capitalizing the word "Upon";
  - (c) In section 18.2, replacing the words "4:00 p.m. on the Thursday two days before" with "the close of voting on";
  - (d) In section 18.5, deleting the words "After all the secrecy envelopes have been placed in the ballot box designated for the purpose, and" , and capitalizing the word "Following";
  - (e) In section 18.5, replacing 18.5(a) in its entirety with the following:
    - (a) under the direction of the chief election officer or designated election official, the certification envelopes containing the secrecy envelopes must be opened;"
  - (f) By deleting sections 18.3 and 18.4 and renumbering the following:
    - (i) section 18.5 as 18.3;
    - (ii) section 18.6 as 18.4;
    - (iii) section 18.7 as 18.5;
  - (g) In renumbered section 18.5, replacing the reference to section "18.6" with "18.4".

2. This bylaw may be cited for all purposes as "Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER



## **BYLAW NO. 3543**

# **A BYLAW TO UPDATE THE ELECTION PROCEDURES BYLAW PROVISIONS FOR THE CONDUCT OF LOCAL GOVERNMENT ELECTIONS AND OTHER VOTING IN THE CAPITAL REGIONAL DISTRICT, INCLUDING THE USE OF AUTOMATED VOTING MACHINES**

**Consolidated for Public Convenience**  
**(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED JULY 9, 2008  
(Consolidated with Amending Bylaws 3959, 4250, ~~and~~ 4486, and 4540)

For reference to original bylaws or further details, please contact the Capital Regional District,  
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6  
T: (250) 360-3127, F: (250) 360-3130, Email: [legserv@crd.bc.ca](mailto:legserv@crd.bc.ca), Web: [www.crd.bc.ca](http://www.crd.bc.ca)

---

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3543

\*\*\*\*\*  
**A BYLAW TO UPDATE THE ELECTION PROCEDURES BYLAW PROVISIONS FOR THE  
CONDUCT OF LOCAL GOVERNMENT ELECTIONS AND OTHER VOTING IN THE CAPITAL  
REGIONAL DISTRICT, INCLUDING THE USE OF AUTOMATED VOTING MACHINES**  
\*\*\*\*\*

WHEREAS under the *Local Government Act*, the Board may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting;

AND WHEREAS, pursuant to Section 112 of the *Local Government Act*, the Board is empowered to provide, by bylaw, for the use of automated voting machines, voting recorders, or other devices for voting in an election;

(Bylaw 4250)

AND WHEREAS, the Board wishes to establish various procedures and requirements under that authority;

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled, enacts as follows:

---

## TABLE OF CONTENTS

<b>PART 1 – INTRODUCTION .....</b>	<b>3</b>
1. DEFINITIONS AND INTERPRETATIONS .....	3
<b>PART 2 – CONDUCT OF ELECTIONS AND OTHER VOTING .....</b>	<b>5</b>
2. APPOINTMENT OF ELECTION OFFICERS .....	5
3. REQUIRED ADDITIONAL ADVANCE VOTING OPPORTUNITY .....	5
4. FURTHER ADVANCE VOTING OPPORTUNITIES .....	5
5. VOTING PLACE FOR AN ADDITIONAL GENERAL VOTING OPPORTUNITY OUTSIDE THE BOUNDARIES OF THE JURISDICTION .....	5
6. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT .....	5
7. PUBLIC ACCESS TO NOMINATION DOCUMENTS BY POSTING ON WEBSITE .....	5
8. USE OF PROVINCIAL LIST OF VOTERS AS THE REGISTER OF RESIDENT ELECTORS” .....	5
<b>PART 3 – AUTOMATED VOTING .....</b>	<b>6</b>
9. USE OF VOTING MACHINES .....	6
10. AUTOMATED VOTE COUNTING SYSTEM PROCEDURES .....	6
11. ADVANCE VOTING OPPORTUNITY PROCEDURES .....	7
12. SPECIAL VOTING OPPORTUNITY PROCEDURES .....	8
13. PROCEDURES AFTER CLOSE OF VOTING ON GENERAL VOTING DAY .....	8
14. RECOUNT PROCEDURE .....	9
<b>PART 4 – MAIL BALLOT VOTING .....</b>	<b>9</b>
15. MAIL BALLOT VOTING AND REGISTRATION AUTHORIZED .....	9
16. APPLICATION PROCEDURE FOR MAIL BALLOT .....	10
17. VOTING PROCEDURE FOR MAIL BALLOT .....	10
18. MAIL BALLOT ACCEPTANCE OR REJECTION .....	10
19. CHALLENGE OF ELECTOR .....	12
20. ELECTOR’S NAME ALREADY USED .....	12
21. REPLACEMENT OF SPOILED BALLOT .....	13
<b>PART 5 – GENERAL .....</b>	<b>13</b>
22. VALIDITY OF ELECTION .....	13
23. REPEAL .....	13
24. CITATION .....	13

(Bylaw 4250)

---

## PART 1 – INTRODUCTION

### 1. Definitions and Interpretations

- 1.1. If no meaning is given in section 1.1 for a word or expression in this Bylaw, that word or expression has the meaning given in the *Local Government Act*.

In this Bylaw:

**"Acceptable mark"** means a completed oval that:

- (a) the vote tabulating unit is able to identify, and
- (b) has been made by an elector in the space provided on the ballot opposite the name of any candidate or opposite either 'yes' or 'no' on any other voting question;

**"Automated vote counting system"** means a system that counts and records votes and processes and stores election results, and is comprised of the following equipment having the functions indicated:

- (a) a number of ballot- scanning vote tabulating units, each of which rests on a ballot box; and
- (b) a number of portable ballot boxes into which voted ballots are deposited, if a vote tabulating unit is not functioning or being used, for counting after the close of voting on general voting day;

**"Ballot"** means a single automated ballot card designed for use in an automated vote counting system, which shows:

- (a) the names of all of the candidates for each of the offices of Electoral Area Director and for each office of Local Trustee as defined under the *Islands Trust Act*, and School Trustee, if applicable;
- (b) all of the choices on all of the bylaws or other matters on which the opinion or assent of the electors is sought;

**"Ballot return override procedure"** means the use, by an election official, of a device on a vote tabulating unit that causes the unit to accept a returned ballot;

**"Board"** means the Board of the Capital Regional District;

**"Chief election officer"** means the person appointed under section 58(1) of the *Local Government Act*;

(Bylaw 4250)

**"Deputy chief election officer"** means the person appointed under section 8(1) of the *Local Government Act*

(Bylaw 4250)

**"Election"** means an election for the number of persons required to fill a local government office;

**"Election officials"** means the persons appointed by the chief election officer to assist with the administration and conduct of the election or other voting proceedings;

---

**"General local election"** means the elections held for the electoral area directors of the regional district which must be held in 2018 and every fourth year after that;

*(Bylaw 4250)*

**"General voting day"** means,

- (a) for a general local election, the third Saturday in October in the year of the election and includes other voting to be conducted on that date;
- (b) for other elections or other voting, the date set under the provisions of the *Local Government Act*;

*(Bylaw 4250)*

**"Jurisdiction"** means, in relation to an election, or other voting, the regional district electoral area for which the election or other voting, is being held;

**"Local government"** means the Board;

**"Memory card"** means the storage device that stores all the permanent results for the vote tabulating unit;

**"Portable ballot box"** means a ballot box that is used as a voting place in the election where a vote tabulating unit is not being used or is not functioning;

**"Other voting"** means voting on a matter referred to in section 170 of the *Local Government Act*;

*(Bylaw 4250)*

**"Regional District Website"** means the information resource found at an internet address provided by the Capital Regional District.

**"Register tape"** means the printed record generated from a vote tabulating unit at the close of voting on general voting day, that shows the number of votes:

- (a) for each candidate for each of the offices of Electoral Area Director, and for each office of Local Trustee, and School Trustee, if applicable;
- (b) for the number of votes for and against each bylaw or other matter on which the assent of the electors is sought;

**"Returned ballot"** means a voted ballot which was inserted by an elector into the vote tabulating unit that is not accepted and is returned by the unit to the elector with an explanation of the ballot marking error that caused the ballot to be unacceptable;

**"Secrecy sleeve"** means an open-ended folder or envelope used to cover ballots to conceal the choices made by each elector;

**"Vote tabulating unit"** means the device into which voted ballots are inserted and that scans each ballot and records the number of votes for each candidate and for and against each other voting question.



---

## **PART 2 – CONDUCT OF ELECTIONS AND OTHER VOTING**

### **2. Appointment of Election Officers**

- 2.1. The Board must appoint a Chief Election Officer and a Deputy Chief Election Officer under the *Local Government Act*.

### **3. Required Additional Advance Voting Opportunity**

- 3.1. As authorized under section 107(1)(b) of the *Local Government Act*, an additional advance voting opportunity will be held on the third day before general voting day.  
(Bylaw 4250)

### **4. Further Advance Voting Opportunities**

- 4.1. As authorized under section 108 of the *Local Government Act*, the Board authorizes the chief election officer to establish additional advance voting opportunities for each election, or other voting, to be held in advance of general voting day and to designate the voting places, establish the date and the voting hours for these voting opportunities.  
(Bylaw 4250)

### **5. Voting Place for an Additional General Voting Opportunity Outside the Boundaries of the Jurisdiction**

- 5.1. As authorized under sections 106 and 111 of the *Local Government Act*, the Board authorizes the chief election officer to establish an additional voting place for general voting day outside the boundaries of the jurisdiction, and to designate the voting place for this voting opportunity.  
(Bylaw 4250)

### **6. Resolution of Tie Votes after Judicial Recount**

- 6.1. In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with section 151 of the *Local Government Act*.  
Bylaw 4250

### **7. Public Access to Nomination Documents by Posting on Website**

- 7.1. In accordance with section 89 of the *Local Government Act* the Capital Regional District may provide for public access to nomination documents from the time of delivery until 30 days after the declaration of election results under section 146 of the *Local Government Act* by posting them on the regional district website.  
(Bylaw 4250)

### **8. Use of Provincial List of Voters as the Register of Resident Electors”**

- 8.1. As authorized under section 76 of the *Local Government Act*, the most current list of voters prepared under the *Election Act* existing at the time an election or other voting is to be held is the register of resident electors for the Capital Regional District.”  
(Bylaws 3959 & 4250)

- 
- 8.2. The Provincial list of voters becomes the register of resident electors no later than 52 days before general voting day for each election or other voting for the Capital Regional District.”

(Bylaws 3959 & 4486)

## **PART 3 – AUTOMATED VOTING**

### **9. Use of Voting Machines**

- 9.1. Voting may be conducted in a general local election and other voting for or in respect of one or more jurisdictions using an automated vote counting system.

### **10. Automated Vote Counting System Procedures**

- 10.1. The chief election officer may decide to conduct any local government election or other voting for or in respect of one or more jurisdictions using an automated vote counting system.

(Bylaw 4250)

- 10.2. Where the chief election officer conducts a local government election or other voting using an automated voting counting system, the procedures outlined in sections 10.3 to 10.14 will apply within that jurisdiction.

(Bylaw 4250)

- 10.3. The presiding election official for each voting place and at each advance voting opportunity must, as soon as the elector enters the voting place and before a ballot is issued to the elector, offer and if requested, direct an election official to provide a demonstration to an elector of the method for voting by using an automated vote counting system, including the use of a secrecy sleeve.

(Bylaw 4250)

- 10.4. Upon completion of the voting demonstration, if any, the elector must proceed as instructed, to the election official responsible for issuing ballots, who:

- (a) shall ensure that the elector:
  - (i) is qualified to vote in the election or other voting; and
  - (ii) is voting in the correct jurisdiction; and
  - (iii) completes the voting book as required by the *Local Government Act*; and
- (b) upon fulfilment of the requirements of subsection (a), shall provide a ballot to the elector, a secrecy sleeve if requested by the elector, and any further instructions the elector requests.

(Bylaw 4250)

- 10.5. Upon receiving a ballot, and secrecy sleeve if so requested, the elector shall immediately proceed to a voting compartment to vote.

(Bylaw 4250)

- 10.6. The elector may vote only by making an acceptable mark on the ballot:

- (a) beside the name of the candidate of choice; and
- (b) beside either ‘yes’ or ‘no’ in the case of each bylaw or other matter on which the assent or opinion of the electors is sought.

(Bylaw 4250)

- 
- 10.7. Once the elector has finished marking the ballot, the elector must place the ballot into the secrecy sleeve, if applicable, proceed to the vote tabulating unit and under the supervision of the election official in attendance, insert the ballot directly from the secrecy sleeve, if applicable, into the vote tabulating unit without the acceptable marks on the ballot being exposed.
- (Bylaw 4250)*
- 10.8. If, before inserting the ballot into the vote tabulating unit, an elector determines that he or she has made a mistake when marking a ballot or if the ballot is returned by the vote tabulating unit, the elector may request a replacement ballot by advising the election official in attendance.
- (Bylaw 4250)*
- 10.9. Upon being advised of the replacement ballot request, the presiding election official or alternate presiding election official shall issue a replacement ballot to the elector and mark the returned ballot "spoiled" and shall retain all such spoiled ballots separately from all other ballots and they shall not be counted in the election.
- (Bylaw 4250)*
- 10.10. If the elector declines the opportunity to obtain a replacement ballot and has not damaged the ballot to the extent that it cannot be reinserted into the vote tabulating unit, the election official shall, using the ballot return override procedure, reinsert the returned ballot into the vote tabulating unit to count any acceptable marks which have been made correctly.
- (Bylaw 4250)*
- 10.11. Any ballot counted by the vote tabulating unit is valid and any acceptable marks contained on such ballots will be counted in the election subject to any determination made under a judicial recount.
- (Bylaw 4250)*
- 10.12. Once the ballot has been inserted into the vote tabulating unit and the unit indicates that the ballot has been accepted, the elector must immediately leave the voting place.
- (Bylaw 4250)*
- 10.13. During any period that a vote tabulating unit is not functioning, the election official supervising the unit shall insert all ballots delivered by the electors during this time, into a portable ballot box, provided that if the vote tabulating unit:
- (a) becomes operational, or
  - (b) is replaced with another vote tabulating unit,
- the ballots in the portable ballot box shall, as soon as reasonably possible, be removed by an election official and under the supervision of the presiding election official be inserted into the vote tabulating unit to be counted.
- (Bylaw 4250)*
- 10.14. Any ballots which were temporarily stored in a portable ballot box which are returned by the vote tabulating unit when being counted shall, through the use of the ballot return override procedure and under the supervision of the presiding election official, be reinserted into the vote tabulating unit to ensure that any acceptable marks are counted.
- (Bylaw 4250)*

## **11. Advance Voting Opportunity Procedures**

- 
- 11.1. Vote tabulating units may be used to conduct the vote at all advance voting opportunities and voting procedures at the advance voting opportunities shall follow as closely as possible those described in Section 10 of this Bylaw.

*(Bylaw 4486)*

- 11.2. At the close of voting at each advance voting opportunity the presiding election official in each case shall ensure that:

- (a) no additional ballots are inserted in the vote tabulating unit;
- (b) the portable ballot box is sealed to prevent insertion of any ballots;
- (c) the register tapes in the vote tabulating unit are not generated; and
- (d) the memory card of the vote tabulating unit is secured.

- 11.3. At the close of voting at the final advance voting opportunity the presiding election official shall:

- (a) ensure that any remaining ballots in the portable ballot box are inserted into the vote tabulating unit;
- (b) secure the vote tabulating unit so that no more ballots can be inserted; and
- (c) deliver the vote tabulating unit together with the memory card and all other materials used in the election to the chief election officer at election headquarters, as soon as reasonably possible.

*(Bylaw 4486)*

## **12. Special Voting Opportunity Procedures**

- 12.1. Unless the chief election officer determines it is practical to use a vote tabulating unit, a portable ballot box shall be used for all special voting opportunities. The presiding election official appointed to attend at each special voting opportunity shall proceed in accordance with Section 10 of this Bylaw so far as applicable, except that the voted ballots shall be deposited into the portable ballot box supplied by the presiding election official.
- 12.2. The presiding election official at a special voting opportunity shall ensure that the portable ballot box is secured when not in use and at the close of voting at the final special voting opportunity, the presiding election official shall seal the portable ballot box and return it together with all other election materials to the custody of the chief election officer.
- 12.3. If a vote tabulating unit is in use at a special voting opportunity, the presiding election official appointed to attend the special voting opportunity shall follow the procedures outlined in Section 11 of this Bylaw as if it were an advance voting opportunity.

## **13. Procedures After Close of Voting on General Voting Day**

- 13.1. After the close of voting on general voting day at voting opportunities where a vote tabulating unit was used in the election, but excluding advance and special voting opportunities,
- (a) each presiding election official shall:

- 
- (i) ensure that any remaining ballots in the portable ballot box are inserted into the vote tabulating unit;
    - (ii) secure the vote tabulating unit so that no more ballots can be inserted;
    - (iii) generate three copies of the register tape from the vote tabulating unit; and
    - (iv) deliver one copy of the register tape along with the vote tabulating unit to the chief election officer at election headquarters; and
  - (b) each alternate presiding election official shall:
    - (i) account for the unused, spoiled and voted ballots and place them, packaged and sealed separately, into the election materials transfer box along with one copy of the register tape;
    - (ii) complete the ballot account and place the duplicate copy in the election materials transfer box;
    - (iii) seal the election materials transfer box;
    - (iv) place the voting books, the original copy of the ballot account, one copy of the register tape, completed registration cards (if applicable), keys and all completed administrative forms into the chief election officer portfolio; and
    - (v) transport all equipment and materials to election headquarters.
- 13.2. At the close of voting on general voting day the chief election officer shall direct the presiding election official for the advance voting opportunity and any special voting opportunities where vote tabulating units were used, to proceed in accordance with Section 13.1 of this Bylaw.
- 13.3. At the close of voting on general voting day all portable ballot boxes used in the election will be opened under the direction of the chief election officer and all ballots shall be removed and inserted into a vote tabulating unit to be counted, after which the provisions of Sections 13.1, so far as applicable, shall apply.
- 14. Recount Procedure**
- 14.1. If a recount is required it shall be conducted under the direction of the chief election officer using the automated vote counting system and generally in accordance with the following procedure:
- (a) the memory cards of all vote tabulating units will be cleared;
  - (b) vote tabulating units will be designated for each voting place;
  - (c) all ballots will be removed from the sealed ballot boxes; and
  - (d) all ballots, except spoiled ballots, will be reinserted in the appropriate vote tabulating units under the supervision of the chief election officer.

## **PART 4 – MAIL BALLOT VOTING**

### **15. Mail Ballot Voting and Registration Authorized**

- 15.1. Voting by mail ballot and elector registration by mail in conjunction with mail ballot voting are authorized.

*(Bylaw 3959)*

- 
- 15.2. Once a mail ballot package has been accepted by the chief election officer, that voter may only vote by mail ballot.

(Bylaws 3959 & 4486)

## **16. Application Procedure for Mail Ballot**

- 16.1. A person wishing to vote by mail ballot must apply by providing their name and address to the chief election officer or to an election official designated by the chief election officer for such purposes, using the form required by the chief election officer, within the time limits required by the chief election officer, which time limits the Board authorizes the chief election officer to establish.

(Bylaw 3959)

- 16.2. Upon receipt of a request for a mail ballot, the chief election officer or designated election official must, within the time limits established by the chief election officer:

- (a) make available to the applicant a mail ballot package as specified in section 100(7) of the *Local Government Act* together with, where required, an elector registration application;

(Bylaw 4486)

- (b) immediately record and, upon request, make available for inspection:
- (i) the name and address of the person to whom the mail ballot package was issued; and
  - (ii) information as to whether or not the person is registered as an elector.

(Bylaws 3959 & 4250)

## **17. Voting Procedure for Mail Ballot**

- 17.1. In order to vote using a mail ballot, the elector must mark the ballot in accordance with the instructions contained in the mail ballot package provided by the chief election officer.

(Bylaw 3959)

- 17.2. After marking the mail ballot, the elector must:

- (a) place the mail ballot in the secrecy envelope provided, and seal the secrecy envelope;
- (b) place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
- (c) place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
- (d) mail, or have delivered, the outer envelope and its contents to the chief election officer at the address specified so that it is received within the time limits established by the chief election officer which must be no later than the close of voting on general voting day.

(Bylaw 3959 & 4540)

## **18. Mail Ballot Acceptance or Rejection**

18.1. ~~Until 4:00 p.m. on the Thursday two days before general voting day,~~ Upon receipt of the outer envelope and its contents, the chief election officer or designated election official must immediately record the date of such receipt and must then open the outer envelope and remove and examine the certification envelope and the completed elector registration application, if applicable, and if satisfied as to:

- (a) the identity and entitlement to vote of the elector whose mail ballot is enclosed; and
- (b) the completeness of the certification; and
- (c) the fulfillment of the requirements of section 70 of the *Local Government Act* in the case of a person who is registering as a new elector;

the chief election officer or designated election official must mark the certification envelope as "accepted", and must retain all such certification envelopes in custody to deal with any challenges made in accordance with Section 19 of this bylaw.

(Bylaws 3959, ~~4250~~ & 4540)

18.2. The unopened certification envelopes must remain in the secure custody of the chief election officer or designated election official until ~~4:00 p.m. on the Thursday two days before the close of voting on~~ general voting day, at which time the certification envelopes containing the secrecy envelopes must be opened in the presence of at least one other person, including any scrutineers present.

(Bylaw 3959 & 4540)

~~18.3. At 4:00 p.m. on the Thursday two days before general voting day, the chief election officer or designated election official must place all secrecy envelopes received up until that time into a ballot box specified for such purpose, where such secrecy envelopes were received from persons whose right to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.~~

(Bylaw 3959)

~~18.4. Where an outer envelope and its contents are received by the chief election officer or designated election official between 4:00 p.m. on the Thursday two days before general voting day and the close of voting on general voting day, the provisions of Section 18.1 of this bylaw with regard to ballot acceptance apply and the chief election officer or designated election official must retain such envelope in custody until the close of voting and at that time must open such certification envelopes in the presence of at least one other person, including any scrutineers present, and place the secrecy envelopes containing the ballot into the ballot box containing the other unopened secrecy envelopes.~~

(Bylaw 3959)

~~18.5, 18.3.~~ After all of the secrecy envelopes have been placed in the ballot box designated for that purpose, and following the close of voting on general voting day, the following procedures must be followed:

- ~~(a)~~ (a) ~~under the direction of the chief election officer or designated election official, the certification envelopes containing the secrecy envelopes must be opened;~~



---

~~under the direction of the chief election officer or designated election official the ballot box containing the secrecy envelopes must be opened;~~

- (b) in the presence of at least one other person including any scrutineers present, the secrecy envelopes must be removed and opened and the ballots contained in those envelopes inserted for counting into a vote tabulating unit or portable ballot box; and
- (c) after the procedures set out in paragraphs (a) and (b), the procedures set out in Sections 10 and 13 of this bylaw must be followed to the extent that they are applicable.

(Bylaw 3959 ~~&~~ 4540)

~~18.6.18.4.~~ Where:

- (a) upon receipt of an outer envelope, the chief election officer is not satisfied as to the identity of the elector whose mail ballot is enclosed; or
- (b) in the case of a person required to complete an application for registration as an elector, the chief election officer is not satisfied that the person registering as a new elector has fulfilled the requirements of section 70 of the *Local Government Act*; or
- (c) the outer envelope is received by the chief election officer or designated election official after the close of voting on general voting day,

the certification envelope must remain unopened, and the chief election officer or designated election official must mark such envelope as “rejected”, and must note his or her reasons for doing so, and the mail ballot contained in such envelope must not be counted in the election.

(Bylaws 3959 ~~&~~ 4250 ~~&~~ 4540)

~~18.7.18.5.~~ Any certification envelopes and their contents rejected in accordance with Section 18.46 of this bylaw must remain unopened and are subject to the provisions of section 160 of the *Local Government Act* with regard to their destruction.

(Bylaws 3959 ~~&~~ 4250 ~~&~~ 4540)

## **19. Challenge of Elector**

- 19.1. A person exercising the right to vote by mail ballot may be challenged in accordance with, and on the grounds specified in section 126 of the *Local Government Act* until 4:00 p.m. on the Thursday two days before general voting day.

(Bylaws 3959 & 4250)

- 19.2. The provisions of section 126(2) and (5) of the *Local Government Act* apply, so far as applicable, where a challenge of an elector voting by mail ballot has been made.

(Bylaws 3959 & 4250)

## **20. Elector’s Name Already Used**

- 20.1. Where, upon receiving a request for a mail ballot, the chief election officer or designated election official determines that another person has voted or has already been issued a mail ballot in that elector’s name, the provisions of section 127 of the *Local Government Act* apply, so far as applicable.

(Bylaws 3959 & 4250)

---

## **Replacement of Spoiled Ballot**

### **20.2. Where an elector**

- (a) unintentionally spoils a mail ballot before returning it to the chief election officer or designated election official; and
- (b) gives the spoiled ballot package in its entirety to the chief election officer or designated election official;

the elector may request a replacement ballot.

*(Bylaw 3959)*

### **20.3. The chief election officer must, upon receipt of the spoiled ballot package, record such fact, and must proceed to issue a replacement mail ballot in accordance with Section 16.2 of this bylaw."**

*(Bylaw 3959)*

## **PART 5 – GENERAL**

*(Bylaw 3959)*

### **21. Validity of Election**

#### **21.1. Nothing in this Bylaw is intended to require the setting aside of the results of an election or other voting because of the failure of the chief election officer, deputy chief election officer or an election officer to comply with the provisions of this Bylaw or because an election is not conducted in accordance with this Bylaw.**

*(Bylaw 3959)*

### **22. Repeal**

#### **22.1. Bylaw No. 2162, "Capital Regional District Election and Other Voting Procedures Bylaw, 1993" is hereby repealed.**

*(Bylaw 3959)*

### **23. Citation**

#### **23.1. This Bylaw may be cited as "Capital Regional District Election and Voting Procedures Bylaw, 2008"**

*(Bylaw 3959)*

READ A FIRST TIME THIS	11 <sup>th</sup>	day of	June	2008
READ A SECOND TIME THIS	11 <sup>th</sup>	day of	June	2008
READ A THIRD TIME THIS	11 <sup>th</sup>	day of	June	2008
ADOPTED THIS	9 <sup>th</sup>	day of	July	2008

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE  
MEETING OF WEDNESDAY, JANUARY 18, 2023**

---

**SUBJECT     Biosolids Short-term Contingency Beneficial Use Plan**

**ISSUE SUMMARY**

To seek direction on short-term emergency contingency alternatives for biosolids beneficial use.

**BACKGROUND**

In 2019, the provincial government approved the Capital Regional District's (CRD) Biosolids Beneficial Use Strategy, with the condition that the CRD prepare a beneficial use contingency plan that did not include landfilling or long-term storage of biosolids. To comply with these regulatory requirements, the CRD Board moved to amend its land application policy on February 12, 2020, per below:

*That the Capital Regional District Board partially rescind its policy to prohibit land application as a beneficial use of biosolids at Hartland landfill only; and 2. That land application of biosolids be approved as a contingency plan for beneficial use at Hartland landfill.*

Throughout 2021 and 2022, the CRD was unable to consistently follow the CRD's approved short-term (2021-2025) Biosolids Beneficial Use Strategy (Definitive Plan), due to both planned shutdowns at the cement manufacturer, and unplanned operational issues. Consequently, the CRD required more than 300 days of contingency capacity in 2022, whereas the CRD's approved contingency plan contemplated only 35 days of contingency annually. Given the significant 2022 contingency requirements, the area available at Hartland Landfill for creation and storage of mixed biosolids engineered cover systems was exceeded, and the CRD was unable to follow the approved contingency plan and began landfilling biosolids. The CRD continues to keep the BC Ministry of Environment & Climate Change Strategy (ENV) informed of its actions and planning on a regular basis, and ENV is aware that the CRD is not following the approved contingency plan, as referenced in the CRD Board Chair's December 2022 letter to Minister Heyman (Appendix A). Staff continue to work with Lafarge to address operational challenges and resume delivery; however, the CRD urgently requires additional short-term contingency alternatives that meet the Province of BC regulatory requirement of beneficial use.

The CRD has hired GHD as a technical advisor to support short-term emergency contingency analysis and has worked with industry to understand and evaluate more than 30 emergency contingency alternatives, including thermal technologies and non-agricultural land application. This analysis found:

1. In the near-term (less than 24 months), there are no additional contingency alternatives (beyond beneficial use at Hartland Landfill) that are consistent with both ENV regulatory requirements and the CRD partial ban on land application of biosolids.
2. If the CRD Board policy were changed to allow non-agricultural land application as an approved emergency contingency alternative, there are available contingency alternatives on Vancouver Island that could accept CRD biosolids in the immediate near-term, and at

lower cost than the current approved contingency.

Concurrent with addressing the short-term biosolids management needs, the CRD continues planning for the long-term biosolids management strategy that will come into effect at the end of the CRD's 2021-2025 approved short-term plan, including undertaking three advanced thermal processing (pyrolysis and gasification) pilot projects. In March 2023, staff will bring the results of this analysis and seek direction on next steps towards consultation and planning for the long-term biosolids management plan.

## **ALTERNATIVES**

### *Alternative 1*

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

1. That the Capital Regional District (CRD) Board amend its policy to allow non-agricultural land application of biosolids as a short-term contingency alternative; and
2. That staff be directed to update the CRD's short-term biosolids contingency plan correspondingly.

### *Alternative 2*

The Environmental Services Committee provides alternate direction to staff.

## **IMPLICATIONS**

### *Intergovernmental Implications*

In BC, the Organic Matter Recycling Regulation (OMRR) sets requirements for the production of biosolids. The CRD's current practice of landfilling biosolids is out of compliance with the CRD's approved short-term plans, and does not meet the provincial requirement for beneficial use of biosolids.

### *Social Implications*

At the December 14, 2022 Board meeting, a delegation from the Peninsula Biosolids Coalition provided remarks calling for an immediate end to land application of biosolids at Hartland Landfill and requesting storage as a short-term measure (a transcript of these remarks is included as Appendix B). GHD's analysis identified that storage of CRD biosolids at Hartland Landfill for future beneficial use through thermal processing is not a viable contingency alternative in the short term. Appendix C provides the latest CRD Biosolids Production Report from the CRD website for reference. The Province also provides information on biosolids management and associated risks through their website, and through the enabling legislation of OMRR to provide public confidence in land application of biosolids.

### *Financial Implications*

The cost to manage biosolids as engineered cover at Hartland Landfill (approved contingency) was approximately \$1,000/tonne in 2022 and, due to increased costs for sand, wood and labour, is expected to cost approximately \$1,300/tonne in 2023.

Regulatory and mobilization costs to develop non-agricultural land application plans and initiate delivery for the portfolio of emergency contingency alternatives is expected to cost \$65,000. The beneficial use cost per tonne varies by site and is dependent on the tonnage of material delivered, however remains lower (i.e., <\$650/tonne) than managing biosolids at Hartland Landfill as engineered cover. These costs can be managed within the existing budget for biosolids management, provided the proposed contingency land application options are prioritized above the current contingency plan.

### *Service Delivery Implications*

The evaluation of short-term contingency alternatives has identified a portfolio of non-agricultural land application options located on Vancouver Island that together could address the CRD's contingency requirements, including:

- Silviculture: forest fertilization through standard land application at a site under an existing land application plan near Nanaimo, BC that is already accepting municipal biosolids;
- Mine Reclamation: generation of a blended growing medium used for reclamation of a gravel pit site near Nanaimo, BC under a new land application plan;
- Land Reclamation: fabrication of biosolids growing media to address topsoil nutrient deficiencies, and aid in reclamation of disturbed areas at a forestry site near Nanaimo, BC.

Any land application contingency alternative would include regular sampling to confirm compliance with OMRR criteria.

Due to the CRD's contingency volume requirements, site constraints and seasonal availability, the short-term contingency plan would include all three identified contingency alternatives. To keep options viable and available for when they are needed, the CRD may be required to guarantee a minimum or regular/monthly delivery; however, combustion of biosolids in cement production would remain the CRD's primary beneficial use strategy until development and approval of the long-term biosolids management plan is complete.

## **CONCLUSION**

The CRD urgently requires an additional biosolids short-term contingency alternative that meets the Province of BC regulatory requirement of beneficial use. If the CRD Board policy were amended to allow limited land application as an approved emergency contingency alternative, there are available contingency alternatives on Vancouver Island that have capacity to meet the CRD's contingency needs and could accept CRD biosolids in the immediate near-term and at lower cost than the current approved contingency. If directed, staff will immediately work to secure additional biosolids contingency capacity and modify the approved short-term contingency plan.

## **RECOMMENDATION**

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

1. That the Capital Regional District (CRD) Board amend its policy to allow non-agricultural land application of biosolids as a short-term contingency alternative; and
2. That staff be directed to update the CRD's short-term biosolids contingency plan correspondingly.

Submitted by:	Glenn Harris, Senior Manager, Environmental Protection
Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
Concurrence:	Larisa Hutcheson, P.Eng., General manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B.Sc., C. Tech, Chief Administrative Officer

### **ATTACHMENTS**

Appendix A: Letter to Minister Heyman - December 16, 2022

Appendix B: Hugh Stephens – Delegation on Biosolids – December 16, 2022 – CRD Board Meeting

Appendix C: Summary of Biosolids Production and End Use – 2022



Making a difference...together

Executive Office  
625 Fisgard Street, PO Box 1000  
Victoria, BC V8W 2S6

T: 250.360.3125  
F: 250.360.3130  
[www.crd.bc.ca](http://www.crd.bc.ca)

December 16, 2022

File: 5200-30  
Biosolids

0620-20  
Core Area Liquid Waste Management Plan  
General

The Honourable George Heyman  
Minister of Environment and Climate Change Strategy  
PO Box 9047 Stn Prov Govt  
Victoria, BC V8W 9E2  
Via email: [ENV.Minister@gov.bc.ca](mailto:ENV.Minister@gov.bc.ca)

Dear Minister Heyman:

**RE: SHORT-TERM MANAGEMENT OF CRD BIOSOLIDS**

As Chair of the Capital Regional District (CRD) Board, I would like to congratulate you on your reappointment as the Minister of Environment and Climate Change Strategy. We are looking forward to continuing to work with your ministry in the coming years to address the environmental challenges facing our region.

Beneficial use and sustainable management of biosolids generated from the CRD's Residual Treatment Facility remain a priority for the CRD. Ministry staff have been made aware of the challenges faced by the CRD this past year with consistently utilizing the biosolids as an alternative fuel, the primary use outlined in the CRD's [Biosolids Beneficial Use Strategy \(2019 Definitive Plan\)](#). Further to my letters of July 30, 2021 and December 17, 2021 (attached), the CRD Board continues to request that the ministry decision to prohibit landfilling of biosolids in a biocell at Hartland Landfill be reconsidered and that the Organic Matter Recycling Regulation be updated as soon as possible to reflect the current science, best practices and the state of knowledge on emerging contaminants of concern, in order to address concerns related to public health and environmental values.

The CRD Board would like the ministry to provide updated public information showing that land application of biosolids does not pose a risk to public health or the environment.





Once again, on behalf of the CRD Board, I would like to extend our congratulations on your reappointment as the Minister of Environment and Climate Change Strategy, and we look forward to hearing from you regarding these important issues.

Sincerely,



Colin Plant  
Chair, Capital Regional District Board

Attachments

cc: The Honourable David Eby, Premier of British Columbia  
The Honourable Lana Popham, MLA for Saanich South  
The Honourable Murray Rankin, MLA for Oak Bay – Gordon Head  
The Honourable Mitzi Dean, MLA for Esquimalt – Metchosin  
The Honourable Grace Lore, MLA for Victoria – Beacon Hill  
The Honourable Rob Fleming, MLA for Victoria – Swan Lake  
John Horgan, MLA for Langford – Juan de Fuca  
Adam Olsen, MLA for Saanich North and the Islands  
CRD Board of Directors  
Ted Robbins, Chief Administrative Officer, CRD  
Larisa Hutcheson, General Manager, Parks & Environmental Services, CRD

**From:** [Hugh Stephens](#)  
**To:** [CRD Chair](#); [CRDBoard](#)  
**Cc:** [Dave Cowen](#)  
**Subject:** Delegation Presentation on Biosolids  
**Date:** Thursday, December 15, 2022 10:57:09 PM  
**Attachments:** [Presentation to CRD Board Dec 14 2022 FINAL.docx](#)

---

**CRD IT SECURITY WARNING:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Deer Chair Plant and Members of the Board,

Thank you for listening to my oral presentation on behalf of the Peninsula Biosolids Coalition at yesterday's (Dec. 14) Board meeting outlining our concerns with the current policy on disposal of biosolids at the Hartland Landfill, and the need for comprehensive water testing, including testing for "contaminants of emerging concern", not covered by the OMRR.. Chair Plant asked if I would distribute a written copy of my remarks. I am happy to do so. Please find attached.

Thank you,

Hugh Stephens

on behalf of the Peninsula Biosolids Coalition

## **Presentation to the CRD Board, December 14, 2022**

### **BIOSOLIDS**

Thank you. I'm Hugh Stephens from the Society for the Protection of the Mount Work Region. Today I am representing Mr. Dave Cowen, CEO of Butchart Gardens in his capacity as Chair of the Peninsula Biosolids Coalition. Mr. Cowen sends his apologies. A last minute work commitment made his personal appearance impossible.

The Coalition is made up the following:

The Butchart Gardens;  
Society for the Preservation of the Mount Work Region;  
Friends of Tod Creek Watershed;  
Saanich Inlet Protection Society;  
Peninsula Streams Society, and  
Biosolids Free BC

These groups share a common concern regarding the excessive and continual land application of biosolids at Hartland Landfill. We all depend on the long term health of our land and water resources. In the case of the Butchart Gardens, these resources sustain hundreds of family sustaining jobs and the Gardens wants reassurances that its water licences are safe. Pollution risk from biosolids is measured in nanograms. There is no room for error.

While some of the contents of biosolids are regulated by the Province, many dangerous, carcinogenic compounds found in biosolids are not regulated, including "contaminants of emerging concern", such as PFAs, PCBs and other toxic "forever chemicals".

As noted in the staff report, due to problems with the Lafarge disposal option literally hundreds of tonnes of biosolids are being spread on a daily basis at Hartland, in a manner that is non-compliant with the 'beneficial use' requirements of the Ministry, and in direct contradiction of the CRDs obligations as the environmental steward of our region.

The CRD has banned land application of biosolids since 2011. Hartland is the exception, not the rule. Chair Plant has written twice to Minister George Heyman to ask for assurances that spreading biosolids at Hartland is safe. No reply has been received in over a year. It appears the Province will not give that assurance; instead it is downloading the risk on to this Board.

We are very concerned that the continued heavy application of biosolids in the limited space available at Hartland will inevitably lead to dispersal via wind or rain erosion, and the pollution of waterways and aquifers with a risk to human health and the environment.

Therefore, we call for an immediate end to the land application of biosolids at Hartland, preferring safe storage as a short-term measure to protect the regions farms, forests and waterways. Additionally, we call for an expansion of water quality testing beyond the limited peripheral testing done by CRD, testing that would also include biosolid contaminants not captured by the OMRR.

Regarding testing, the RainCoast Conservation Foundation, an NGO that did extensive water testing last year during the Sumas flooding in the Fraser Valley, has offered to work with our group and the CRD to

develop and conduct a water quality testing program to determine if the spreading of biosolids at Hartland is resulting in any of the toxic forever chemicals leaching into the waters.

In summary, we urge the CRD to respect the will of local residents and businesses and immediately end the land application of biosolids at Hartland, to move towards better options for the disposal of biosolids, and to work with the RainCoast Foundation to develop and support a 3<sup>rd</sup> party water quality testing program that would ensure that our sewage strategy doesn't threaten the local environment, the health of current residents and future generations or the viability of local business.

## SUMMARY OF BIOSOLIDS PRODUCTION AND END USE – 2022

## CAPITAL REGIONAL DISTRICT

January 2023

**Amount of Biosolids Produced**

In 2022, a total of 3,173 tonnes (t) of Class A Biosolids were produced at the Residuals Treatment Facility (RTF). 470 t were provided to Lafarge per the Definitive Plan. 595 t were used to produce Biosolids Growing Medium (BGM) as part of the approved Contingency Plan. 2,108 t were deposited in Hartland Landfill, either incorporated into interim daily cover or landfilled directly. All biosolids produced by the RTF in 2022 met Class A standards.

Biosolids production and end use data for 2022 is as follows:

Biosolids Type	Produced	End Use		
		Definitive Plan <sup>b</sup>	Contingency Plan: BGM <sup>c</sup>	Hartland Landfill <sup>d</sup>
Dried <sup>a</sup> Class A	3,173 t	470 t	595 t	2,108 t

<sup>a</sup> Greater than 90% solids.

<sup>b</sup> Used as an alternative fuel at the Lafarge cement manufacturing facility in Richmond, BC.

<sup>c</sup> Land applied within the leachate containment area of Hartland Landfill.

<sup>d</sup> Class A Biosolids placed within leachate containment areas as a layer of interim cover or are directly landfilled.

**Compliance Monitoring**

The Capital Regional District's (CRD) contractor, Hartland Resource Management Group, tests biosolids produced at the RTF to ensure the biosolids are Class A, as defined by the BC Organic Matter Recycling Regulation (OMRR). Testing is performed by CARO Analytical Services. OMRR specifies that for Class A biosolids, metals concentrations must not exceed "those specified in Trade Memorandum T-4-93 (September 1997), Standards for Metals in Fertilizers and Supplements, as amended from time to time." The latest version of OMRR – <https://www2.gov.bc.ca/gov/content/environment/waste-management/food-and-organic-waste/regulations-guidelines> and the latest version of Trade Memorandum T-4-93 <https://inspection.canada.ca/plant-health/fertilizers/trade-memoranda/t-4-93/eng/1305611387327/1305611547479>.

In June 2022, the Ministry of Environment and Climate Change Strategy announced the intention to amend OMRR, including new standards for Class A biosolids. Regulatory amendments are targeted for 2023. The proposed OMRR Standards have been included in the table for reference. Values reported in the table below represent the average, minimum and maximum of the 32 samples taken between January and November 2022. Analytical results from December 2022 have not yet been received.

Substance	OMRR Limit <sup>a</sup> (mg/kg dry weight)	Proposed OMRR Standard <sup>b</sup> (mg/kg dry weight)	RTF Biosolids (mg/kg dry weight)		
			Average	Minimum	Maximum
<b>Metals</b>					
Arsenic (As)	666	41	2.12	1.40	2.68
Cadmium (Cd)	177	15	1.54	1.02	2.02
Chromium (Cr)	9,333	1000	35.6	23.9	45.1
Cobalt (Co)	1,333	150	2.87	1.89	3.71
Copper (Cu)	6,666	1500	555	404	711
Mercury (Hg)	44	4	0.544	0.419	0.729
Molybdenum (Mo)	177	20	7.80	5.89	10.30
Nickel (Ni)	1,600	180	17.3	11.8	20.8
Lead (Pb)	4,444	300	30.4	21.9	37.3
Selenium (Se)	124	25	4.20	1.01	5.21
Thallium (Tl)	44	ns	<0.10	<0.10	<0.10
Vanadium (V)	5,777	ns	14.7	8.4	23.9
Zinc (Zn)	16,444	1820	884	650	1100
<b>Fecal Coliforms</b>					
MPN	1,000	1000	<3.0	<3.0	<3.0

<sup>a</sup> For metals, the maximum allowable concentrations for Class A biosolids are calculated based on a 500 kg/ha annual application rate; for fecal coliforms, the maximum allowable concentration is a fixed value.

<sup>b</sup> Proposed OMRR standards are tabled for reference - standards subject to change once final OMRR amendment is published.

ns = no standard

For reference, the following CRD reports can be found in the links below:

1. Biosolids Beneficial Use Strategy – <https://www.crd.bc.ca/project/biosolids-beneficial-use-strategy>
2. Definitive Plan – <https://www.crd.bc.ca/docs/default-source/biosolids-pdf/appendix-a-biosolids-beneficial-use-definitive-plan---sylvis.pdf?sfvrsn=7105cfca>
3. Short-Term Biosolids Contingency Plan – [https://www.crd.bc.ca/docs/default-source/biosolids-pdf/crd-biosolids-short-term-contingency-plan.pdf?sfvrsn=a2b023cc\\_2](https://www.crd.bc.ca/docs/default-source/biosolids-pdf/crd-biosolids-short-term-contingency-plan.pdf?sfvrsn=a2b023cc_2)
4. Biosolids Production Reports – <https://www.crd.bc.ca/about/data/biosolids-production>

SUPPLEMENTAL MATERIAL

CAPITAL REGIONAL DISTRICT BOARD MEETING - FEBRUARY 8, 2023

CAPITAL REGIONAL DISTRICT  
BIOSOLIDS – LAND APPLICATION BAN HISTORY

as of February 2023

---

**SEPTEMBER 11, 2008 – SOLID WASTE ADVISORY COMMITTEE**

*That, following the precautionary principle, the Solid Waste Advisory committee recommends prohibiting the application of sewage-sourced biosolids and biosolid products to agricultural or forest lands.*

**NOVEMBER 25, 2009 – CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE**

During the biosolids management planning process the Core Area Liquid Waste Management Committee removed land application of biosolids as an option for the core area due to concerns about metals, pathogens and contaminants of emerging concern.

*... that all land application of biosolids (including use as a fertilizer, soil amendment or compost) be removed from consideration from the Core Area Liquid Waste Management sewage strategy, and that the preferential strategy for disposal of dried bio-solids focus on sale as a fuel for cement kilns and/or to power one or more "waste-to-energy" facilities, both of which are currently proposed in recent Core Area Liquid Waste Management Committee reports.*

**NOVEMBER 24, 2010 – ENVIRONMENTAL SUSTAINABILITY COMMITTEE**

There was a staff report on the results of the pilot program to distribute PenGrow (Biosolids from Saanich Peninsula Wastewater Commission). Concerns were expressed about whether the PenGrow product fits in with the goals and strategies of the Capital Regional District (CRD) to protect health and environment. Concern was expressed that the information report did not list points from the opposing side of the debate.

**APRIL 27, 2011 – ENVIRONMENTAL SUSTAINABILITY COMMITTEE**

It was discussed whether the Core Area Liquid Waste Management Committee banning of land application was synonymous with a complete CRD ban.

The motion was proposed *that the CRD will harmonize current and long-term practices at all CRD-owned regional facilities and parks with the approved policies of the regional treatment strategy, including ending the production, storage and distribution of PenGrow at CRD facilities as soon as possible; and b) that the CRD will explore opportunities to harmonize the Hartland Landfill Waste-to-Energy strategy and associated timelines with the existing CALWMC responsibilities and commitments re. emergency waste disposal.* Voting was postponed to the May 25, 2011 meeting to give directors more time to review submitted materials.

**MAY 25, 2011 – CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE**

The Core Area Liquid Waste Management Committee heard concerns from the public. Numerous delegations spoke against the land application of biosolids. A literature review on the land application of biosolids was presented.

It was moved *that the CALWMC support the current decision that was made in banning the land application of biosolids in the core area.*

### **JULY 13, 2011 – CAPITAL REGIONAL DISTRICT BOARD**

The Board's recommendation: *Be it so moved that the CRD will harmonize current and long-term practices at all CRD-owned regional facilities and parks with the approved policies of the regional treatment strategy, including ending the production, storage and distribution of biosolids for land application at all CRD facilities and parks; and be it further moved that the CRD does not support the application of biosolids on farmland in the CRD under any circumstances, and let this policy be reflected in the upcoming Regional Sustainability Strategy.*

### **JUNE 5, 2013 – COMMITTEE OF THE WHOLE**

Staff recommended that the biosolids land application be rescinded, with the exception of application to agricultural lands used for food production.

The Committee of the Whole recommended to the CRD Board:

*That staff be directed to bring forward a report outlining the economic, social and environmental implications for both the core area liquid waste management program and other regional impacts to the Board for reconsideration of the sludge and biosolids management policy for the region.*

### **OCTOBER 30, 2013 – CAPITAL REGIONAL DISTRICT BOARD**

The staff report and recommendation to rescind the ban was discussed and rejected. The Board moved:

*That the current policy, adopted July 13, 2011, regarding the banning of the land application of biosolids be confirmed.*

### **OCTOBER 12, 2016 – CAPITAL REGIONAL DISTRICT BOARD**

The Board moved that:

*... the policy, that the land application of biosolids is not supported, be confirmed; and 2. That the Project Board and IRM Select Committee be requested to abide by this policy in developing a biosolids solution for the Core Area.*

### **FEBRUARY 12, 2020 - CAPITAL REGIONAL DISTRICT BOARD**

Staff presented a [staff report](#) on beneficial use of biosolids contingency planning. The report recommends the CRD Board partially rescind its policy to prohibit land application of biosolids at Hartland Landfill only.

The Board moved:

*That the Capital Regional District Board partially rescind its policy to prohibit land application as a beneficial use of biosolids at Hartland landfill only; and 2. That land application of biosolids be approved as a contingency plan for beneficial use at Hartland landfill.*

### **JANUARY 18, 2023 – ENVIRONMENTAL SERVICES COMMITTEE**

*Minutes for this meeting are not available on CRD website as of Feb 2. The motion was taken from the staff hotsheet.*

Staff presented a report on the need for short-term land application as a contingency during development of the long-term biosolids management strategy. The Environmental Service Committee defeated the staff recommendation; and recommended instead that the CRD Board move to direct staff to look at alternative options and maintain the status quo for now.



**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4502**

\*\*\*\*\*

**A BYLAW TO AMEND THE COST APPORTIONMENT OF “THE EMERGENCY COMMUNICATION  
DISPATCH SERVICE ESTABLISHMENT BYLAW NO. 1” (BYLAW NO. 3854)**

\*\*\*\*\*

**WHEREAS:**

- A. The Capital Regional District operates an emergency communication dispatch service for the areas of the District of Highlands, the District of Metchosin, the District of Sooke, and the Salt Spring Island, Southern Gulf Islands, and the Juan de Fuca Electoral Areas;
- B. The participants wish to change the cost apportionment to reflect actual service usage by the individual participants versus apportionment by population and the participants may amend the service by two-thirds consent of the participants and approval of the Inspector of Municipalities;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. Bylaw No. 3854, “Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012” is hereby amended as follows, effective January 1, 2023:
  - (a) By amending section 5 to state:

The net annual cost attributable to this service shall be apportioned among the participating municipalities and electoral areas on the basis of their usage as indicated by call volume. Call volume, for the purpose of this section, is the number of calls for service attributed to the individual participant as determined annually by the Capital Regional District. The annual call volume will be determined for budgeting purposes using the last full year’s call statistics as recorded by the dispatch service provider.

2. This Bylaw may be cited for all purposes as “Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012, Amendment Bylaw No. 2, 2022”.

READ A FIRST TIME THIS	10 <sup>th</sup>	day of	August,	2022
READ A SECOND TIME THIS	10 <sup>th</sup>	day of	August,	2022
READ A THIRD TIME THIS	10 <sup>th</sup>	day of	August,	2022
CONSENTED TO BY TWO-THIRDS OF PARTICIPANTS THIS	14 <sup>th</sup>	day of	November,	2022
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	2 <sup>nd</sup>	day of	February,	2023
ADOPTED THIS		day of		2023

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 4506**

\*\*\*\*\*  
**A BYLAW TO AUTHORIZE THE BORROWING OF TWENTY FIVE MILLION DOLLARS  
(\$25,000,000) FOR THE PURPOSE OF ACQUIRING LAND FOR REGIONAL PARKS**  
\*\*\*\*\*

**WHEREAS:**

- A. The Board of the Capital Regional District adopted Bylaw No. 1749, "Regional Parks Extended Service Establishment Bylaw No. 1, 1989" for the functions of acquiring, developing, operating, and maintaining Regional Parks, subject to the Park (Regional Act);
- B. The Board of the Capital Regional District requires financing for the future acquisition of Regional Park lands;
- C. The portion of the land acquisition cost to be funded by debt servicing is the sum of Twenty-Five Million Dollars (\$25,000,000), which is the amount of debt intended to be authorized by this bylaw;
- D. Pursuant to the *Regional District Liabilities Regulation*, BC Reg 261/2004, elector approval is not required if borrowing for a regional park service and consent on behalf of the participants shall be obtained pursuant to section 349(1)(b) of the *Local Government Act*;
- E. The approval of the Inspector of Municipalities is required under Sections 406 and 407 of the *Local Government Act*; and
- F. Financing is proposed to be undertaken by the Municipal Finance Authority of British Columbia pursuant to agreements between it and the Capital Regional District;

**NOW THEREFORE** the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the acquisition of land and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) to borrow upon the credit of the Capital Regional District a sum not exceeding Twenty-Five Million Dollars (\$25,000,000); and
  - b) to acquire all such real property, easements, rights-of-way, leases, licenses, rights or authorities as may be requisite or desirable for or in connection with the acquisition of land deemed necessary in connection with acquisition of Regional Park land.

2. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is fifteen (15) years.
3. This Bylaw may be cited as "Regional Parks Loan Authorization Bylaw No. 1, 2022".

READ A FIRST TIME THIS	13 <sup>th</sup>	day of	July,	2022
READ A SECOND TIME THIS	13 <sup>th</sup>	day of	July,	2022
READ A THIRD TIME THIS	13 <sup>th</sup>	day of	July,	2022
APPROVED BY CONSENT ON BEHALF OF THE PARTICIPATING AREAS PER S.346 and S.347 OF THE LOCAL GOVERNMENT ACT THIS	15 <sup>th</sup>	day of	September,	2022
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	2 <sup>nd</sup>	day of	February,	2023
ADOPTED THIS	<sup>th</sup>	day of		2023

---

CHAIR

---

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS      <sup>th</sup> day of 20\_\_

## CAPITAL REGIONAL DISTRICT BYLAW NO. 4534

\*\*\*\*\*

### A BYLAW TO AMEND THE CONTRIBUTION TO THE SATURNA ISLAND FIRE PROTECTION SOCIETY TO FACILITATE PATIENT TRANSPORTATION (BYLAW NO. 2165)

\*\*\*\*\*

#### WHEREAS:

- A. By Bylaw No. 2165, "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No.1, 1993", the Regional Board established a contribution towards the cost of fire protection and emergency response services provided by others on Saturna Island In the Southern Gulf Islands Electoral Area; and
- B. The Saturna Island community is in need of emergency patient transportation services, and the current recipient of the contribution can provide these services but requires use of the CRD contribution to do so reliably;
- C. Participating area approval shall be obtained by electoral area director consenting on behalf;
- D. The Board wishes to amend Bylaw No. 2165 to enable the contribution from CRD to be utilize for to provide medical patient transportation as part of its response services;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. Bylaw No. 2165, "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No.1, 1993", is hereby amended as follows:
  - (a) In the preamble, at B, replacing the words "Electoral Area "G" (Outer Gulf Islands)" with the words "the Southern Gulf Islands Electoral Area" Replacing the words "Electoral Area G (Outer Gulf Islands)" whenever it appears with the words "Southern Gulf Islands Electoral Area";
  - (b) In section 1, inserting the words ", and medical patient transportation" after the words "emergency response services";
  - (c) In section 1, replacing the words "Electoral Area "G" (Outer Gulf Islands)" with the words "in the Southern Gulf Islands Electoral Area";
  - (d) In section 3, replacing the words "Electoral Area "G"" with the words "the Southern Gulf Islands Electoral Area";
  - (e) Replacing section 4 with the following:
    4. The annual cost of providing the Service, net of grants and other revenue, shall be recovered Section 378 of the *Local Government Act* by one or more of the following methods:
      - (a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*], 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 under the *Local Government Act* or another Act;

- (d) Revenues received by agreement, enterprise, gift, grant or otherwise.
- (f) By removing section 7 and its content and renumbering section 8 as section 7;
- (g) By replacing Schedule "A" with the Schedule "A" attached to this bylaw and deleting Schedule "B" in its entirety";
- (h) In section 2, replacing the words "highwater mark." With the words "highwater mark, as shown in Schedule "A".";
- (i) This bylaw may be cited for all purposes as "Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw No.1, 1993, Amendment Bylaw No. 3, 2022".

READ A FIRST TIME THIS	14 <sup>th</sup>	day of	December,	2022
READ A SECOND TIME THIS	14 <sup>th</sup>	day of	December,	2022
READ A THIRD TIME THIS	14 <sup>th</sup>	day of	December,	2022
APPROVED BY THE ELECTORAL AREA DIRECTOR THIS	14 <sup>th</sup>	day of	December,	2022
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	2 <sup>nd</sup>	day of	February,	2023
ADOPTED THIS		day of		2023

---

CHAIR

---

CORPORATE OFFICER

Schedule "A"

