

**STAFF REPORT TO THE PLANNING & PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, APRIL 26, 2006**

SUBJECT: Public Consultation Process for the Proposed Amendment to the Clean Air Bylaw

PURPOSE:

To inform the Committee and Board of the public consultation process planned for the proposed amendment to the CRD Clean Air Bylaw.

HISTORY/BACKGROUND:

In September 2005, the Board heard a request from the Chief Medical Health Officer (CMHO) of the Vancouver Island Health Authority (VIHA) to approve an amendment to the District's Clean Air Bylaw. The intent of the amendment is to provide greater definition regarding the development of outdoor patios at restaurants and bars in the Capital Regional District.

The Board tabled the proposed amendment and directed staff to develop a public consultation process (the Process) for the Board to receive public input regarding this proposed amendment. A summary of the Process, rescheduled to start in September 2006, is as follows:

Public Hearings: There will be three public hearings over two consecutive days either on September 19-20 or on September 26-27. Each hearing will last three hours with one hearing held in the afternoon and two hearings on consecutive evenings on those days.

One hearing each is planned for the Victoria area, the West Shore and the Saanich Peninsula. Confirmation of dates and venues will be determined in May.

A maximum of 30 speakers will be permitted at each hearing. Speakers will be pre-registered and will represent a balance of opinions. Each speaker will have a maximum of five minutes to speak. Hearings will be facilitated to maintain decorum and schedule. Hearings will also be videotaped and speakers, as well as attendees, may submit written opinions at those events.

Directors' Attendance: Members of the Planning & Protective Services Committee will be asked to attend at least two of these hearings. A schedule will be developed to ensure each hearing has a minimum number of Directors. Attendance by other Directors at any of these hearings is welcome and encouraged.

Public Notice: In the first two weeks of September, the CRD will advertise details of the public hearings in local news media (including the Driftwood newspaper on Salt Spring Island). Notices will also be posted on the CRD's website and on Shaw Cable.

Other Public Input: In early September a link on the CRD's website will be established directing individuals to a webpage with information and documents on the proposed amendment and public process. The website will also receive electronic

submissions from the public. Persons or organizations may also submit written comments directly to the CRD.

Public Comments A copy of all submissions and videotapes of the public hearings will be available for Directors to review ahead of the Committee and Board meetings on this topic.

Committee Meeting A report summarizing the Process and implications of the proposed amendment will be submitted to the Planning & Protective Services Committee in October.

Due to the 2006 UBCM conference (October 23-27th), a special meeting of the Committee will be required to address this issue. The tentative date of that meeting is Wednesday, October 18, 2006 and will be confirmed in the coming weeks.

Board Meeting The Committee's report to this issue will likely be on the agenda of the November 9, 2006 Board meeting.

Staff anticipate public attendance at both Committee and Board meetings.

ALTERNATIVES:

N/A

FINANCIAL IMPLICATIONS:

The VIHA CHMO's office has contributed \$24,500 to the CRD to administer public processes for the amendment to the Clean Air Bylaw and the proposed Tanning Bylaw.

CONCLUSION:

The public process for the amendment to the Clean Air Bylaw will start in September. Three public hearings are planned over two consecutive days in the last half of September (September 19-20th or September 26-27th). Board members are asked to note these dates in their calendars. Members of the Planning and Protective Services Committee will be requested to attend at least two public hearings. Staff will keep the Board members apprised of further details over the next four months.

RECOMMENDATION:

1. That the Committee receive this report for information; and,
2. That the Committee forwards this report to the Board for their information.

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Report Writer

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COMMENTS:

Kelly Daniels, CAO Concurrence