

REQUEST FOR DECISION REPORT

TO: Committee of the Whole

FROM: Michelle Jones, Manager of Administrative Services

IN COLLABORATION WITH: Christina Peake, Assistant Manager of Administrative Services

SUBJECT: Savary Island Community Recreation Service Establishment and Borrowing Process

ACTION/RECOMMENDATION

THAT the Committee recommend the Board receive the Savary Island Community Recreation Service Establishment and Borrowing Process report dated October 4, 2021; and

THAT staff be directed to conduct a non-binding survey intended to gather information on the community's desire for a recreation service and to gauge tolerance levels for tax levies; and

THAT the Electoral Area Feasibility Studies Budget for Savary Island Community Recreation be increased to \$35,000 for the year 2022.

PURPOSE/SUMMARY

The purpose of this report is to advise the Committee on the implications and procedures for conducting an Alternate Approval Process (AAP) for both a Community Recreation Service Bylaw and a Loan Authorization Bylaw for Savary Island, in Electoral Area A. The property in question is a known gathering spot for community meetings and a weekly summer market.

BACKGROUND

At the July 15, 2021 Committee of the Whole Meeting, two residents from Savary Island appeared as a delegation to ask the Board to consider purchasing a property on Savary island for the purpose of community recreation.

At the August 26, 2021 Board meeting the following resolution was passed:

THAT the Board direct staff to write a report on the implications and procedures for an alternate approval process for a community recreation centre service on Savary Island.

Savary Island Community Recreation has been included in the financial plan in EA Feasibility Studies since 2016 when community members were no longer able to use the Savary Island Main Firehall for recreation purposes due to Municipal Insurance Association evaluations.

STRATEGIC PLAN:

SOCIAL PLANNING

Participate and advocate for interests in social, cultural, economic and environmental affairs.

RECREATION AND CULTURE

Champion community and cultural events.

TYPE OF DECISION

Directive Decision

DISCUSSION/ANALYSIS

The Savary Island community is made up of 1368 properties. There are approximately 70 to 100 full-time residents. The majority of properties are owned by non-resident property owners. A recent data pull indicated that there were 2292 folio owners for properties on Savary.

Prior to conducting a service establishing process and obtaining approval for borrowing, staff recommend first seeking public feedback to determine level of desire for a publicly funded community recreation facility and service. This process is supported by the report "Alternative Approval Process: A Guide for Local Governments in British Columbia" which states:

Local governments (municipalities and regional districts) may involve citizens by undertaking nonbinding surveys, establishing advisory committees or by holding community open houses or public information-sharing sessions to gauge public opinion to inform their governance, policy direction and decision-making processes. These informal communication opportunities can assist regional district boards to better understand citizens' views or perceptions about a specific matter or bylaw – they can also serve as a way of first introducing a proposed or new initiative to the community.

Utilizing a non-binding approach to first gather information would also allow staff to survey tolerance level for tax levies. Given the contingent of non-resident property owners, staff recommend conducting a digital survey. This will allow those currently on island, as well as those that are not currently on the island to participate. Staff would develop a project page to ensure that community members could easily access and share information about this initiative.

The results of the survey would be reported to the Board. If a service was desired by the community and the Board, the next recommended step would be to conduct a feasibility study. This would involve engaging the current property owner, conducting a property evaluation to determine the state of the asset and identify potential needed repairs or upgrades. This would also be an appropriate time to review options of how the service would operate and ownership models.

The information would be compiled and reported to the Board. It would be at this time that the Board would typically direct staff to bring forward service establishing and loan authorization bylaws.

Bylaws would be given first through third reading and would then be certified and forwarded to the Inspector of Municipalities for approval as per the *Local Government Act* sections 406 & 407. The Board at this time would also direct staff to proceed with obtaining electoral consent via an Alternate Approval Process (AAP). An AAP requires that if 10 percent or more of the eligible electors sign and submit response forms in opposition to the proposed initiative, then the AAP is defeated. When this happens the issue is considered significant and the local government has two choices. They may proceed to assent voting within 80 days, or they may put the matter on hold and consider alternatives to the proposed action.

A follow-up report would be presented to the Board for approval of elector response forms, determining the number of eligible electors for the service area and establishing the deadline for receiving the elector response forms.

Given the contingent of non-resident property owners, it would be appropriate to mail-out to all known property owners electoral response packages, which would include, but not be limited to, elector response forms, information about the service and bylaws. During this period staff would conduct public information sessions. A combination of on island and virtual sessions is recommended.

Once the AAP concludes staff would report the results to the Board. If the AAP was successful, the Board would be in a place to legally adopt the bylaws. Following a one month quashing period staff would make application to the Ministry of Municipal Affairs and Housing for a Certificate of Approval (LGA 760).

To highlight the estimated time it would take to conduct the AAP inclusive of comprehensive public engagement below is a timeline:

Timeline	Action
6 weeks	Conduct survey to determine level of community desire for Community Recreation Facility and Service.
4 weeks	Report to Board with survey results.
3 - 4 months	Conduct a feasibility study and report information to the Board.
4 weeks	Report to the Board. Direction to bring bylaws forward.
6 - 8 Weeks	Bylaws brought forward and given first through third reading. The bylaws to be forwarded to the Inspector of Municipalities for approval (LGA 406 & 407).
2 - 4 weeks	Report to Board to determine eligible electors within the service area, electoral response forms and deadline for receiving.
32 days	AAP
2 - 4 weeks	Report to Board regarding results of AAP, if desired adoption of bylaws.
30 days	One month quashing period [LGA-s: 623(4)]
4 - 6 weeks	Application to the Ministry of Municipal Affairs and Housing for a Certificate of Approval (LGA 760).
2 - 4 weeks	Report to the Board to give first reading through adoption to temporary borrowing and security issuing bylaws.
Total Estimated Time 362 - 462 days	

Also of note, is the requirement to provide fully executed bylaws and service area map to BC Assessment to ensure they can code the impacted folios in the revised roll for inclusion in the next tax year. If the cost recovery method does not include parcel tax

the submission deadline is February 1 of the year it is going to be included. If the cost recovery method includes parcel tax the deadline is October 1.

FINANCIAL IMPACT

\$20,000 has been budgeted for Savary Island Community Recreation in Electoral Area Feasibility Studies, this amount was budgeted prior to contemplating a specific property. It is recommended if the Board would like to proceed with this process in 2022 that the budget be increased by \$15,000 to account for the additional cost of evaluating the property.

PUBLIC AND/OR STAKEHOLDER ENGAGEMENT REQUIRED OR PERFORMED

Policy 2.9 Public Communication and Engagement states:

Public engagement is integrally linked with decision-making and approaches to engagement must reflect the type of decision that is being made. Most decisions can be classified as directive, consultative or collaborative. Decisions are classed as citizen-lead in cases where decision-making authority has been given directly to the public.

Consultative Decisions

Are made by the Regional District by involving input from the community and have one or more of the following characteristics:

- *Public notification and input are required by law. The decision is a known concern of other parties, or is likely to have a significant impact on other parties (e.g. a proposed regional service).*
- *The decision affects moral or emotional expectations of the community (e.g. expansion of a facility/capital asset structure).*
- *The decision affects the “comfort envelope” (lifestyle or habits) of citizens (e.g. land use bylaws).*
- *People perceive there are risks associated with the decision (e.g. approving a “half-way” house to support convict rehabilitation).*
- *Board requests public input prior to making the decision (e.g. public buildings or open space management).*

Citizen-lead Decisions

Are made when the Regional District empowers citizens, communities or subsets of the public to assume full responsibility for decision-making. In these cases, the Regional District may act as a technical resource but does not actively participate in the decision making process, and agrees to respect and execute the resulting decision. A referendum about a newly proposed service is an example of citizen empowerment and citizen-lead decision-making.

CONCLUSION

Participating area approval is required for a regional district service establishing and loan authorization bylaws. The process outlined above would allow for evaluation and consideration at each step before proceeding further with the project. This engagement process also ensures that property owners and community members are involved informally at early stages and formally, should it be desired, in the decision making process.

Approved By:

Michelle Jones, Manager of Administrative Services
Al Radke, Chief Administrative Officer

Status:

Approved - 27 Oct 2021
Approved - 27 Oct 2021