



REQUEST FOR DECISION REPORT

TO: Finance Committee

FROM: Michelle Jones, Manager of Administrative Services

IN COLLABORATION WITH:

SUBJECT: Alternate Approval Process - Borrowing Northside Recreation Centre

ACTION/RECOMMENDATION

THAT the Committee recommend the Board make a fair determination that the total number of the electors to which the Alternate Approval Process applies for the Lund Community Centre Loan Authorization Bylaw No. 564, 2020 be established at 1063; and

THAT the Board approve the Elector Response Form attached as Appendix B; and

THAT the Board establish the deadline for receiving the Elector Response Forms for the Alternate Approval Process as March 6, 2023 at 4:00 pm.

PURPOSE/SUMMARY

To establish a fair determination of total number of electors, approve electoral response forms and establish a deadline for receiving electoral response forms for the Northside Recreation Local Service Area Loan Authorization Bylaw Alternate Approval Process.

BACKGROUND

At the August 27, 2020 Regional Board meeting the following motion was made:

THAT the Board direct staff to submit an application for grant funding for the Lund Community Centre Upgrade Project through the Investing in Canada Infrastructure Program – Community, Culture and Recreation; and

THAT the Board support the project and commits to its \$1.6 million share of the project cost; and THAT the Board direct staff to proceed with plans to upgrade the Lund Community Centre if the grant funding is successful; and

THAT the Loan Authorization Bylaw for the Lund Community Centre upgrade borrowing be forwarded to the Board for first through third reading; and

THAT the Board direct staff to seek elector assent using the Alternate Approval Process in order to borrow up to \$1.1 million.

The "Lund Community Centre Loan Authorization Bylaw No. 564, 2020" was given first, second and third reading at the September 30, 2020 Board meeting. This bylaw received statutory approval from the Inspector of Municipalities on November 13, 2020.

Staff submitted an application to the Investing in Canada Infrastructure Program – Community, Culture and Recreation for the project and a grant of \$4,199,082 was subsequently awarded in early 2022. A contribution agreement was executed in April 2022.

STRATEGIC PLAN:

GOVERNANCE / MANAGEMENT EXCELLENCE

Effectively plan for and manage existing and new assets.

Make decisions with consideration to risk, costs, health and safety, and long-term sustainability.

TYPE OF DECISION

Citizen-lead Decision

DECISION COMMENTS:

As per qathet Regional District Public Communication and Engagement Framework:

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.

LEGISLATIVE, REGULATORY, BYLAW OR POLICY IMPACT/RELATIONSHIP

Community Charter Section 86 (3) For each alternative approval process, the council must

(a) establish the deadline for receiving elector responses, which must be at least 30 days after the second publication of the notice under subsection (2),

(b) establish elector response forms, which

(i) may be designed to allow for only a single elector response on each form or for multiple elector responses, and

(ii) must be available to the public at the municipal hall from the time of first publication until the deadline, and

(c) make a fair determination of the total number of electors of the area to which the approval process applies.

DISCUSSION/ANALYSIS

For the AAP to begin as per *Community Charter Section 86 (3)(a)* the Board must establish the deadline for receiving elector response forms which must be at least 30 days after the second publication of notice. Public notice is scheduled for the following dates January 27, February 1, and 3, 2023. For purposes of calculation the February 3, 2023 date is considered the second publication of notice. The timeframe must have 30 clear days, this does not count February 3, or the last day to submit the elector response forms. The deadline of Monday, March 6, 2023 at 4:00 pm will allow for 30 clear days.

Community Charter Section 86 (3)(b) the Board must establish the elector response form that is available to the public. The form is attached as Appendix A.

Community Charter Section 86 (3) (c) the Board must make a fair determination of the total number of electors for the area to which the approval process applies and *Community Charter Section 86 (4)* must make available to the public, on request, a report respecting the basis on which the determination under subsection (3) (c) was made. Attached as Appendix B is a Determination of Eligible Elector Report.

FINANCIAL IMPACT

A grant of up to \$4,199,082 has been awarded by the Canada Infrastructure Program. This grant is limited as the Province will not exceed 73.33% of the total eligible expenditures of the project up to \$4,199,082. Therefore, in order to proceed with the project, the Regional District must fund the other 26.67% for eligible expenses and an additional amount for ineligible expenses. The AAP is required to obtain elector approval for the Regional District to borrow up to \$1,100,000 for to cover these cost.

The AAP will cost approximately \$5,000 for public engagement including mailouts.

PUBLIC AND/OR STAKEHOLDER ENGAGEMENT REQUIRED OR PERFORMED

The AAP is a required public process to proceed with borrowing. In addition, information will be distributed to the area regarding the AAP and project via Canada Post and staff will host a public information session. The Lund Community Society, the organization that operates this facility, has had considerable independent engagement on this project.

CONCLUSION

Obtaining elector approval for long term borrowing will be necessary in order to proceed with accepting the grant and proceeding with the project for the construction and renovation of the Lund Community Recreation Centre.

ATTACHMENTS

[Appendix A - Elector Response Form Final](#)

[Appendix B - Determination of Eligible Electors Northside Recreation](#)

Approved By:

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

Status:

Approved - 19 Dec 2022
Approved - 21 Dec 2022



ELECTOR RESPONSE FORM

Lund Community Centre Loan Authorization Bylaw No. 564, 2020

Each Elector Response Form may be signed by ONLY one elector of the Northside Community Recreation Service Area (Service Area). The Service Area, which can be described as all of Electoral Area 'A' except Savary Island is defined in the Northside Community Recreation Service Establishment Bylaw No. 366, 2003. To view a map of this area, see the Regional District website or visit the Regional District office (address on page 2).

1. If you are opposed to the District adopting the loan authorization bylaw, and **you qualify as an elector of the Northside Community Recreation Service Area**, you can sign and return an elector response form by **4:00 p.m. on Monday, March 6, 2023.**
2. If you are **NOT** opposed to the qathet Regional District adopting a loan authorization bylaw, you do not need to do anything.
3. To sign an elector response form, you **MUST** meet the qualifications as either a Resident Elector or a Non-Resident Property Elector. Non-resident Property Electors must have the written consent of a majority of the property owners to sign the response form on their behalf (see reverse). Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions.

Pursuant to the *Local Government Act* and the *Community Charter*, I, as an eligible elector within the Northside Community Recreation Service Area, do hereby register my objection to the adoption of "Lund Community Centre Loan Authorization Bylaw No. 564, 2020", which authorizes the borrowing of funds of up to \$1,100,000 to be repaid over a period not exceeding 30 years from the Municipal Finance Authority of B.C. for the construction and renovation of an approximately 6920 square foot addition and renovation to the Northside Community Recreation Centre in Lund, B.C.

By signing this Elector Response Form, I declare that:

- I am a Canadian citizen;
- I am an individual who is age 18 or older;
- I have been a resident of British Columbia for at least the past six months;
- I have been a resident of the Service Area for the past 30 days; or I own property and I am entitled to register as a non-resident property elector in the Service Area;
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to this matter.
- I am not disqualified by the *Local Government Act*, or any other enactment, from voting in an election or am not otherwise disqualified by law.

FULL NAME OF ELECTOR _____
 (please print)

ELECTOR'S RESIDENTIAL STREET ADDRESS _____

- SELECT ONE:**
- Resident Property Elector**
 - Non-Resident Property Elector I am a non-resident property elector who lives in another community and owns property in the Northside Community Recreation Service Area located at:**

PHONE NUMBER _____

SIGNATURE _____

DATE SIGNED _____

REGISTERED OWNERS CONSENT TO A PERSON REGISTERING AS A NON-RESIDENTPage 6 of 8
PROPERTY ELECTOR

*Note: Complete this side of the form if there is more than one registered owner.
 A majority of the registered owners must provide consent to the person registering as a Non-Resident Property Elector. The person designated as the Non-Resident Property Elector must be one of the owners of the property, and must be one of the individuals granting consent.*

WE, together with the person registering as a non-resident property elector, constitute a majority of registered owners of real property situated in the Northside Community Recreation Service Area, and hereby give consent to:

Surname, Given Name(s) of Person Designated to be the Non-Resident Property Elector

to be registered as the Non-Resident Property Elector for the jointly-owned property described on the other side of this form.

<i>Registered Owner's Surname, Given Name</i>	<i>Signature</i>
<i>Registered Owner's Surname, Given Name</i>	<i>Signature</i>
<i>Registered Owner's Surname, Given Name</i>	<i>Signature</i>
<i>Registered Owner's Surname, Given Name</i>	<i>Signature</i>

IMPORTANT INFORMATION		
<p>All Elector Response Forms must be received by the qathet Regional District on Monday, March 6, 2023 at 4 PM.</p> <p>Elector responses must be given in this Elector Response Form. Additional Elector Response Forms are available at the qathet Regional District office. The only persons eligible to sign this form are the electors of the Northside Community Recreation Service Area.</p> <p>Postmarks WILL NOT be accepted as the date of submission, ORIGINAL SIGNATURES ARE REQUIRED, therefore the Elector Response Form may not be returned by email or by fax.</p>	<p>For the purpose of the Alternate Approval Process for "Lund Community Centre Loan Authorization Bylaw No. 564, 2020", the number of eligible electors has been fairly determined to be 1063.</p> <p>If at least 10% (106) of eligible electors sign and submit a completed Elector Response Form by the deadline, the Regional District Board may not proceed with adopting "Lund Community Centre Loan Authorization Bylaw No. 564, 2020" unless elector approval is obtained by assent voting (referendum).</p>	<p>For further information, please contact:</p> <p>Michelle Jones, Manager of Administrative Services email: vote@qathet.ca Phone:</p> <p><u>Return forms to:</u> qathet Regional District, #202 - 4675 Marine Avenue, Powell River, BC V8A 2L2</p> <p>It is the elector's responsibility to deliver or post the Elector Response Form in sufficient time for delivery to the qathet Regional District by 4:00 p.m. on Monday, March 6, 2023.</p>

Lund Community Centre Loan Authorization Bylaw No. 564, 2020
Determination of Total Number of Eligible
Electors for Purposes of an Alternative Approval Process

- Purpose:** To make a fair determination of the total number of electors within the area affected by the Lund Community Centre Loan Authorization Bylaw No. 564, 2020.
- Area Affected:** The area affected by the Lund Community Centre Loan Authorization Bylaw is a portion of Electoral Area 'A' as defined under the Northside Community Recreation Service Establishment Bylaw No. 366, 2003 Schedule 'A'.
- Eligible Elector:** An elector is defined as a person who would qualify to vote on the matter of approving the Lund Community Centre Loan Authorization Bylaw, if such a vote was to be held.
- Authority:** Section 86, *Community Charter*
Section 269, *Local Government Act*
- Objective:** Once the Corporate Officer has made a fair determination of eligible electors, 10 per cent of that number will be set as the threshold for determining whether the Regional Board may adopt the bylaw without the requirement for elector assent by voting.
- Methodology:** Statistics from Statistics Canada and B.C. Assessment Authority have been used to determine the number on eligible resident and non-resident property electors. These are public agencies which maintain comprehensive databases of population, population distribution, property ownership, and other demographic data.

The following steps were taken to determine the number of eligible resident voters within the proposed service area boundary:

1. Estimated 2021 population total for the Service Area (part of Electoral Area A), was calculated using Statistic Canada. The figure used for calculating estimate is 92% of total population.
2. According to Statistics Canada Census information from 2021, 3.6 per cent of the total electoral area population are not Canadian citizens, and therefore are ineligible to vote.
3. Census data indicates that 15.8 per cent of Canadian citizens are under 18 years of age in the electoral area, and therefore are ineligible to vote.
4. Non-resident property electors (NRPEs) which must be qualified in all other respects (ie. 18 years of age or older, Canadian citizen, resident of B.C.) before they may be considered eligible electors. In respect of the Service Area, the number of NRPEs is estimated to be 129 based on an analysis of B.C. Assessment tax roll information, and the requirement that a person may register as a non-resident elector only in relation to one parcel of real property in an electoral area.

**Summary
Calculation:**

The number of eligible electors has been calculated as follows:

<u>Step 1:</u>		<u>1150</u>	Estimated population for the service area.
<u>Step 2:</u>	-	<u>41</u>	Less estimate for non-Canadian citizens.
<u>Step 3:</u>	-	<u>175</u>	Less estimate for population under 18.
<u>Step 4</u>	+	<u>129</u>	Add eligible non-resident property electors.
	=	<u>1063</u>	(total eligible electors)
		<u>106</u>	10 % of eligible electors

Conclusion:

For the purpose of the Alternate Approval Process for Lund Community Centre Loan Authorization Bylaw No. 564, 2020, the number of eligible electors has been fairly determined to be **1063**. The number of elector responses needed to prevent adoption of Lund Community Centre Loan Authorization Bylaw No. 564, 2020 without first obtaining elector assent by voting is, therefore, **106**.