

**DATE:** July 7, 2021

**FILE:** 3900-02

**TO:** Chair and Directors  
Comox Valley Regional District Board

**FROM:** Russell Dyson  
Chief Administrative Officer

Supported by Russell Dyson  
Chief Administrative Officer

*R. Dyson*

**RE: 2021 Unified Alternative Approval Process Results**

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### **Purpose**

To confirm the results of the Alternative Approval Processes that were conducted to seek the approval of the electors for Bylaws 636, 637, 638, 647, 648, 649 and 650.

### **Recommendation from the Chief Administrative Officer:**

None. This report is presented for information only.

### **Executive Summary**

- The *Local Government Act* requires regional districts to obtain participating area approval for most service establishment and loan authorization bylaws. The Comox Valley Regional District (CVRD) Board initiated an Alternative Approval Process (AAP) for the following Bylaws as part of the 2021 Unified AAP process:
  - Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”
  - Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”
  - Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”
  - Bylaw No. 647 being “Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021”
  - Bylaw No. 648 being “Comox Valley Regional District Northern Garbage Collection Service Establishment Bylaw No. 648, 2021”
  - Bylaw No. 649 being “Comox Valley Regional District Central Garbage Collection Service Establishment Bylaw No. 649, 2021”
  - Bylaw No. 650 being “Comox Valley Regional District Southern Garbage Collection Service Establishment Bylaw No. 650, 2021”
- The official notices of the AAPs for the above-mentioned bylaws were published in the Comox Valley Record on May 26 and June 2, 2021. This notice provided electors a minimum of 30 days in which to sign an elector response form. By signing an elector response form, the electors would be registering their opposition to the CVRD adopting the bylaws.
- In order for the CVRD Board to proceed with the final adoption of the bylaws, less than 10 per cent of the electors in each service area would have to submit an elector response form. The results of the AAPs are summarized below and detailed in the attached Corporate Officer's certification of the results for each AAP.

Bylaw	Estimated number of eligible electors	Number of response forms accepted	Percentage of estimated electors who validly submitted response forms
Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”	3,901	6	0.15%
Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”	10,785	20	0.19%
Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”	1,083	24	2.22%
Bylaw No. 647 being “Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021”	30,736	17	0.06%
Bylaw No. 648 being “Comox Valley Regional District Northern Garbage Collection Service Establishment Bylaw No. 648, 2021”	3,370	410	12.17%
Bylaw No. 649 being “Comox Valley Regional District Central Garbage Collection Service Establishment Bylaw No. 649, 2021”	10,678	1,630	15.27%
Bylaw No. 650 being “Comox Valley Regional District Southern Garbage Collection Service Establishment Bylaw No. 650, 2021”	2,361	370	15.67%

- As detailed in the attached Corporate Officer Certifications, those elector response forms determined to be invalid were based on various determinations, including ineligibility (eg. not a resident of the service area, absence of required documentation to register as a non-resident property elector) and the submission of duplicate elector response forms.
- Given the results outlined in the table above the Board may now consider adoption of Bylaws 636, 637, 638 and 647.
- With respect to Bylaws 648, 649 and 650, as more than 10% of the estimated electors opposed the Board’s intention to adopt the proposed service establishment bylaws, Board direction is required to consider whether to proceed to an assent vote (i.e. referendum(s)) or to abandon the initiatives. As these initiatives (rural garbage collection) concern only the electoral areas a report will be considered at the July 12, 2021 Electoral Areas Services Committee for this purpose.

Prepared by:

Concurrence:

*J. Martens*

*J. Warren*

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Jake Martens  
General Manager of  
Corporate Services

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James Warren  
Deputy Chief  
Administrative Officer

**Government Partners and Stakeholder Distribution (Upon Agenda Publication)**

N/A	
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Attachments:

Appendix A – Corporate Officer's Certifications

File: 4200-01

July 7, 2021

**Re: Certification of Alternative Approval Process Results**

I, James Warren, Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021” for the purpose of establishing a service, which would provide consistent funding for the maintenance and operation of community halls within the local area, including Royston, Fallen Alders, Union Bay, Fanny Bay and Ships Point as follows:

3901	Estimated number of eligible electors located within the service area
390	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 636 unless an assent vote (referendum) is held
6	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
0	Number of elector response forms rejected
6	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 636 was obtained.

Certified this 7<sup>th</sup> day of July, 2021.



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James Warren  
Corporate Legislative Officer

File: 4200-01

July 7, 2021


**Re: Certification of Alternative Approval Process Results**

I, James Warren, Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2” which would amend the service by expanding the boundaries, increasing the maximum requisition and amending the purpose to include providing capital and operating assistance for approved community facilities within a portion of CVRD Electoral Area B (Lazo North) and Electoral Area C (Puntledge - Black Creek), including Black Creek, Halbe, Dove Creek and Merville halls, as follows:

10,785	Estimated number of eligible electors located within the service area
1,079	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 637 unless an assent vote (referendum) is held
22	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
2	Number of elector response forms rejected
20	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 637 was obtained.

Certified this 7<sup>th</sup> day July, 2021.



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James Warren  
Corporate Legislative Officer

July 7, 2021

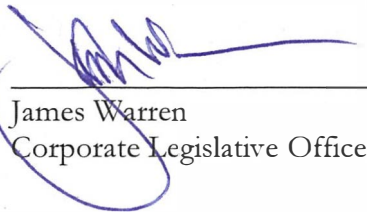
**Re: Certification of Alternative Approval Process Results**

I, James Warren, Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021” which would provide a mosquito management service within a portion of CVRD Electoral Area C (Puntledge – Black Creek). as follows:

1,083	Estimated number of eligible electors located within the service area
108	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 638 unless an assent vote (referendum) is held
24	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
0	Number of elector response forms rejected
24	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 638 was obtained.

Certified this 7<sup>th</sup> day of July, 2021.



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James Warren  
Corporate Legislative Officer

July 7, 2021

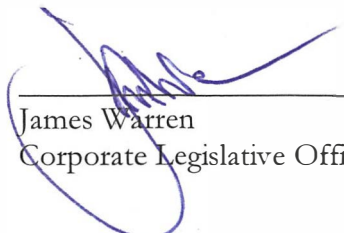
**Re: Certification of Alternative Approval Process Results**

I, James Warren, Deputy Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Bylaw No. 647 being “Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021” for the purpose of authorizing the borrowing of fifty-two million dollars (\$52,000,000) to be repaid over a maximum 30-year period for the replacement and upgrading of the pipes and related pump stations that convey wastewater from Courtenay, the K’ómoks First Nation, and Comox to the Comox Valley Water Pollution Control Centre, as follows:

30,736	Estimated number of eligible electors located within the service area
3,074	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 647 unless an assent vote (referendum) is held
22	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
5	Number of elector response forms rejected
17	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 647 was obtained.

Certified this 7<sup>th</sup> day of July, 2021.



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James Warren  
Corporate Legislative Officer

July 7, 2021

**Re: Certification of Alternative Approval Process Results**

I, James Warren, Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the electors for Bylaw No. 648 being “Comox Valley Regional District Northern Garbage Collection Service Establishment Bylaw No. 648, 2021” for the purpose of establishing a service for operating and carrying out the collection, removal and disposal of garbage and recyclable material in the service area, within a portion of CVRD Electoral Area C (Puntledge - Black Creek) and funded through utility fees estimated to a maximum of \$250 annually, as follows:

3,370	Estimated number of eligible electors located within the service area
337	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 648 unless an assent vote (referendum) is held
460	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
50	Number of elector response forms rejected
410	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 648 was not obtained.

Certified this 7<sup>th</sup> day of July, 2021.



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James Warren  
Corporate Legislative Officer



July 7, 2021

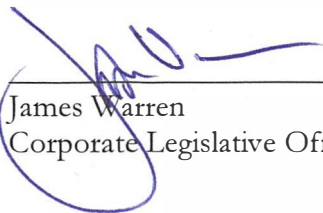
**Re: Certification of Alternative Approval Process Results**

I, James Warren, Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the electors Bylaw No. 649 being “Comox Valley Regional District Central Garbage Collection Service Establishment Bylaw No. 649, 2021” for the purpose of authorizing the establishment of a service for operating and carrying out the collection, removal and disposal of garbage and recyclable material in the service area, within a portion of CVRD Electoral Area A (Baynes Sound – Denman/Hornby Islands), Electoral Area B (Lazo North) and Electoral Area C (Puntledge - Black Creek) and funded through utility fees estimated to a maximum of \$250 annually, as follows:

10,678	Estimated number of eligible electors located within the service area
1,067	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 649 unless an assent vote (referendum) is held
1,751	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
121	Number of elector response forms rejected
1,630	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 649 was not obtained.

Certified this 7<sup>th</sup> day of July, 2021.



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James Warren  
Corporate Legislative Officer

File: 4200-01

July 7, 2021

**Re: Certification of Alternative Approval Process Results**

I, James Warren, Corporate Legislative Officer of the Comox Valley Regional District, do hereby certify the results of the alternative approval process that was conducted to obtain the approval of the Bylaw No. 650 being "Comox Valley Regional District Southern Garbage Collection Service Establishment Bylaw No. 650, 2021" for the purpose of authorizing the establishment of a service for operating and carrying out the collection, removal and disposal of garbage and recyclable material in the service area, within a portion of CVRD Electoral Area A (Baynes Sound – Denman/Hornby Islands) and funded through utility fees estimated to a maximum of \$250 annually, as follows:

2,361	Estimated number of eligible electors located within the service area
236	Estimated number of eligible elector responses required to oppose adoption of Bylaw No. 650 unless an assent vote (referendum) is held
390	Number of elector response forms submitted by the deadline (July 5, 2021 4:30 p.m.)
20	Number of elector response forms rejected
370	Number of elector response forms accepted

In accordance with Section 86 of the Community Charter, I hereby determine and certify that the approval of the electors for Bylaw No. 650 was not obtained.

Certified this 7<sup>th</sup> day July, 2021.



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James Warren  
Corporate Legislative Officer