

**DATE:** February 18, 2021

**FILE:** 3900-02

**TO:** Chair and Members  
Electoral Areas Services Committee

**FROM:** Russell Dyson  
Chief Administrative Officer

Supported by Russell Dyson  
Chief Administrative Officer

**RE:** **2021 Singular Alternative Approval Process  
– Service Establishment Requirements**

*R. Dyson*

### **Purpose**

To bring forward the respective service establishing bylaws and other legislative requirements for the 2021 singular Alternative Approval Process (AAP).

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

1. THAT the following bylaws be introduced, read three times, and forwarded to the Inspector of Municipalities for approval:
  - 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”;

AND FURTHER THAT participating area approval be sought by way of Alternative Approval Processes to be conducted with respect to the elector approval required for Bylaws No. 636, 637 and 638 for their entire proposed service areas.

2. THAT with respect to proposed Bylaws No. 636, 637 and 638, the Comox Valley Regional District (CVRD) Board approves the Elector Response Form and bylaw synopses as provided in the Notices of the Alternative Approval Process (AAP) and upon receiving approval of the three bylaws by the Inspector of Municipalities, CVRD staff be directed to publish the Notice for each bylaw in accordance with section 86(2) of the *Community Charter* including the following information, as generally outlined in the staff report dated February 18, 2021;
  - a. the total number of eligible electors to which the AAP applies are as follows:
    - i. 3,901 within the proposed service area of the Baynes Sound Community Facilities Support Service (Bylaw No. 636);
    - ii. 10,785 within the proposed service area of the Puntledge North Community Facilities Support Service (Bylaw No. 637);
    - iii. 1,083 within the proposed service area of the Saratoga Beach Community Mosquito Management Service (Bylaw No. 638);
  - b. the Notices of the AAP shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;
  - c. the deadlines for receiving elector responses is established as Monday, July 5, 2021 at 4:30 p.m. following the 30-day statutory elector response period;

- d. the elector response form provides for only a single elector response on each form and will be available at the CVRD offices and on the CVRD website from the first publication date of the Notices of AAP until the deadline of the elector response period as determined above; and
- e. elector response forms may be accepted in any one of the following manners:
  - i. In person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:00 AM - 4:30 pm, excluding Statutory Holidays);
  - ii. Via mail to: 770 Harmston Avenue, Courtenay, BC, V9N 0G8;
  - iii. Via fax at: 250-334-4358; or
  - iv. Via email attachment to: administration@comoxvalleyrd.ca with the subject heading: “Elector Response”.

**Executive Summary**

- At the January 26, 2021 regular meeting the CVRD Board (Board) resolved to conduct an AAP to seek elector assent for the following bylaws:
  - 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”; and
  - Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”.
- As part of the COVID-19 Finance and Administration Response and Renewal Plan, the AAPs for the three initiatives will be conducted concurrently through a singular process in the spring to support public awareness and transparency as well as promote a more efficient use of resources.
- In addition to the three electoral area initiatives, other AAP processes may be included with the singular approach if the timing of the AAPs align. If required, the timing for the AAPs may be adjusted and the elector response period proposed would be June 3, to July 5, 2021.
- In launching the AAPs the following matters must be dealt with by the Board:
  - initial readings of the bylaws be given by the Board
  - confirmation of the form to be used for elector responses
  - determination of the number of eligible electors within the area that is subject to the AAP
  - approve the synopsis of each of the bylaws for notice purposes, and
  - establishment of the deadline for receiving responses from electors.

Prepared by:

Concurrence:

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

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 Doug DeMarzo  
 General Manager of Community  
 Services

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

N/A	
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## Background/Current Situation

At its November 24, 2020 regular meeting, the Board passed a resolution confirming its intention and providing direction to staff to undertake a singular AAP in order to obtain elector assent for the following four initiatives:

- Rural Cumberland Fire Maximum Requisition Increase;
- Electoral Area A Community Halls Service Establishment;
- Electoral Areas B and C Community Halls Service Establishment (now proposed as the Puntledge North Community Facilities Support Service);
- Saratoga Pest Management Service Establishment.

Following the Board's direction in November it was confirmed that the initiative to increase the maximum requisition for the Rural Cumberland Fire Service was not required at this time. This was the result of the budget submission from the Village of Cumberland, which provides contract services for the Rural Cumberland Fire Service, being within the scope of the existing five-year financial plan. This will be revisited again next year following completion of the Village's new fire hall.

The remaining initiatives were subsequently considered by the Electoral Areas Services Committee at its January 11, 2021 regular meeting, with further support for their advancement being received and direction to bring forward the establishing bylaws for consideration of readings. These bylaws have been attached as Appendix A, B and C to this report.

In accordance with the COVID-19 Finance and Administration Response and Renewal Plan, a singular AAP is being coordinated to occur once a year starting in the spring of 2021. A singular process is intended to reduce costs, streamline processes internally and ensure clear, consistent timing and messaging with residents on participation in local decision-making processes.

If possible, additional AAPs for other projects may be considered in the singular approach where timing aligns. Conversely, initiatives with significant timing or other strategic considerations that cannot be accommodated in the singular approach may be brought forward separately.

In an AAP, instead of casting a ballot at a voting place, eligible electors have 30 days to register their opposition to the initiative by completing an Elector Response Form and submitting it to the Corporate Legislative Officer before the deadline. Approval is received if less than 10 per cent of the eligible electors within the proposed service area sign and submit an Elector Response Form by the AAP deadline.

Section 86 of the *Community Charter* sets out specific requirements for an AAP. The Act provides that the Board must:

- Establish the deadline for receipt of elector responses;
- Establish elector response forms;
- Make a fair determination of the total number of electors of the area to which the approval process applies.

### Deadline for Submission

The deadline for submission of elector response forms may be no sooner than 30 days after the second publication of the AAP notice in the local newspaper. Assuming that the Inspector of Municipalities has approved Bylaws 636, 637 and 638, it is proposed that the Statutory Notice of AAP be published for two consecutive weeks in the Comox Valley Record on May 26 and June 2. By setting the deadline for submission of elector response forms as Monday, July 5<sup>th</sup> at 4:30 pm

electors will have no less than 30 days from the last newspaper publication to sign and submit it to the CVRD Corporate Legislative Officer.

Elector Response Form

Elector response forms for each of the initiatives are attached to this report for the Board's approval. (Appendix D, E and F).

Determination of Eligible Electors

The *Community Charter* and the *Local Government Act*, require that the Board make a fair determination of the total number of electors within the area affected by the bylaw for which the AAP is being conducted.

The number of people eligible to be a resident elector or a non-resident property elector is determined based on those individuals who, when signing an elector response form:

- are 18 years of age or older;
- are a Canadian citizen;
- have lived in British Columbia for at least six months;
- have lived or owned property in the jurisdiction (i.e. municipality or electoral area) for at least 30 days;
- live or own property in the area defined for the AAP; and,
- are not disqualified under the *Local Government Act*, or any other enactment from voting in a local election, or are not otherwise disqualified by law.

The estimated number of eligible electors within the areas defined for the AAP is based on information from various sources (as indicated below), calculated as follows:

<b>Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”</b>	
Estimated service area population (see (1) below): $7,787/4,563 = 1.71 \quad 1.71 \times 2,607 = 4,458$	4,458
Estimated number of people 18 years of age or older: (see (2) below): $4,458 \times 0.84 = 3,745$	3,745
Add estimated # of non-resident property electors (see (3) below): $0.06 \times 2,607 = 156$	<u>156</u>
Estimated total # of eligible electors in the area defined for the Alternative Approval Process	<u>3,901</u>
10 per cent of the total # of eligible electors is estimated to be:	<b>390</b>

<b>Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”</b>	
Estimated service area population (see (1) below):	12,473

16,923/6,978 = 2.43    2.43 x 5,133 = 12,473	
Estimated number of people 18 years of age or older: (see (2) below): 12,473 x 0.84 = 10,477	10,477
Add estimated # of non-resident property electors (see (3) below): 0.06 x 5,133 = 308	<u>308</u>
Estimated total # of eligible electors in the area defined for the Alternative Approval Process	<u>10,785</u>
10 per cent of the total # of eligible electors is estimated to be:	<b>1,079</b>

<b>Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”</b>	
Estimated service area population (see (1) below): 9,223/3,902 = 2.36    2.36 x 530 = 1,251	1,251
Estimated number of people 18 years of age or older: (see (2) below): 1,251 x 0.084 = 1,051	1,051
Add estimated # of non-resident property electors (see (3) below): 0.06 x 530 = 32	<u>32</u>
Estimated total # of eligible electors in the area defined for the Alternative Approval Process	<u>1,083</u>
10 per cent of the total # of eligible electors is estimated to be:	<b>108</b>

Sources:

1. The total estimated population within the service area was derived from information obtained from the BC Assessment tax roll information and Statistics Canada population estimates which when divided provides a factor for the average persons per residential folio within Electoral Area A. This factor was then multiplied by the number of residential folios within the service area.
2. The estimated number of people 18 years of age or older was derived from information obtained from BC Statistics website, based on 2019 population estimates for the CVRD which indicate that approximately 84 per cent of the population within the CVRD is in the age group of 18-90+. This percentage was then multiplied by the estimated service area population.
3. The number of Non-Resident Property Electors (NRPE) has been estimated at six per cent of the residential property folios within the service area. This has been determined from analysis of non-resident property elector voter registration from the 2018 general local elections and from a review of BC Assessment property ownership data. Notwithstanding variations in regional ownership, it is believed that this factor would be sufficiently accurate for estimating the number of non-resident property electors within the service area.

### Approve a Synopsis of Bylaws

The *Local Government Act* authorizes regional districts to approve a synopsis of the bylaw for notice purposes as part of the AAP. The synopsis must include the intent of the bylaw, the area subject to the bylaw and where a complete copy of the bylaw can be viewed. Using a synopsis for the public notices instead of the publishing the bylaw in its entirety is cost effective and more accessible for the public to interpret. Attached for consideration of approval by the Board is a synopsis of each of the proposed bylaws.

### **Policy Analysis**

Section 332 of the *Local Government Act* identifies that a regional district may by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district. The Inspector of Municipalities' approval of these proposed service bylaws is required before undertaking an AAP.

The Board is required by statute to obtain participating area approval and in these instances is permitted to use the AAP to obtain the assent of the electors. In relation to the AAP, the Board may, by resolution, adopted by at least two thirds of the votes cast, provide that the participating area approval is to be obtained for the entire proposed service area, which is provided for in the recommendation of this report.

### **Options**

The Committee may consider the following options:

1. Endorse the recommendation(s) and proceed with the AAP process for each of the noted services.
2. Deny the recommendation(s) and proceed with only a select initiative or none at all.
3. Defer the matter for further consideration. This would alter the proposed timelines for the singular AAP.
4. Any other action deemed appropriate by the Board.

### **Financial Factors**

The advertising costs for the statutory public notices associated with the AAP is estimated at \$8,000 - \$10,000 for the three initiatives, with such costs being distributed between the individual services.

Section 339 (1)(e) of the *Local Government Act* requires that an establishing bylaw for a regional district service must set out the maximum amount that may be requisitioned for the service. As such, the projected maximum levies for the three new service areas to be establishment are as follows:

1. Baynes Sound Community Facilities Support Service

The initial maximum levy for the Baynes Sound Community Facilities Support service has been estimated to be the greater of \$45,425 or \$0.02617 per \$1,000 of taxable assessed value, based on the 2021 completed roll assessment data. The 2022 tax requisition required has been projected to be \$37,500 resulting in an estimated residential tax rate of \$0.01903 per \$1,000 of taxable assessed value, based on the 2021 completed assessment roll. For a home assessed at \$500,000, the tax impact would be \$9.52.

2. Black Creek Community Centre Contribution Service

The initial maximum levy for the Black Creek Community Centre Contribution service has been estimated to be the greater of \$144,325 or \$0.05675 per \$1,000 of taxable assessed value, based on the 2021 completed roll assessment data. The 2022 tax requisition required has been projected to be \$123,500 resulting in an estimated residential tax rate of \$0.04186

per \$1,000 of taxable assessed value, based on the 2021 completed assessment roll. For a home assessed at \$500,000, the tax impact would be \$20.93.

3. Saratoga Beach Community Mosquito Management Service

The initial maximum levy for the Saratoga Beach Community Mosquito Management service has been estimated to be the greater of \$36,800 or \$0.09638 per \$1,000 of taxable assessed value, based on the 2021 completed roll assessment data. The 2022 tax requisition required has been projected to be \$31,000 resulting in an estimated residential tax rate of \$0.07898 per \$1,000 of taxable assessed value, based on the 2021 completed assessment roll. For a home assessed at \$500,000, the tax impact would be \$39.49.

### **Legal Factors**

Under provincial legislation, local governments can use an AAP as a method to directly engage citizens about certain bylaws or other initiatives requiring elector approval.

The bylaws in question (attached as appendix A, B and C) includes the legislated content, including:

- A description of the service;
- A map of the service boundaries;
- Identifying the participating areas in the service;
- Identifying the method of cost recovery to fund the service; and
- Set the maximum amount that may be requisitioned for the service.

In addition, the bylaw will need the approval of the Inspector of Municipalities and the electors. Provided the maximum amount that may be requisitioned for the service is less than or equal to 50 cents for each \$1000 of net taxable value of land and improvements in the service area, elector approval can be done by way of an AAP.

### **Regional Growth Strategy Implications**

While the Comox Valley Regional Growth Strategy (RGS) does not provide direct reference to community halls and mosquito management, these matters are relevant to Goal 2: Ecosystems, Natural Areas and Parks.

In this regard, the RGS acknowledges that parks and other public facilities provide space for public assembly and recreation. Providing such amenities close to where people live encourages physical activity and promotes mental health.

### **Intergovernmental Factors**

As these initiatives concern electoral area services engagement and collaboration with other local governments is not required or necessary.

### **Interdepartmental Involvement**

The Legislative Services Department has collaborated with the Community Services Branch respecting these initiatives.

### **Citizen/Public Relations**

In the context of COVID 19 pandemic and Public Health Orders requiring physical distancing and limiting public gatherings, staff has developed a communication plan that provides for individual project and AAP webpages to serve as the primary source of information for the public.

In addition, a communication plan has also been developed for the singular AAP process which calls for the publication of a short video, news release, public advertising and inclusion in CVRD newsletters.

The Legislative Services Department is responsible for the coordination and conduct of all statutory public approval processes and ensures compliance with applicable provincial legislation.

Attachments:

Appendix A - Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”

Appendix B - Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”

Appendix C - Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”

Appendix D - Elector Response Form - Bylaw No. 636

Appendix E - Elector Response Form - Bylaw No. 637

Appendix F - Elector Response Form - Bylaw No. 638

Appendix G – Notice of Alternative Approval Process Bylaw No. 636

Appendix H – Notice of Alternative Approval Process Bylaw No. 637

Appendix I – Notice of Alternative Approval Process Bylaw No. 638



**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 636**

**A bylaw to establish the Baynes Sound Community Facilities Support Service within Electoral Area A**

**WHEREAS** in accordance with the *Local Government Act (RSBC, 2015, C. 1)* a regional district may operate any service the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the Board of the Comox Valley Regional District wishes to establish a community facilities support service within and for the benefit of the Baynes Sound portion of Electoral Area A;

**AND WHEREAS** the approval of the Inspector of Municipalities has been obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*; and

**AND WHEREAS** participating area approval has also been obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*;

**NOW THEREFORE** the Board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Definitions**

1. In this bylaw, unless the context otherwise requires:

“**community facilities**” means any CVRD Board-approved public building or buildings located within the boundaries of the service area and that is owned and operated by a not-for-profit organization or the CVRD and that is used for public athletic, social, cultural or recreational activities.

“**expenses**” means expenses related to operating and maintaining the community facilities.

“**eligible organization**” means a registered not-for-profit organization in good-standing with the provincial or federal government

**Service**

2. (1) The service established by this bylaw is to provide financial assistance to eligible organizations for expenses related to maintaining and operating community facilities.
- (2) The service shall be known as the Baynes Sound Community Facilities Support Service (the ‘service’).

**Boundaries**

3. The boundaries of the service shall be that portion of Electoral Area ‘A’ (Baynes Sound-Denman/Hornby Islands) as identified in Schedule ‘A’ attached to and forming part of this bylaw.

**Participating areas**

4. Electoral Area ‘A’ (Baynes Sound- Denman/Hornby Islands) includes the participating area in the service.

**Cost recovery**

- 5. As provided in section 378 of the *Local Government Act (RSBC, 2015, C. 1)*, the annual cost for this service shall be recovered by one or more of the following:
  - (a) property value taxes;
  - (b) parcel taxes;
  - (c) fees and charges;
  - (d) revenues raised by other means authorized by the *Local Government Act (RSBC, 2015, C. 1)* or another Act; and
  - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

**Maximum requisition**

- 6. In accordance with section 339(1)(e) of the *Local Government Act (RSBC, 2015, C. 1)*, the maximum amount that may be requisitioned annually for the cost of the service is the greater of \$45,425 or \$0.02617 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes.

**Citation**

This Bylaw No. 636 may be cited as “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”.

<b>Read a first and second time this</b>	<b>day of</b>	<b>2021.</b>
<b>Read a third time this</b>	<b>day of</b>	<b>2021.</b>
<b>Approved by the Inspector of Municipalities this</b>	<b>day of</b>	<b>2021.</b>
<b>Received participating area approval this</b>	<b>day of</b>	<b>2021.</b>
<b>Adopted this</b>	<b>day of</b>	<b>2021.</b>

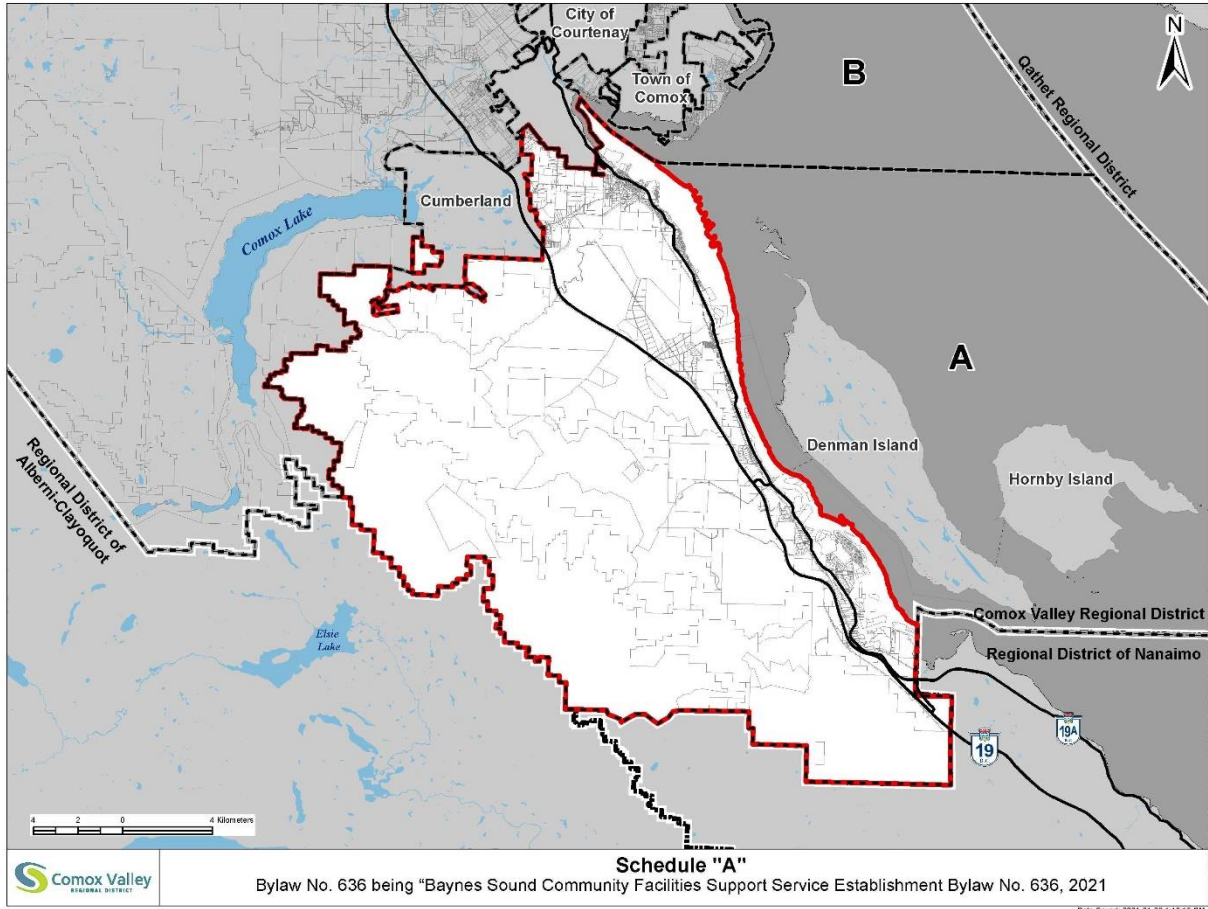
\_\_\_\_\_  
Chair

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Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021” as adopted by the Board of the Comox Valley Regional District on the     day of     2021.

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Corporate Legislative Officer

**Schedule 'A'**



**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 637**

**A bylaw to amend the Black Creek Community Centre Contribution Service to expand the boundaries and purpose to include providing capital and operating support for community facilities and to increase the maximum requisition**

**WHEREAS** the Black Creek Community Centre Contribution Service was created by the adoption of Bylaw No. 47 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009” on the 30<sup>th</sup> day of July 2009;

**AND WHEREAS** the board wishes to 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 Electoral Area B and Electoral Area C and to;

**AND WHEREAS** the approval of the Inspector of Municipalities has been obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*; and

**AND WHEREAS** participating area approval has also been obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Amendment**

1. Bylaw No. 47 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009” is hereby amended by:

- (a) Inserting a new section 1 (Definitions) as follows and renumbering the existing sections accordingly:

**“Definitions**

1. In this bylaw, unless the context otherwise requires:

**“community facilities”** means any CVRD Board-approved public building or buildings located within the boundaries of the service area and that is owned and operated by a not-for-profit organization or the CVRD and that is used for public athletic, social, cultural or recreational activities.

**“expenses”** means expenses related to operating and maintaining the community facilities.

**“eligible organization”** means a registered not-for-profit organization in good-standing with the provincial or federal government.

- (b) Replacing section 1 (Service) which reads:

- “(1) The service established by this bylaw is to contribute towards the operation of the Black Creek community centre in Puntledge – Black Creek (Electoral Area ‘C’).
- (2) The service shall be known as the Black Creek community centre contribution service (the “service”).”

with the following:

- “(1) The service established by this bylaw is to provide financial assistance to eligible organizations for expenses related to maintaining and operating community facilities.
- (2) The service shall be known as the Puntledge North Community Facilities Support Service (the ‘service’).”

(c) Replacing section 2 (Boundaries) which reads:

“The boundaries of the service are those portions of Puntledge – Black Creek (Electoral Area ‘C’) as identified in schedule ‘A’ attached to and forming part of this bylaw.”

with the following:

“The boundaries of the service are those portions of Electoral Area B (Lazo North) and Electoral Area C (Puntledge-Black Creek) as identified in Schedule ‘A’ attached to and forming part of this bylaw.”

- (d) Extending the boundaries of the service area to include the properties outlined on Schedule ‘B’ attached to and forming an integral part of this bylaw.
- (e) Replacing schedule “A” with the schedule “A” that is attached to this bylaw to show the boundaries of the service, being those portions of Electoral Area B (Lazo North) and Electoral Area C (Puntledge-Black Creek) as shown on schedule ‘A’.
- (f) Replacing section 3 (Participants) which reads:

“The participating area for the service is Puntledge – Black Creek (Electoral Area ‘C’) (the “participating area”).”

with the following:

“The participating area for the service is Electoral Area B (Lazo North) and Electoral Area C (Puntledge – Black Creek) (the “participating area”).”

(g) Replacing section 5 (Maximum Requisition) which reads:

"The maximum amount that may be requisitioned under section 4 annually for the cost of the service is the greater of \$72,500 or \$0.14 per \$1,000 of net taxable value of land and improvements in the service area."

with the following:

"The maximum amount that may be requisitioned under section 5 annually for the cost of the service is the greater of \$144,325 or \$0.05675 per \$1,000 of net taxable value of land and improvements in the service area."

**Citation**

This Bylaw No. 637 may be cited as "Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2".

<b>Read a first and second time this</b>	<b>day of</b>	<b>2021.</b>
<b>Read a third time this</b>	<b>day of</b>	<b>2021.</b>
<b>Approved by the Inspector of Municipalities this</b>	<b>day of</b>	<b>2021</b>
<b>Received participating area approval this</b>	<b>day of</b>	<b>2021</b>
<b>Adopted this</b>	<b>day of</b>	<b>2021.</b>

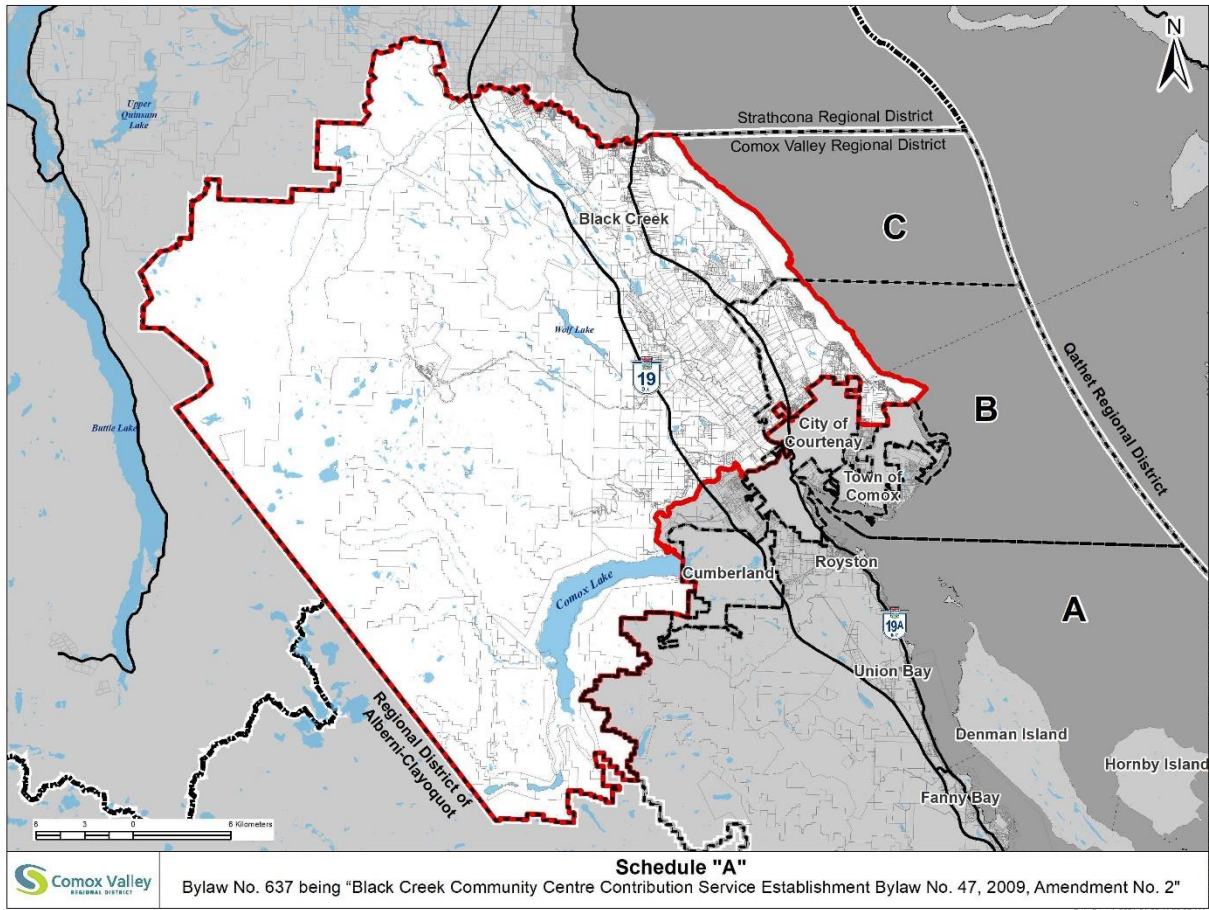
\_\_\_\_\_  
Chair

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Corporate Legislative Officer

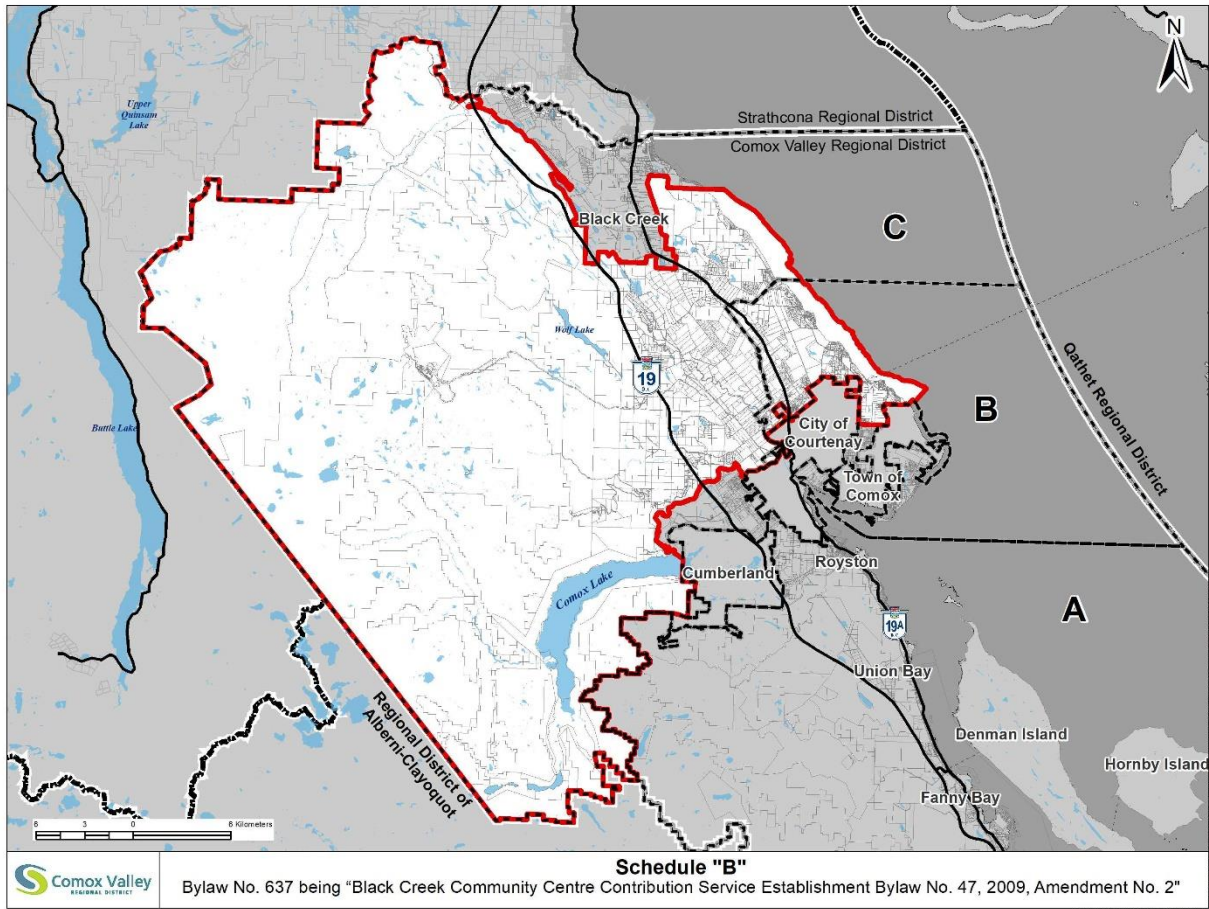
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 637 being "Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2" as adopted by the board of the Comox Valley Regional District on the     day of     2021.

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Corporate Legislative Officer

### Schedule A



### Schedule B





**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 638**

**A bylaw to establish a service to provide mosquito management within the Saratoga Beach community**

**WHEREAS** under section 332 of the *Local Government Act (RSBC, 2015, C. 1)* a regional district may operate any service the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the Board of the Comox Valley Regional District wishes to establish a service to provide mosquito management to the Saratoga Beach community;

**AND WHEREAS** the approval of the Inspector of Municipalities has been obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*; and

**AND WHEREAS** participating area approval has also been obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*;

**NOW THEREFORE** the Board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Service**

1. (1) The service established by this bylaw is to provide mosquito management to the Saratoga Beach community.
- (2) The service shall be known as the Saratoga Beach Community Mosquito Management Service (the ‘service’).

**Boundaries**

2. The boundaries of the service shall be that portion of Electoral Area ‘C’ (Puntledge – Black Creek) as identified in Schedule ‘A’ attached to and forming part of this bylaw.

**Participating areas**

3. Electoral Area ‘C’ (Puntledge – Black Creek) includes the participating area in the service.

**Cost recovery**

4. As provided in section 378 of the *Local Government Act (RSBC, 2015, C. 1)*, the annual cost for this service shall be recovered by one or more of the following:
  - (a) property value taxes;
  - (b) parcel taxes;
  - (c) fees and charges;
  - (d) revenues raised by other means authorized by the *Local Government Act (RSBC, 2015, C. 1)* or another Act; and
  - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

**Maximum requisition**

5. In accordance with section 339(1)(e) of the *Local Government Act (RSBC, 2015, C. 1)*, the maximum amount that may be requisitioned annually for the cost of the service is the greater

of \$36,800 or \$0.09638 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes.

**Citation**

This Bylaw No. 638 may be cited as "Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021".

**Read a first and second time this** day of 2021.

**Read a third time this** day of 2021.

**Approved by the Inspector of Municipalities this** day of 2021.

**Received the participating area approval this** day of 2021.

**Adopted this** day of 2021.

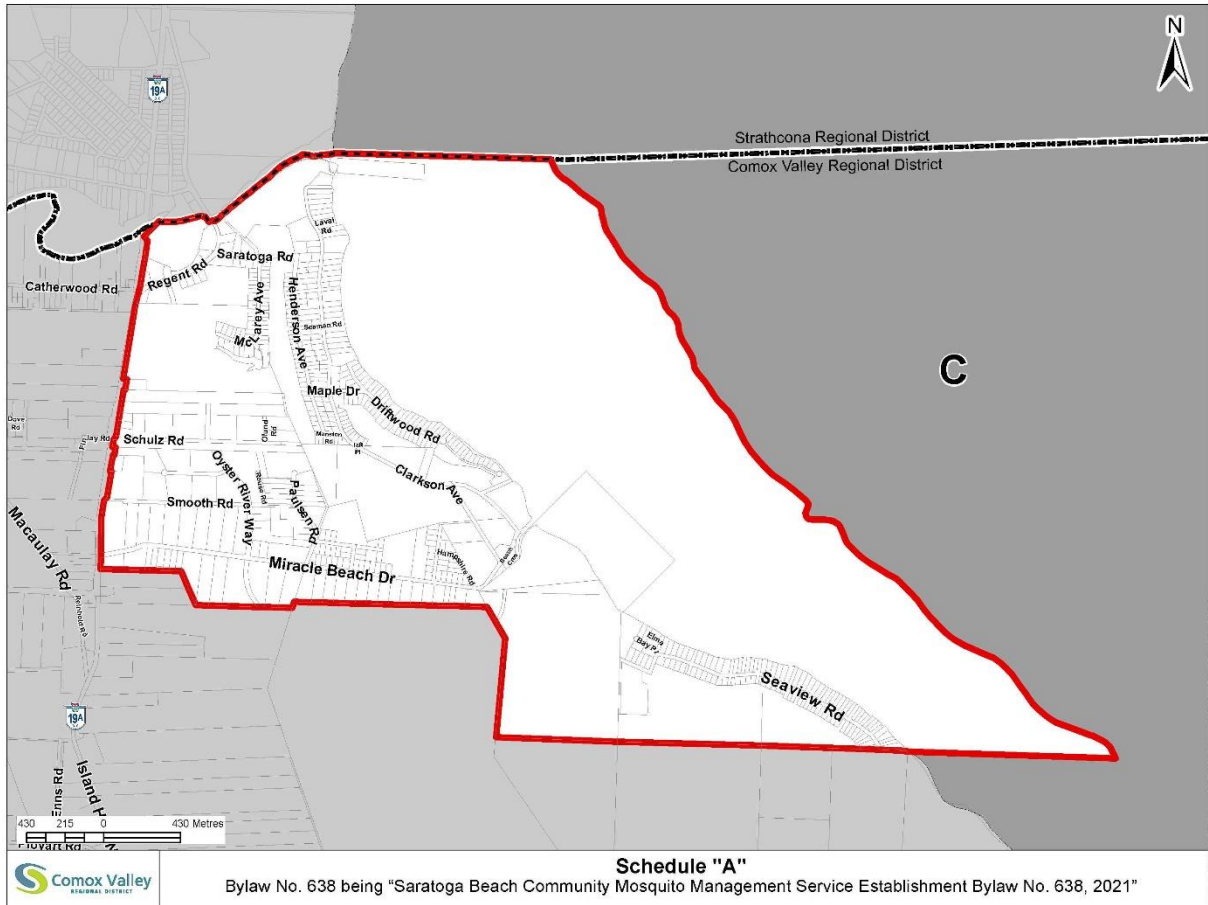
\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 638 being "Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021" as adopted by the Board of the Comox Valley Regional District on the day of 2021.

\_\_\_\_\_  
Corporate Legislative Officer

Schedule 'A'





**Alternative Approval Process - Elector Response Form**

**Proposed Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”** which would establish a community facilities support service within a portion of Electoral Area A (Baynes Sound – Denman/Hornby Islands). Please see the following page for further information.

Pursuant to Section 86 of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector or non-resident elector pursuant to the *Local Government Act* (see eligibility requirements on the following page);
- I have not previously signed an Elector Response Form with respect to this matter; and
- I am **OPPOSED** to the adoption of Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”

Full name: (please print)	
Residential address: (please provide full address)	
Signature:	
Date:	

To be completed by non-resident property electors only (see eligibility requirements on the following page)
I am entitled to register as a non-resident property elector as an owner of the property located at the following address:  _____

For this Elector Response Form to be counted, it must be received by the Corporate Officer of the CVRD no later than **4:30 pm on Monday, July 5, 2021** by one of the following methods:

<b>Mail or in person:</b> Comox Valley Regional District 770 Harmston Avenue, Courtenay, BC V9N 0G8	<b>Fax:</b> 250-334- 4358	<b>Email:</b> administration@comoxvalleyrd.ca
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- **Postmarks will not be accepted as the date of receipt by the CVRD**
- **Accurate copies of this elector response form may be made and used for signing**
- **A person may not sign more than one elector response form**
- **For the purpose of this Alternative Approval Process, 10 per cent of the qualified electors has been determined to be 390 persons. Determination of the number of qualified electors is available on the Regional District’s website and by request.**

**Baynes Sound Community Facilities Support Service**

In general terms, the purpose of the bylaw is to establish 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 these community halls currently receive funding annually from the CVRD's Electoral Areas Grants-in-Aid Services, this initiative is projected to be property tax neutral as the existing tax requisition for the Grant-in-Aid Services would be redirected to the proposed Baynes Sound Community Facilities Support Service. The proposed maximum requisition is the greater of \$45,425 or \$0.02617 per \$1,000 of assessed value which would be equivalent to \$13.31 for a property with an assessed value of \$500,000. This does not mean that taxes for this service will increase to the maximum available as financial plans are adopted annually based on the service needs at the time. Rather, this creates the flexibility for the service to respond to public expectations and demands over time.

**Elector Eligibility Requirements**Resident elector (section 65 of the *Local Government Act*)

- 18 years of age or older;
- a Canadian citizen;
- a resident of British Columbia for at least six months immediately before signing this elector response form;
- a resident of the Baynes Sound Community Facilities Support Service Area for at least 30 days before signing this elector response form; and
- not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Non-resident property electors (section 66 of the *Local Government Act*)

- 18 years of age or older;
- a Canadian citizen;
- a resident of British Columbia for at least six months immediately before signing this elector response form;
- not entitled to vote as a resident elector in the Baynes Sound Community Facilities Support Service Area for the purposes of this matter;
- a registered owner of real property in the Baynes Sound Community Facilities Support Service Area for at least 30 days before signing this elector response form;
- may not vote more than once within a voting jurisdiction regardless of the number of properties owned;
- where more than one non-resident person owns the property, the person wishing to submit an electoral response form for that property must provide, at the time of registration, written consent from a majority of the property owners,
- who holds the real property in trust for a corporation or another trust is not eligible to vote as a non-resident property elector, and
- not be disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

**More Information**

Comox Valley Regional District: 770 Harmston Avenue, Courtenay, BC V9N 0G8

Phone: 250-334-6000 toll free: 1-800-331-6007

Office hours: Monday to Friday 8:00 am to 4:30 pm

[www.comoxvalleyrd.ca/aap](http://www.comoxvalleyrd.ca/aap)

**Alternative Approval Process - Elector Response Form**

**Proposed Bylaw No. 637** being “**Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2**” which would amend the service by changing the name, purpose, boundary and maximum requisition in order to provide a new Puntledge North Community Facilities Support Service within a portion of CVRD Electoral Area B (Lazo North) and Electoral Area C (Puntledge - Black Creek). Please see the following page for further information.

Pursuant to Section 86 of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector or non-resident elector pursuant to the *Local Government Act* (see eligibility requirements on the following page);
- I have not previously signed an Elector Response Form with respect to this matter; and
- I am **OPPOSED** to the adoption of proposed Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”.

Full name: (please print)	
Residential address: (please provide full address)	
Signature:	
Date:	

To be completed by non-resident property electors only (see eligibility requirements on the following page)
I am entitled to register as a non-resident property elector as an owner of the property located at the following address:  <hr/>

For this Elector Response Form to be counted, it must be received by the Corporate Officer of the CVRD no later than **4:30 pm on Monday, July 5, 2021** by one of the following methods:

<b>Mail or in person:</b> Comox Valley Regional District 770 Harmston Avenue, Courtenay, BC V9N 0G8	<b>Fax:</b> 250-334- 4358	<b>Email:</b> administration@comoxvalleyrd.ca
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- **Postmarks will not be accepted as the date of receipt by the CVRD**
- **Accurate copies of this elector response form may be made and used for signing**
- **A person may not sign more than one elector response form**
- **For the purpose of this Alternative Approval Process, 10 per cent of the qualified electors has been determined to be 1,079 persons. Determination of the number of qualified electors is available on the Regional District’s website and by request.**

**Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”**

In general terms, the bylaw change would increase the maximum requisition, expand the service area and rename the service as the Puntledge North Community Facilities Support Service for the purpose of providing consistent funding to support the maintenance and operation of community halls within the local area, including Black Creek, Halbe, Dove Creek and Merville. As these community halls currently receive funding annually from the CVRD’s Electoral Areas Grants-in-Aid Services, this initiative is projected to be property tax neutral as the existing tax requisition for the Grant-in-Aid Services would be redirected to the proposed Puntledge North Community Facilities Support Service. The maximum amount that may be requisitioned annually for the Service is the greater of \$144,325 or \$0.05675 per \$1,000 of taxable assessed value which would be equivalent to \$28.38 for a property with an assessed value of \$500,000. This does not mean that taxes for this service will increase to the maximum available as financial plans are adopted annually based on the service needs at the time. Rather, this creates the flexibility for the service to respond to public expectations and demands over time.

**Elector Eligibility Requirements**Resident elector (section 65 of the *Local Government Act*)

- 18 years of age or older;
- a Canadian citizen;
- a resident of British Columbia for at least six months immediately before signing this elector response form;
- a resident of the proposed Puntledge North Community Facilities Support Service Area for at least 30 days before signing this elector response form; and
- not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Non-resident property electors (section 66 of the *Local Government Act*)

- 18 years of age or older;
- a Canadian citizen;
- a resident of British Columbia for at least six months immediately before signing this elector response form;
- not entitled to vote as a resident elector in the proposed Puntledge North Community Facilities Support Service Area for the purposes of this matter;
- a registered owner of real property in the proposed Puntledge North Community Facilities Support Service Area for at least 30 days before signing this elector response form;
- may not vote more than once within a voting jurisdiction regardless of the number of properties owned;
- where more than one non-resident person owns the property, the person wishing to submit an electoral response form for that property must provide, at the time of registration, written consent from a majority of the property owners,
- who holds the real property in trust for a corporation or another trust is not eligible to vote as a non-resident property elector, and
- not be disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

**More Information**

Comox Valley Regional District: 770 Harmston Avenue, Courtenay, BC V9N 0G8

Phone: 250-334-6000 toll free: 1-800-331-6007

Office hours: Monday to Friday 8:00 am to 4:30 pm

[www.comoxvalleyrd.ca/aap](http://www.comoxvalleyrd.ca/aap)



### Alternative Approval Process - Elector Response Form

**Proposed 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).

Pursuant to Section 86 of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector or non-resident elector pursuant to the *Local Government Act* (see eligibility requirements on the following page);
- I have not previously signed an Elector Response Form with respect to this matter; and
- I am **OPPOSED** to the adoption of Proposed Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”.

Full name: (please print)	
Residential address: (please provide full address)	
Signature:	
Date:	

To be completed by non-resident property electors only (see eligibility requirements on the following page)
I am entitled to register as a non-resident property elector as an owner of the property located at the following address:  <hr/>

For this Elector Response Form to be counted, it must be received by the Corporate Officer of the CVRD no later than **4:30 pm on Monday, July 5, 2021** by one of the following methods:

<b>Mail or in person:</b> Comox Valley Regional District 770 Harmston Avenue, Courtenay, BC V9N 0G8	<b>Fax:</b> 250-334- 4358	<b>Email:</b> administration@comoxvalleyrd.ca
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- **Postmarks will not be accepted as the date of receipt by the CVRD**
- **Accurate copies of this elector response form may be made and used for signing**
- **A person may not sign more than one elector response form**
- **For the purpose of this Alternative Approval Process, 10 per cent of the qualified electors has been determined to be 108 persons. Determination of the number of qualified electors is available on the Regional District’s website and by request.**



**Saratoga Beach Community Mosquito Management Service**

In general terms, the purpose of the service would be to provide a mosquito control program within the service area in accordance with an Integrated Pest Management Plan (PMP). The proposed maximum requisition is the greater of \$36,800 or \$0.09638 per \$1,000 of assessed value which would be equivalent to \$48.19 for a property with an assessed value of \$500,000. This does not mean that taxes for this service will increase to the maximum available as financial plans are adopted annually based on the service needs at the time. Rather, this creates the flexibility for the service to respond to public expectations and demands over time.

**Elector Eligibility Requirements**Resident elector (section 65 of the *Local Government Act*)

- 18 years of age or older;
- a Canadian citizen;
- a resident of British Columbia for at least six months immediately before signing this elector response form;
- a resident of the proposed Saratoga Beach Community Mosquito Management Service Area for at least 30 days before signing this elector response form; and
- not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Non-resident property electors (section 66 of the *Local Government Act*)

- 18 years of age or older;
- a Canadian citizen;
- a resident of British Columbia for at least six months immediately before signing this elector response form;
- not entitled to vote as a resident elector in the proposed Saratoga Beach Community Mosquito Management Service Area for the purposes of this matter;
- a registered owner of real property in the proposed Saratoga Beach Community Mosquito Management Service Area for at least 30 days before signing this elector response form;
- may not vote more than once within a voting jurisdiction regardless of the number of properties owned;
- where more than one non-resident person owns the property, the person wishing to submit an electoral response form for that property must provide, at the time of registration, written consent from a majority of the property owners,
- who holds the real property in trust for a corporation or another trust is not eligible to vote as a non-resident property elector, and
- not be disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

**More Information**

Comox Valley Regional District: 770 Harmston Avenue, Courtenay, BC V9N 0G8

Phone: 250-334-6000 toll free: 1-800-331-6007

Office hours: Monday to Friday 8:00 am to 4:30 pm

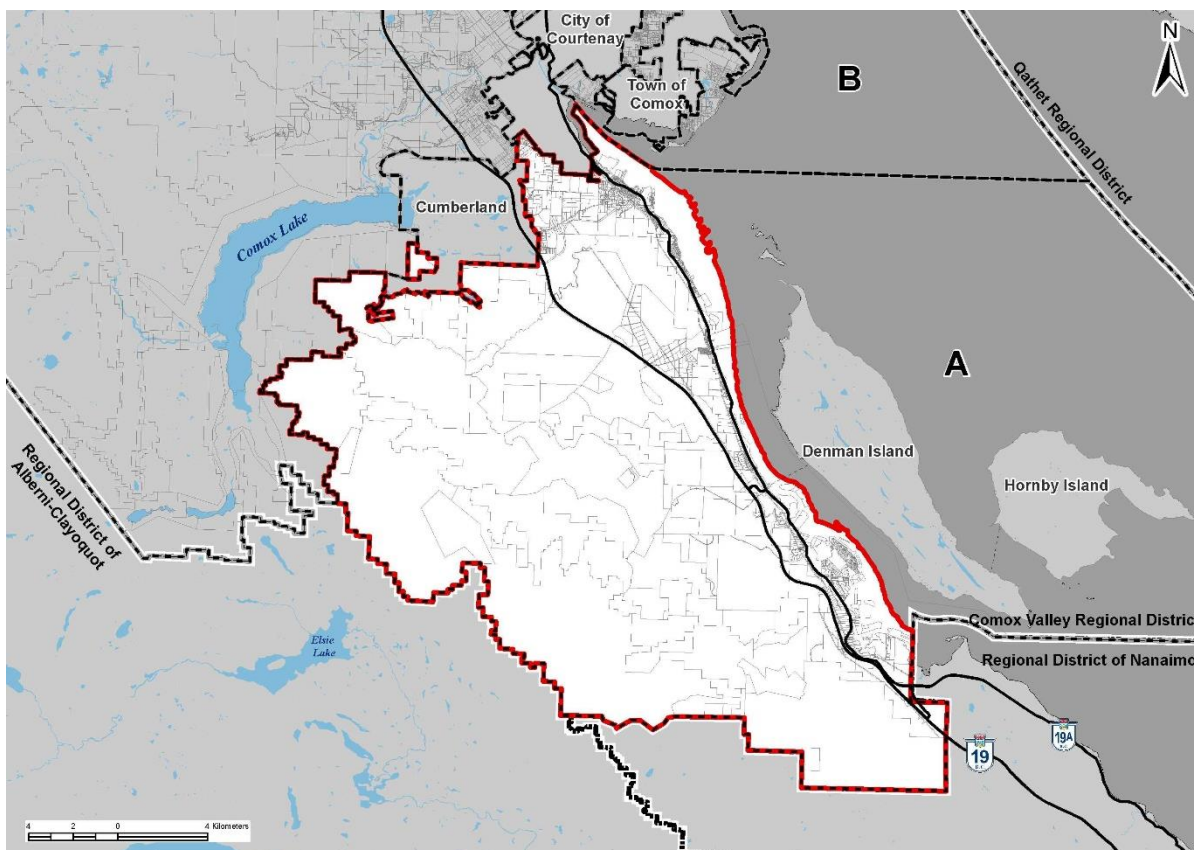
[www.comoxvalleyrd.ca/aap](http://www.comoxvalleyrd.ca/aap)



## NOTICE OF ALTERNATIVE APPROVAL PROCESS

**Public Notice** is hereby given in accordance with the Local Government Act and the Community Charter that the Comox Valley Regional District (“CVRD”) has proposed the following bylaw: Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021 (“Bylaw”).

The Bylaw would establish the Baynes Sound Community Facilities Support Service within a portion (see map) of CVRD Electoral Area A (Baynes Sound – Denman/Hornby Islands) to provide operational and capital funding for public community facilities.



In general terms, the purpose of the service would be to 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 these community halls currently receive funding annually from the CVRD’s Electoral Areas Grants-in-Aid Services, this initiative is projected to be property tax neutral as the existing tax requisition for the Grant-in-Aid Services would be redirected to the proposed Baynes Sound Community Facilities Support Service. The proposed maximum requisition is the greater of \$45,425 or \$0.02617 per \$1,000 of assessed value which would be equivalent to \$13.31 for a property with an assessed value of \$500,000. This does not mean that taxes for this service will increase to the maximum available as financial plans are adopted annually based on the service needs at the time. Rather, this creates the flexibility for the service to respond to public expectations and demands over time.

**Alternative Approval Process:** In accordance with Section 86 of the Community Charter, the CVRD is seeking the approval of the electors by means of the Alternative Approval Process (AAP). Therefore, eligible electors within the service area opposed to this initiative may petition against the adoption of Bylaw No. 636 by signing an elector response form, which may be obtained from the Comox Valley Regional District. The number of eligible electors within the boundaries of the service area has been fairly determined to be 3,901 and the number of valid elector response forms required to prevent the adoption of Bylaw No. 636 without first obtaining the assent of the electors by referendum is 390.

**Elector Response Forms:** Elector responses must be in the format established by the Board of Directors. Forms may be obtained from the CVRD or from its website at [comoxvalleyrd.ca/aap](http://comoxvalleyrd.ca/aap) and may only be signed by eligible electors of the proposed service area.

**Deadline:** The deadline for delivering the signed elector response forms to the CVRD is 4:30 pm on July 5, 2021. Emailed or faxed copies are acceptable however they must include the elector's signature. Forms must be received by the deadline in order to be counted. Copies of Bylaw No. 636, a report concerning the determination of the number of eligible electors and other documents relating to the bylaw may be obtained from the CVRD offices at 770 Harmston Avenue, Courtenay, BC during regular office hours 8:00 a.m. to 4:30 p.m. (Monday-Friday, except holidays) or from [comoxvalleyrd.ca/aap](http://comoxvalleyrd.ca/aap)

#### **More Information**

Comox Valley Regional District: 770 Harmston Avenue, Courtenay, BC V9N 0G8

Phone: 250-334-6000 toll free: 1-800-331-6007

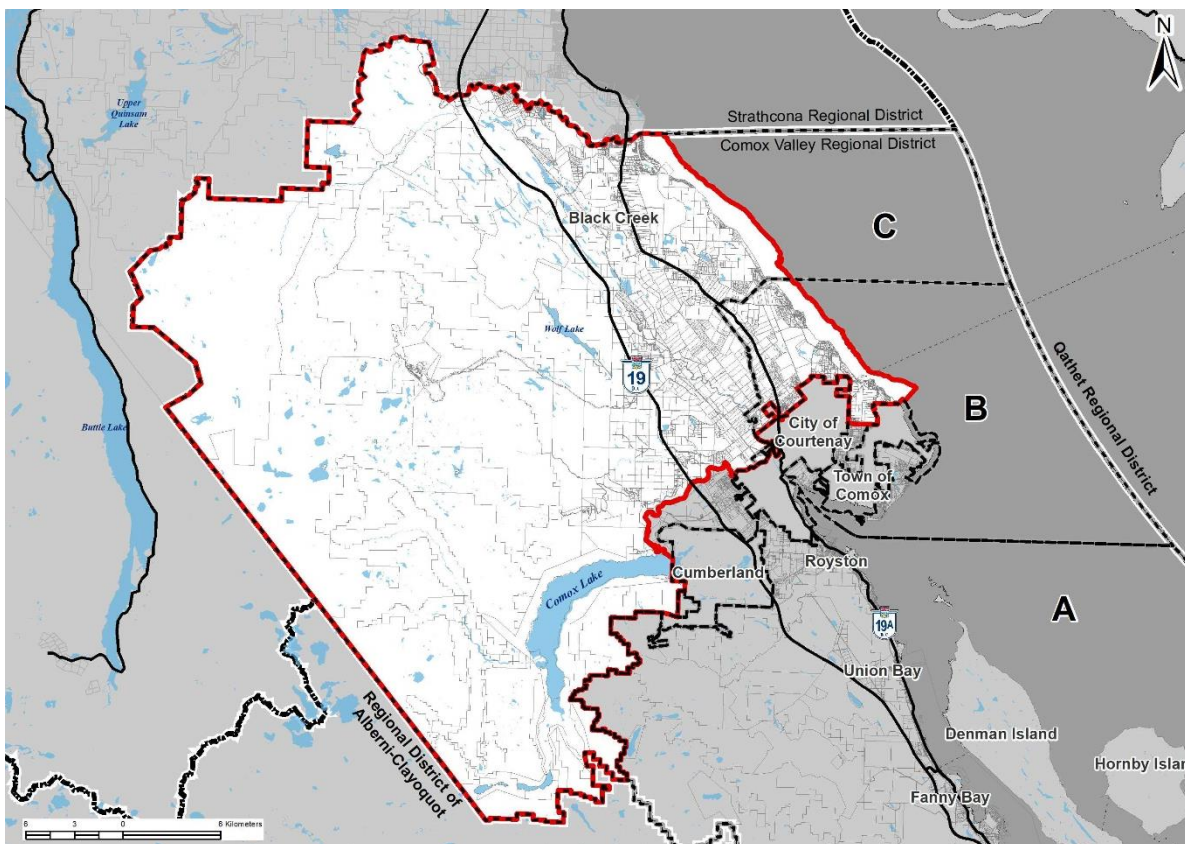
[www.comoxvalleyrd.ca/aap](http://www.comoxvalleyrd.ca/aap)

**NOTICE OF ALTERNATIVE APPROVAL PROCESS**

**Public Notice** is hereby given in accordance with the Local Government Act and the Community Charter that the Comox Valley Regional District (“CVRD”) has proposed the following bylaw: Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2” (“Bylaw”).

The Bylaw would amend the Black Creek Community Centre Contribution Service by:

- a) Renaming the service as the Puntledge North Community Facilities Support Service;
- b) Expanding the boundaries of the service area to include a portion of CVRD Electoral Area B (Lazo North) and Electoral Area C (Puntledge - Black Creek), as shown on the map;
- c) Expanding the purpose to provide operational and capital funding for public community facilities within the service area; and
- d) Increasing the maximum requisition to the greater of \$144,325 or \$0.05675 per \$1,000 of assessed value.



In general terms, the bylaw change would expand the service area and rename the service as the Puntledge North Community Facilities Support Service for the purpose of providing consistent funding to support the maintenance and operation of community halls within the local area, including Black Creek, Halbe, Dove Creek and Merville. As these community halls currently receive funding annually from the CVRD’s Electoral Areas Grants-in-Aid Services, this initiative is projected to be property tax neutral as the existing tax requisition for the Grant-in-Aid Services

would be redirected to the proposed Puntledge North Community Facilities Support Service. The proposed maximum requisition would be equivalent to \$28.38 for a property with an assessed value of \$500,000. This does not mean that taxes for this service will increase to the maximum available as financial plans are adopted annually based on the service needs at the time. Rather, this creates the flexibility for the service to respond to public expectations and demands over time.

**Alternative Approval Process:** In accordance with Section 86 of the Community Charter, the CVRD is seeking the approval of the electors by means of the Alternative Approval Process (AAP). Therefore, eligible electors within the service area opposed to this initiative may petition against the adoption of Bylaw No. 637 by signing an elector response form, which may be obtained from the Comox Valley Regional District. The number of eligible electors within the boundaries of the service area has been fairly determined to be 10,785 and the number of valid elector response forms required to prevent the adoption of Bylaw No. 637 without first obtaining the assent of the electors by referendum is 1,079.

**Elector Response Forms:** Elector responses must be in the format established by the Board of Directors. Forms may be obtained from the CVRD or from its website at [comoxvalleyrd.ca/aap](http://comoxvalleyrd.ca/aap) and may only be signed by eligible electors of the proposed service area.

**Deadline:** The deadline for delivering the signed elector response forms to the CVRD is 4:30 pm on July 5, 2021. Emailed or faxed copies are acceptable however they must include the elector's signature. Forms must be received by the deadline in order to be counted. Copies of Bylaw No. 637, a report concerning the determination of the number of eligible electors and other documents relating to the bylaw may be obtained from the CVRD offices at 770 Harmston Avenue, Courtenay, BC during regular office hours 8:00 a.m. to 4:30 p.m. (Monday-Friday, except holidays) or from [comoxvalleyrd.ca/aap](http://comoxvalleyrd.ca/aap)

### **More Information**

Comox Valley Regional District: 770 Harmston Avenue, Courtenay, BC V9N 0G8

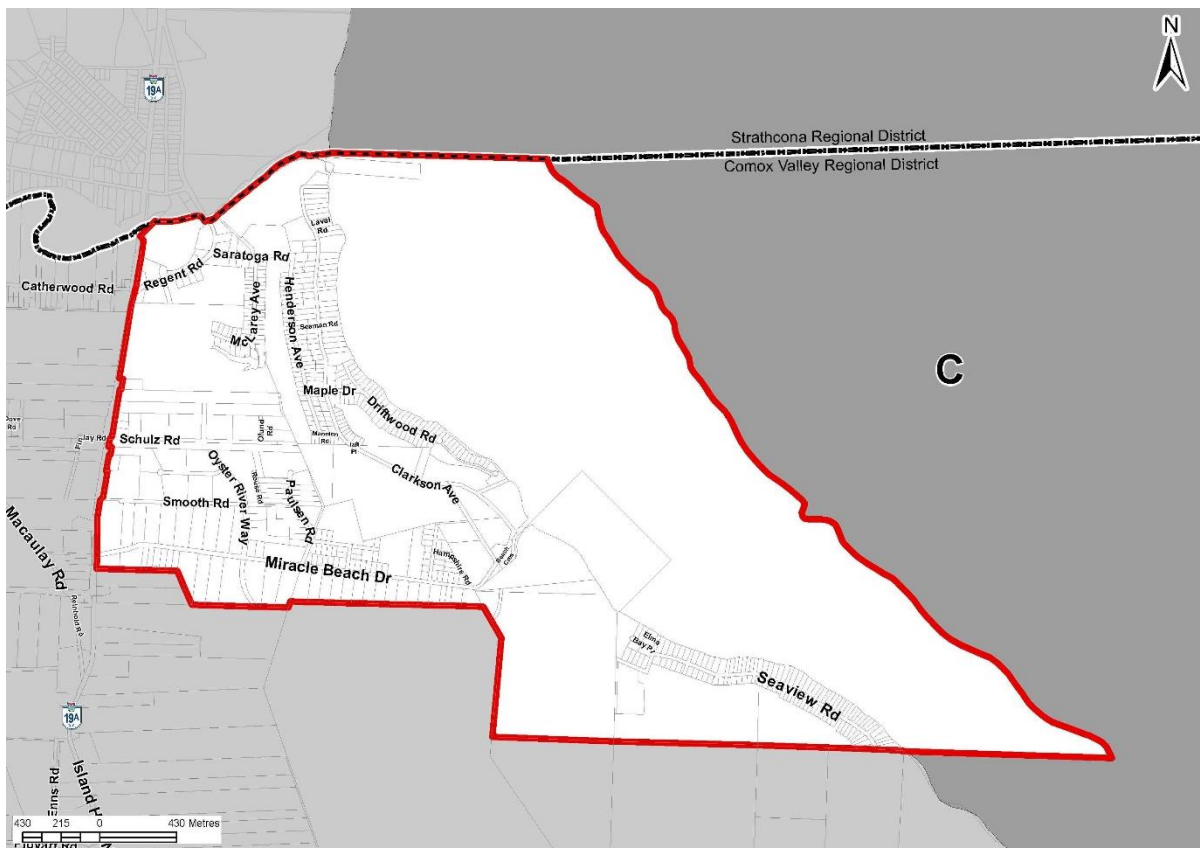
Phone: 250-334-6000 toll free: 1-800-331-6007

[www.comoxvalleyrd.ca/aap](http://www.comoxvalleyrd.ca/aap)

**NOTICE OF ALTERNATIVE APPROVAL PROCESS**

**Public Notice** is hereby given in accordance with the Local Government Act and the Community Charter that the Comox Valley Regional District (“CVRD”) has proposed the following bylaw: Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021” (“Bylaw”).

The Bylaw would establish the Saratoga Beach Community Mosquito Management Service within a portion of CVRD Electoral Area C (Puntledge – Black Creek) to provide mosquito management within the service area (see map).



In general terms, the purpose of the service would be to provide a mosquito control program within the service area in accordance with an Integrated Pest Management Plan (PMP). The proposed maximum requisition is the greater of \$36,800 or \$0.09638 per \$1,000 of assessed value which would be equivalent to \$48.19 for a property with an assessed value of \$500,000. This does not mean that taxes for this service will increase to the maximum available as financial plans are adopted annually based on the service needs at the time. Rather, this creates the flexibility for the service to respond to public expectations and demands over time.

**Alternative Approval Process:** In accordance with Section 86 of the Community Charter, the CVRD is seeking the approval of the electors by means of the Alternative Approval Process (AAP). Therefore, eligible electors within the service area opposed to this initiative may petition against the

adoption of Bylaw No. 638 by signing an elector response form, which may be obtained from the Comox Valley Regional District. The number of eligible electors within the boundaries of the service area has been fairly determined to be 1,083 and the number of valid elector response forms required to prevent the adoption of Bylaw No. 638 without first obtaining the assent of the electors by referendum is 108.

**Elector Response Forms:** Elector responses must be in the format established by the Board of Directors. Forms may be obtained from the CVRD or from its website at [comoxvalleyrd.ca/aap](http://comoxvalleyrd.ca/aap) and may only be signed by eligible electors of the proposed service area.

**Deadline:** The deadline for delivering the signed elector response forms to the CVRD is 4:30 pm on July 5, 2021. Emailed or faxed copies are acceptable however they must include the elector's signature. Forms must be received by the deadline in order to be counted. Copies of Bylaw No. 638, a report concerning the determination of the number of eligible electors and other documents relating to the bylaw may be obtained from the CVRD offices at 770 Harmston Avenue, Courtenay, BC during regular office hours 8:00 a.m. to 4:30 p.m. (Monday-Friday, except holidays) or from [comoxvalleyrd.ca/aap](http://comoxvalleyrd.ca/aap)

#### **More Information**

Comox Valley Regional District: 770 Harmston Avenue, Courtenay, BC V9N 0G8

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