

DATE: November 4, 2021

FILE: 3900-02

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

**RE: Mount Washington Fire Hall –
Introduction of Bylaws and AAP Logistics**

R. Dyson

Purpose

To introduce the required bylaws and alternative approval process logistics for the proposed Mount Washington Fire Hall Project.

Recommendations from the Chief Administrative Officer:

1. THAT Bylaw No. 685 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1” and Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021”, be introduced and read a first, second and third time;

AND FURTHER THAT the Board authorize participating area approval for Bylaw No. 685 to be given by the electoral area director consenting in writing in accordance with Section 349 of the *Local Government Act*;

AND FURTHER THAT the Corporate Officer be directed undertake an alternative approval process to determine the opinion of the electors with regard to Bylaw No. 686;

AND FINALLY THAT Bylaw No. 685 and Bylaw No. 686, together with the associated staff reports, be forwarded to the Inspector of Municipalities for approval.

2. THAT upon receiving approval of the Inspector of Municipalities of Bylaw No. 686 and as soon as applicable publication deadlines allow, Comox Valley Regional District (CVRD) staff be directed to publish the Notice of Alternative Approval Process in accordance with section 86(3)(a) of the *Community Charter* including the following information, as generally outlined in the staff report dated November 4, 2021;
 - a. 542 as the total number of eligible electors within the Mount Washington Resort Community Fire Protection Service Area as established by Bylaw No. 433 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016”, to which the Alternative Approval Process applies;
 - b. the Notice of Alternative Approval Process shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;
 - c. the deadline for receiving elector responses shall be established as 4:30 pm on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being the first business day following the second publication date in the newspaper noted above;
 - d. the elector response form will provide 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 Notice of Alternative Approval Process until the deadline of the elector response period as determined above; and
- e. elector response forms are able to be submitted in any one of the following manners:
 - i. In person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:30 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: elections@comoxvalleyrd.ca

Executive Summary

- At the October 26, 2021 regular Board meeting the Board directed staff to bring forward a report with the bylaws and approval process for the Mount Washington Fire Hall Project. The legislative process entails the introduction of two separate bylaws, the first being an amendment to the service establishment bylaw to increase the maximum requisition, and the second being a new loan authorization bylaw to finance the construction and equipping of the fire hall.
- The proposed funding model provided to the Electoral Areas Services Committee in early October has been updated based on the Board direction to include a contribution of \$900,000 from Electoral Area C and B Community Works Funds.
- The project funding now includes proceeds from debt totalling \$1.425 million, \$190,000 in transfers from reserve and \$900,000 in Community Works Fund contributions. With this funding model, long-term debt servicing costs are estimated to be \$80,073 annually, over a term of 30 years with a requisition of approximately \$250,000 annually to maintain service delivery including debt servicing.
- For a residential property with an assessed value of \$500,000 the projected tax requisition increase from 2021 to 2022 required to support the Fire Hall Project is estimated to be approximately \$123.40
- Prior to proceeding with the elector approval process the necessary bylaws must be given initial readings by the Board and subsequently be approved by the Inspector of Municipalities. As the Board has directed that elector approval be sought by way of an alternative approval process, the specific process logistics, including an estimate of eligible electors and confirmation of the response form and response deadline have been included and are attached for consideration.
- Bylaw No. 685 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1” and Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021” are attached for review and consideration.

Prepared by:

Concurrence

Concurrence:

J. Martens

J. Bast

K. Douville

 Jake Martens
 General Manager of
 Corporate Services

 James Bast
 Manager of Fire
 Services

 Kevin Douville
 Acting Chief
 Financial Officer

Government Partners and Stakeholder Distribution (Upon Agenda Publication)

Mount Washington Fire Protection Steering Group	✓
---	---

Background/Current Situation

In 2016 the Mount Washington Resort Community Fire Protection Service was established with a loan of \$415,000 authorized to develop and equip a fire service storage facility. Through careful

budgeting and donations the fire service was able to establish and generally equip a temporary fire service storage facility within the annual operational budget for the service. Since 2017, the Oyster River Fire Rescue Department has been providing operational fire protection service.

With land donated for a new fire hall and with community support expressed through the Steering Group, the CVRD is proposing the development of an operating fire hall, to provide a permanent heated storage for Mt. Washington fire apparatus tools and equipment, provide a location for volunteer firefighters to train; and better enable further volunteers to join the fire department.

The project engineers have developed the fire hall design and have provided a probable cost of construction. In addition, staff have included an estimated cost for fire service apparatus and equipment and an estimated project escalation cost given the current construction market.

Following the recent decision by the Board to contribute \$900,000 in Community Works Funds to the project, staff have undertaken an updated financial analysis to confirm borrowing requirements and the associated need for an increase in the maximum requisition to maintain service delivery and provide for debt servicing. These details are provided in the Financial Factors section of this report.

Alternative Approval Process

At the October 26, 2021 regular Board meeting the Board directed staff to bring forward a report with the bylaws and approval process for the Mount Washington Fire Hall Project. The legislative process entails the introduction of the amendment to the service establishment bylaw and a new loan authorization bylaw to finance the construction and equipping of the fire hall. Bylaw readings are proposed to be given at the November 23, 2021 Board meeting and then subsequently sent to the Ministry of Municipal Affairs for consideration of Inspector approval.

As timing for Inspector approval is unknown, the deadline for the elector response period associated with the alternative approval process is determined based upon the following methodology:

- Receipt of Inspector approval;
- As soon as applicable publication deadlines allow, publication over a period of two weeks of the Notice of Alternative Approval Process (AAP) in the Comox Valley Record;
- The deadline for receiving elector responses is established as 4:30 pm on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being based upon the second publication date in newspaper.

Through engagement with staff at the Ministry of Municipal Affairs, approval by the Inspector is anticipated by January 7, 2022 with subsequent public notices being issued on January 12th and 19th. This anticipated timeframe would result in the response period deadline being estimated for Tuesday, February 22, 2022 at 4:30 pm.

As required by the *Community Charter* and the *Local Government Act*, a report has been provided (attached as Appendix C) for the purpose of making a fair determination of the total number of electors within the area affected by the bylaw for which the AAP is being conducted. Based on an estimate of eligible resident electors and non-resident property electors, it would take 54 (i.e. 10 per cent) or more elector responses (i.e. those electors who oppose the loan) to defeat the Alternative Approval Process and prevent the Board from adopting Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021”. If the AAP is defeated, the Board could then decide whether or not to pursue approval of the bylaw via referendum. A draft Notice of Alternative Approval Process (attached as Appendix D) and a draft Elector Response Form (attached as Appendix E) are provided for consideration will be modified and finalized with the deadline for the elector response period once confirmed.

Policy Analysis

The Mount Washington fire service building is identified as a key initiative within the CVRD Corporate Plan under the core service of Regional Emergency Services.

At the October 26th meeting of the CVRD Board the following resolutions were endorsed:

THAT staff bring forward a report concerning the process logistics and bylaws for the Mount Washington Fire Protection Service fire hall project with:

- *Participating area approval for the proposed amendment to the service establishment bylaw being sought by way of consent of the Electoral Area C Director on behalf of the electors; and*
- *Participating area approval for the proposed loan authorization bylaw being sought by way of an Alternative Approval Process; as outlined in the staff report dated October 1, 2021.*

THAT subject to the adoption of the necessary bylaws associated with the Mount Washington Fire Protection Service fire hall project, a contribution of \$700,000 from Puntledge - Black Creek (Electoral Area C) and \$200,000 from Lazo North (Electoral Area B) Community Works Funds be committed towards the construction of the Mount Washington fire hall.

Options

The following alternatives are noted for consideration respecting this matter:

1. Approve the recommendations provided in this report as presented and proceed with providing initial readings to the required bylaws.
2. Direct further changes or investigation respecting the financial strategy for the Fire Hall Project.
3. Do not proceed with the initial readings of the bylaw at this time and direct alternative actions.

Financial Factors

Based on the updated engineer's design and cost estimates for construction of a fire hall at Mt. Washington, along with equipment and project management cost estimates inclusive of contingencies, the total project cost is now estimated to be \$2,514,242. Table 1 below outlines both the revised capital funding source and expense projections for the project:

Capital Funding Sources	Amount
Debt Proceeds	\$1,425,000
Community Works Funds	\$900,000
Transfer from Reserves	\$190,000
Total Funding Sources	\$2515,000
Capital Expenses	Estimated Costs
Fire Hall Construction (with 20% contingency)	\$1,506,758
Other construction related costs (escalation allowance, project management, development permits, utilities, etc.)	\$653,000
Fire apparatus and equipment	\$341,000
MFA Debt Expense	\$14,242
Total Estimated Project Costs	\$2,515,000

In June 2021 the Government of Canada announced that both fire halls and fire protection infrastructure are now eligible project investments under the Canada Community-Building Fund which provides Community Works Funds (CWF) to the regional district's electoral (rural) areas. As

a result, the CVRD Board at its October 26th meeting approved a total contribution of \$900,000 in Community Works Funds for the project.

With this CWF investment, the total debt proceeds required for this project has decreased to \$1.42M from the \$1.8M noted in the October 1, 2021 staff report, resulting in annual debt servicing costs estimated at \$80,073 over a 30-year amortization period.

Commencing in 2022, the annual tax requisition required to maintain service delivery, including debt servicing, is anticipated to be \$250,000. For a home assessed at \$500,000 this would result in a tax increase from 2021 to 2022, based on the 2021 revised assessment roll, of \$123.40.

The existing maximum levy for the service is the greater of \$150,000 or \$1.15 per \$1,000 of taxable assessed value, which for 2021 resulted in a total maximum requisition available of \$212,236. An increase to the maximum levy for the service is therefore required and will be sought by way of Director consent as per Bylaw No. 685 referenced earlier in this report. A new maximum levy being the greater of \$300,000 or \$1.63 per \$1,000 of taxable assessed value is recommended in order to provide for sufficient tax requisition levels over the medium term (5+ years) to support ongoing service level delivery for the participating area.

Legal Factors

In accordance with the *Local Government Act*, elector approval is required for entering into a long-term borrowing agreement which in this case, is needed to finance the capital construction and equipping of the fire hall. A loan authorization bylaw serves as the legislative mechanism to obtain the borrowing authority and a proposed bylaw (No. 686) is provided in Appendix B to this report. The loan authorization bylaw must address a variety of topics, including: the total amount to be borrowed, the purposes for which the debt is to be incurred and the length of term for borrowing. The bylaw requires the approval of the electors and the Inspector of Municipalities.

As outlined earlier in this report, the annual debt servicing for the proposed loan also requires an amendment to the service establishment bylaw for the Mount Washington Resort Community Fire Protection Service to increase the maximum requisition. The maximum requisition provided in the bylaw is the maximum amount that the regional district may requisition (collect) for the service each year in order to cover service-related costs. The *Local Government Act* provides for the specific legislative process and required approvals to amend a service establishment bylaw. As the electors will be considering approval of the borrowing for the fire hall, staff are recommending that the Board authorize participating area approval for the service establishment bylaw amendment be given by the electoral area director consenting in writing. As there is only one participating area, consent from the Director for the Electoral Area C would provide the necessary approval by the participants. This approach simplifies the legislative process, reduces potential confusion by the public and is permissible under the terms and authorities provided by the *Local Government Act*.

Regional Growth Strategy Implications

The Mount Washington Resort Community Fire Protection Service and the construction of a fire hall is aligned with Objective 7C of the Comox Valley Regional Growth Strategy which identifies Improved Regional Fire Safety.

Intergovernmental Factors

Operations for the Mount Washington Resort Community Fire Protection Service is currently delivered by way of a service agreement with the Oyster River Fire Rescue. If realized, the new fire hall will function as an auxiliary fire hall managed by the Oyster River Fire Rescue Department. As a key stakeholder the Oyster River Fire Rescue is kept apprised as this project moves forward.

Interdepartmental Involvement

The Legislative Services Department has collaborated with the Community Services Branch and Finance Department respecting this initiative.

Citizen/Public Relations

In the context of the COVID-19 pandemic and with large percentage of property owners residing outside of the Comox Valley, staff has developed a communication plan with two primary components:

- Development and maintenance of a project webpage to inform residents and property owners and provide common questions and answers.
- Two direct mail outs to each resident and property owner at key junctures which will introduce the project webpage and provide detailed information on the project and elector approval process.

Attachments: Appendix A - Bylaw No. 685 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1”

Appendix B - Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021”

Appendix C - Report for Determining the Number of Eligible Electors

Appendix D - Draft Notice of Alternative Approval Process

Appendix E - Draft Elector Response Form

Appendix A

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 685

A bylaw to amend the service establishing bylaw for the Mount Washington Resort Community Fire Protection Service to increase the maximum requisition

WHEREAS the Mount Washington Resort Community Fire Protection Service was established by the adoption of Bylaw No. 433 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016” on the 20th day of September, 2016;

AND WHEREAS the Board wishes to amend the service establishment bylaw to increase the maximum requisition to the greater of \$300,000 or \$1.63 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes;

AND WHEREAS participating area approval has been obtained in writing from the director of Electoral Areas C (Puntledge – Black Creek) under section 349 of the *Local Government Act* (RSBC, 2015, c.1);

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

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

Amendment

1. Bylaw No. 433 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016” is hereby amended by replacing section 5 (maximum requisition), which reads:

“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 \$150,000.00 or \$1.15 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes.”

with the following new section 5 (maximum requisition)

“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 \$300,000 or \$1.63 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes.”

Citation

This Bylaw No. 685 may be cited as “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1”.

Appendix A

Read a first and second time this	day of	2021.
Read a third time this	day of	2021.
Consented to in writing by the director for Electoral Area C (Puntledge-Black Creek) this	day of	2021.
Approved by the Inspector of Municipalities this	day of	2021.
Adopted this	day of	2022.

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 685, being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1” as adopted by the board of the Comox Valley Regional District on the day of 2022.

Corporate Legislative Officer

Appendix B

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 686

A bylaw to authorize the borrowing of one million four hundred and twenty-five thousand dollars (\$1,425,000) for the Mount Washington Resort Community Fire Protection Service

WHEREAS the Mount Washington resort community fire protection service was established by the adoption of Bylaw No. 433 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016” on the 20th day of September, 2016;

AND WHEREAS the Board desires to borrow one million four hundred and twenty-five thousand dollars (\$1,425,000) for the purpose of constructing and equipping a fire hall for the Mount Washington Resort Community Fire Protection Service;

AND WHEREAS under section 403 of the *Local Government Act (RSBC, 2015, C. 1)* and section 179 of the *Community Charter*, the Board may, by loan authorization bylaw, borrow for capital purposes within its powers;

AND WHEREAS the approval of the electors of the Mount Washington Resort Community Fire Protection Service is required and was obtained pursuant to the *Local Government Act (RSBC, 2015, C. 1)*;

AND WHEREAS the maximum term for which debentures may be issued to secure the debt created by this bylaw is 30 years;

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

Borrowing amount and purpose

1. The Board is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction and equipping of a fire hall within the Mount Washington Resort Community Fire Protection Service Area as established by Bylaw No. 433; and to do all things necessary in connection therewith, without limiting the generality of the foregoing:
 - a) to borrow upon the credit of the regional district, a sum not exceeding one million four hundred and twenty-five thousand dollars (\$1,425,000); and
 - b) to acquire all such real and personal property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the said improvements to the Mount Washington Resort Community Fire Protection Service.

Term of debenture

2. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 30 years.



Report for Determining the Number of Eligible Electors - Alternative Approval Process

- Purpose:** The purpose of this report is to show the basis for determining the total number of electors in relation to **Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021”** that is the subject of an Alternative Approval Process.
- Area Affected:** The area affected by the proposed agreement is the entire Mount Washington Resort Community Fire Protection Service Area, which encompasses a portion of Electoral Area C (Puntledge - Black Creek).
- Authority:** Section 86 of the *Community Charter*
Sections 269, 270 of the *Local Government Act*
- Objective:** Once the Comox Valley Regional District Board has made a fair determination of eligible electors, 10 percent of that number will be set as the threshold for determining whether the board may adopt Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021” without the requirement for elector assent by voting.
- Methodology:** The BC Assessment Authority has been utilized as the primary source to estimate the number of eligible electors. As a public agency that maintains real property assessment information they maintain comprehensive databases of property ownership data. As there is no specific census data for Mount Washington additional information regarding resident electors was obtained from a variety of sources, including local realtors, resort representatives and members of the Fire Hall Steering Committee.

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;
- live or own property in the area defined for the Alternative Approval Process for at least 30 days; 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 area defined for the Alternative Approval Process is based on information from various sources (as indicated below), calculated as follows:

Non-Resident Property Electors	
Total vacant and improved property folios (see (1) below):	597
Less the # properties owned in whole or in part by a corporation and those owned by individuals that are not residents of B.C. (see (1) below):	218
Add estimated # of non-resident property electors that would be eligible as the holder of a registered lease of the property for a term of at least 99 years (see (2) below):	41
Estimated number of eligible non-resident property electors:	<u>420</u>
Resident Electors	
Estimated number of eligible resident electors: (see (3) below):	<u>122</u>
Total Estimated Electors	
Estimated total # of eligible electors in the area defined for the Alternative Approval Process	<u>542</u>
Ten percent of the total # of eligible electors is estimated to be:	54

Conclusion: For the purpose of the Alternative Approval Process for **Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021”** the number of eligible electors has been fairly determined to be 501. Therefore the required number of elector responses needed to prevent the adoption of the bylaw via the Alternative Approval Process is 54.

Sources:

1. Property folios and ownership details were derived from the BC Assessment tax roll database which provides detailed information on each property folio within the Service Area, including roll number, address, legal description, owner name and address, and assessment value. The estimated number of non-resident property electors is based on the ownership address being outside of the Service Area and the requirement that only one person may register as a non-resident elector in relation to a parcel of real property.

Where property is owned in whole or in part by a corporation, no one is eligible to sign an elector response form. (Local Government Act, section 66)

2. With respect to non-resident property electors, the registered owner of real property means the holder of a registered lease of the property for a term of at least 99 years. (Local Government Act, section 66)

In 2016, research by the CVRD determined that 41% of the properties under long-term leases were for a period of 99 years. This ratio was applied to the estimated 100 long-term leases that exist within the Service Area.

3. The estimated number of resident electors was derived from information obtained from the BC Assessment tax roll database as well as estimates from local realtors, resort representatives, strata council representatives and members of the Mt. Washington Fire Hall Steering Committee. The figures provided were averaged to obtain the final estimate.



NOTICE OF ALTERNATIVE APPROVAL PROCESS

NOTICE is hereby given that the Comox Valley Regional District (“CVRD”) Board proposes to adopt Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021” (“Bylaw”). The Bylaw relates to the CVRD’s Mount Washington Resort Community Fire Protection Service Area (“Service Area”) which consists of the Mount Washington resort community within Electoral Area C (Puntledge - Black Creek).

The purpose of Bylaw No. 686 is to borrow an amount not to exceed one million four hundred and twenty-five thousand dollars (\$1,425,000) to finance the costs of constructing and equipping a fire hall for the Mount Washington Resort Community Fire Protection Service. The loan would be paid back over a period not to exceed 30 years by the taxable properties within the Service Area. For a property assessed at \$500,000, the increase in the annual property tax attributable to the borrowing is estimated at \$123.

The CVRD Board is seeking participating area approval of electors by way of an Alternative Approval Process (AAP) for the Service Area. The number of eligible electors in the Service Area has been fairly determined to be 542 and the number of elector responses required to prevent the CVRD Board from proceeding without the obtaining the assent of electors by assent voting (referendum) is 54. A report respecting the basis on which this determination was made is available on the CVRD website and upon request.

The deadline for elector responses in relation to this Alternative Approval Process is **4:30 p.m. on _____, _____, 2022**. The CVRD Board may proceed with adoption of Bylaw No. 686 unless, by the stated deadline, at least 10% (being 54) of the electors of the Service Area sign and submit an elector response form opposing the Bylaw. Public inspection of copies of the Bylaw can be made at the CVRD office from 8:30 a.m. to 4:30 p.m. (Monday-Friday, except holidays).

Electors may qualify as either resident electors or as non-resident property electors, as follows:

Resident Electors – are 18 years of age or older, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of the Mount Washington Resort Community Fire Protection Service Area for the past 30 days or more.

Non-Resident Property Electors – are age 18 or older, are a Canadian citizen, have lived in BC for at least six months, have owned and held registered title to a property within the Mount Washington Resort Community Fire Protection Service Area for the past 30 days or more, and do not qualify as a resident elector.

For more information about Resident Elector and Non-Resident Property Elector qualifications, please visit www.comoxvalleyrd.ca/mountwashingtonfire or contact the CVRD’s Legislative Services Department.

Elector responses must be given in the form established by the CVRD Board. Elector response forms are available at www.comoxvalleyrd.ca/mountwashingtonfire and at the CVRD office. The only persons entitled to sign the elector response forms are the electors of the area to which the Alternative Approval Process applies.

Appendix D

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/mountwashingtonfire



Alternative Approval Process (AAP) - Elector Response Form

Proposed Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021” which would authorize the Comox Valley Regional District (CVRD) to borrow one million four hundred and twenty-five thousand dollars (\$1,425,000) to be repaid over a maximum 30-year period to finance the costs of constructing and equipping a fire hall for the Mount Washington Resort Community Fire Protection Service Area which is within 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 Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021”

Full name: (please print)	
Residential address: (please provide full address)	
Phone Number:	
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 _____, **2022** by one of the following methods:

Mail or in person: Comox Valley Regional District 770 Harmston Avenue, Courtenay, BC V9N 0G8	Fax: 250-334- 4358	Email: email a legible scanned copy to elections@comoxvalleyrd.ca
---	---------------------------------	--

- **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 AAP, 10 percent of the qualified electors has been determined to be 54 persons. Determination of the number of qualified electors is available on the Regional District’s website and by request.**

Appendix E

Mount Washington Resort Community Fire Hall

The Comox Valley Regional District is proposing to borrow \$1,425,000 to be repaid over a period not to exceed 30 years to finance the costs of constructing a fire hall to serve the Mount Washington Resort Community. An operating fire hall will improve emergency response times, provide permanent heated storage for fire apparatus tools and equipment, provide a purpose-built facility for volunteer firefighters to train and respond from and serve as the focal point for enabling and encouraging additional volunteers to join the department.

For a property assessed at \$500,000, the increase in the annual property tax attributable to the borrowing is estimated at \$123.

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 Mount Washington Resort Community Fire Protection 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;
- a registered owner of real property in the Mount Washington Resort Community Fire Protection Service Area for at least 30 days;
- not be disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Note: The CVRD must conduct the AAP in accordance with the *Local Government Act* (the Act), which is a provincial statute. The Act includes certain requirements, including that:

- leases must be for at least 99 years in order to make a lease holder eligible to sign an elector response form as a non-resident property elector. According to case law, a lease with a term stated as 60 years plus two 20 year renewals does not qualify as a lease of at least 99 years; the wording of the lease must be 60 years plus two 20 year extensions in order to be considered a lease of at least 99 years.
- properties that are owned by a corporation, in whole or in part, are not eligible under the non-resident property elector provisions.
- Only one non-resident property elector may sign an elector response form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. Consent forms are available on the website noted below and from the CVRD office.

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 8:30 am to 4:30 pm

www.comoxvalleyrd.ca/mountwashingtonfire