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REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, APRIL 9, 2025

SUBJECT **AAP Requirements for Bylaw No. 4634: Sooke and Electoral Area Recreation and Facilities Service 2025 Capital Project Loan Authorization Bylaw No. 1, 2025**

ISSUE SUMMARY

The CRD Board must establish the process for conducting an alternative approval process (AAP) by establishing the total number of electors, approving the deadline to receive elector responses, approving a synopsis for the bylaw, the statutory notice, and the elector response form.

BACKGROUND

At its meeting held February 12, 2025, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 4634, "*Sooke and Electoral Area Recreation and Facilities Service 2025 Capital Project Loan Authorization Bylaw No. 1, 2025*" (Appendix A).

The purpose of Bylaw No. 4634 is to authorize the borrowing of a sum not exceeding Three Million One Hundred Fifty Thousand Dollars (\$3,150,000) for the purposes of recreational service capital projects, including heat recovery capital projects and the construction and development of a skateboard park. The debt servicing cost will be recovered over a maximum term of 15 years through annual requisition for the service.

Prior to adopting a loan authorization bylaw, participating area approval is required and will be obtained for the entire service area by alternative approval process. The service area applies to the electors within the Sooke and Electoral Area Recreation and Facilities Service area which is comprised of the District of Sooke and a portion of the Juan de Fuca Electoral Area (including East Sooke, Jordan River, Otter Point, Shirley and Rural Resource Lands; and specifically excluding Malahat, Port Renfrew, and Willis Points) as set out in Bylaw No. 4029, as amended, in the Capital Regional District.

The following documents have been prepared in accordance with the applicable sections of the *Local Government Act* and the *Community Charter* and must be approved by the CRD Board:

- Synopsis of Bylaw No. 4634 (Appendix B)
- Notice of AAP for Bylaw No. 4634 (Appendix C)
- Elector Response Form for Bylaw No. 4634 (Appendix D)

With an AAP, the Board may proceed with adopting the bylaw if less than 10% of electors submit a signed Elector Response Form indicating that the Board must obtain the assent of the electors by way of assent voting (referendum). The total number of electors in the Sooke and Electoral Area Recreation and Facilities Service area is determined to be 18,255 of which 10% is 1,826 electors. The AAP Elector Response Form will be available when the statutory Notice of AAP is published on April 17, 2025 and the response period will close at 4:30 pm on May 23, 2025.

ALTERNATIVES

Alternative 1

1. That in accordance with section 86(3) of the *Community Charter*, the date of May 23, 2025 be confirmed as the deadline by which elector responses, under the alternative approval process for CRD Bylaw No. 4634, must be submitted to the Capital Regional District by qualified electors within the service participating area;
2. That the attached Synopsis of Bylaw No. 4634 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix E) be approved; and
3. That the total number of registered electors within the service participating area is 18,255 and that 10% of that number is 1,826 electors.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Communication Channels

The AAP notification for Bylaw No. 4634 will launch on April 17, 2025. The purpose of the communication approach is to inform electors in the Sooke and Electoral Area Recreation and Facilities Service area of the purpose and intent of borrowing for recreational service capital projects, provide information regarding the opportunity to submit response forms to the bylaw prior to the deadline, and address questions that may arise during the process. The AAP communication channels plan is attached as Appendix E.

CONCLUSION

The CRD Board had previously approved obtaining participating area approval for the entire service area by alternative approval process for Bylaw No. 4634, "*Sooke and Electoral Area Recreation and Facilities Service 2025 Capital Project Loan Authorization Bylaw No. 1, 2025*". Prior to conducting the alternative approval process, the Board must confirm the deadline to receive elector responses as May 23, 2025, establish the number of eligible electors, and approve the synopsis of Bylaw No. 4634 (Appendix B), Notice of Alternative Approval Process (Appendix C), and the Elector Response Form (Appendix D) in accordance with the applicable provincial legislation.

RECOMMENDATION

1. That in accordance with section 86(3) of the *Community Charter*, the date of May 23, 2025 be confirmed as the deadline by which elector responses, under the alternative approval process for CRD Bylaw No. 4634, must be submitted to the Capital Regional District by qualified electors within the service participating area;
2. That the attached Synopsis of Bylaw No. 4634 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix E) be approved; and
3. That the total number of registered electors within the service participating area is 18,255 and that 10% of that number is 1,826 electors.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Glenn Harris, Ph.D., R.P.Bio., Acting General Manager Parks, Recreation & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

- Appendix A: Bylaw No. 4634 at Third Reading
- Appendix B: Synopsis of Bylaw No. 4634
- Appendix C: Notice of AAP for Bylaw No. 4634
- Appendix D: Elector Response Form for Bylaw No. 4634
- Appendix E: AAP Communication Channels for Bylaw No. 4634