



Making a difference...together

**REPORT TO ELECTORAL AREAS COMMITTEE
MEETING OF WEDNESDAY, DECEMBER 11, 2019**

SUBJECT **Magic Lake Estates Wastewater System Loan Authorization – Presentation of Assent Voting (Referendum) Results**

ISSUE SUMMARY

To present the official results for the Magic Lake Estates (MLE) Wastewater System Loan Authorization assent voting opportunity (referendum) held on November 23, 2019 and to proceed with the adoption of Bylaw No. 4320.

BACKGROUND

In accordance with the *Local Government Act*, on Saturday, November 23, 2019, electors of the Magic Lake Estates Wastewater local service area within the Southern Gulf Islands Electoral Area of the Capital Regional District were asked to vote on the following question:

Are you in favour of the Capital Regional District (CRD) Board adopting Bylaw No. 4320, “Magic Lake Estates Wastewater System Loan Authorization Bylaw No. 3, 2019”, authorizing the Capital Regional District to borrow an amount up to but not to exceed SIX MILLION DOLLARS (\$6,000,000) for the purpose of administering, planning, designing, acquiring and constructing the capital renewal and upgrade of the Magic Lake Estates Wastewater System. YES or NO?”

Voting opportunities were available on Pender Island on November 13 and 20 (advance voting), November 23, as well as by mail ballots.

The results of the referendum are in the positive, as follows:

YES	207
NO	36

A copy of the Chief Election Officer’s Proclamation of Official Results is attached for your information at Appendix A.

ALTERNATIVES

Alternative 1

The Electoral Areas Committee recommends to the Capital Regional District Board:

- 1) That the Chief Election Officer’s Proclamation of Official results be received for information.
- 2) That Bylaw No. 4320, “Magic Lake Estates Wastewater System Loan Authorization Bylaw No. 3, 2019”, be adopted.

Alternative 2

The Electoral Areas Committee recommends to the Capital Regional District Board that the Chief Election Officer’s Proclamation of Official results be received for information.

Alternative 3

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

IMPLICATIONS

The *Local Government Act* requires that following the adoption of a loan authorization bylaw (Appendix B), the public have a one month quashing period after which the Inspector of Municipalities issues a certificate of approval. Following this approval, the CRD will advance the borrowing bylaws.

Additional information on the project, including proposed budget and timelines, is available in the staff report of July 10, 2019, attached as Appendix C.

The total costs of the referendum will be paid for by the MLE Wastewater service.

CONCLUSION

On July 10, 2019, the CRD Board directed that elector assent for the Magic Lake Estates Wastewater System Loan Authorization Bylaw be obtain via assent voting (referendum) on November 23, 2019. The results of the vote were 207 in favour and 36 opposed, and the bylaw is now able to be adopted by the CRD Board. Following adoption of the bylaw, the Inspector of Municipalities will issue a certificate of approval, at which time the CRD Board will consider borrowing bylaws related to the approved loan authorization.

RECOMMENDATION

The Electoral Areas Committee recommends to the Capital Regional District Board:

- 1) That the Chief Election Officer's Proclamation of Official results be received for information.
- 2) That Bylaw No. 4320, "Magic Lake Estates Wastewater System Loan Authorization Bylaw No. 3, 2019", be adopted.

Submitted by:	Emilie Gorman, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

- Appendix A: Final Results – MLE Referendum
- Appendix B: Bylaw 4320
- Appendix C: Report of July 10, 2019