

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, FEBRUARY 08, 2023**

SUBJECT **AAP Results & Adoption for Bylaw 4515 – Solid Waste Disposal Loan Authorization**

ISSUE SUMMARY

To report back on the results of the Alternate Approval Process for Bylaw No. 4515 and advance the bylaw for adoption.

BACKGROUND

At its meeting held October 12, 2022, the CRD Board gave three readings to the following bylaw, attached as Appendix A:

- **Bylaw No. 4515**, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*” to authorize the borrowing of thirty six million dollars (\$36,000,000) for the purpose of acquiring, designing and constructing solid waste facilities and site improvements at the Hartland Landfill site, construction of remote transfer stations and all related ancillary works and equipment.

On December 14, 2022, the CRD Board established that elector assent be obtained by Alternative Approval Process (AAP) for the electors in the entire service area in accordance with section 345 of the *Local Government Act (LGA)*. The number of registered electors was determined to be 332,080 of which 10% is 33,208 electors [the number needed to voice opposition]. Notice was published on December 17th and December 22nd in the Times Colonist newspaper publications in accordance with section 345(2) of the *LGA*.

The CRD received 2 valid response forms indicating opposition to the adoption of the bylaw by the closing date of January 23, 2023. As the response rate was less than 10% of electors, elector approval was received for Bylaw No. 4515. In accordance with section 86(8) of the *LGA*, the Corporate Officer’s certification of results is attached as Appendix B.

For information on the proposed borrowing, please refer to the previous staff report dated October 12, 2022, attached as Appendix C.

ALTERNATIVES

Alternative 1

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received; and
2. That Bylaw No. 4515, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*” be adopted.

Alternative 2

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

CONCLUSION

On January 23, 2023, elector approval was obtained by an Alternative Approval Process for Bylaw No. 4515, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*”. The purpose of the bylaw is to borrow up to \$36,000,000 for the purpose of acquiring, designing and constructing solid waste facilities and site improvements at the Hartland Landfill site, construction of remote transfer stations and all related ancillary works and equipment. The debt servicing costs will be recovered through the tipping fees at Hartland Landfill site over a period of 15 years. The Bylaw is now ready for adoption, having received approval from the Inspector of Municipalities and the electors in the Capital Regional District.

RECOMMENDATION

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4515 (Appendix B) be received; and
2. That Bylaw No. 4515, “*Solid Waste Disposal Loan Authorization Bylaw No. 1, 2022*” be adopted.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Bylaw No. 4515

Appendix B: Certificate of Results for Bylaw No. 4515

Appendix C: Previous Staff Report (October 12, 2022)