



**REPORT TO SOUTHERN GULF ISLANDS HARBOURS COMMISSION  
MEETING OF FRIDAY, NOVEMBER 27, 2020**

**SUBJECT    Alternative Approval Process - Next Steps**

**ISSUE SUMMARY**

To provide the Southern Gulf Islands Harbours Commission with background on capital projects requiring debt funding and identify next steps.

**BACKGROUND**

At its June 26, 2020 meeting, the Southern Gulf Islands Harbours Commission (the Commission) directed staff to proceed with planning of an Alternative Approval Process (AAP) for borrowing approximately \$530,000, and present detailed next steps with a proposed schedule and estimated parcel tax implications.

Since then, the Anson Road On-Shore and Dock tenders closed and were over budget. Staff have evaluated the priority of projects and have proposed amendments to the 5-year Capital Plan so that the Anson Road project can continue.

Staff have identified the following projects requiring borrowing and the year they are to be implemented.

***Table 1: Projects and Required Borrowing***

<b>Year</b>	<b>Project</b>	<b>Budget Amount</b>
2021	Anson Road	\$433,000
2021	Miners Bay Upgrades	\$277,000
2022	Retreat Cove	\$185,000
2022	Port Washington	\$195,000
2023	Swartz Bay Dock Improvements	\$ 75,000
<b>Total</b>		<b>\$1,165,000</b>

**Alternative Approval Process**

In order to proceed with the completion of the noted projects, a loan is required which must first be approved by the electors of the service area. Due to the wide spread service area over the Southern Gulf Islands an Alternative Approval Process (AAP) is recommended over a Referendum.

The Capital Regional District (CRD) may proceed with consideration of adoption of a loan authorization bylaw, unless more than 10% of the electors indicate they are opposed to the CRD undertaking the loan, by signing an elector response form by the deadline. If less than 10% of electors sign the response forms prior to the deadline, elector approval will be determined to have been obtained, and the CRD may proceed with the bylaw and projects.

For the purpose of an AAP process, the CRD Board is required to:

1. Establish the deadline for receipt of elector response, at least 30 days after second publication of statutory notice;
2. Establish elector response forms; and
3. Determine a fair total number of electors of the area to which the approval process applies.

Additionally, a notice of the AAP providing specific information concerning the AAP will be published in a newspaper for two consecutive weeks. The notice will also be placed on the CRD's website and posted at prominent locations throughout the Southern Gulf Islands.

A deadline for the AAP process must be at least 30 days after the second publication of the statutory notice in the newspaper.

**Table 2: Next Steps and Timeline for the AAP**

	<b>NEXT STEPS</b>	<b>TIME FRAME</b>
1	Staff report to the Commission – Outlining the AAP	November 27, 2020
2	Introduction and three readings of the Loan Authorization Bylaw (LAB)	January 2021 – Electoral Areas Committee (EAC) January 2021 – CRD Board
3	Obtain Statutory approval from the Inspector of Municipalities	Early February 2021
4	AAP process report to the EAC and CRD Board	February 2021 – EAC March 2021 – CRD Board
5	Publish first statutory notice in newspaper, post on CRD website	March 2021
6	Response form, Number of Electors memo, Bylaw, and information materials available; website, handouts and other communications	Commencing March 2021 through AAP period
7	Publish second statutory notice in newspaper, post on CRD website	End of March 2021
8	AAP response opportunity ends	At least 30 days after second statutory notice – Deadline Friday, April 30, 2021
9	Determination and certification re: elector responses and report to EAC and CRD Board	May 2021 – EAC May 2021 – CRD Board
10	Apply for certificate of approval	One month from adoption Estimated end of June 2021
11	Receipt of Certificate of Approval from Inspector Municipalities	Mid-July 2021
12	Secure initial draw on Loan	August 2021

**Elector Response Forms**

The AAP process requires that electors must respond in the form established by the CRD Board. Staff will draft the response form for a single response per form for the AAP process report to the EAC and CRD Board.

Eligible individuals who can fill out a response form are resident electors or non-resident property electors of the Southern Gulf Islands Harbours Local Service Area. An elector will be required to deliver their completed form, with original signature (in person, by mail or by courier), to the CRD's Legislative and Information Services office in Victoria prior to the deadline. Facsimiles, emails or other electronic submissions will not be accepted, and postmarks will not be accepted as the date of submission.

**Certificate of AAP Results**

Completed elector response forms must be received by the CRD's Legislative and Information Services prior to the deadline date. After the deadline date, the Corporate Officer must determine and certify whether elector approval has been obtained (i.e. the number of valid elector response is less than 10%).

If elector approval is obtained, the CRD Board may consider the bylaw for adoption at the same Board meeting as the AAP results report is received. Following a 30-day quashing period, the CRD may apply to the Inspector of Municipalities for the Certificate of Approval. The CRD would then proceed with continuation of advancement of the project.

**ALTERNATIVES**

*Alternative 1*

The Southern Gulf Islands Harbours Commission receive this report for information.

*Alternative 2*

The Southern Gulf Islands Harbours Commission refer the report back to staff for additional information.

**IMPLICATIONS**

*Alternative 1*

Staff will continue with the Alternative Approval Process to meet the timeline noted above. Staff will preset updates as the process progresses.

*Alternative 2*

Staff will present a report at the next Southern Gulf Islands Harbours Commission meeting with the additional requested information. This will likely delay the Loan Authorization Bylaw reading and ultimately delay when funds can be accessed.

**RECOMMENDATION**

The Southern Gulf Islands Harbours Commission receive this report for information.

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