REGIONAL DISTRICT OF NANAIMO

BLUEBACK COMMUNITY PARKLAND ADDITION ALTERNATIVE APPROVAL PROCESS RESULTS

RECOMMENDATIONS

1. That "Electoral Area 'E' Community Parks Local Service Amendment Bylaw No. 803.07, 2021" be adopted.

2. That "Regional District of Nanaimo Electoral Area 'E' Parkland Acquisition Loan Authorization Bylaw No. 1844, 2021" be adopted.

BACKGROUND

At the September 28, 2021 Board meeting, the Board approved the following motions:

#21-483: "That "Electoral Area 'E' Community Parks Local Service Amendment Bylaw No. 803.07, 2021" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval."

#21-484: "That "Regional District of Nanaimo Electoral Area 'E' Parkland Acquisition Loan Authorization Bylaw No. 1844, 2021" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval."

#21-485: "That the Board approve the Elector Response Form as provided in Attachment 3; establish 4:00 P.M. on February 14, 2022, as the deadline for receiving elector responses for the alternative approval process, and; determine the total number of electors of the area to which the approval process applies to be 5,394."

21-486: "That that once the service is amended, the 2022 proposed budget include $1,060,500 for the purchase of parkland in Electoral Area E.

Bylaws No. 803.07, 2021 and No. 1844, 2021 authorize the Board to increase the tax requisition for the Electoral Area E Community Park Local Service and to secure a loan for the purchase of 3427 Tyee Crescent as an addition to Blueback Community Park. As required by the *Local Government Act*, the approval of the Inspector of Municipalities was received on October 17, 2021 for Bylaw No. 803.07, and on November 4, 2021 for Bylaw No. 1844 which authorized the RDN to proceed with seeking electoral approval for the bylaws.

In accordance with the *Community Charter*, the Board approved an alternative approval process (AAP) to seek electoral approval in the service area. As part of the AAP, electors opposed to the adoption of the Bylaws are required to sign an elector response form and submit it to the Regional District of Nanaimo (RDN) prior to the established deadline of February 14, 2022.

Author: Elaine McCulloch, Senior Parks Planner

For the purpose of conducting the AAP, the number of electors in the service area was determined to be 5,394. Therefore, if fewer than 539 elector response forms are received prior to Monday, February 14, 2022, at 4:00 p.m., elector approval is deemed to have been obtained and the Board can proceed to adopt Bylaw No. 803.07 and Bylaw No. 1844.

There were twenty-three (23) valid elector response forms received by the February 14 deadline (see Corporate Officer's Certification - Attachment 3), therefore Bylaws No. 803.07 and Bylaw No. 1844 have received approval of the electors by the alternative approval process (AAP) and may be adopted by the Board.

To provide an opportunity for public information and participation, the RDN created a 'Get Involved' page in late November 2021 that was updated throughout the project. The 'Get Involved' page contained detailed questions and answers on the proposed parkland acquisition and bylaws, copies of all related background documents, a copy of the Elector Response Form, and full details on how to participate in the AAP. The 'Get Involved' page for the Blueback Community Park Property Addition - Alternative Approval Process was visited thirty-nine (39) times with thirty (30) site visitors classified as Aware, fifteen (15) as Informed, and two (2) as Engaged based on their interactions with the site. The RDN also notified members of the Electoral Area E Parks and Open Space Advisory Committee by email, posted details on the AAP to Facebook and Twitter, provided detailed notices in local print media, and responded to public and media questions on both the project and the AAP.

FINANCIAL IMPLICATIONS

The price to purchase this property is $1,060,500. The amount of $130,000 from EA E Cash-In-Lieu Reserve account is available to be used towards this purchase. If the balance of $930,500 was borrowed over a 20-year term, the annual payments would be $65,267, assuming a 3% interest rate. The average home will see an approximate increase in tax requisition of $18.56 /year under this option. It is recommended the purchase amount be borrowed over a 20-year period for this acquisition.

The cost of demolishing the 800 sq ft 1964 cottage, removing various dead trees and restoring the site is estimated in the range of $25,000 to $50,000 depending on if any hazardous materials are present in the building (Asbestos Containing Materials and Lead). An amount of $30,000 is included in the proposed Electoral Area E Community Parks 5-year Financial Plan - 2022-2026.

If acquired, the cost to maintain this property is estimated at $1,000 per year. This annual amount would cover the cost of managing and maintaining the vegetation on site and other amenities.

STRATEGIC PLAN ALIGNMENT

Environmental Stewardship - Protect and enhance the natural environment, including land, water, and air quality for future generations.

REVIEWED BY:

Y. Gagnon, Manager, Parks Services
J. Hill, Manager, Legislative Services
T. Moore, Acting Director of Finance
T. Osborne, General Manager, Recreation and Parks
D. Holmes, Chief Administrative Officer

ATTACHMENTS

1. Electoral Area 'E' Community Parks Local Service Amendment Bylaw No. 803.07, 2021
2. Regional District of Nanaimo Electoral Area 'E' Parkland Acquisition Loan Authorization Bylaw No. 1844, 2021
3. Corporate Officer's Certification

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 803.07

A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA 'E' COMMUNITY PARKS LOCAL SERVICE ESTABLISHMENT BYLAW NO. 803, 1990

WHEREAS the Board of the Regional District of Nanaimo wishes to amend "Electoral Area 'E' Community Parks Local Service Establishment Bylaw No. 803, 1990";

NOW THEREFORE, the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited as "Electoral Area 'E' Community Parks Local Service Amendment Bylaw No. 803.07, 2021".

2. Amendment

"Electoral Area 'E' Community Parks Local Service Establishment Bylaw No. 803, 1990" is amended as follows:

(1) By deleting Section 4 and substituting it with the following:

"In accordance with the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

(a) $389,342 (Three Hundred and Eighty-Nine Thousand Three Hundred and Forty-Two Dollars), or;

(b) the amount obtained by multiplying the net taxable value of lands and improvements within the Service Area by a property value tax rate of $0.1343 per thousand dollars of assessment."

Introduced and read three times this 28th day of September, 2021.

Approved by the Inspector of Municipalities this 17th day of October, 2021.

Received the approval of the electors of Electoral Area 'E' this 14th day of February, 2022.

Adopted this ___ day of _____, _____.

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1844

A BYLAW TO AUTHORIZE BORROWING
FOR THE ACQUISITION OF PARKLAND IN ELECTORAL AREA 'E'

WHEREAS the Board of the Regional District of Nanaimo (the "Regional District") established the Electoral Area 'E' Community Parks Service (the "Service") pursuant to Electoral Area 'E' Community Parks Local Service Establishment Bylaw No. 803, 1990 for the purpose of acquiring, developing, operating and maintaining land and facilities for providing recreation and cultural opportunities to residents within Electoral Area 'E';

AND WHEREAS it is deemed desirable for the Regional District to purchase the following lands within the Electoral Area 'E' Community Parks Service Area for community park purposes:

Civic Address:
3427 Tyee Crescent,
Nanoose Bay

Legal Description:
Parcel Identifier: 004-547-934
Lot 38, District Lot 78, Nanoose District, Plan 15983
(the "Property")

AND WHEREAS the purchase price for the Property is One Million, Sixty Thousand, Five Hundred Dollars ($1,060,500.00) of which the sum of Nine Hundred Thirty Thousand, Five Hundred Dollars ($930,500.00) is to be borrowed;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years after the date on which this bylaw is adopted;

AND WHEREAS the approval of the electors in Electoral Area 'E' Community Parks Service Area has been obtained by an alternative approval process in accordance with the *Local Government Act* to borrow in connection with the purchase of the Property;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained in accordance with the *Local Government Act* to borrow in connection with the purchase of the Property;

AND WHEREAS the financing is to be undertaken by the Municipal Finance Authority of British Columbia pursuant to proposed agreements between the Authority and the Regional District;

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

1. This bylaw may be cited for all purposes as "Regional District of Nanaimo Electoral Area 'E' Parkland Acquisition Loan Authorization Bylaw No. 1844, 2021".

2. The Board is hereby empowered and authorized to purchase the Property for community park purposes in connection with the Service and to do all things necessary in connection therewith, including, without limiting the generality of the foregoing, to borrow upon the credit of the Regional District a sum not exceeding Nine Hundred Thirty Thousand, Five Hundred Dollars ($930,500.00) to be used for such purchase.

3. The maximum term for which debentures may be issued to secure the long-term debt created by this bylaw is twenty (20) years.

4. All of the borrowed funds shall be used for the purchase of the Property as community park in connection with the Electoral Area 'E' Community Parks Service established pursuant to Electoral Area 'E' Community Parks Local Service Establishment Bylaw No. 803, 1990, as amended.

Introduced and read three times this 28th day of September, 2021.

Approved by the Inspector of Municipalities this 4th day of November, 2021.

Received the approval of the electors of Electoral Area 'E' this 14th day of February, 2022.

Adopted this ___ day of _____, _____.

CHAIR

CORPORATE OFFICER

REGIONAL DISTRCIT OF NANAIMO

CORPORATE OFFICER'S CERTIFICATION

I, the undersigned Corporate Officer, as the person assigned responsibility for corporate administration under section 236 of the *Local Government Act*, certify the results of the alternative approval process that was conducted to obtain the approval of the electors for "Electoral Area 'E' Community Parks Local Service Amendment Bylaw No. 803.07, 2021" and "Regional District of Nanaimo Electoral Area 'E' Parkland Acquisition Loan Authorization Bylaw No. 1844, 2021" as follows:

5,394	Estimated number of electors
25	Number of elector response forms submitted by the deadline
2	Number of elector response forms rejected
23	Number of elector response forms accepted
.43%	Percentage of estimated electors who validly submitted elector response forms

and in accordance with Section 86 of the *Community Charter*, the approval of the electors was obtained.

DATED this 15th day of February, 2022

Corporate Officer