



STAFF REPORT TO THE BOARD

DATE OF REPORT October 2, 2024
MEETING TYPE & DATE Special Board of October 2, 2024
FROM: Corporate Services
Legislative Services Division
SUBJECT: Shawnigan Village Water System Service Establishment and
Loan Authorization – Results of Alternative Approval Process
FILE: 4200-20 (2024)

PURPOSE/INTRODUCTION

The purpose of this report is to advise the Board of the results for the Alternative Approval Process (AAP) of CVRD Bylaw No. 4566 and 4567, that establishes the Shawnigan Village Water System Service Area and authorizes the borrowing of up to \$3.2M to purchase the Shawnigan Waterworks System.

RECOMMENDED RESOLUTION

1. That the *Certificate of Results* confirming that the CVRD Board may proceed to adopt "CVRD Bylaw No. 4566 – Shawnigan Village Water System Service Establishment Bylaw, 2024"; and "CVRD Bylaw No. 4567 – Shawnigan Village Water System Service Loan Authorization (\$3,200,000) Bylaw, 2024", be received.
2. That "CVRD Bylaw No. 4566 – Shawnigan Village Water System Service Establishment Bylaw, 2024", be adopted.
3. That "CVRD Bylaw No. 4567 – Shawnigan Village Water System Service Loan Authorization (\$3,200,000) Bylaw, 2024", be adopted.
4. That "CVRD Bylaw No. 4607 - Shawnigan Village Water Service Temporary Borrowing Bylaw, 2024", be granted 1st, 2nd, and 3rd reading; and
5. That "CVRD Bylaw No. 4607 - Shawnigan Village Water Service Temporary Borrowing Bylaw, 2024", be adopted.
6. That "CVRD Bylaw No. 4609 - Shawnigan Village Water System Service Area Reserve Fund Establishment Bylaw, 2024", be granted 1st, 2nd, and 3rd reading; and
7. That "CVRD Bylaw No. 4609 – Shawnigan Village Water System Service Area Reserve Fund Establishment Bylaw, 2024", be adopted.

BACKGROUND

An AAP for obtaining elector approval for the adoption of "CVRD Bylaw No. 4566 – Shawnigan Village Water System Service Establishment Bylaw, 2024" and "CVRD Bylaw No. 4567 –

Shawnigan Village Water System Service Loan Authorization (\$3,200,000) Bylaw, 2024", was launched August 7, 2024 and expired September 23, 2024 (48 days), at 4:30 p.m.

Per the *Community Charter Sec. 86 (8 & 9)*, after the deadline for an alternative approval process has passed, the corporate officer must determine and certify, on the basis of the elector response forms received before deadline, whether elector approval in accordance with this section has been obtained, and determination is final and conclusive.

ANALYSIS

A total of sixty-six (66) *Elector Response Forms* were submitted in opposition to the adoption of the bylaws.

Seven (7) forms were rejected for the following reasons:

- Four (4) were outside the boundary of the service area;
- Two (2) were signed on behalf of a corporation; and
- One (1) was signed on behalf of an Improvement District.

As outlined in the attached *Certificate of Results*, there were a total of fifty-nine (59) valid Elector Response Forms submitted in opposition to adoption of the bylaws. This number is less than 10% (4.84%) of the total eligible to sign, and therefore, the Board may proceed to adopt Bylaw No. 4566 and Bylaw No. 4567.

In addition to the bylaws in this staff report recommendation, the following two bylaws require readings and adoption, and are covered under the Utilities Report and Bylaws on this agenda.

- 4610 – Water Systems Regulatory and Management Amendment Bylaw; and
- 4611 – Shawnigan Village Water System Service Area Parcel Tax Roll Bylaw.

FINANCIAL CONSIDERATIONS

The cost for the AAP, including advertising, was approximately \$6,474.87 to be recovered from the Shawnigan Village Water System Service Budget.

COMMUNICATIONS

February 7	CVRD News Release Re: CVRD proposes to purchase Shawnigan Village Waterworks utility system
February 7	Plan Your Cowichan webpage goes live https://www.planyourcowichan.ca/shawnigan-village-water
February 8	Information letter sent to customers of Shawnigan Village Waterworks
February 26	Cowichan Citizen article re: CVRD considers buying Shawnigan Village Waterworks for \$3.2 million
March 11	Information Session held at Shawnigan Lake Community Centre (est. 50 residents in attendance).
July 24	Report to Board
July 25	Post notice in the public notice posting place (175 Ingram St. Duncan, BC) per Board Procedure Bylaw No. 2889.
July 26	Post notice on the CVRD website: https://www.cvrld.ca/3583/Shawnigan-Village-Water-System-Alternati

July 30	Letter sent to customers about AAP for Shawnigan Village Waterworks
August 1 & 6	Statutory ad in the Cowichan Citizen (Attachment B)
Aug. – Sept.	Weekly ad in the Cowichan Citizen (per CVRD AAP Policy)
August 14	Cowichan Citizen article re: CVRD to hold AAP for purchase of private Shawnigan water system
August 21	Q&A session held at Shawnigan Lake Community Centre (est. 35 residents attended)
September	Lidstek circulated Q&A sheet with customer invoices and handed out during meter readings
Aug. & Sept.	Shawnigan Focus newsletter monthly ad
July – Sept.	Post public notice and ongoing info. on CVRD social media page

Plan Your Cowichan site was updated regularly with FAQs, reports, and forms. An AAP Shawnigan Village Waterworks information binder and elector response forms were available at CVRD office 175 Ingram St. (per: CC Sec. 86(2)(e)(ii)). Elector Response Forms were available at Kerry Park Recreation, and Shawnigan Lake Community Centre. Many citizens called or emailed the CVRD to receive or clarify information.

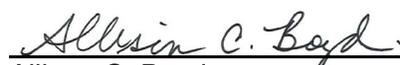
STRATEGIC/BUSINESS PLAN CONSIDERATIONS

This process conforms to Section 5.2 – Community Engagement Policy.

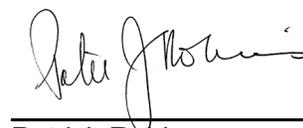
Referred to (upon completion):

- Community Services (*Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- Operations (*Utilities, Parks & Trails, Recycling & Waste Management*)
- Land Use Services (*Community Planning, Strategic Initiatives, Development Services, Building Inspection & Bylaw Enforcement*)
- Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

Prepared by:


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Reviewed by:


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Corporate Officer


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Reviewed for form and content and approved for submission to the Board:

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

Chief Administrative Officer's Comments / Concurrence



Danielle Myles Wilson
Chief Administrative Officer

ATTACHMENTS:

Attachment A – Certification of Results for Alternative Approval Process

Attachment B – Statutory Notice of Alternative Approval Process – Bylaw Nos. 4566 and 4567

Attachment C – Elector Response Form – Bylaw Nos. 4566 and 4567

Attachment D - CVRD Bylaw No. 4566 - Shawnigan Village Water System Service Establishment Bylaw, 2024

Attachment E - CVRD Bylaw No. 4567 – Shawnigan Village Water System Service Loan Authorization (\$3,200,000) Bylaw, 2024

Attachment F – CVRD Bylaw No. 4607 - Shawnigan Village Water Service Temporary Borrowing Bylaw, 2024

Attachment G - CVRD Bylaw No. 4609 – Shawnigan Village Water System Service Area Reserve Fund Establishment Bylaw, 2024