

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, MAY 14, 2025**

SUBJECT **AAP Requirements for Bylaw No. 4664: Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025**

ISSUE SUMMARY

The CRD Board must establish the process for conducting an alternative approval process (AAP) by establishing the total number of electors, approving the deadline to receive elector responses, approving a synopsis for the bylaw, the statutory notice, and the elector response form.

BACKGROUND

At its meeting held January 8, 2025, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 4664, *“Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025”* (Appendix A).

The purpose of Bylaw No. 4664 is to authorize the borrowing of Thirty-Two Million and Three Hundred Thousand Dollars (\$32,300,000), for a period not exceeding 30 years, to acquiring land for the purpose of supplying water within the Water Supply Local Service Area.

Prior to adopting a loan authorization bylaw, participating area approval is required and will be obtained for the entire service area by alternative approval process. The service area applies to the electors within the Water Supply Local Service Area which is comprised of all municipalities of the Capital Regional District (CRD), including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria and View Royal, and in the Juan de Fuca Electoral Area.

The following documents have been prepared in accordance with the applicable sections of the *Local Government Act* and the *Community Charter* and must be approved by the CRD Board:

- Synopsis of Bylaw No. 4664 (Appendix B)
- Notice of AAP for Bylaw No. 4664 (Appendix C)
- Elector Response Form for Bylaw No. 4664 (Appendix D)

With an AAP, the Board may proceed with adopting the bylaw if less than 10% of electors submit a signed Elector Response Form indicating that the Board must obtain the assent of the electors by way of assent voting (referendum). The total number of electors in the Water Supply Local Service Area is determined to be 315,117 of which 10% is 31,512 electors. The AAP Elector Response Form will be available when the statutory Notice of AAP is published on May 22, 2025 and the response period will close at 4:30 pm on June 30, 2025.

ALTERNATIVES

Alternative 1

1. That in accordance with section 86(3) of the *Community Charter*, the date of June 30, 2025 be confirmed as the deadline by which elector responses, under the alternative approval process for CRD Bylaw No. 4664, must be submitted to the Capital Regional District by qualified electors within the service participating area;
2. That the attached Synopsis of Bylaw No. 4664 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix E) be approved; and
3. That the total number of registered electors within the service participating area is 315,117 and that 10% of that number is 31,512 electors.

Alternative 2

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

IMPLICATIONS (choose those that apply)

Communication Channels

The AAP notification for Bylaw No. 4664 will launch on May 22, 2025. The purpose of the communication approach is to inform electors in the Water Supply Local Service Area that the purpose and intent of borrowing is for land acquisition to supply water within the Water Supply Local Service Area, provide information regarding the opportunity to submit response forms to the bylaw prior to the deadline, and address questions that may arise during the process.

The AAP communication channels plan is attached as Appendix E. In addition, the Frequently Asked Questions related to the purchase of land and borrowing is attached as Appendix F.

Canada Post Strike

The current collective agreement between Canada Post and the union representing its workers expires May 22. In the event of a postal strike, information on alternative submission options of scanning and attaching to an email or dropping off the form at a CRD office will be posted on the AAP webpage www.crd.ca/RegionalWaterAAP. In recent AAPs, over 75% of elector response forms are submitted by email as an attachment, so email is the preferred method for most electors to return response forms. The remaining forms are received by post or dropped off at a CRD Office.

CONCLUSION

The CRD Board had previously approved obtaining participating area approval for the entire service area by regional alternative approval process for Bylaw No. 4664, "*Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025*". Prior to conducting the alternative approval process, the Board must confirm the deadline to receive elector responses as June 30, 2025, establish the number of eligible electors, and approve the synopsis of Bylaw No. 4664 (Appendix B), Notice of Alternative Approval Process (Appendix C), and the Elector Response Form (Appendix D) in accordance with the applicable provincial legislation.

RECOMMENDATION

1. That in accordance with section 86(3) of the *Community Charter*, the date of June 30, 2025 be confirmed as the deadline by which elector responses, under the alternative approval process for CRD Bylaw No. 4664, must be submitted to the Capital Regional District by qualified electors within the service participating area;
2. That the attached Synopsis of Bylaw No. 4664 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix E) be approved; and
3. That the total number of registered electors within the service participating area is 315,117 and that 10% of that number is 31,512 electors.

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

ATTACHMENT(S)

Appendix A: Bylaw No. 4664 at Third Reading
Appendix B: Synopsis of Bylaw No. 4664
Appendix C: Notice of AAP for Bylaw No. 4664
Appendix D: Elector Response Form for Bylaw No. 4664
Appendix E: AAP Communication Channels for Bylaw No. 4664
Appendix F: Frequently Asked Questions – Regional Water AAP

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4664

**A BYLAW TO AUTHORIZE PLANNED BORROWING OF THIRTY-TWO MILLION AND
THREE HUNDRED THOUSAND DOLLARS (\$32,300,000)
FOR LAND ACQUISITION IN THE REGIONAL WATER SUPPLY SERVICE**

WHEREAS:

- A. Under Bylaw No. 2537, "Water Supply Local Service Area Establishment Bylaw No. 1, 1997", and as amended by subsequent bylaws, the Board of the Regional District established a local service area for the purpose of supplying water in the Regional District;
- B. The Board of the Capital Regional District may, by bylaw, borrow money for capital purposes in acquisition of water supply lands in the Regional District;
- C. The estimated cost of the acquisition of water supply lands, including expenses incidental thereto to be funded by debt servicing, is the sum of Thirty-Two Million and Three Hundred Thousand Dollars (\$32,300,000); which is the amount of debt intended to be authorized by this bylaw;
- D. Pursuant to s. 407 of the *Local Government Act*, participating area approval is required for this borrowing and shall be obtained by alternative approval process for the entire service area under section 345 of the *Local Government Act*;
- E. The approval of the Inspector of Municipalities is required under Section 403 of the *Local Government Act*; and
- F. Financing is proposed to be undertaken by the Municipal Finance Authority of British Columbia pursuant to agreements between it and the Capital Regional District.

NOW THEREFORE the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. For the purposes of the Regional Water Supply Service, the Board is hereby empowered and authorized to undertake and carry out or cause to be carried out to acquire all such real property, easements, rights-of-way, leases, licenses, rights or authorities as may be requisite or desirable for or in connection with the acquisition of land deemed necessary in connection with land acquisition in the regional water supply services; and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - (a) to borrow upon the credit of the Capital Regional District a sum not exceeding Thirty-Two Million and Three Hundred Thousand Dollars (\$32,300,000); and
 - (b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with land acquisition.

2. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 30 years.
3. This Bylaw may be cited as "Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025".

READ A FIRST TIME THIS 8th day of January, 2025

READ A SECOND TIME THIS 8th day of January, 2025

READ A THIRD TIME THIS 8th day of January, 2025

APPROVED BY THE INSPECTOR
OF MUNICIPALITIES THIS 12th day of March, 2025

APPROVED BY ALTERNATIVE APPROVAL
PROCESS PER s.345 OF THE
LOCAL GOVERNMENT ACT day of 20__

ADOPTED THIS day of 20__

CHAIR

CORPORATE OFFICER

Synopsis of Bylaw No. 4664, “Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025”

The purpose of Bylaw No. 4664 is to authorize the borrowing of Thirty-Two Million and Three Hundred Thousand Dollars (\$32,300,000), for a period not exceeding 30 years, for the purpose of acquiring land for the purpose of supplying water within the Water Supply Local Service Area.

Participating area approval for Bylaw No. 4664 will be obtained for the entire service area by Alternative Approval Process. The Alternative Approval Process applies to all electors within the **Water Supply Local Service Area which is comprised of all municipalities of the Capital Regional District (CRD), including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria and View Royal, and in the Juan de Fuca Electoral Area.**

Please note that this synopsis of Bylaw No. 4664 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District offices located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at www.crd.ca/RegionalWaterAAP.



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NOTICE TO ELECTORS WITHIN THE CAPITAL REGIONAL DISTRICT

Alternative Approval Process for Bylaw No. 4664 – to authorize the borrowing of \$32,300,000 for the purpose of acquiring land within the Water Supply Local Service Area.

Notice is hereby given that the Board of Directors of the Capital Regional District (“CRD”) proposes to adopt Bylaw No. 4664, *“Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025”*. The service area applies to electors within the Water Supply Local Service Area as set out in Bylaw No. 2537, as amended.

The purpose of Bylaw No. 4664 is to authorize the borrowing of Thirty-Two Million and Three Hundred Thousand Dollars (\$32,300,000), for a period not exceeding 30 years, for the purpose of acquiring land for the purpose of supplying water within the Water Supply Local Service Area.

Participating area approval for Bylaw No. 4664 will be obtained for the entire service area by Alternative Approval Process. The Alternative Approval Process applies to all electors within the **Water Supply Local Service Area which is comprised of all municipalities of the Capital Regional District (CRD), including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria and View Royal, and in the Juan de Fuca Electoral Area.**

Please note that this synopsis of Bylaw No. 4664 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District offices located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at www.crd.ca/RegionalWaterAAP.

Take further notice that the CRD may proceed with Bylaw No. 4664 unless at least 31,512 electors (constituting 10% of the eligible electors) within the Water Supply Local Service Area indicate, by signing the elector response form, that the Board must obtain the assent of the electors by way of an assent vote (referendum) before proceeding to adopt Bylaw No. 4664.

The elector response must be in the form as established by the CRD and is available from the CRD on request or from the CRD website at www.crd.ca/RegionalWaterAAP.

The only persons entitled to sign elector response forms are electors of the area to which the alternative approval process opportunity applies. The alternative approval process opportunity applies to the electors within the **Water Supply Local Service Area which is comprised of all municipalities of the CRD, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich,**

Oak Bay, Saanich, Sidney, Sooke, Victoria and View Royal, and in the Juan de Fuca Electoral Area.

The deadline for submitting signed elector response forms, in relation to Bylaw No. 4664, to the CRD is **4:30 pm on Monday, June 30, 2025**. Forms must be received by the deadline to be counted. A copy of the elector form may be downloaded from: www.crd.ca/RegionalWaterAAP

To obtain an elector response form, or for questions about the alternative approval process, contact Legislative Services, 625 Fisgard Street, Victoria, BC, V8W 1R7, email legserv@crd.bc.ca, telephone 250.360.3024 or toll free 1.800.663.4425 from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays).

Questions regarding Bylaw No. 4664 may be directed to Annette Constabel, Senior Manager, Watershed Protection, 250.391.3556, aconstabel@crd.bc.ca, from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays) from the date of this notice until June 30, 2025.

Qualifications for Resident and Non-Resident Property Electors

Resident Elector: You are entitled to submit an elector response form as a Resident Elector if you are 18 years or older on the date of submission of the elector response form, are a Canadian citizen, have resided in British Columbia for at least 6 months and currently reside in the **Water Supply Local Service Area** prior to signing the elector response form.

Non-Resident Property Elector: You may submit an elector response form as a Non-Resident Property Elector if you are 18 years or older on the date of submission of the elector response form, are a Canadian citizen, have resided in British Columbia for 6 months, have owned and held registered title to property in the **Water Supply Local Service Area** for 30 days and do NOT qualify as a Resident Elector. If there is more than one registered owner of the property (either as joint tenants or tenants in common) only one individual may, with the written consent of the majority, submit an elector response form.

Elector response forms, a copy of Bylaw No. 4664, and a copy of this Notice may be inspected during regular office hours, 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays) from the date of this notice until **4:30 pm on Monday, June 30, 2025** at the following CRD locations:

- CRD Headquarters, 625 Fisgard Street, Victoria, BC
- on the CRD website: www.crd.ca/RegionalWaterAAP

Given under my hand at Victoria, BC this 22nd day of May 2025.

Kristen Morley
Corporate Officer



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ELECTOR RESPONSE FORM

Appendix D

Alternative Approval Process for Bylaw No. 4664

By completing this elector response form I **oppose** the Capital Regional District's intention to adopt **Bylaw No. 4664, "Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025,"** which authorizes the borrowing of up to \$32,300,000 to be repaid over a period not exceeding 30 years for the purpose of acquiring land for supplying water within the Water Supply Local Service Area, unless a vote is held.

Please print using BLOCK LETTERS

Full name of elector: _____
(one form per person)

Choose one (see next page for eligibility requirements):

☐ I am a resident elector

Residential Address: _____
Street Name Municipality/Electoral Area Postal Code

☐ I am a non-resident property elector in the Capital Regional District who lives in another community in **British Columbia** and owns property at the below address (see reverse for eligibility requirements):

Street Name Municipality/Electoral Area Postal Code

Signature: _____
A person must not sign more than one elector response form

The deadline for submitting this elector response form to the **Capital Regional District** is: **4:30 p.m. on Monday, June 30, 2025.**

Address: c/o Legislative Services, CRD, 625 Fisgard Street, Victoria, BC, V8W 1R7

Phone: 250.360.3024

E-mail: LegServ@crd.bc.ca (please scan a legible signed copy as PDF)

The Capital Regional District may obtain elector approval for Bylaw No. 4664, "*Regional Water Watershed Land Acquisition Loan Authorization Bylaw No. 1, 2025*" unless at least 31,512 electors sign and submit a completed copy of this elector response form to the Capital Regional District by the deadline.

Additional information can be found on the next page of this form about the subject of this alternative approval process as well as elector qualifications.

Bylaw No. 4664 – AAP Information Sheet

The purpose of Bylaw No. 4664 is to authorize the borrowing of Thirty-Two Million and Three Hundred Thousand Dollars (\$32,300,000), for a period not exceeding 30 years, for the purpose of acquiring land for the purpose of supplying water within the Water Supply Local Service Area.

Participating area approval for Bylaw No. 4664 will be obtained for the entire service area by Alternative Approval Process. The Alternative Approval Process applies to all electors within the **Water Supply Local Service Area which is comprised of all municipalities of the Capital Regional District (CRD), including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria and View Royal, and in the Juan de Fuca Electoral Area.**

Please note that this synopsis of Bylaw No. 4664 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District offices located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at www.crd.ca/RegionalWaterAAP.

Additional Information About Elector Eligibility

In order to sign an elector response form, a person must either be a resident elector or a non-resident property elector.

A **resident elector** is an individual who is entitled to sign an elector response form during an AAP by virtue of living within that jurisdiction. *When signing an elector response form*, a resident elector must:

- be 18 years of age or older;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months;
- be a resident of the jurisdiction (e.g., municipality or electoral area);
- live in the area defined for the AAP (i.e. **Water Supply Local Service Area**); and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.

A **non-resident property elector*** is an individual that does not live in a jurisdiction and who is entitled to sign an elector response form during an AAP by virtue of owning property in that jurisdiction. *When signing an elector response form*, a non-resident property elector must:

- be at least 18 years of age;
- be a Canadian citizen;
- have been a resident in British Columbia for at least six months;
- be a registered owner of property in the area defined for the AAP (i.e. **Water Supply Local Service Area**); for at least 30 days; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.

*Notes for non-resident property elector(s):

- Section 86(7) of the Community Charter requires the elector's full name and residential address or the address of the property in relation to which the person is entitled to register as a non-resident property elector in order for this response form to be counted.
- Only one non-resident property elector may sign an elector response form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions.

Appendix E

Table: AAP Communication Channels for Bylaw No. 4664 (Regional Water AAP)

Publisher	Channel	Area	Creative Specs	Cost	Publish Dates
Times Colonist	Print	Regional daily (except Mondays)	8.3669 x 10.810	\$5,400	May 22, June 7 & 11
Black Press	Print (Saanich, PNR, Victoria, Oak Bay, Goldstream, Sooke)	Regional (weekly)	7.717 x 11.35	\$5,800	June 4&5, 18&19, 25&26
CRD	CRD Website	Regional	PDF	N/A	May 22
CRD	Email Subscribers	Regional	email / text		May 22
Meta, LinkedIn	FB, LinkedIn	Regional	Post (image, text)	\$550	June 2-30
CRD	Notice Board	Fisgard - Front Lobby	8 x 11 paper notice	N/A	Week of June 2nd
CRD	Notice Board	JDF - East Sooke Community Hall	8 x 11 paper notice	N/A	Week of June 2nd
CRD	Notice Board	JDF - Port Renfrew Community Hall	8 x 11 paper notice	N/A	Week of June 2nd
CRD	Notice Board	JDF - Willis Point Community Hall	8 x 11 paper notice	N/A	Week of June 2nd
Total				\$11,750	

AAP LAUNCH DATE MAY 22

AAP Runs May 22 - June 30

Frequently Asked Questions

Regional Water AAP



Capital Regional District | April 2025

What land is being acquired?

The Capital Regional District (CRD) is engaged in a process of acquiring 1,973 hectares of land from the Kapoor Lumber Company (KLC). The lands are located adjacent to the watershed of Sooke Lake Reservoir which is the primary water supply for the Greater Victoria area.

Why does the CRD want to purchase the Kapoor Lands?

This is a legacy investment that will help ensure safe, clean drinking water for Greater Victoria for generations. The CRD identified these lands as an acquisition priority for many years due to their strategic location which makes them crucial for safeguarding the region's water supply and water transmission infrastructure and ensures the continued provision of high-quality, safe drinking water for the residents of Greater Victoria.

The Kapoor Lumber Company wanted to sell their land and approached the CRD. If the CRD is unable to purchase the lands, then KLC will seek another buyer.

What are the benefits of purchasing the Kapoor Lands?

The CRD employs a multibarrier approach to protecting Greater Victoria's drinking water. One of the key barriers is the protection of the watershed and our source water, Sooke Lake Reservoir. The purchase of this land will secure control of the primary access route to Greater Victoria's principal water supply reservoir, and secure land that will be required for future water supply infrastructure. This additional management control will help safeguard our public drinking water supply by reducing the risk of trespass, human-caused contamination and wildfire. Another benefit of purchasing this land is that it will allow the CRD to extend the corridor of protected green space from Sooke Inlet to Saanich Inlet and improve environmental biodiversity and connectivity across watersheds and the larger landscape.

How much will it cost?

The purchase price of the land is \$33.3 million. The purchase will be funded through long-term debt and repaid by Regional Water Supply system water users through water use billing. Debt repayment is planned over 15 years but may be up to a maximum of 30 years. This debt-financing model is the same used for other major land purchases. The projected impact on water rates would be \$0.06 per cubic meter, which equates to approximately \$14 per year for an average household. Property taxes will not be impacted by this purchase.

Frequently Asked Questions

Regional Water AAP

Capital Regional District | April 2025

How do we know that is a fair price?

The CRD hired two independent land appraisers to evaluate the lands for their current highest and best use. The final purchase price falls between the two appraisals and can therefore be considered a fair price for both parties.

In addition, acquiring privately held forest lands for public water supply protection has even greater value as green infrastructure investment for the region's current and future benefit.

Has the CRD engaged with local First Nations about this purchase?

Several First Nations have potential interests that overlap with this property. The CRD has initiated conversations with First Nations regarding management opportunities for these lands.

What is an Alternative Approval Process (AAP)?

An Alternative Approval Process (AAP) is a form of approval that allows electors within the Water Supply Local Service Area to indicate whether they are against a local government proposal moving forward. The electors, comprised of both residents and non-resident property owners, do this by submitting a completed elector response form to the CRD. If 10% or more of the eligible electors submit response forms in opposition, the CRD must either proceed to assent voting (referendum) within 80 days or reconsider the proposed action. The total number of electors in the Water Supply Local Service Area is determined to be 315,117 of which 10% is 31,512 electors.

Why does the CRD need elector approval?

As per the [Local Government Act](#), the CRD must receive the electors' approval before it can adopt the bylaw to establish a service levy or incur long-term debt.

To which residents does this AAP apply?

The Alternative Approval Process applies to all electors within the Water Supply Local Service Area which is comprised of all municipalities of the Capital Regional District, including Central Saanich, Colwood, Esquimalt,

Frequently Asked Questions

Regional Water AAP

Capital Regional District | April 2025

Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria and View Royal, and in the Juan de Fuca Electoral Area.

What is the expected approval timeline of the AAP?

The anticipated timing for the Kapoor lands Acquisition AAP is as follows:

- May 22, 2025 – AAP response period begins
- June 30, 2025 – AAP response period closes
- July 9, 2025 - AAP results delivered and final adoption of bylaw (if applicable)
- If approval is obtained the purchase of the property would move forward with the sale being finalized on September 15, 2025.

What if elector approval is not obtained?

If more than 10% of the eligible electors submitted elector response forms by the AAP deadline the CRD Board will have two choices. It may proceed with assent voting (referendum) within 80 days or put the matter on hold and consider alternatives to the land acquisition.

Where can I find more information on the AAP process?

For more information on the Alternative Approval Process (AAP), who can participate, where to find a response form, and how forms may be submitted, please visit www.crd.ca/RegionalWaterAAP