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**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, SEPTEMBER 13, 2023**

SUBJECT **Consent on Behalf for Bylaw 4551 – Amendment to Increase Annual Requisition for Land Assembly, Housing and Land Banking Service**

ISSUE SUMMARY

To revise obtaining participating area approval in the electoral areas for Bylaw No. 4551 by way of electoral area director consent on behalf as per section 349 (2) of the *Local Government Act*.

BACKGROUND

At its meeting held May 10, 2023, the Capital Regional District (CRD) Board gave three readings to the following bylaw (Appendix A):

- Bylaw No. 4551 “Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2023” to increase maximum requisition to be up to a maximum that is the greater of \$11,500,000 or a property value tax rate of \$0.062 per \$1,000 on the net taxable value of land and improvements in the capital region.

As part of the legislative process, the bylaw was submitted to the Inspector of Municipalities for review. The Province recommended that the CRD consider making the approval process easier by separating the approval process to amend the service’s establishment bylaw from the approval for long-term borrowing under Bylaw No. 4552, “Land Assembly, Housing and Land Banking Loan Authorization Bylaw No. 3, 2023”.

Initially, the CRD Board endorsed that elector approval be obtained by municipal participants via council consent on behalf of electors, and by alternative approval process in the three electoral areas. The Province has suggested that the CRD change its method of obtaining elector approval by way of electoral area director consent on behalf of each electoral participating area.

On August 10, 2023, the bylaw obtained statutory approval and the CRD may now proceed with obtaining two-thirds consent on behalf of the participating areas without further delay.

ALTERNATIVES

Alternative 1

1. That participating area approval for Bylaw No. 4551, “Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2023” be obtained via two-thirds consent on behalf of municipal and electoral area participating areas;
2. That participating area approval in the electoral areas for Bylaw No. 4551 be provided by the Electoral Area Directors consenting on behalf, rather than alternative approval process.

Alternative 2

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

IMPLICATIONS

Financial Implications

By proceeding with Electoral Area Director consent on behalf, rather than electoral area alternative approval process, the costs of undertaking an AAP will be avoided.

For additional information on the bylaw and the future planned use of the funds, please refer to the previous staff report dated May 3, 2023 (Appendix B).

CONCLUSION

The CRD Board may seek elector approval for Bylaw No. 4551, “Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2023”, by obtaining two-thirds consent on behalf of municipal and electoral area participating areas. Electoral area directors could consent on behalf of the electoral areas, rather than undertaking an alternative approval process in each electoral area. This approach is the result of Province’s recommendation that the CRD separate the approval of Bylaw No. 4551 from the long-term borrowing Bylaw No. 4552, “Land Assembly, Housing and Land Banking Loan Authorization Bylaw No. 3, 2023.”

RECOMMENDATION

1. That participating area approval for Bylaw No. 4551, “Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, Amendment Bylaw No. 2, 2023” be obtained via two-thirds consent on behalf of municipal and electoral area participating areas.
2. That participating area approval in the electoral areas for Bylaw No. 4551 be provided by the Electoral Area Directors consenting on behalf, rather than alternative approval process.

Submitted by:	Marlene Lagoa, 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. 4551 at Third Reading
- Appendix B: Previous Staff Report dated May 3, 2023