



REPORT

To: Chair and Directors

Report Number: ADM-BRD-204

From: Tyra Henderson, Corporate Officer

Date: June 10, 2021

Subject: Gotta Go Service Bylaw Amendment and Alternate Approval Process Deadline Extension

RECOMMENDATION #1: [Corporate Unweighted]

That the Regional Board rescind third reading given to 'Gotta Go Roadside Facilities Service Establishment Bylaw No. 2440, 2021' given on March 11, 2021; further, that Gotta Go Roadside Facilities Service Establishment Bylaw No. 2440, 2021 be given third reading as amended to correct the maximum requisition amount stated in Section 8, Maximum Requisition, from \$.0249/\$1,000, to instead include the rate of \$.068/\$1,000; and finally, that the amended bylaw be submitted to the Ministry of Municipal Affairs for approval.

RECOMMENDATION #2: [Corporate Unweighted]

That the Regional Board extend the deadline for responses to the Alternate Approval Process underway for 'Gotta Go Roadside Facilities Service Establishment Bylaw No. 2440, 2021' from July 5, 2021 to July 30, 2021 to facilitate publication notification of the extended deadline and allow residents thirty days after the bylaw is amended and the second public notification is published, to submit an elector response form.

RECOMMENDATION #3: [Corporate Unweighted]

That the Regional Board approve the amended elector response form for the Alternate Approval Process to obtain elector approval for 'Gotta Go Roadside Facilities Service Establishment Bylaw No. 2440, 2021', which must be used if a resident wishes to object to the Gotta Go Service; that includes the new deadline of July 30, 2021 for elector responses.

BACKGROUND/RATIONALE:

On June 9, 2021, during the preparation of public information and engagement materials for the Gotta Go Roadside Facilities Service, it was discovered that an error existed in the Bylaw given third reading on March 11, 2021 and approved by the Ministry of Municipal Affairs on April 15, 2021.

The tax rate listed in the bylaw is the residential rate based on converted hospital assessment. As per legislation, the value in the bylaw needs to be the net taxable value of land and improvements. Although it does not change the estimated tax impact information that was included in the original documentation, and provided to residents on the web page, the tax rate in the bylaw should have been \$0.068/\$1,000 instead of \$0.0249/\$1,000.

Staff discussed the error with the Ministry of Municipal Affairs immediately to determine the necessary steps to correct the error and continue with the Alternate Approval Process already underway.

The suggested “fix” is to rescind third reading, have the Board approve third reading as amended, and have the Ministry approve the amended bylaw. The amended bylaw will be posted to the “Have Your Say” page and used for public engagement including the Public information meeting (though the bylaw is necessarily technical and does not form the basis of public engagement efforts). Extending the deadline for responses will allow for additional notices to be published about the Alternate Approval Process, on the basis of the new, corrected bylaw and will allow more than the minimum thirty days to respond following the second notice which will be scheduled for June 24th.

The attached statutory/required public notice of the Alternate Approval Process was published in newspapers on May 20 and May 27. It does not contain the tax rate, so only those residents who may have accessed the information on the PRRD web page could be affected. Similarly, the elector response form does not include the tax rate from the bylaw, nor the anticipated residential tax rate. The extension of the deadline is being done out of an abundance of caution, to ensure that residents have the minimum thirty day response period, once the bylaw is corrected.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

The tax rate calculation for this service is attached to this report.

COMMUNICATIONS CONSIDERATION(S):

Notice that the deadline for elector responses has been extended to July 30th will be posted to the PRRD web page and in newspapers on June 17th and June 24th. The engagement materials will be updated to reflect the change as well. Only the bylaw needs to be changed, as public information materials always included the *anticipated residential tax rate of \$.0249/\$1,000 as this is the information that most residents are most interested in knowing*. To date, the PRRD has received one phone call from a resident in favour of the proposed service. No elector response forms have been submitted.

A public information meeting is scheduled for June 22, 2021. Any participants in that meeting will be provided the residential tax rate.

OTHER CONSIDERATION(S):

The elections page on the website allows residents interested in PRRD AAP and Assent Voting procedures to navigate to “Have Your Say” project pages for each of the three current proposed services, including the Gotta Go Roadside Facilities Service. On that page, there is a tax calculator that allows residents to input the assessed value of their property and it generates an estimated taxation cost for the service, if it is approved.

Attachments:

1. AMENDED Gotta Go Roadside Facilities Service Establishment Bylaw No. 2440, 2021
2. Public Notice re: Gotta Go Alternate Approval Process (published May 20 and May 27)
3. Amended Elector Response Form

4. Calculation of Tax Rate – Gotta Go Service

External Links:

1. [March 11, 2021 Report to Board re: Gotta Go Roadside Facilities Service Establishment Bylaw](#)
2. [May 13, 2021 Report to Board re: Gotta Go Alternate Approval Process](#)