



STAFF REPORT

DATE: November 3, 2023

FILE: 0550-04 SGC

TO: Chair and Commissioners,
Strathcona Gardens Commission

FROM: Dave Leitch
Chief Administrative Officer

RE: STRATHCONA GARDENS SERVICE LIMITS

PURPOSE/PROBLEM

To consider updating the Strathcona Gardens service as defined in Bylaw No. 1214.

EXECUTIVE SUMMARY

The Regional District operates the Strathcona Gardens recreation facility in accordance with the terms of Bylaw No. 1214 which was adopted in 1990 and amended in 1994 by the Comox-Strathcona Regional District. Prior to adopting Bylaw No. 1214 the Strathcona Gardens was operated under the authority of supplementary letters patent issued by the Province of BC in 1971 and amended in 1977. The service is still officially known as the 'Greater Campbell River Pool/Arena Local Service' and, as its name implies, is limited to providing swimming pool and ice arena facilities for the use and enjoyment of the public. There is currently no mention in the bylaw of other services or programs being offered which creates uncertainty and may constrain the future vision for this facility.

With the prospect of a major facility upgrade on the horizon, it would be an opportune time to review the terms of the service to ensure that the facilities and programs proposed to be offered through the Strathcona Gardens recreation complex are legislatively supported.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT a further report with recommendations to address the current limitations of the Strathcona Gardens service be prepared for review by the Commission.

Respectfully:



Dave Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachments: Bylaw No. 1214 (Consolidated version)
Supplementary letters patent



**GREATER CAMPBELL RIVER POOL/ARENA
LOCAL SERVICE AREA ESTABLISHMENT BY-LAW, 1990
(CONSOLIDATED)**

The following is a consolidated version of Bylaw No. 1214, which was adopted October 29, 1990 and includes the following amendment bylaws:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
CSRD 1653	Greater Campbell River Pool/Arena Local Service Area Establishment By-Law, 1990, Amendment By-Law No. 1	May 30, 1994	To amend the service area description and the maximum annual requisition.

Unless certified on the last page, this bylaw should not be relied upon for legal purposes. There may be pending updates or revisions to this bylaw. Please contact the Corporate Services Department for the Strathcona Regional District for the most current version.

REGIONAL DISTRICT OF COMOX-STRATHCONA

BY-LAW NO. 1214

A by-law to convert a function for an ice arena and
a swimming pool to a Local Service

WHEREAS under Section 767(4) of the Municipal Act, a regional district exercising a power to provide a service other than a general service, shall adopt a by-law respecting that service which:

- a) Meets the requirements of Section 794 for an establishing by-law; and
- b) Is adopted in accordance with the requirements of Section 802 as if it were a by-law amending an establishing by-law.

AND WHEREAS the Regional Board of the Regional District of Comox-Strathcona was granted by supplementary Letters Patent dated February 19, 1971, the function of Recreation Complex Campbell River and District;

AND WHEREAS, the Regional Board of the Regional District of Comox-Strathcona was granted by supplementary Letters Patent dated March 9, 1977, the function of Swimming Pool Campbell River and District;

AND WHEREAS, the area boundaries of both the foregoing functions are analogous;

AND WHEREAS, the Regional Board of the Regional District of Comox-Strathcona wishes to convert the foresaid service areas to a single Local Service area;

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

1. The area created under supplementary Letters Patent dated February 19, 1971 and March 9, 1977 is hereby established as a local service area for Electoral Area 'D' and the District of Campbell River and shall be known as the "Greater Campbell River Pool/Arena Local Service Area.
2. The maximum amount that may be raised by requisition shall not exceed \$1.588 per \$1,000.00 of taxable value of land and improvements for general municipal purposes in the District of Campbell River and for regional hospital district purposes in Electoral Area "D".
3. The amount to be recovered by requisition shall be apportioned amongst the member municipalities participating in this service on the basis of taxable value of land and improvements for general municipal purposes in the municipalities and the taxable value of land improvements for regional hospital district purposes in the electoral areas.
4. This by-law may be cited as the "**GREATER CAMPBELL RIVER POOL/ARENA LOCAL SERVICE AREA ESTABLISHMENT BY-LAW, 1990**".

REGIONAL DISTRICT OF COMOX-STRATHCONA

BY-LAW NO. 1214

**A by-law to convert a function for an
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WHEREAS under Section 767(4) of the Municipal Act, a regional district exercising a power to provide a service other than a general service, shall adopt a by-law respecting that service which:

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AND WHEREAS the Regional Board of the Regional District of Comox-Strathcona was granted by supplementary Letters Patent dated February 19, 1971, the function of Recreation Complex Campbell River and District;

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AND WHEREAS, the area boundaries of both the foregoing functions are analogous;

AND WHEREAS, the Regional Board of the Regional District of Comox-Strathcona wishes to convert the foresaid service areas to a single Local Service area;

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

1. The area created under supplementary Letters Patent dated February 19, 1971 and March 9, 1977 is hereby established as a local service for Electoral Area "D", Electoral Area "E", Electoral Area "F", and the District of Campbell River and shall be known as the "Greater Campbell River Pool/Arena Local Service Area".
2. The maximum amount that may be raised by requisition shall not exceed \$0.917 per \$1,000.00 of taxable value of land and improvements for general municipal purposes in the District of Campbell River and for regional hospital district purposes in the electoral areas.
3. The amount to be recovered by requisition shall be apportioned amongst the member municipalities participating in this service on the basis of taxable value of land and improvements for general municipal purposes in the municipalities and the taxable value of land improvements for regional hospital district purposes in the electoral areas.
4. This by-law may be cited as the **"GREATER CAMPBELL RIVER POOL/ARENA LOCAL SERVICE AREA ESTABLISHMENT BY-LAW, 1990"**

READ A FIRST AND SECOND TIME THIS 26th DAY OF March 1990.

READ A THIRD TIME THIS 24th DAY OF September 1990.

I hereby certify the foregoing to be a true and correct copy of By-law No. 1214 being "Greater Campbell River Pool/Arena Local Service Area Establishment By-law, 1990" as read a third time by the Board of the Regional District of Comox-Strathcona on the 24th day of September, 1990.


Secretary

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 10th DAY OF October 1990.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 29th DAY OF October 1990.


Chairperson


Secretary

I hereby certify the foregoing to be a true and correct copy of By-law No. 1214 being "Greater Campbell River Pool/Arena Local Service Area Establishment By-law, 1990" as adopted by the Board of the Regional District of Comox-Strathcona on the 29th day of October, 1990


Secretary

Province of British Columbia



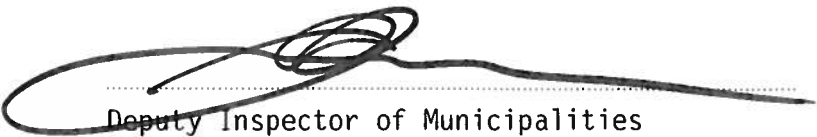
No.

Statutory Approval

Under the provisions of section 802(6)
of the Municipal Act

I hereby approve Bylaw No. 1214
of Regional District of Comox-Strathcona, *a copy*
of which is attached hereto.

Dated this 10th *day*
of October, *1990*


Deputy Inspector of Municipalities



W. S. Owen
Lieutenant-Governor

No. 42
(DIV XXXII)

9 Mar. 77

C A N A D A

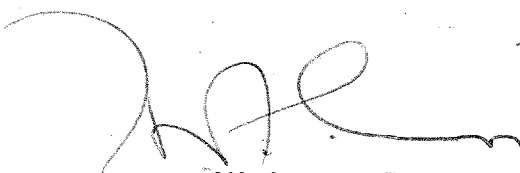
PROVINCE OF BRITISH COLUMBIA

ELIZABETH the SECOND, by the Grace of God, of the United Kingdom,
Canada, and Her Other Realms and Territories,
Queen, Head of the Commonwealth, Defender
of the Faith.

To all to whom these presents shall come -

GREETING.

(WHEREAS pursuant to the provisions
(
(of section 766 of the Municipal Act
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(the Regional District of Comox-
(
(Strathcona was incorporated by
(
(Letters Patent issued on the 19th
(
(day of August, 1965:


Minister of
Municipal Affairs
and Housing

AND WHEREAS section 766 of the Municipal Act provides, inter alia, that in addition to the functions conferred by this Act, a regional district has such functions as are provided by Letters Patent or supplementary Letters Patent and for this purpose, the Lieutenant-Governor in Council may, on the recommendation of the Minister, provide in the Letters Patent or supplementary Letters Patent such further objects, powers, obligations, duties, limitations, and conditions in respect to any or all functions requested pursuant to this section:

AND WHEREAS the Regional Board of the Regional District of Comox-Strathcona has requested the function of providing and operating a swimming pool with the District of Campbell River and Electoral Areas D, E and F as participating member municipalities:

AND WHEREAS the assent of the electors of the designated area consisting of the member municipalities of the District of Campbell River and Electoral Areas D, E and F has been obtained:

AND WHEREAS the Regional Board of the Regional District of Comox-Strathcona has requested that the function of Division VI - Water Supply as granted by supplementary Letters Patent dated the 17th day of February, 1967 be amended to authorize the Inspector of Municipalities to establish the amount of debt that may be incurred for the function:

AND WHEREAS the provisions of the said section 766 have been duly complied with:

NOW KNOW YE THAT We do order and proclaim that on, from, and after the date hereof, the following be added to the objects, powers, obligations, duties, limitations, and conditions of the Regional District of Comox-Strathcona:

DIVISION XXXII - SWIMMING POOL
CAMPBELL RIVER

1. Only the member municipalities of the District of Campbell River and Electoral Areas D, E and F participate or share in the cost incurred pursuant to this Division.

2. Subject to any limitations or exceptions in this Division contained, the regional district may construct, equip, operate and maintain a swimming pool within the District of Campbell River.

3. The net annual cost pursuant to this Division including any annual debt charges, shall be apportioned among the member municipalities liable to share such costs on the basis of assessment which may be taxed in the current year for general municipal purposes in the District of Campbell River and for school purposes excluding property that is taxable for school purposes only by special Act in the electoral areas. The total annual net cost, including the payment of principal and interest on sums borrowed and any operating deficit shall not exceed the product of a levy of 3.25 mills on the taxable values referred to above.

4. Debt incurred by the regional district for the purpose of constructing and equipping the swimming pool shall not exceed the sum of \$1,500,000.

The function of Division VI - Water Supply of the Regional District of Comox-Strathcona granted by supplementary Letters Patent dated the 17th day of February, 1967 is amended by adding the following as paragraph 7:-

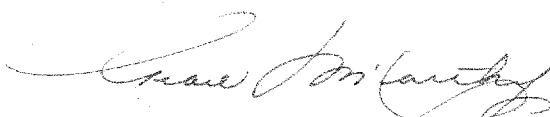
"7. For the purposes of subsection (7) of section 786 of the Municipal Act the Inspector of Municipalities may establish the amount of debt that may be incurred for the function."

AND THAT the Letters Patent of the Regional District of Comox-Strathcona be deemed to be amended accordingly.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed.

WITNESS, Colonel, the Honourable Walter S. Owen, Q.C., LL.D.,
Lieutenant-Governor of Our said Province of
British Columbia, in Our City of Victoria, in
Our said Province, this *9th* day of
March in the year of Our Lord one
thousand nine hundred and seventy-seven and
in the twenty-sixth year of Our Reign.

By Command.


Provincial Secretary and
Minister of Travel Industry.

