



May 10, 2022

Ref: 270297

Northwest Nanoose Residents Associate
1391 Madrona Drive
Nanoose Bay, BC V9P 9C9

Dear Peter Kawerau:

Thank you for your letter of February 4, 2022 to Sean Grant regarding Regional District of Nanaimo (RDN) Swimming Pool Service Amendment Bylaw 899.02, 2022 (Bylaw 899.02). As Program Analyst responsible for the region, I am pleased to respond on behalf of Mr. Grant and apologize for the delay in response.

I understand you are concerned with the implications of actions taken by RDN elected officials regarding proposed Bylaw 899.02, including taxation, electoral area representation, and future considerations, and have also asked that Bylaw 899.02 not be approved by the Ministry.

The Province of British Columbia has established a legislative framework for local governments that recognizes they are democratically elected, autonomous, responsible and accountable within their jurisdiction. Local governments depend on elected officials who have the legal authority and responsibility to make decisions on behalf of their communities and are democratically accountable to their citizens for those decisions. Accordingly, the province generally does not have a role in reviewing and reversing decisions made or actions taken by local governments.

As you may be aware, the *Local Government Act* – which provides part of the legislative framework for regional districts in British Columbia – allows for the amendment of a service bylaw with the consent of at least two-thirds of service participants. My understanding is that the intent of this section is to provide regional districts with a flexible and efficient method to amend a service bylaw, provided that a significant majority of service participants consent to the proposed amendment.

I understand that further RDN Board discussions are planned on the bylaw amendment. In that regard, it will be important for the Ministry of Municipal Affairs to understand if RDN has taken into consideration geography of users, any cost implications (including variable user fees based on geography), and any other concerns of affected residents when deliberating the matter.

I encourage you to contact Douglas Holmes, RDN's Chief Administrative Officer, to determine how best to bring your concerns about this matter to the Board's attention. Douglas Holmes can be reached by telephone at: 250 268-2271 or by email at: dholmes@rdn.bc.ca.

You may also wish to contact Electoral Area 'E' Director, Bob Rogers, to express your concerns. Director Bob Rogers can be reached by telephone at: 250 468-9986 or by email at: bob.rogers@rdn.bc.ca.

Thank you for writing.

Sincerely,



Braden O'Neill
Program Analyst