

Electoral Area C Wharves Service **Bylaw No. 461**

Determination of Total Number of Electors for Purposes of an Alternate Approval Process

- Purpose:** To make a fair determination of the total number of electors within the area affected by Bylaw No. 461, being Electoral Area C Wharves Service Establishing Bylaw 2022. An elector is defined as a person who would qualify to vote on the question of approving Bylaw No. 461 if such a vote was to be held on the date this report was prepared.
- Area Affected:** The area affected by Bylaw No. 461 is the entirety of Electoral Area C which includes a large number of islands situated between Vancouver Island and the British Columbia mainland, as well as that part of the British Columbia mainland located between Desolation Sound and Havannah Channel.
- Approval Process:** The Regional District intends to proceed with an alternative approval process to determine whether Bylaw No. 461 may be adopted without first obtaining the assent of the electors by voting. Should it be determined that less than ten percent of the eligible electors within the affected area file a written objection to Bylaw No. 461 prior to the deadline for responses, the Regional Board may proceed to adoption without the requirement to obtain elector assent by voting, in accordance with the provisions¹ of the *Local Government Act*. In the event that ten percent or more of the eligible electors object to adoption of Bylaw No. 461 prior to the response deadline, the bylaw may only be adopted if approved through an assent voting process.
- Authority:** The use of an alternative approval process for obtaining the approval of the electors for Bylaw No. 461 is authorized by section 345 of the *Local Government Act*.
- Elector Eligibility:** For the purposes of this report the criteria used for determining the eligibility of persons to vote as electors is based on Part 4 [*Assent Voting*] of the *Local Government Act* of British Columbia. That statute defines electors to include persons who meet the following criteria:
- Canadian citizen
 - 18 years of age or older
 - resident of British Columbia for the last 6 months
 - resident of Electoral Area C (or owner of real property within Electoral Area C for the last 30 days)
 - not otherwise disqualified from voting

Corporate entities are not permitted to qualify as electors in British Columbia.

Methodology: This report will attempt to make a fair determination of the total number of electors within the area affected by Bylaw No. 461. The number of electors will be the total of those persons who qualify to vote as resident electors and those who qualify to vote as non-resident property electors. Since the methodologies for determining the number of each type of elector differ significantly, they will need to be determined separately with the results of those calculations aggregated for the purposes of this report.

Resident Electors

Both the Federal and Provincial election authorities maintain lists of registered voters but the databases are not aligned with local government jurisdictional boundaries and are therefore not particularly useful for purposes of this report. Since there is no reliable information available using existing voter enumeration data, it is necessary to consider the use of other data for the purpose of preparing an estimate of eligible electors.

BC Stats, Elections BC and the Ministry of Municipal Affairs are public agencies that maintain comprehensive databases of population, population distribution, voter eligibility, voter participation rates and other demographics. The following data are supplied by those agencies:

Demographic	Estimate	Source
Population of British Columbia	5,071,336	BC Stats (July 1, 2019)
Population of Strathcona Regional District	44,671	Municipal Affairs (November 1, 2017)
Population of Electoral Area C	2,578	Municipal Affairs (November 1, 2017)
Provincial electors in British Columbia	3,564,307	Elections BC (July 1, 2019)

Using the above data, it can be determined that approximately 70.3% of the population of British Columbia would likely qualify as provincial electors. Notwithstanding minor variations in regional demographics it is believed that this ratio would be sufficiently accurate for estimating the number of provincial electors within Electoral Area C. Since the majority of qualifications required for voting in provincial elections are the same as those required for voting as a resident in local elections, the application of this ratio should provide a reasonable estimate of the number of resident electors within Electoral Area C. Therefore, multiplying the above percentage against the 2,578 population estimate provided by the Ministry of Municipal Affairs yields a total of 1,812 eligible resident electors in Electoral Area C.

The calculations for resident electors within Electoral Area C may therefore be summarized as follows:

$$\begin{aligned}
 \text{Step 1: } & 3,564,307 \text{ (eligible provincial electors)} \\
 & \div 5,071,336 \text{ (total population of B.C.)} \\
 & = 70.28\% \text{ (B.C. average % of electors)}
 \end{aligned}$$

$$\begin{aligned}
 \text{Step 2:} & \quad 2,578 \text{ (Electoral Area C population)} \\
 & \times \underline{70.28\%} \text{ (B.C. average \% of electors)} \\
 & = 1,812 \text{ (Potential Electoral Area C resident electors)}
 \end{aligned}$$

It is concluded that a fair estimate of the number of resident electors within the area affected by Bylaw No. 461, based on the above noted data is 1,812.

Non-Resident Property Electors

Unlike Provincial elections in British Columbia, persons who do not reside within the local voting jurisdiction may qualify to vote in local elections solely on the basis of property ownership³. These non-resident property electors (NRPE's) must be qualified in all other respects (ie. Canadian citizen, 18 years of age or older, resident of BC, etc.) before they may be considered eligible electors. It is important to reiterate that persons who qualify as resident electors within a voting jurisdiction cannot also qualify as non-resident property electors for the same voting jurisdiction.

Demographic	Count	Source
Total properties within Electoral Area C	3,573	BC Assessment Authority (June 8, 2022)
Total registered owners within Electoral Area C	2,656	
Registered owners resident within Electoral Area C	1,514	
Registered owners resident outside of British Columbia	278	
Registered owners being corporate entities	170	
Registered owners being public entities	87	

In order to estimate the number of NRPE's within the boundaries of the proposed wharves service area, the database of the BC Assessment Authority was queried, and it was determined that there are 3,573 separate properties within Electoral Area C and 2,656 unique registered owners of those properties.

From this total of 2,656 potential electors the following were eliminated in order:

- 1,514 owners of property resident within the proposed service area;
- 278 owners of property being non-residents of British Columbia;
- 170 owners being corporate entities; and

- 87 properties owned by the Crown (Federal or Provincial).

It was therefore concluded that a reasonable estimate of the number of persons who could qualify to vote as non-resident property electors within the proposed Electoral Area C wharves service area, based on the most recently available data, is 607. In arriving at this estimate it is worth noting that voting requirements related to age, citizenship or length of ownership for property owners have not been addressed since there is no data available to the Regional District upon which to evaluate this demographic.

Summary: The total number of eligible electors within Electoral Area C has been fairly determined to include 1,812 resident electors and 607 non-resident property electors for a total of 2,419.

Conclusion: For the purpose of the alternative approval process for Bylaw No. 461, being Electoral Area C Wharves Service Establishing Bylaw 2022, the total number of eligible electors has been fairly determined to be 2,419. The number of valid elector responses that are required to withhold approval for the adoption of Bylaw No. 461 without first obtaining elector assent by voting is therefore 242.

References:

1. S.86 *Community Charter* and s.342 *Local Government Act*
2. S.65(1)(d) *Local Government Act*
3. S.66 *Local Government Act*