

## Piers Island Improvement District LETTERS PATENT

[L.S.] David C. Lam, *Lieutenant Governor*. Canada: 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. Darlene Marzari, *Minister of Municipal Affairs*.

Whereas the Piers Island Improvement District was incorporated by Letters Patent issued on March 24, 1965:

And whereas section 825 of the *Municipal Act* provides the Lieutenant Governor in Council may recall the Letters Patent of any improvement district and issue others in their place:

And whereas the Board of Trustees for the Piers Island Improvement District has requested the District's Letters Patent be recalled and new Letters Patent be issued in their place:

Now know ye that by these presents We do order and proclaim that:

1. The incorporation of **Piers Island Improvement District** is continued.

2. The Improvement District shall comprise all that tract of land and foreshore and land covered by water described as follows:

*Firstly:* Commencing at a point which lies 150 metres due north of Harry Point, said Harry Point being on the natural high-water mark of Piers Island, Cowichan Land District, on the north shore thereof; thence in a general easterly, southeasterly, southwesterly, westerly, northwesterly and northeasterly direction parallel to and 150 metres perpendicularly distant, northerly, northeasterly, southeasterly, southerly, southwesterly and northwesterly from the natural high-water marks of Piers Island, and passing to the west of Peck Reef and Clive Island to the aforesaid point lying 150 metres due north of Harry Point and being the point of commencement.

*Secondly:* Lot 3 of Section 21, Range 3 East, North Saanich Land District, Registered Plan 12588 on file in the Land Title Office, Victoria.

3. The objects of the improvement district shall be:

(a) the acquisition, maintenance and operation of works for waterworks purposes and the provision of fire protection

for that area of the improvement district described in section 2 after the word 'Firstly';

(b) the operation of a parking lot, boat launching facility and storage yard for the benefit of land owners on Piers Island for that area of the improvement district described in section 2 after the word 'Secondly';

and all matters incidental thereto.

4. There shall be three Trustees of the improvement district.

5. The Trustees holding office immediately prior to the issue of these Letters Patent shall continue to hold office for the remainder of the terms for which they were elected.

6. It shall be the duty of the Trustees to call a general meeting of the land owners to be held between January 1st and July 15th in each year, for the following purposes:

(a) to present to the land owners a report on the operation of its services and a statement of the financial condition of the improvement district;

(b) to discuss with the land owners matters relating to the services or finances of the improvement district;

(c) to have the land owners fix the remuneration of the Trustees for the ensuing year;

(d) to elect a Trustee or Trustees to succeed those whose terms of office expire coincident with the holding of such annual general meeting and to elect a Trustee or Trustees to fill any other vacancy or vacancies that has or have occurred or is or are about to occur among the Trustees;

(e) to have the land owners choose an auditor for the ensuing year.

7. A special general meeting may be called by the Trustees at any time for the purpose of electing a Trustee or Trustees to fill any vacancies among the Trustees or for the purpose of discussing with the owners any matter or matters which, in the opinion of the Trustees, should be brought up at a general meeting.

8. At least fourteen days notice of every general meeting shall be given by a notice advertised in the local press and/or sent by ordinary first class mail setting out the date, time and place of holding the meeting.

9. The secretary shall enter in a book provided by the Trustees for this purpose,

minutes of all matters brought before the meeting and the actions taken. At any general meeting every person shall be qualified to vote who is a Canadian citizen, is eighteen years old or older and is an owner of land in the improvement district, or the authorized agent of any board or corporation that is an owner of such land, or legal representative of any owner of such land who has died, become insolvent or insane and is entitled to be registered as a voter under the *Election Act*. Every person qualified as aforesaid to vote shall be qualified to be a candidate for Trustees of the improvement district. In the event of the right of any person to vote at any general meeting being challenged, the Chairperson shall have authority to determine whether or not such person is entitled to vote and the Chairperson may require such person to make and file a statutory declaration showing that the declarant is qualified as aforesaid to vote at such general meeting.

10. Forthwith after the holding of a general meeting the Trustees shall file with the Inspector of Municipalities a true copy of the minutes of such meeting and copies of all auditors' reports and financial statements presented or discussed at the meeting.

11. Notwithstanding section 847 of the *Municipal Act*, the Improvement District and the District of North Saanich shall enter into an agreement whereby an annual grant in lieu of taxes for the property described as Lot 3, Section 21, Range 3 East, Plan 12588, North Saanich Land District, will be paid by the Improvement District.

12. The Trustees of the Improvement District may exercise the powers given to a council, in respect of a municipality, by sections 699 or 700 of the *Municipal Act*.

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, the Honourable David C. Lam, Lieutenant Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this eighteenth day of May, in the year of Our Lord one thousand nine hundred and ninety-four and in the forty-third year of Our Reign.

By Command.

[L.S.] Colin Gabelmann, *Attorney General*.

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