

ASPEN-HECTOR STORM POND 1 AND LOCAL AREA SERVICE ESTABLISHMENT BYLAW NO. 2037

A BYLAW TO ESTABLISH A LOCAL AREA SERVICE FOR ASPEN-HECTOR STORM POND 1

WHEREAS pursuant to the provision of Section 212 of the Community Charter, the Council of the Town of Comox has received a petition from the owners of certain properties to establish a local area service for the purpose of operating, maintaining and replacing a stormwater detention pond to manage stormwater;

AND WHEREAS the Corporate Officer has determined the sufficiency of the petition under the provisions of Section 212 of the Community Charter;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the "Aspen-Hector Storm Pond 1 and Local Area Service Establishment Bylaw No. 2037".

2. Effective Date

This Bylaw shall become effective January 1, 2027.

3. Definitions

In this Bylaw the following definitions apply:

"Annual Property Tax Bylaw"	means the Town's annual property tax bylaw pursuant to section 197 of the Community Charter;
"Community Charter"	means the Community Charter, SBC 2003, c 26, as amended or replaced from time to time;
"Cost of Service"	means the expected annual costs of providing the Service as adjusted for inflation over time and, for the year 2027, means \$53,750;
"Reserve Fund"	means the reserve fund established under Section 7 of this Bylaw;
"Service"	means the local area service established under Section 4 of



this Bylaw;

“Service Area” means the geographic area described in Section 5 of this Bylaw;

“Tax Rate” means the rate calculated under Section 6(b);

4. Service

A local area service is hereby established for the purpose of the operation, repair, maintenance, amortization, and capital replacement of the stormwater infrastructure and all associated works required to collect, convey, detain, and manage stormwater within the Service Area, including capital expenditures related to the storm infrastructure and contributions to reserves for future capital upgrades, rehabilitation, replacement, or decommissioning of the Town owned storm infrastructure.

5. SERVICE AREA BOUNDARIES

The boundaries of the Service Area are shown in the plan attached as **Schedule “A”** to this Bylaw and for reference includes, as of the date of this Bylaw’s adoption, all parcels legally described in **Schedule “B”** to this Bylaw.

For greater certainty, any lands within the Service Area will remain in the Service Area following the subdivision or consolidation of land.

6. LOCAL SERVICE TAXES

(a) The Town will recover all costs of the Service by imposing, in its Annual Property Tax Bylaw, a parcel tax charging a rate per square meter of all land within the local service area.

(b) The Town will determine the Tax Rate annually in accordance with this formula:

$$\text{Tax Rate} = \frac{\text{Cost of Services}}{\text{Total Square Meters of the Service Area}}$$

(c) For greater certainty, the Town will not impact the Tax rate under subsection 6 (a) on the value of land or improvements located within the Service Area.

(d) In each year after the first year this Bylaw is in force, the Town will, before adopting the Annual Property Tax Bylaw, adjust the Cost of Service in accordance with the ‘*Non-Residential Building Construction Price Index*’ as published by Statistics Canada for the third quarter of the previous year. Initial costs established under this Bylaw shall be



7. GENERAL

- (a) Schedules – The following Schedules are attached to and form part of this bylaw:

Schedule "A" – Service Area Boundary Map

Schedule "B" – Service Area Parcels

- (b) Severability – A declaration by a court of competent jurisdiction that a section, clause or provision of this Bylaw, including anything shown on Schedules to the Bylaw is invalid, shall not affect the validity of the Bylaw or any part of the Bylaw other than the section, clause or provision, or part of the Schedule declared to be invalid.

8. Adoption

PETITION RECEIVED FROM THE OWNERS OF PROPERTIES IN THE LOCAL AREA SERVICE this

1st day of June, 2026

PETITION CERTIFIED AS SUFFICIENT this

5th day of June, 2026

READ A FIRST, SECOND and THIRD time this

10th day of June, 2026

ADOPTED this

5th day of August, 2026



MAYOR



CORPORATE OFFICER



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**SCHEDULE A
Service Area Boundary Map**





**SCHEDULE B
Service Area Parcels**

Street	Civic	Plan	Lot	Roll
Aspen Road	941	Comox District Plan VIP60685 Except Plan EPP118279	Lot 1, District Lot 170	602852
Hector Road	2077	Comox District Plan 18002	Lot A, District Lot 170	602032

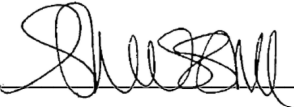
* For certainty, any lands within the Service Area will remain in the Service Area following the subdivision or consolidation of land.

Certificate of Sufficiency of Petitions for Bylaw No. 2037

Aspen-Hector Storm Pond 1 and Local Area Service Establishment Bylaw

The Town has received petitions in favour of creating a Local Area Service from all of the owners of the parcels within the proposed Local Area Service that is subject to the Local Service Tax.

Therefore, I hereby certify that the Town of Comox has received sufficient petitions in favour of creating a Local Area Service in accordance with Section 212 of the *Community Charter*.



Shelly Russwurm, Corporate Officer

June 5, 2026

Date Signed