

**REGIONAL DISTRICT OF NANAIMO**  
**SPECIAL BOARD MEETING**  
**TUESDAY, NOVEMBER 9, 2010**  
**(immediately following the Committee of the Whole)**  
  
*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**ADMINISTRATOR'S REPORTS**

- 2 - 5                    Request for Acceptance of Comox Valley Regional Growth Strategy. (All Directors – One Vote)
- 6 - 14                    Bylaws No. 1004.05, 1445.04 & 1521.02 – Amend the Boundaries of the Duke Point & Cedar Sewer Services & the Cedar Sewer Small Residential Properties Capital Financing Service to Include/Exclude Area 'A' Properties (1965 Walsh Road & Lot 1 on MacMillan Road). (All Directors – One Vote)

**ADDENDUM**

**NEW BUSINESS**

**ADJOURNMENT**

**IN CAMERA**





CAO APPROVAL <i>CM</i>	
EAP	
COW	
OCT 29 2010	
RHD	
BOARD	✓ NOV 9 '10

# MEMORANDUM

**TO:** Paul Thorkelsson  
General Manager, Development Services

**DATE:** October 29, 2010

**FROM:** Paul Thompson  
Manager, Long Range Planning

**FILE:** 6780 30

**SUBJECT:** Request for Acceptance of Comox Valley Regional Growth Strategy

## PURPOSE

To provide a response to the Comox Valley Regional District (CVRD) on their request for the Regional District of Nanaimo (RDN) to accept the Comox Valley Regional Growth Strategy.

## BACKGROUND

The Comox Valley Regional District has been developing a regional growth strategy (RGS) for the past two years. The bylaw to adopt the Comox Valley RGS has been given two readings and a public hearing has been held. As part of the bylaw adoption process for a regional growth strategy, the bylaw must be referred to all member municipalities and adjacent regional districts for acceptance. As the RDN is adjacent to the CVRD, the RDN must accept the Comox Valley RGS bylaw before it can be adopted. The RDN has 60 days to respond, otherwise the RDN is deemed to have accepted the Comox Valley RGS. The 60 day response period ends on November 24<sup>th</sup>.

The Comox Valley Regional Growth Strategy shares many similarities with the RDN's RGS and has a comparable layout with a vision, principles, goals and policies. The Comox Valley RGS is comprised of five parts with supporting maps. Parts one and two introduce the RGS process, context, and summarize the issues that the RGS policies address. Part three provides the eight RGS goals with associated policies and explanatory text. Part four provides direction on managing growth through the specific regional land use designations which are shown on *Map No. 5: Growth Management Map*. Part five provides details on the implementation and monitoring process of the RGS. Each of the parts to the RGS are linked and are intended to be read together as a single comprehensive policy framework for managing growth throughout the Comox Valley.

## ALTERNATIVES

1. To inform the CVRD that the RDN accepts the CVRD Regional Growth Strategy.
2. To inform the CVRD that the RDN does not accept the CVRD Regional Growth Strategy and identify the specific sections of the CVRD Regional Growth Strategy bylaw that the RDN refuses to accept.
3. Do not respond to the request for acceptance from the Comox Valley Regional District.

## FINANCIAL IMPLICATIONS

There are no financial implications for the RDN.

## **GROWTH MANAGEMENT IMPLICATIONS**

The Comox Valley Regional District RGS is complementary to the RDN's RGS as it is also based on the concepts of urban containment, designated growth areas and preserving rural integrity. As well, like the RDN's RGS, the Comox Valley RGS supports compact mixed-use development as the best way to address issues related to climate change, food security, cost of infrastructure, affordable housing, transportation and biodiversity.

The CVRD's RGS uses three broad land use categories to designate where growth is supported and where servicing will be provided. Ninety percent of new growth will be accommodated in the Core Settlement Areas which consist of the municipalities, fringe areas adjacent to the municipalities, and four nodes in the electoral areas. Ten percent of growth will be accommodated in the Rural Areas which consist of large lot un-serviced residential lands and agricultural areas. The third general land use category is Resource Lands and Parks. These lands are comprised largely of private managed forest lands and provincial parks and are intended for resource use and conservation purposes only; no residential or urban development is supported in this land use category.

In terms of geography, Electoral Area 'A' in the CVRD directly borders Electoral Area 'H' in the RDN. For that portion of the CVRD's Electoral Area 'A' closest to the RDN, the Comox Valley RGS contains four land use designations: Rural Settlement Areas, Agricultural Areas, Resource Areas and Provincial Park. The location of these designations in the southern portion of CVRD Electoral Area 'A' is shown on Attachment 1. These four designations closely mirror the RDN RGS land use designations in the northern portion of Electoral Area 'H'.

The majority of the area bordering the RDN is designated as Resource Areas in the CVRD RGS. These are comprised mainly of private managed forest lands. To ensure that these lands remain available for resource use the RGS policies direct that OCPs establish a minimum parcel size of 400 hectares and only allow residential use as an auxiliary use. There are also lands designated as Rural Settlement Areas and Agricultural Areas. The intent of these designations is to reduce sprawl and maintain rural character by not allowing urban and suburban forms of development. The RGS sets a minimum parcel size in these areas of four hectares.

## **PUBLIC CONSULTATION IMPLICATIONS**

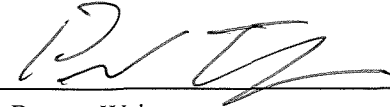
The RDN is not required to undertake public consultation with respect to responding to the request from the CVRD.

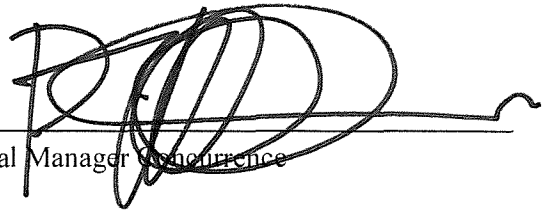
## **SUMMARY/CONCLUSION**

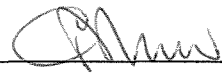
The Comox Valley RGS shares many similarities with the RDN's RGS. Both strategies are based on the premise that compact, mixed-use development is the best way to address the impacts of sprawl. Both strategies contain policies that encourage growth in designated areas and limit the amount of growth outside of those designated areas. The majority of growth will be accommodated in the municipalities and designated nodes in the electoral areas. Rural lands are intended to stay rural and resource lands are intended to remain available for resource use and other uses that require a natural setting. As the two Regional Growth Strategies take a similar approach to growth management and appear to complement each other, staff recommend that the RDN accept the Comox Valley RGS.

**RECOMMENDATION**

That the Regional District of Nanaimo accept the Comox Valley Regional District Regional Growth Strategy.

  
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Report Writer






  
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General Manager Concurrence

  
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CAO Concurrence



**Attachment 1**  
**Excerpt from Comox Valley RGS**  
**Map No. 5 Growth Management Map**

**Growth Management Map**



**Core Settlement Areas:**

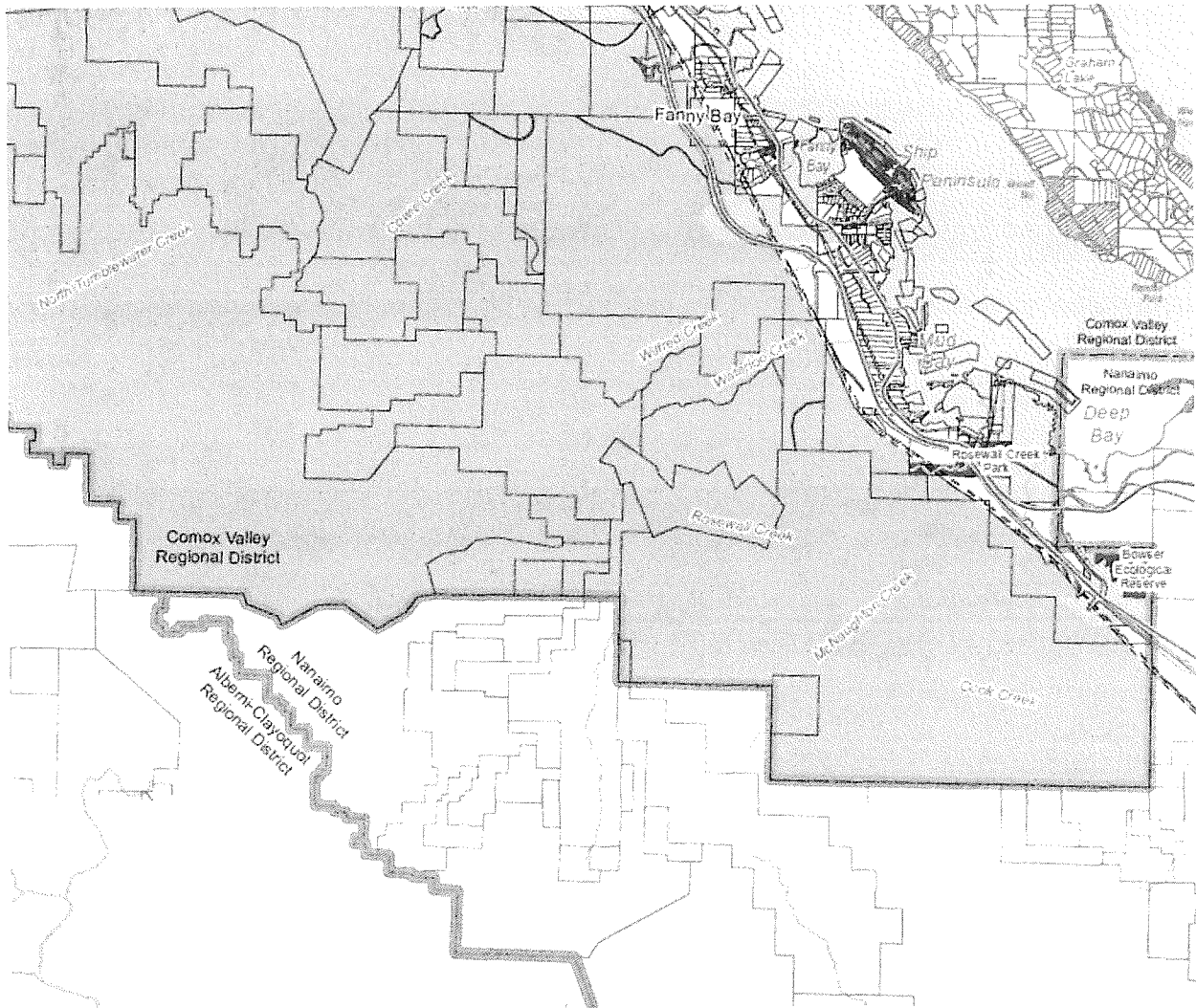
-  Municipal Areas
-  Settlement Nodes
-  K'omoks First Nation Lands
-  Sage Hills Employment and Settlement Node
-  Settlement Expansion Areas
-  Agricultural Areas within Municipal Areas

**Rural Areas:**

-  Rural Settlement Areas
-  Agricultural Areas

**Resource Areas and Provincial Parks:**

-  Resource Areas
-  Provincial Park





REGIONAL DISTRICT OF NANAIMO	
CAO APPROVAL	
EAP	
COW	
NOV 9 '10	
RHD	
BOARD	✓ NOV 9 '10

# MEMORANDUM

**TO:** M. Donnelly  
Manager, Water Services

**DATE:** October 29, 2010

**FROM:** D. Churko, AScT  
Engineering Technologist

**FILE:** 5500-20-CDR-01  
PL2010000196

**SUBJECT:** Bylaws No. 1445.05, 1521.01, and 1004.05 – To amend the boundaries of the Cedar and Duke Point Sewer Services, Electoral Area ‘A’

### PURPOSE

To introduce for adoption bylaws which will remove one property and include one property into the Cedar and Duke Point Sewer Services (see Location Plan in Figure 1).

### BACKGROUND

The Regional District and the City of Nanaimo have entered into an agreement to permit a limited number of properties in the Cedar village core to be connected to the Duke Point wastewater treatment plant. The Cedar Sewer Service is the operating name of the collection system which serves those properties. The number of properties permitted to be connected under the agreement is fully committed and no further properties can be connected unless a property within the service is excluded and another property substituted, or units allocated to a development property in the village are purchased by another property owner.

Two property owners have agreed to transfer a sewer connection. Following discussions with staff, the owners have submitted petitions requesting that the Regional District remove one property from the service and substitute the other. Three bylaws would be amended to make this change:

- Bylaw 1004.05 Duke Point Sewer Service
- Bylaw 1445.05 Cedar Sewer Service
- Bylaw 1521.01 Cedar Sewer Small Residential Properties Capital Financing Service

### ALTERNATIVES

1. Approve the bylaw amendments as presented.
2. Do not approve the bylaw amendments at this time.

### FINANCIAL IMPLICATIONS:

#### Alternative 1

The financial implications arising from these amendments will affect only the two property owners requesting the boundary amendments.

The property to be excluded is significantly affected by the adjacent York Marsh and is unlikely to be developed in the near future. Accordingly, the owner has re-evaluated the need for a connection to this property and is seeking to remove it from the service.

The property owner seeking to be included in the service, wishes to subdivide the subject property to construct a new home and connect to the sewer system. The approval of these bylaws will permit the new property to be connected to the sewer system. No connection can be made until all fees and charges have been paid in full (ie. capital charges and building permit fees).

The property owner seeking to be included will, if these bylaws are adopted, be subject to property taxes commencing in 2011 for debt servicing with respect to the original construction (\$1,100 per year) as well as property taxes and fees and charges, associated with the operations of the sewer collection and wastewater treatment systems, currently in the range of \$700 per year.

**SUSTAINABILITY IMPLICATIONS**


There will be a net positive improvement in the environmental impact of sewage disposal for these two properties. There will be one new property created and it will not use ground disposal in this area which has a sensitive ecosystem feature.

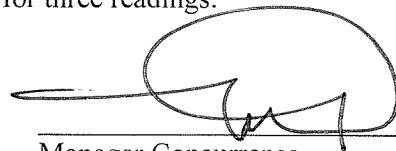
**SUMMARY/CONCLUSIONS**


Two property owners in the Cedar village area have petitioned the Regional District to remove one property from the local sewer service and substitute the other, for the purposes of connecting to the sewer collection system. The property to be excluded is significantly affected by York Marsh and has a low likelihood of being developed. The property to be included has a single-family home which currently uses ground disposal. The owner wishes to subdivide the property and the new property would, once a home is built, be connected to the sewer collection system. The changes have no net impact on the number of connections permitted to the Duke Point treatment plant outlined in an agreement between the Regional District and the City of Nanaimo. Staff recommends adopting the bylaws as presented.

**RECOMMENDATIONS**

1. That "Duke Point Sewer Service Amendment Bylaw No. 1004.05, 2010" be introduced for three readings.
2. That "Cedar Sewer Service Amendment Bylaw No. 1445.04, 2010" be introduced for three readings.
3. That "Cedar Sewer Small Residential Properties Capital Financing Service Amendment Bylaw No. 1521.01, 2010" be introduced for three readings.

  
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Report Writer

  
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Manager Concurrence

  
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General Manager Concurrence

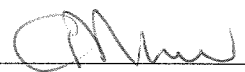
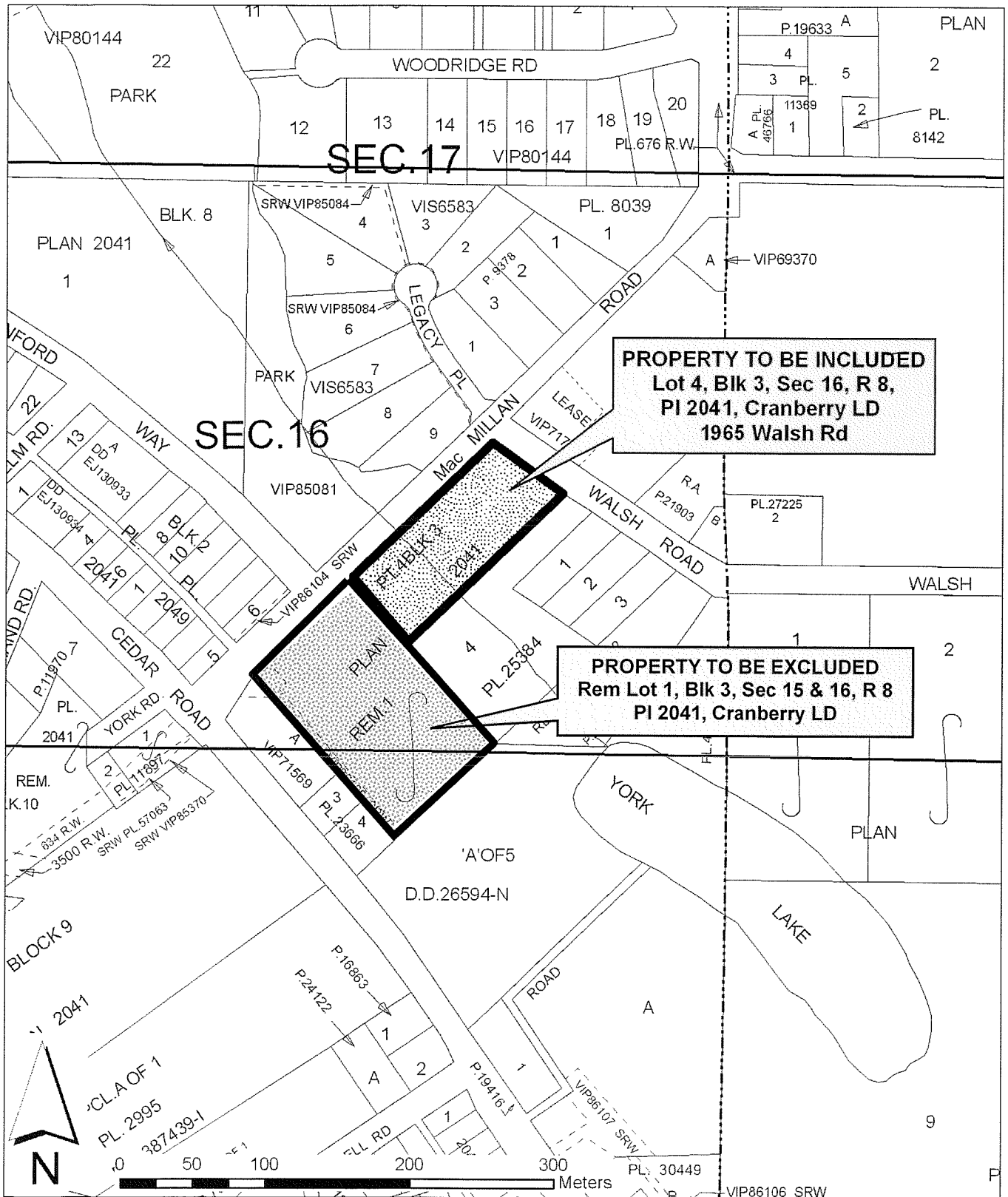
  
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CAO Concurrence



Figure 1- Location Plan



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1004.05**

**A BYLAW TO AMEND THE BOUNDARIES OF THE  
DUKE POINT SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Duke Point Sewer Service pursuant to Bylaw No. 1004, cited as “Duke Point Sewer Local Service Area Establishment Bylaw No. 1004, 1996”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by two property owners to amend the boundaries of the service area to include and exclude the lands noted below;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

**1. Amendment**

“Duke Point Sewer Local Service Area Establishment Bylaw No. 1004, 1996” is hereby amended as follows:

- a) by extending the boundaries of the service area to include Lot 4, Block 3, Section 16, Range 8, Plan 2041, Cranberry District (Folio 768 3126.000).
- b) by reducing the boundaries of the service area to remove Lot 1, Block 3, Sections 15 and 16, Range 8, Plan 2041, Cranberry District, except parts in Plan 23666 and 24559 (Folio 768 3121.000).
- c) by deleting Schedule ‘A’ of Bylaw 1004 and replacing it with the new Schedule ‘A’ attached to this bylaw.
- d) by adding Schedule ‘B’ attached to this bylaw, to Bylaw 1004.
- e) by deleting Schedule ‘F’ of Bylaw 1004 and replacing it with the new Schedule ‘F’ attached to this bylaw.
- f) by deleting the words “local service” and “local service area” wherever they appear in Bylaw 1004 and replacing them with the word “service”.

**2. Citation**

This bylaw may be cited for all purposes as “Duke Point Sewer Service Amendment Bylaw No. 1004.05, 2010”.

Introduced and read three times this 9th day of November, 2010.

Adopted this      day of                      , 2010.

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION

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Chairperson

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Sr. Mgr., Corporate Administration

**Properties within Electoral Area A included in the service area**

768 3089.001 Lot A, Section 14, Range 1, VIP 57874  
768 3089.106 Lot 6, Section 14, Range 1, VIP 59634

**Commercial Properties (reference Cedar Sewer Commercial Properties Capital Financing Service Establishing Bylaw No. 1513, 2007)**

768 3121.080 Lot A, Range 8, Plan VIP 71569  
768 3089.002 Lot 1, Section 14, Range 1, Plan VIP 76260  
768 3090.425 Lot A, Section 14, Range 1, Plan VIP 67433  
768 4645.000 Lots 4 & 5, Block 1, Plan 2045  
768 3134.000 Lot 3, Section 17, Range 1, Plan 11369  
768 3136.100 Lot A, Section 17, Range 1, Plan 46766  
768 4646.000 Lot 6, Block 1, Section 15, Range 8, Plan 2045

**Large Residential Properties (reference Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2007)**

768 4655.000 Lot 1, Plan 2995, Section 15, Range 8  
768 3128.030 Lot A, Plan 30449

**Sportsfield (reference Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007)**

768 3089.020 Lot A, Plan 37404

**Small Residential Properties (reference Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007)**

768 3128.050 Lot B, Pl 30449  
768 3128.325 Lot 4, Pl 19416  
768 3091.100 Lot 1, Pl 7636 Excl Pcl A (DD14382N)  
768 3090.500 Lot 1, Pl 19367  
768 3180.000 Lot 5, Pl 2049, Sec 16, Range 8  
768 3131.010 Lot 1, Pl 69370  
768 3121.085 Lot 3, Pl 23666  
768 3126.000 Lot 4, Block 3, Section 16, Range 8, Plan 2041  
768 3135.000 Lot 4, Pl 11369

**High School**

Folio 768 3130.600 Lot A, Section 16, Range 8, Plan 48768, Land District 18

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1445.04**

**A BYLAW TO AMEND THE BOUNDARIES  
OF THE CEDAR SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Cedar Sewer Service pursuant to Bylaw No. 1445, cited as "Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005";

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by two property owners to amend the boundaries of the service area to include and exclude the lands noted below;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

**1. Amendment**

"Cedar Sewer Service Area Establishment Bylaw No. 1445, 2005" is hereby amended as follows:

- a) by extending the boundaries of the service area to include Lot 4, Block 3, Section 16, Range 8, Plan 2041, Cranberry District (Folio 768 3126.000).
- b) by reducing the boundaries of the service area to exclude Lot 1, Block 3, Sections 15 and 16, Range 8, Plan 2041, Cranberry District, except parts in Plan 23666 and 24559 (Folio 768 3121.000).
- c) by deleting Schedule 'A' of Bylaw 1445 and replacing it with the new Schedule 'A' attached to this bylaw.
- d) by adding Schedule 'B' attached to this bylaw, to Bylaw 1445.
- e) by deleting the words "Cedar Sewer Service Area" wherever they appear in Bylaw 1445 and replacing them with the words "Cedar Sewer Service".

**2. Citation**

This bylaw may be cited for all purposes as "Cedar Sewer Service Amendment Bylaw No. 1445.04, 2010".

Introduced and read three times this 9th day of November, 2010

Adopted this      day of                      , 2010.

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CHAIRPERSON

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SR. MGR., CORPORATE ADMINISTRATION

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Chairperson

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Sr.Mgr., Corporate Administration

**Properties included in the service area:**

768 3089.001 Lot A, Section 14, Range 1, VIP 57874  
768 3089.106 Lot 6, Section 14, Range 1, VIP 59634

**Commercial Properties (reference Cedar Sewer Commercial Properties Capital Financing Service Establishing Bylaw No. 1513, 2007)**

768 3121.080 Lot A, Range 8, Plan VIP 71569  
768 3089.002 Lot 1, Section 14, Range 1, Plan VIP 76260  
768 3090.425 Lot A, Section 14, Range 1, Plan VIP 67433  
768 4645.000 Lots 4 & 5, Block 1, Plan 2045  
768 3134.000 Lot 3, Section 17, Range 1, Plan 11369  
768 3136.100 Lot A, Section 17, Range 1, Plan 46766  
768 4646.000 Lot 6, Block 1, Section 15, Range 8, Plan 2045

**Large Residential Properties (reference Cedar Sewer Large Residential Properties Capital Financing Service Establishing Bylaw No. 1517, 2007)**

768 4655.000 Lot 1, Plan 2995, Section 15, Range 8  
768 3128.030 Lot A, Plan 30449

**Sportsfield (reference Cedar Sewer Sportsfield Capital Financing Service Establishment Bylaw No. 1519, 2007)**

768 3089.020 Lot A, Plan 37404

**Small Residential Properties (reference Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007)**

768 3128.050 Lot B, Pl 30449  
768 3128.325 Lot 4, Pl 19416  
768 3091.100 Lot 1, Pl 7636 Excl Pcl A (DD14382N)  
768 3090.500 Lot 1, Pl 19367  
768 3180.000 Lot 5, Pl 2049, Sec 16, Range 8  
768 3131.010 Lot 1, Pl 69370  
768 3121.085 Lot 3, Pl 23666  
768 3126.000 Lot 4, Block 3, Section 16, Range 8, Plan 2041  
768 3135.000 Lot 4, Pl 11369

**High School**

768 3130.600 Lot A, Section 16, Range 8, Plan 48768, Land District 18

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1521.01**

**A BYLAW TO AMEND THE BOUNDARIES OF THE CEDAR SEWER  
SMALL RESIDENTIAL PROPERTIES CAPITAL FINANCING SERVICE**

WHEREAS the Regional District of Nanaimo established the Cedar Sewer Small Residential Properties Capital Financing Service pursuant to Bylaw No. 1521, cited as “Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by two property owners to amend the boundaries of the service area to include and exclude the lands noted below;

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

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

**1. Amendment**

“Cedar Sewer Small Residential Properties Capital Financing Service Establishment Bylaw No. 1521, 2007” is hereby amended as follows:

- a) by extending the boundaries of the service area to include Lot 4, Block 3, Section 16, Range 8, Plan 2041, Cranberry District (Folio 768 3126.000).
- b) by reducing the boundaries of the service area to exclude Lot 1, Block 3, Sections 15 and 16, Range 8, Plan 2041, Cranberry District, except parts in Plan 23666 and 24559 (Folio 768 3121.000).
- c) by deleting Schedules ‘A’ and ‘B’ of Bylaw 1521 and replacing them with the new Schedules ‘A’ and ‘B’ attached to this bylaw.

**2. Citation**

This bylaw may be cited for all purposes as “Cedar Sewer Small Residential Properties Capital Financing Service Amendment Bylaw No. 1521.01, 2010”.

Introduced and read three times this 9th day of November, 2010

Adopted this        day of        , 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR. CORPORATE ADMINISTRATION

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Chairperson

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Sr.Mgr., Corporate Administration

Properties included within the Service Area:

<b>Folio</b>	<b>Legal Description</b>
768 3128.050	Lot B, Pl 30449
768 3128.325	Lot 4, Pl 19416
768 3091.100	Lot 1, Pl 7636 Excl Pcl A (DD14382N)
768 3090.500	Lot 1, Pl 19367
768 3180.000	Lot 5, Pl 2049, Sec 16, Range 8
768 3131.010	Lot 1, Pl 69370
768 3121.085	Lot 3, Pl 23666
768 3126.000	Lot 4, Block 3, Section 16, Range 8, Plan 2041
768 3135.000	Lot 4, Pl 11369