



December 14, 2020

City of Nanaimo
455 Wallace Street
Nanaimo, BC
V9R 5J6

Attention: Sheila Gurrie, Director, Legislative Services & City Clerk

Dear Sheila Gurrie:

Re: Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020

The Board, at its regular meeting held October 27, 2020 introduced and read three times the above noted amendment bylaw (copy attached). Bylaw No. 1004.08, 2020 proposes to extend the boundaries of the Duke Point Sewer Service Area as outlined in Schedule A of the bylaw. Also enclosed is the staff report which went to the Committee of the Whole on October 13, 2020 and to the Board on October 27, 2020.

As part of the approval process for the bylaw, the Regional District requires the consent of at least 2/3 of the local service participants. As the City of Nanaimo is a participant in the local service, it would be appreciated if your Council would consider endorsing the following resolution at its next council meeting:

That the Council of the City of Nanaimo consents on behalf of the electors to the adoption of "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020" and further, that the Regional District of Nanaimo be notified accordingly.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Anita Sharma".

Anita Sharma
Deputy Corporate Officer

Encl. Bylaw 1004.08, 2020
Staff Report – Cedar Sewer Service Boundary Amendment

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1004.08
A BYLAW TO AMEND THE BOUNDARIES OF THE
DUKE POINT SEWER SERVICE

COPY
CERTIFIED CORRECT AT
THIRD READING

Deputy Corporate Officer

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 requested by a property owner to amend the boundaries of the service area to include the land legally described as:

- Block 9, Sections 15 and 16, Range 8, Cranberry District, Plan 2041;

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, 2005" is amended as follows:

By deleting Schedule 'A' of Bylaw No. 1004 and replacing it with the Schedule 'A' attached to this bylaw; and

By deleting Schedule 'B' of Bylaw No. 1004 and replacing it with the Schedule 'B' attached to this bylaw; and

By deleting Schedule 'F' of Bylaw No. 1004 and replacing it with the Schedule 'C' attached to this bylaw.

2. Citation

This bylaw may be cited for all purposes as "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020".

Introduced and read three times this 27th day of October, 2020.

Received the approval of the Inspector of Municipalities this ___ day of _____, 2020.

Adopted this ___ day of _____, 2020.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020"

Chair

Corporate Officer



NCID purchased nine (9) sewer allocations from the Cedar Estates developer in 2011 to prepare for a water treatment plant to be built on the property at 1723 Cedar Road sometime in the future. Development Cost Charges (DCCs) had already been paid on these allocations by the Cedar Estates developer, so no further DCC payments are required from NCID. The NCID is currently in the process of designing and constructing the new water treatment plant and has requested a connection to the sewer collection system. In order to connect the new plant to the sewer collection system, the boundaries of the Cedar Sewer Collection Service Area and the Duke Point Sewer Treatment Service Area need to be amended to include 1723 Cedar Road. For reasons unknown to current RDN staff, when this transaction was completed in 2011 the bylaw changes proposed in this report were not undertaken.

The *Electoral Area A Official Community Plan (OCP) Bylaw No. 1620, 2011* supports servicing properties within the Cedar Main Street village area. The subject property is located within the designated *Urban Containment Boundary* identified as a priority area for sewer service. The existing sewer service area boundary and a sewer main are located at the property's edge, thereby making the extension of and connection to the community sewer system straightforward.

The property owner must also apply for, and receive, a Waste Discharge Permit from the Regional District of Nanaimo before discharging waste to the sewer, pursuant to *Regional Sewage Source Control Bylaw No. 1730, 2015*. The fees for sewer service will be recovered through the terms listed in the waste discharge permit (not yet determined).

The approval of the following bylaws will permit the subject property to be connected to the sewer system:

- Cedar Sewer Service Amendment Bylaw No. 1445.06, 2020; and
- Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020.

ALTERNATIVES

1. The Board introduce and give three readings to "Cedar Sewer Service Amendment Bylaw No. 1445.06, 2020".
2. The Board introduce and give three readings to "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020".
3. Provide alternative direction to staff.

FINANCIAL IMPLICATIONS

No expenses would be incurred by the RDN to provide a sewer connection to the NCID property at 1723 Cedar Road.

Capital Charges pursuant to *Duke Point Sewer Local Service Area Capital Charge Bylaw No. 1528, 2007* do not apply to the subject property because DCCs were already paid by the Cedar Estates developer for these sewer allocations under *Duke Point Sewer Service Area Development Cost Charges Bylaw No. 1498, 2007*.

The RDN recovers the annual costs of operating the sewer collection and wastewater treatment systems by charging parcel taxes (flat rate property taxes) and user fees. In 2020, the parcel

tax for a Large Residential Property was approximately \$1,500 and the user fee was an additional \$1.60/day.

The fees for sewer discharges regulated in a Waste Discharge Permit would be based on the contaminant classification levels (and have not yet been determined).

The cost of constructing a sewer service stub on Cedar Road, and a sewer service line on private property would be the responsibility of the property owner. In addition, the property owner would be expected to pay the RDN building permit fees, a sewer line inspection fee of \$100, and a sewer connection fee of \$300.

STRATEGIC PLAN IMPLICATIONS

Environmental Stewardship - Protect and enhance the natural environment, including land, water, and air quality for future generations.

Growth Management - Provide effective regional land use planning and responsible asset management for both physical infrastructure and natural assets.



Deb Churko
dchurko@rdn.bc.ca
September 24, 2020

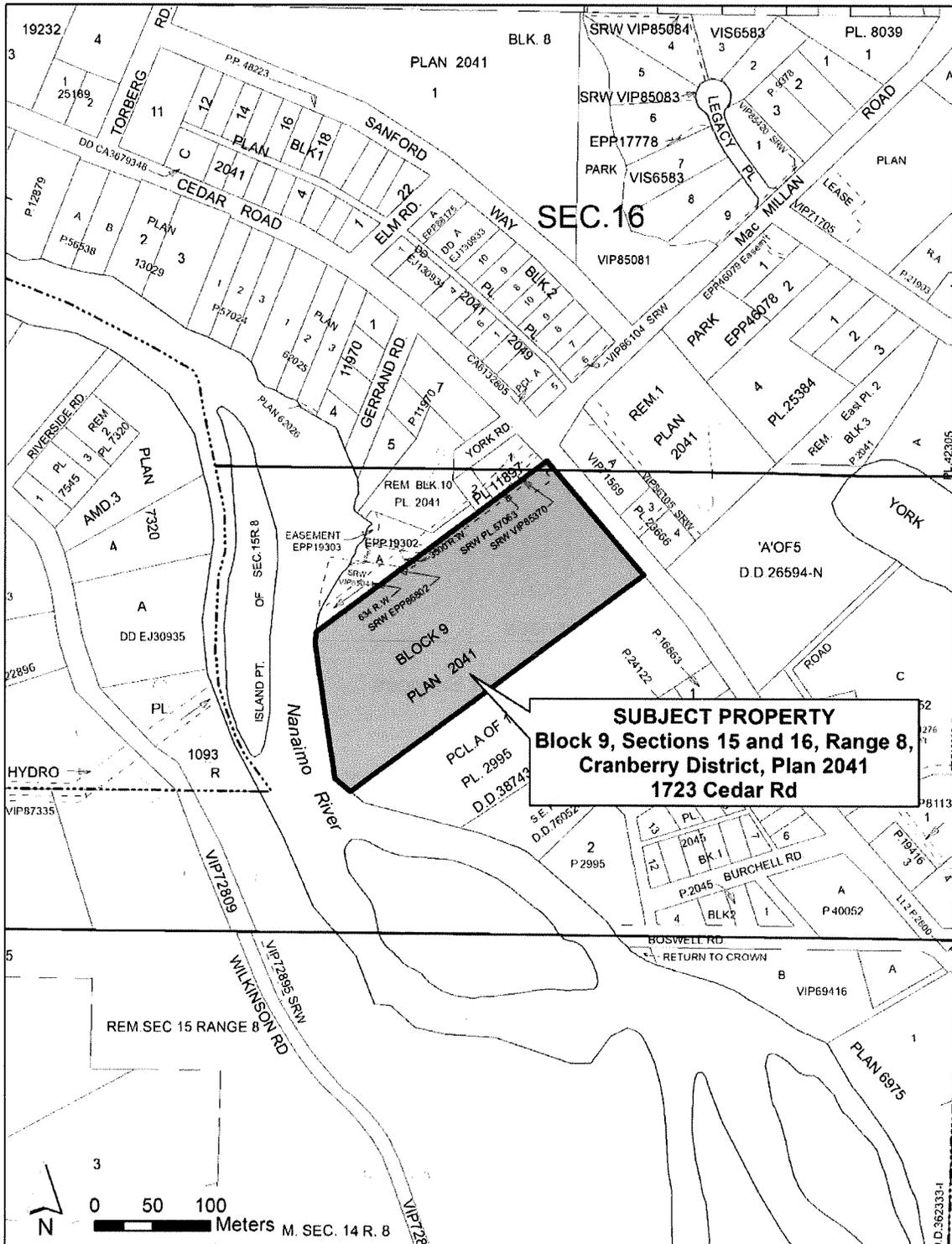
Reviewed by:

- M. Walters, Manager, Water Services
- J. Bradburne, Director, Finance
- S. De Pol, Director, Water & Wastewater Services
- R. Alexander, General Manager, RCU
- A. Sharma, Legislative Coordinator
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Figure 1 - Location Plan
2. Cedar Sewer Service Amendment Bylaw No. 1445.06, 2020
3. Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020

Figure 1 – Location Plan



REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1004.08
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 requested by a property owner to amend the boundaries of the service area to include the land legally described as:

- Block 9, Sections 15 and 16, Range 8, Cranberry District, Plan 2041;

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, 2005" is amended as follows:

By deleting Schedule 'A' of Bylaw No. 1004 and replacing it with the Schedule 'A' attached to this bylaw; and

By deleting Schedule 'B' of Bylaw No. 1004 and replacing it with the Schedule 'B' attached to this bylaw; and

By deleting Schedule 'F' of Bylaw No. 1004 and replacing it with the Schedule 'C' attached to this bylaw.

2. Citation

This bylaw may be cited for all purposes as "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020".

Introduced and read three times this ___ day of _____, 2020.

Adopted this ___ day of _____, 2020.

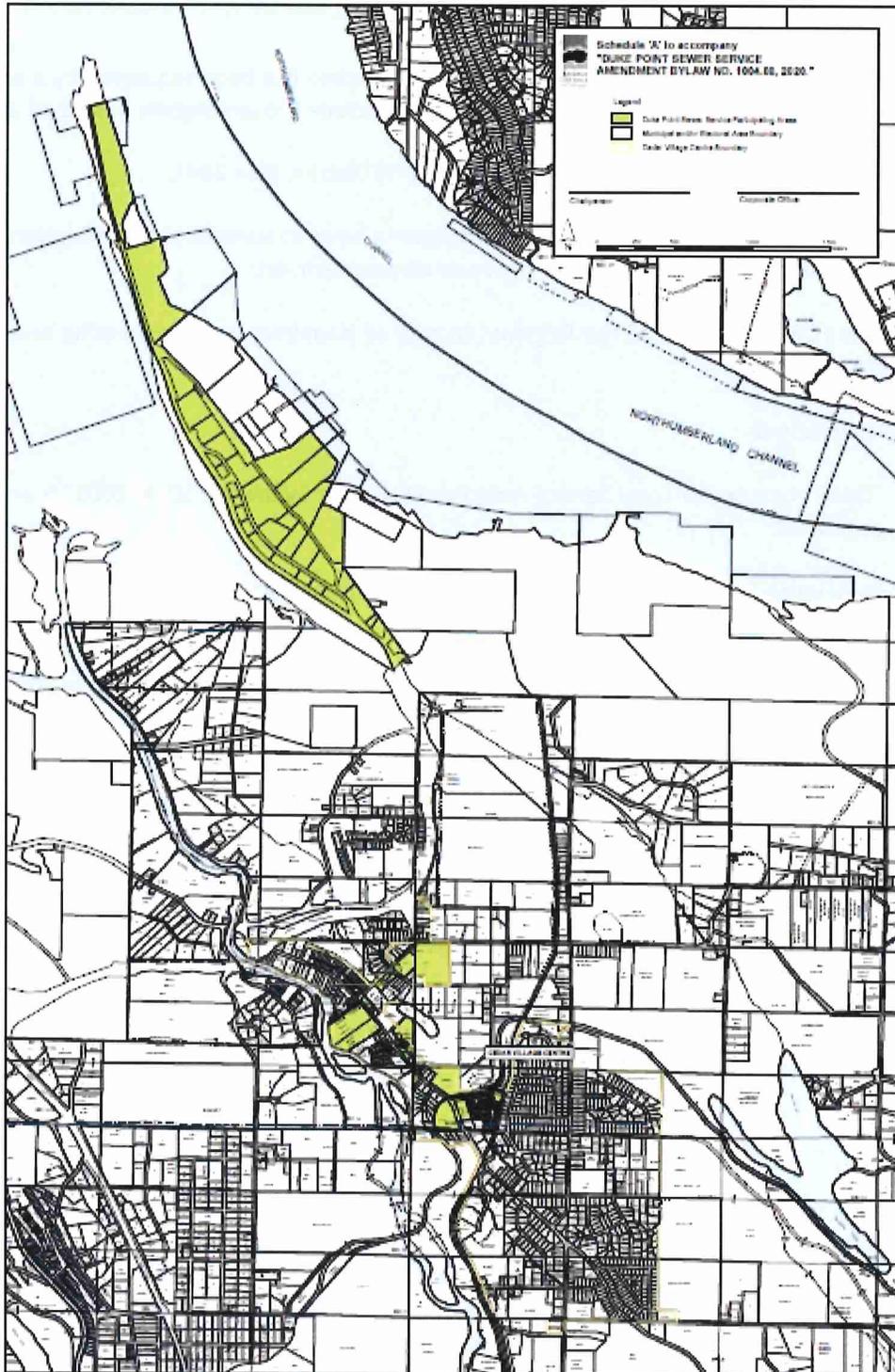
CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020"

Chair

Corporate Officer



Chair

Corporate Officer

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
(new) 768 3161.000	Block 9, Sections 15 and 16, Range 8, Cranberry Dist, Plan 2041

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
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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

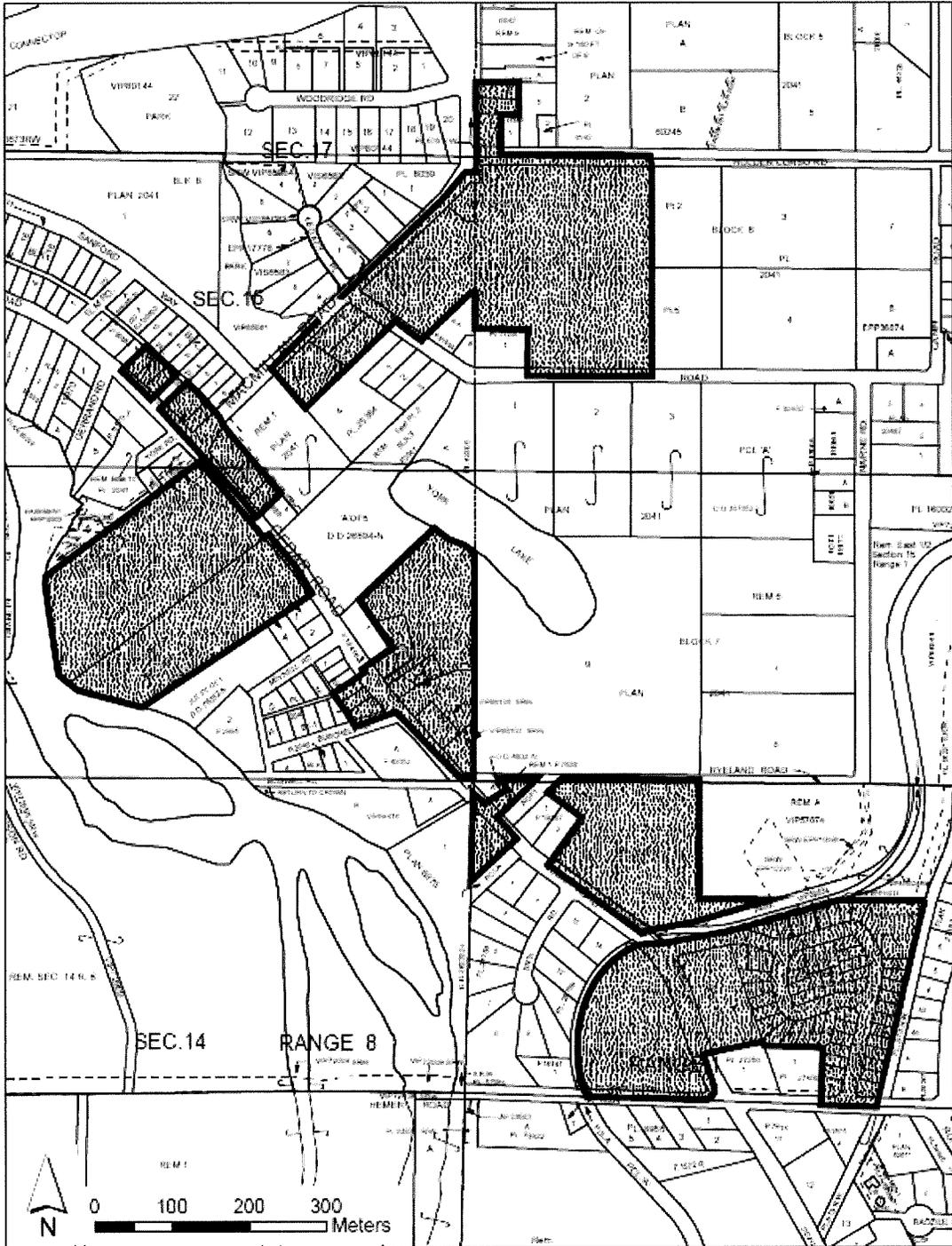
Small Residential Properties Stage 2 (reference Cedar Sewer Small Residential Properties Stage 2 Capital Financing Service Establishment Bylaw No. 1565, 2009)

Folio	PID	Legal Description	Street Address
768 3113.00	006636268	Lot 5, Block 2, Section 16, Range 8, Plan 2041	1668 Cedar Rd
768 3114.000	006636225	Lot 6, Block 2, Section 16, Range 8, Plan 2041	1672 Cedar Rd
768 3176.000	006644562	Lot 1, Section 16, Range 8, Plan 2049	1674 Cedar Rd
768 3178.000	006645046	Lot 3, Section 16, Range 8, Plan 2049	1682 Cedar Rd
768 3179.000	006645062	Lot 4, Section 16, Range 8, Plan 2049	Vacant
768 3128.300	003732967	Lot 3, Section 15, Range 8, Plan 19416	1782 Cedar Rd
768 3090.200	000280534	Lot 6, Section 14, Range 1, Plan 16036	1823/1825/1827 Cedar Rd

Schedule 'C' to accompany "Duke Point Sewer Service Amendment Bylaw No. 1004.08, 2020"

Chair

Corporate Officer



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1445.06

**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 requested by the property owner to extend the boundaries of the service area to include the land shown outlined in black on Schedule 'A' of this bylaw and legally described as:

- Block 9, Sections 15 and 16, Range 8, Cranberry District, Plan 2041;

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 amended as follows:

By amending Schedule 'A' of Bylaw No. 1445 to add the lands shown outlined in black on Schedule 'A' of this bylaw.

2. Citation

This bylaw may be cited for all purposes as "Cedar Sewer Service Amendment Bylaw No. 1445.06, 2020".

Introduced and read three times this ___ day of _____, 2020.

Adopted this ___ day of _____, 2020.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany "Cedar Sewer Service Amendment Bylaw No. 1445.06, 2020"

Chair

Corporate Officer

