

DATE: February 21, 2024

TO: Chair and Director
Black Creek-Oyster Bay Services Committee

FROM: Marc Rutten, P.Eng.
Acting Chief Administrative Officer

FILE: 5600-01/BCOB

Supported by Marc Rutten,
A/Chief Administrative Officer

M. Rutten

RE: BCOB Establishment Bylaw No. 1557 Amendment

Purpose

To amend Bylaw No. 1557 being the “Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment By-law, 1993” to include the properties with the PIDs 004-006-577, 006-090-338 and 018-526-527 in response to petitions from the property owners.

Recommendation from the Acting Chief Administrative Officer:

THAT Bylaw No. 1557 being the “Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment By-law, 1993” be amended to include the below properties, as shown in Appendix A of the staff report dated February 21, 2024, into the Black Creek/Oyster Bay Water Local Service Area:

- Lot B, Section 8, Township 5, Comox District, Plan 16158;
- Lot 4, Sections 31 & 32, Township 6, Comox District Plan 4250 Except Those Parts in Plans 5183, 15967 and 17184; and
- Lot 2, Block 29, Comox District, Plan VIP 57753.

AND FURTHER THAT the Director for Electoral Area C (Puntledge-Black Creek) and the Strathcona Regional District’s Electoral Area D (Oyster Bay – Buttle Lake), as participants in the Black Creek/Oyster Bay Water Local Service Area, consent to the amendment of the service establishment bylaw in writing;

AND FINALLY THAT the board consider adoption of the amending bylaw.

Executive Summary

- With the new production well now under construction, the connection suspension in place since October 2020 was removed in October 2023.
- Three properties shown on the map attached as Appendix A are requesting to be added to the Black Creek/Oyster Bay (BCOB) Water Local Service Area (WLSA). Each property is adjacent to the existing service area.

- The property owners have submitted petitions to extend the boundaries of the BCOB WLSA to include their properties.
- The water master plan for the BCOB system completed in 2023 concluded that the new production well project coming online in 2024, or early 2025 will meet the projected maximum day demand of the BCOB and Watutco water systems (should they choose to join) for the short to mid term.
- If permitted to join the service area, the property owners will be responsible to fund any required extension of the water main, as well as payment of all applicable fees and charges prior to connection to the water system.
- Staff recommend amending Bylaw No. 1557 so that the BCOB WLSA includes all three properties: 7750 Clarkson Avenue, 7882 Fairview Road, and 2180 Schulz Road.

Prepared by:

K. La Rose

Kris La Rose, P.Eng.
 Senior Manager of
 Water/Wastewater Services

Government and Community Interests Distribution (Upon Agenda Publication)

Strathcona Regional District	✓
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Background/Current Situation

Three properties shown on the map attached as Appendix A are requesting to be added to the BCOB WLSA. All three properties are adjacent to the existing service area. The subject properties’ addresses and corresponding PIDs are listed in Table No. 1.

Table No. 1 – Petitioning Properties Information

Property Address	Property Description	PID
7750 Clarkson Avenue, Black Creek	Lot B, Section 8, Township 5, Comox District, Plan 16158	004-006-577
7882 Fairview Road, Black Creek	Lot 4, Sections 31&32, Township 6, Comox District Plan 4250 Except Those Parts in Plans 5183, 15967 and 17184	006-090-338
2180 Schulz Road, Black Creek	Lot 2, Block 29, Comox District, Plan VIP57753	018-526-527

The property owners have submitted petitions to extend the boundaries of the BCOB WLSA to include their properties. If permitted to join the service area, the property owners will be responsible to fund any required extension of the water main, as well as payment of all applicable fees and charges including capital improvement cost charges, latecomers fee (as applicable) and any other connection fees prior to connection to the water system.

The Regional Growth Strategy (RGS) designates two of the subject properties, the 7750 Clarkson Avenue property and the 2180 Schulz Road property, within the Saratoga Settlement Node. Settlement nodes shall accommodate new growth through a balance of new development, intensification and improvements to public infrastructure (MG Policy 1B-1). The RGS and Official Community Plan (OCP) policies require development in settlement nodes to be served by public infrastructure, where possible. Infrastructure improvements need to include the provision of appropriate water and sewer services, therefore requiring the subject properties to extend the watermain, so they are serviced.

The 7882 Fairview Road property is designated as Rural/Agricultural in the RGS and OCP. By extending the watermain to the subject property, this will allow access to water in a rural and agricultural context, while accommodating housing needs in smaller communities.

Furthermore, the water master plan for the BCOB system was conducted in 2022 and 2023, analyzing the system's current water supply, fire flow capabilities, water demands and requirements for future growth. The master planning process concluded that the new production well project coming online in 2024, or early 2025 will meet the projected maximum day demand of the BCOB and Watutco water systems (should they choose to join) for the short to mid term, and improve reservoir recharge performance during fire events.

Options

1. Approve the recommendation to amend Bylaw No. 1557 to include the three proposed properties.
2. Approve the recommendation to amend Bylaw No. 1557 so that the BCOB WLSA includes only some of the proposed properties.
3. Deny the request for expanding the BCOB WLSA.

With the connection suspension lifted, and the first of three new production wells under development staff recommend option 1 to help incrementally improve the economies of scale for the BCOB water system.

Financial Factors

There are no direct financial factors for the Water Services, other than revenue from new customers.

Strategic Considerations - Strategic Drivers							
Fiscal Responsibility	✓	Climate Crisis and Environmental Stewardship and Protection	✓	Community Partnerships	Indigenous Relations	Accessibility, Diversity, Equity and Inclusion	✓

The staff recommendation to amend Bylaw No. 1557 to include all three properties meets half of the Strategic Drivers.

The three key Strategic Drivers that are being met by the recommendation are as follows:

- **Fiscal Responsibility:** By allowing more properties into the BCOB WSLA, this will contribute to making water services more affordable for all members in the BCOB WSLA.
- **Climate Crisis and Environmental Stewardship and Protection:** Increasing the density in the Core Settlement nodes allows for more efficient use of the infrastructure of the water system.
- **Accessibility, Diversity, Equity, and Inclusion:** The CVRD is committed to ensuring all community members have access to services and feel they belong to our regional community.

Strategic Considerations - Regional Growth Strategy Goals						
Housing	✓	Ecosystems, Natural Areas and Parks		Local economic development		Transportation
Infrastructure	✓	Food Systems		Public Health and Safety		Climate Change

Staff’s recommendation to amend Bylaw No. 1557 to include the proposed properties are in line with the RGS goals on infrastructure.

Staff’s recommendation will indirectly meet the RGS Infrastructure goal, 5-A to “Promote water conservation and efficiency throughout the Comox Valley” via the objective 5A-3: “Encourage smaller lot development and higher density development in Core Settlement Areas, in order to make efficient use of water servicing infrastructure.” There are two proposed properties located in a Core Settlement Area, and one in the rural/agricultural area thus supporting objective 5-A via 5-A3.

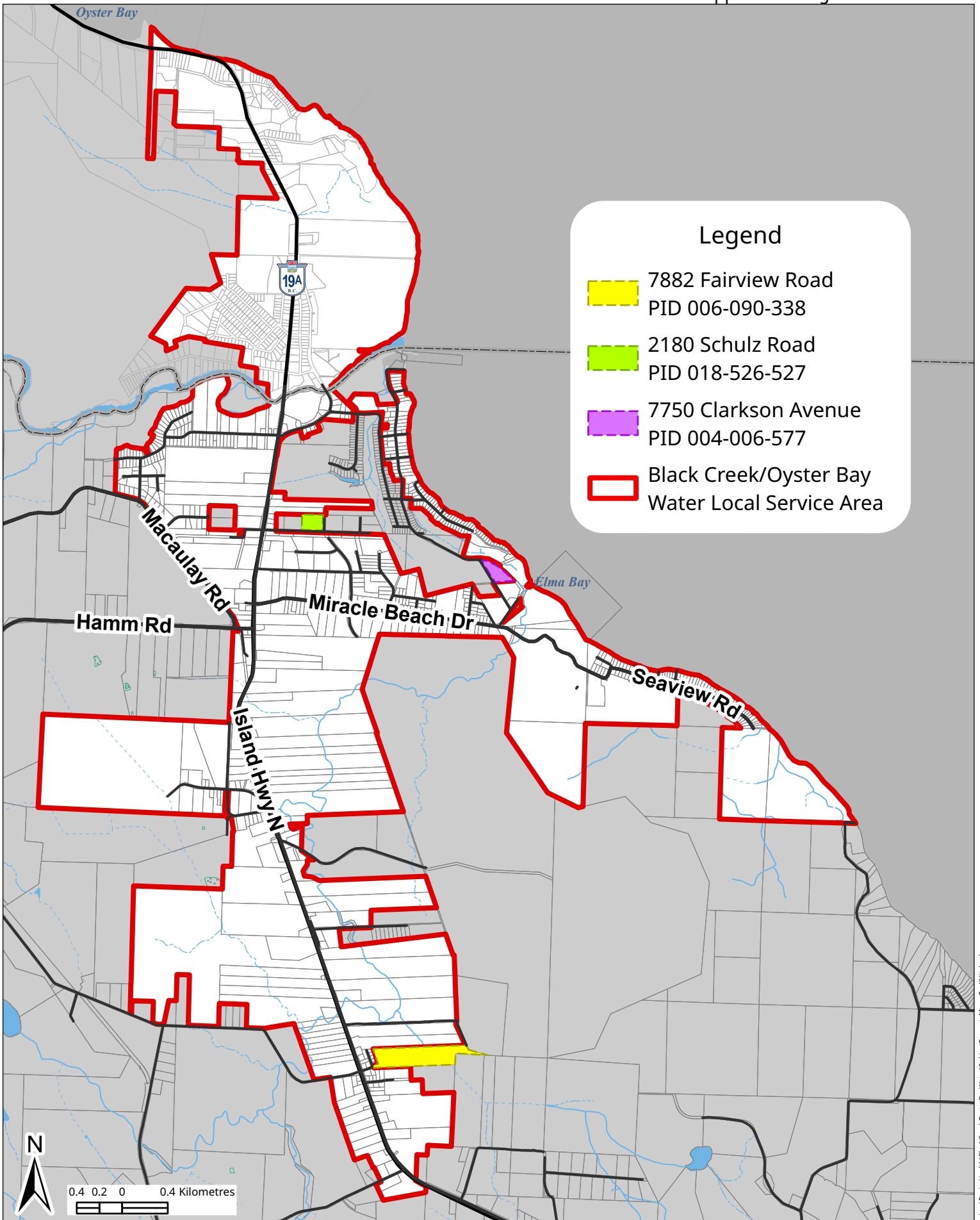
Intergovernmental Factors

For BCOB Services Committee to review, provide input and concurrence.

Citizen/Public Relations

Not relevant for this topic.

Attachments: Appendix A – Subject Properties Map



Legend

- 7882 Fairview Road
PID 006-090-338
- 2180 Schulz Road
PID 018-526-527
- 7750 Clarkson Avenue
PID 004-006-577
- Black Creek/Oyster Bay
Water Local Service Area