



**REPORT TO PORT RENFREW UTILITY SERVICES COMMITTEE
MEETING OF TUESDAY, JUNE 29, 2021**

SUBJECT **Amendment to Bylaw No. 1747 to Expand Port Renfrew Water Local Service Area**

ISSUE SUMMARY

To amend the Port Renfrew Water Supply Local Service Establishment Bylaw to include Pacific Gateway Marina and Port Renfrew Management Lands.

BACKGROUND

At its October 23, 2019 meeting, the Port Renfrew Utility Services Committee (PRUSC) received a report providing an update on the water system improvements being completed by Port Renfrew Management and Pacific Gateway Marina and agreed in principle to the inclusion of the Pacific Gateway Marina Lands into the Port Renfrew Water Service Area No. 1, subject to a new storage tank being built. Port Renfrew Management has also requested inclusion of lands into Port Renfrew Water Service Area No. 1 after the storage tank is constructed.

The legal description of the lands are shown in Figure 1 attached as Appendix A, and as listed in Appendix B.

As per direction from PRSUC, developers are to provide infrastructure improvements that increase capacity at a contribution rate of \$8,000 per Single Family Equivalent (SFE). The agreement for the storage tank construction, for an estimated cost of \$576,000, between the developers and the Capital Regional District (CRD) had the following contributions:

- Pacific Gateway Marina - \$256,000 for 32 SFE's
- Port Renfrew Management - \$256,000 for 32 SFE's (includes 13 SFE's for Beachview Rise Subdivision)
- Port Renfrew Business Park (Port Renfrew Management) - \$64,000 for eight SFE's
- Total of 72 SFE's

The storage tank has been completed and there is an estimated theoretical capacity within the expanded water system of an additional 151 SFE's; as 72 SFE's are allocated as described above, there will be remaining capacity for 79 SFE's. To ensure that the new lands proposed to be included in the service area associated with Pacific Gateway Marina and Port Renfrew Business Park do not exceed the capacity of the water system a covenant (Appendix D) is proposed on the properties limiting the water supply to the identified number of SFE's. If additional SFE's are required this would need additional review by the CRD and approval by the PRUSC to remove the covenant.

In order to include the lands in the water service area, Bylaw No. 4442, "Port Renfrew Water Supply Local Service Establishment Bylaw No. 1, 1989, Amendment Bylaw No. 5, 2021" has been prepared (Appendix C) for the Port Renfrew Utility Services Committee's consideration.

ALTERNATIVES

Alternative 1

That the Port Renfrew Utility Services Committee recommends the Electoral Areas Committee recommend to the Capital Regional District Board:

1. That Bylaw No. 4442, “Port Renfrew Water Supply Local Service Establishment Bylaw No. 1, 1989, Amendment Bylaw No. 5, 2021”, be introduced and read a first, second, and a third time;
2. That Bylaw No. 4442 be referred to the Inspector of Municipalities for approval;
3. That Bylaw No. 4442 be referred to the Director of the Juan de Fuca Electoral Area for consent;
4. That prior to adoption of Bylaw No. 4442, staff be directed to register a restrictive covenant on the lands to be included in the service area, limiting the number of Single Family Equivalents that can be serviced on the property;
5. That Bylaw No. 4442 be referred to staff for an evaluation of consistency with the Regional Growth Strategy and that staff report back to the Regional Board through the Planning and Protective Services Committee.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Service Delivery Implications

In order to move to allow the proposed lands into the water service area, the bylaw amendment must be approved by the PRUSC and forwarded to the Electoral Areas Committee and CRD Board. After third reading of the bylaw, it will then be sent to the Inspector of Municipalities for approval and requires written consent of the Electoral Area Director. The new 100,000 lgal storage tank has been installed, improving the storage capacity for the whole service area. A covenant is required to manage development on the lands. The inclusion of the lands into the service area will benefit the existing participants as additional user fees and parcel taxation could then be collected to offset operating and long term capital costs. The covenant will be registered before adoption of the bylaw.

Regional Growth Strategy Implications

Section 445 of the *Local Government Act* requires that all bylaws adopted by a regional district board, after the board has adopted a Regional Growth Strategy (RGS), be consistent with the RGS. Since Bylaw No. 4442 amends a water supply local service establishment bylaw, the bylaw will be considered by the Planning and Protective Services Committee and the CRD Board for a determination of consistency with the RGS prior to adoption. An amendment to the infrastructure policies in the Port Renfrew Comprehensive Community Development Plan (CCDP) will also be required at such time that the CCDP is updated to reflect the water system improvements per RGS policy 2.2(2)(c).

CONCLUSION

The proposed properties currently remain outside, but adjacent to, the Port Renfrew Water Supply Local Service Area No. 1. The inclusion of the properties into the service area will benefit the

existing participants as additional user fees and parcel taxation could then be collected. The inclusion will not adversely impact the existing participants in the water service as the improvements to the system would enhance capacity creating no net loss of service to existing users. A covenant is proposed to be put on the properties limiting development as identified in the agreement.

The Port Renfrew Water Local Service establishing bylaw must be amended to include the lands into the service area to enable the service to be provided. For final approval of this bylaw, the Regional Board must determine it is consistent with the Regional Growth Strategy policy 2.2(2)(c).

RECOMMENDATIONS

That the Port Renfrew Utility Services Committee recommends the Electoral Areas Committee recommend to the Capital Regional District Board:

1. That Bylaw No. 4442, “Port Renfrew Water Supply Local Service Establishment Bylaw No. 1, 1989, Amendment Bylaw No. 5, 2021”, be introduced and read a first, second, and a third time;
2. That Bylaw No. 4442 be referred to the Inspector of Municipalities for approval;
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5. That Bylaw No. 4442 be referred to staff for an evaluation of consistency with the Regional Growth Strategy and that staff report back to the Regional Board through the Planning and Protective Services Committee.

Submitted by:	Joseph Marr, P. Eng., Manager, Water Distribution Engineering & Planning
Concurrence:	Ian Jesney, P.Eng., Senior Manager, Infrastructure Engineering
Concurrence:	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Services
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Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENTS

- Appendix A: Figure 1 – Proposed Water Service Area Inclusion
- Appendix B: Proposed Water Service Area Expansion Legal Descriptions
- Appendix C: Proposed Bylaw No. 4442
- Appendix D: Draft Water Service Covenant