



ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE

WEDNESDAY, MAY 25, 2011 - 3:30 P.M.

CVRD Boardroom, 175 Ingram Street

AGENDA

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7. NEW BUSINESS:

8. QUESTION PERIOD:

9. CLOSED SESSION – No closed session items

10. ADJOURNMENT

The next meeting of the Engineering & Environmental Services Committee will be held June 22, 2011.

Distribution:

Director Cossey, Chair
Director Kuhn, Vice-Chair
Director Dorey
Director Duncan
Director Giles
Director Harrison

Director Haywood
Director Iannidinardo
Director Kent
Director Marcotte
Director Morrison

As Well As:

Warren Jones, CAO
Brian Dennison, General Manager, Engineering & Environmental Services
Bob McDonald, Manager, Recycling & Waste Diversion
Dave Leitch, ASCT., Manager, Water Management
Kate Miller, Manager, Regional Environmental Policy
Mark Kueber, Manager, Corporate Services

Agenda Cover Only:

Directors Hutchins, McGonigle, Seymour, Walker
Tom Anderson, General Manager, Planning & Development
Joe Barry, Corporate Secretary

The Full Agenda Package is available on-line at: <http://cvrd.bc.ca/Archive.asp?AMID=50>

Minutes of the regular meeting of the Engineering & Environmental Services Committee held in the CVRD Boardroom, 175 Ingram Street, Duncan, on April 27, 2011 at 3:30 p.m.

PRESENT: Director Kuhn, Acting-Chair
Directors Dorey, Duncan, Giles, Harrison, Haywood,
Iannidinardo, Kent, Marcotte, Morrison

ABSENT: Director Cossey

ALSO

PRESENT: W. Jones, CAO, CVRD
B. Dennison, P. Eng., General Manager, E & E
D. Leitch, ASCT., Manager, Water Management
B. McDonald, Manager, Recycling & Waste Management
J. Adair, Superintendent, Solid Waste Operations
J. Bath, Recording Secretary

**APPROVAL
OF AGENDA**

The following items were added under New Business:

- NB1 Transfer of sewer capacity units policy – referred from April 13th Board meeting.
- NB2 Backyard burning concern (see R5)
- NB3 Micro hydro and solar energy

It was moved and seconded that the agenda be approved as amended.

MOTION CARRIED

**ADOPTION
OF MINUTES**

It was moved and seconded that the minutes of the March 23, 2011 regular Engineering & Environmental Services Committee meeting be adopted.

MOTION CARRIED

**BUSINESS ARISING
OUT OF MINUTES**

No business arising

DELEGATIONS

D1

Melissa Noel, Coastal Invasive Plant Committee, provided a Power Point presentation giving an update on local invasive plant issues and concerns, and requested that the CVRD partner with the CIPC to work towards eradication of invasive species in the Valley.

D2

Sarah Verstegen, Coordinator, Saanich Inlet and Peninsula Atlas of Shorelines (SIPAS), provided a PowerPoint presentation giving an overview of the completed work of SIPAS, for which the study included the area from Bamberton Beach to Cherry Point. The database will be made available to the CVRD in the near future.

REPORTS

R1

The Manager, Water Management Division, presented a staff report regarding user fee increases for five CVRD sewer systems as noted in the recommendation below.

It was moved and seconded that it be recommended to the Board:

- 1. That "CVRD Bylaw 3478, Cowichan Bay Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 2. That "CVRD Bylaw 3479, Eagle Heights Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 3. That "CVRD Bylaw 3480, Mesachie Lake Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 4. That "CVRD Bylaw 3484, Maple Hills Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 5. That "CVRD Bylaw 3486, Youbou Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**

MOTION CARRIED

R2

The Manager, Water Management Division, presented a staff report regarding user fee increases for four CVRD water systems as noted in the recommendation below.

It was moved and seconded that it be recommended to the Board:

- 1. That "CVRD Bylaw 3488, Fern Ridge Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 2. That "CVRD Bylaw 3487 - Youbou Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption."**
- 3. That "CVRD Bylaw 3485, Cherry Point Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 4. That "CVRD Bylaw 3481 - Mesachie Lake Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**

MOTION CARRIED

R3

The Manager, Water Management Division, provided a staff report regarding an annual 3% user fee increase for all Arbutus Ridge utilities.

It was moved and seconded that it be recommended to the Board:

- 1. That "CVRD Bylaw No. 3483 – Arbutus Ridge Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 2. That "CVRD Bylaw No. 3482 – Arbutus Ridge Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.**
- 3. That a bylaw be prepared to amend "CVRD Bylaw No. 2989 – Arbutus Ridge Drainage System Service Establishment Bylaw, 2007", to increase the maximum requisition to \$37,000, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**

MOTION CARRIED

R4

A staff report was provided regarding a request from Cowichan Energy Alternatives to occupy a fenced compound at the Bings Creek Solid Waste Management Complex.

It was moved and seconded that it be recommended to the Board that the Chair and Corporate Secretary be authorized to sign a "License of Occupation Agreement" with the Cowichan Energy Alternatives Society for the use of a fenced compound adjacent to the former recycling storage building at the Bings Creek Solid Waste Manage Complex, for the purpose of operating a waste vegetable oil collection depot and bio-diesel production facility.

MOTION CARRIED

R5

A staff report was presented regarding proceeding with a two-phase consultation process in order to provide stakeholder input towards a draft backyard burning bylaw.

Discussion took place regarding different options for restricting backyard burning. The directors for Electoral Areas F and H requested details prior to committing to a bylaw.

It was moved and seconded that staff proceed with preparation of a draft burning regulation bylaw for Electoral Areas A, B, C and D and immediately undertake a consultation process in order to provide stakeholder input, and further that the local Fire Departments and local fire officials be included in the consultation process.

MOTION CARRIED

It was moved and seconded that a draft bylaw similar to North Cowichan's burning regulation bylaw be brought forward for Electoral Area E.

MOTION CARRIED

R6

A staff report was considered presenting Bylaw 3494 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Amendment Bylaw, 2011 regarding a boundary extension.

It was moved and seconded that "CVRD Bylaw No. 3494 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

R7

A staff report was considered regarding curbside collection contract extensions.

It was moved and seconded that it be recommended that the Cowichan Valley Regional District enter into Curbside Collection Contract extensions with the following service providers:

- | | | |
|-----------|------------------------|---|
| 1) | BFI | - Electoral Areas A, B, D, E, F, G & I |
| 2) | Sun Coast Waste | - Electoral Areas C and H |

for the period June 1, 2011 to May 31, 2012, and further that the Chair and Corporate Secretary be authorized to sign the extension agreements.

MOTION CARRIED

R8

A staff report was considered regarding increasing the maximum requisition for the Youbou Street Lighting Service Area.

It was moved and seconded that it be recommended to the Board:

- 1. That a bylaw be prepared to amend "CVRD Bylaw No. 2193 – Youbou Street Lighting Service Establishment Bylaw, 2001", to increase the maximum requisition limit from \$21,800 to \$40,000.**
- 2. That the amendment bylaw be forwarded to the Board for consideration of three readings and, following provincial and voter approval, adoption.**
- 3. That voter approval for adoption of the amendment bylaw be obtained through an Alternative Approval Process.**

MOTION CARRIED

R9

A staff report was considered seeking short term borrowing approval for the purchase of a photocopier and furniture for new offices at Bings Creek.

It was moved and seconded that it be recommended, as approved in the 2011 budget, that the Board authorize short-term borrowing under Function 575 for an amount not to exceed \$28,000.00 to purchase a new photocopier and office furniture for the new staff building at Bings Creek Solid Waste Management, to be paid back within 5-years under the Liabilities Agreement, Section 175 of the Community Charter.

MOTION CARRIED

NEW BUSINESS

NB1

Board Resolution No. 11-192 was referred to the Engineering & Environmental Services Committee regarding the issue of policy around the transfer of sewer capacity units.

It was moved and seconded that this item be brought forward to the next Engineering & Environmental Services Committee meeting.

MOTION CARRIED

NB2

This item was considered under R5.

NB3

The Director for Electoral Area G asked for direction regarding approaching the Ministry of Transportation & Infrastructure about generating power in Saltair from drainage ditches, using solar and micro-hydro power. The Director was advised that he did not require a resolution from the Committee to proceed.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:29 pm

Chair

Recording Secretary

Dated: _____

following amendments into Schedule B of the Phased Development Agreement following Section 22:

1. Topsoil

The Owner must deposit a minimum of 200 cubic metres of topsoil on land to be transferred to the District and at a location approved in writing by the District prior to deposit of a subdivision plan creating the 21st new parcel from the Lands.

2. Park Boundary Fence

The Owner must construct a 1.5 metre high fence constructed of treated posts and page wire, or other material agreed to in writing by the District, between the park land and the west boundary of the residential lots in Phase 4b.

3. Storm Water Management

The Owner must install on-site storm water management works that are consistent with the Ministry of Environment's *Development With Care: Environmental Guidelines for urban and Rural Land Development in British Columbia* document. The storm water design must be reviewed and approved by the District prior to inclusion of the Land in a drainage service area.

MOTION CARRIED

**B11
11-191**

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011", be granted 3rd reading as amended.

Opposed: Director Morrison

MOTION CARRIED

11-192



It was moved and seconded that the issue of policy around the transfer of sewer capacity units be referred to the Engineering & Environmental Services Committee and the Central Sector Liquid Waste Management Plan Steering Committee.

Opposed: Directors Haywood, Duncan, Dorey, Iannidinardo and Cossey

MOTION CARRIED

**B11
11-193**

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011", be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

EXCERPTS FROM JOINT UTILITIES BOARD AGREEMENTS

Re: Transfer of Capacity Units

Cowichan Bay Sewer System

Transfer of Capacity Units

6. A party that is not making use of all of the Capacity Units allocated to that party may, by notice in writing to all parties, transfer some or all of its allocated but unused Capacity Units to another party to this agreement, with the agreement of the recipient. Upon completion of a transfer, the allocation of Capacity Units in Section 4 of this agreement shall be amended accordingly.
7. Before transferring unused Capacity Units, the party which proposes to transfer the units shall provide documentation to the other parties, establishing the number of Capacity Units which are then in use by the transferring party.
8. If consideration is paid in exchange for the transfer of unused Capacity Units, the transferor shall advise the other parties of the amount of consideration, but shall not be required to share the consideration received by the transferor.

Eagle Heights Sewer System

Transfer of Capacity Units

6. A party that is not making use of all of the Capacity Units allocated to that party may, by notice in writing to all parties, transfer some or all of its allocated but unused Capacity Units to another party to this agreement, with the agreement of the recipient. Upon completion of a transfer, the allocation of Capacity Units in Section 4 of this agreement shall be amended accordingly.
7. Before transferring unused Capacity Units, the party which proposes to transfer the units shall provide documentation to the other parties, establishing the number of Capacity Units which are then in use by the transferring party.
8. If consideration is paid in exchange for the transfer of unused Capacity Units, the transferor shall advise the other parties of the amount of consideration, but shall not be required to share the consideration received by the transferor.



STAFF REPORT

R1

ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: April 28, 2011 **FILE NO:** 5225-06/SRD
5520-30/SR

FROM: Louise Knodel-Joy, Water Management, Engineering & Environmental Services

SUBJECT: Drainage and Street Lighting System Service Area Requests from Ocean Terrace Developments

Recommendation:

The Committee's direction is requested.

Relation to the Corporate Strategic Plan: Provides a reliable essential service.

Financial Impact: (Reviewed by Finance Division: SW)

Option 1: The developer is responsible for all construction costs. If the Sentinel Ridge service areas are amended to include Ocean Terrace, new users brought into the service area will generate an increased assessment base, thereby improving the financial stability of these systems. This inclusion has not been reflected in the 2011 budget, or in the five year financial plan.

Option 2: New service areas, budgets and five year plans must be created and all financial implications are restricted to that of the proposed development only. Users would pay higher costs until the development is built out. New service areas for this development have not been included in the 2011 budget. As with Option 1, the developer is responsible for all construction costs.

Background: A request from Ocean Terrace Development for inclusion into the Sentinel Ridge Drainage and Streetlighting Service Areas was received on February 8, 2011.

At the March 23, 2011 Engineering & Environmental Services Committee meeting, a resolution was passed that this item be referred back to staff to look into inviting the property owners between the two developments to be part of the drainage and street lighting service areas. Staff have since contacted the property owner, who declined inclusion as this new development will not have street lighting and the drainage system will be managed by the Strata Corporation.

Staff are therefore suggesting one of the following two options be considered:

Option 1:

Include the Ocean Terrace Drainage & Streetlighting Systems in Sentinel Ridge Service Areas

1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Sentinel Ridge Drainage System Service Area and Sentinel Ridge Street Lighting Service Area be received.

.../2

2. That the boundaries of the Sentinel Ridge Drainage System area and Sentinel Ridge Street Lighting System area be amended to include *"PID 009-346-511 Parcel C (DD43694I) D.L. 77, Malahat District, PID 009-346-520 Parcel D (DD33154I), D.L. 77, Malahat District and PID 009-346-554 That part of D.L. 77, Lying to the south of the south boundaries of Parcel C & D of said lot and except those parts in plans 518W, 50504 & VIP86315, Malahat District"*.
3. That "CVRD Bylaw No. 2852 – Sentinel Ridge Drainage System Establishment Bylaw, 2006", and "CVRD Bylaw No. 2851 – Sentinel Ridge Street Lighting Establishment Bylaw, 2006", be amended to include *PID 009-346-511 Parcel C (DD43694I) D.L. 77, Malahat District, PID 009-346-520 Parcel D (DD33154I), D.L. 77, Malahat District and PID 009-346-554 That part of D.L. 77, Lying to the south of the south boundaries of Parcel C & D of said lot and except those parts in plans 518W, 50504 & VIP86315, Malahat District"*, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

Valid and sufficient Petitions for Services have been received for inclusion into Sentinel Ridge Drainage and Streetlighting Systems. The *Certificates of Sufficiency* and a site plan are attached for consideration.

Option 2:

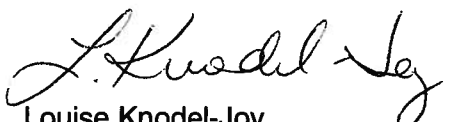
Create New Service Areas for the Ocean Terrace Development.

That first stage approval be authorized and staff continue with the process of investigating takeover of the Ocean Terrace Drainage and Street Lighting Systems, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:

1. All lands on which infrastructure works are located are to be transferred to the CVRD, or, if not possible, will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
2. A utility transfer agreement be executed between the CVRD and the owners;
3. The owner of utility be willing to sell and/or transfer the system to the CVRD;
4. A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
5. This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed

and further that, upon completion of a successful petition process, bylaws be prepared to create service areas for these utilities.

Submitted by


Louise Knodel-Joy
Senior Engineering Technologist

LKJ/jlb

Bath: Z:\ESMemos\2010\OTD&OTSLServiceAreaMay252011.doc


Reviewed by:
Division Manager:


Approved by:
General Manager:



Cowichan Valley Regional District

This map is compiled from various sources and is not intended to be used for legal purposes only.

The Registered District does not warrant the accuracy.

All persons making use of this map should be advised that the information has been compiled from various sources and is not intended to be used for legal purposes only and that boundaries are not guaranteed.

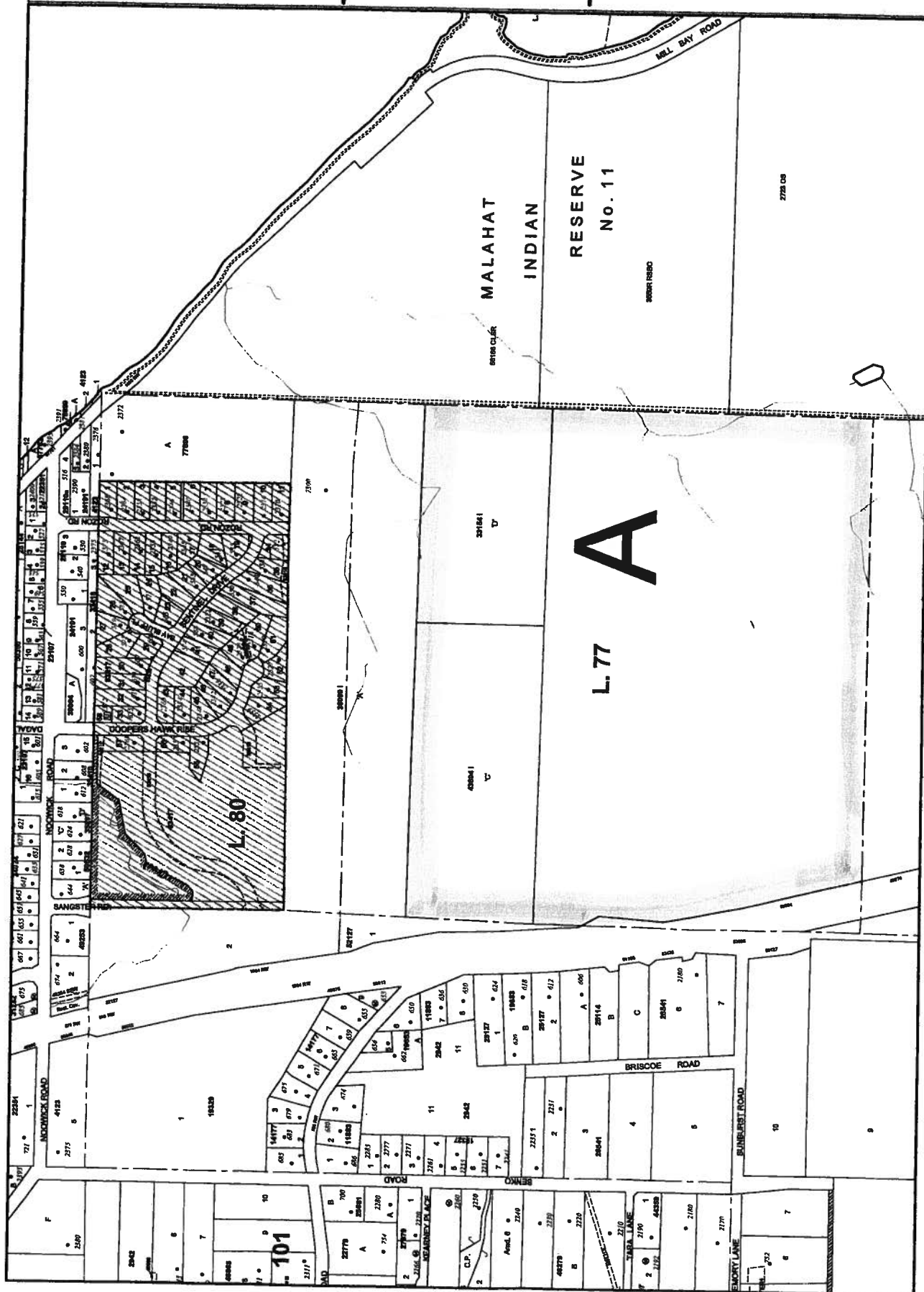
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

Printed: April 26, 2011

Streetlighting & Drainage Service Areas



Scale: 1:8,500





STAFF REPORT

R2

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: April 28, 2011 **FILE No:** 0400-01/EA-H
FROM: Louise Knodel-Joy, Water Management, Engineering & Environmental Services
SUBJECT First Stage Approval for CVRD takeover of the Woodley Range Water System

Recommendation:

That it be recommended that:

1. The Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the Woodley Range Water System, located in Electoral Area H, as requested by Woodley Range Water Works Ltd. subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
 - All lands with infrastructure works are to be transferred to CVRD, or, if not possible be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owners;
 - A CVRD review of the system be undertaken in order to address deficiencies in the water system;
 - The owner of the utility be willing to transfer the system to the CVRD;
 - A public consultation process regarding CVRD takeover be undertaken;
 - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
 - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed; and further
2. That an assessment of the system be carried out, funded to a maximum cost of \$15,000, to be funded from the CVRD Feasibility Study Function and, regardless of ownership transfer, repaid in full from funds held for Woodley Range Water System by the Comptroller of Water.
3. That, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.

Relation to the Corporate Strategic Plan: Provides a reliable essential service.

.../2

Financial Impact: (Reviewed by Finance Division: SA)

As it is anticipated that operation of this utility system would not proceed until 2012, it has not been included in the 2011 Budget. All costs to operate this utility would be borne by the users of the system. The feasibility study will be funded to a maximum cost of 15,000, with interim funding proved by the CVRD Feasibility Study Function. Regardless of ownership transfer, the provincial Comptroller of Water has agreed to reimburse the CVRD in full for this study from funds held by the Province for Woodley Range Water System.

Background:

At its meeting of April 8, 1998, the CVRD Board declined to takeover the water system for the proposed Woodley Range development. In 2010, a community group approached the Engineering & Environmental Services Department requesting CVRD takeover of this water system. Now, in a letter dated April 27, 2011, Hunter & Company on behalf of the Woodley Range Water Works Ltd. is also requesting CVRD takeover.

The Woodley Range Water System was designed to service 37 residential lots and includes six separate supply wells, a pre-treatment system, which includes a green sand filtration, a small diameter domestic water distribution system and a separate gravity fire flow supply system. In 1998, it was deemed that this water system was too complex relative to most small water systems and would not be financially feasible to operate. Today, however, the CVRD's Water Management Division is much larger and manages many complex water and sewer systems.

A review of the system is required to assess necessary upgrades required for the CVRD to take over and operate this water system. Chrisoph Moch, the provincial Comptroller of Water, has agreed to pay for the engineering study from the trust fund, if the CVRD acknowledges that this amount will then be deducted from the funds transferred for the utility to the CVRD at the time of ownership transfer. The trust fund held by this Ministry is in excess of \$200,000.

Submitted by,



Louise Knodel-Joy
Senior Engineering Technologist
Water Management Division

LKJ/jlb
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Reviewed by: Division Manager:
Approved by: General Manager:

Timothy J. Huntsman Law Corporation
in association with
HUNTER & COMPANY
Barristers, Solicitors & Notaries Public

an association of dedicated lawyers and professional law corporation

Reply to: Timothy J. Huntsman ♦
direct email: huntsman@hunterlawcorp.com
or litigation@hunterlawcorp.com

FILE NO: H8802-002
VIA FAX: 1-250-746-2543

April 27, 2011

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Attention: David Leitch

Dear Mr. Leitch:

Re: Woodley Range Waterworks Ltd. - Sale of Shares

On behalf of Woodley Range Water Works Ltd. I do hereby request that Cowichan Valley Regional District take over the operation and ownership of the aforementioned water facility.

Yours truly,



Timothy J. Huntsman

♦ denotes Law Corporation

T:\Tim Huntsman Client Files\2011\Woodley Range\ltr.CVRD.Apr.27.11.doc

TJH/css



**Cowichan
Valley
Regional
District**

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The Regional District does not warrant the accuracy.

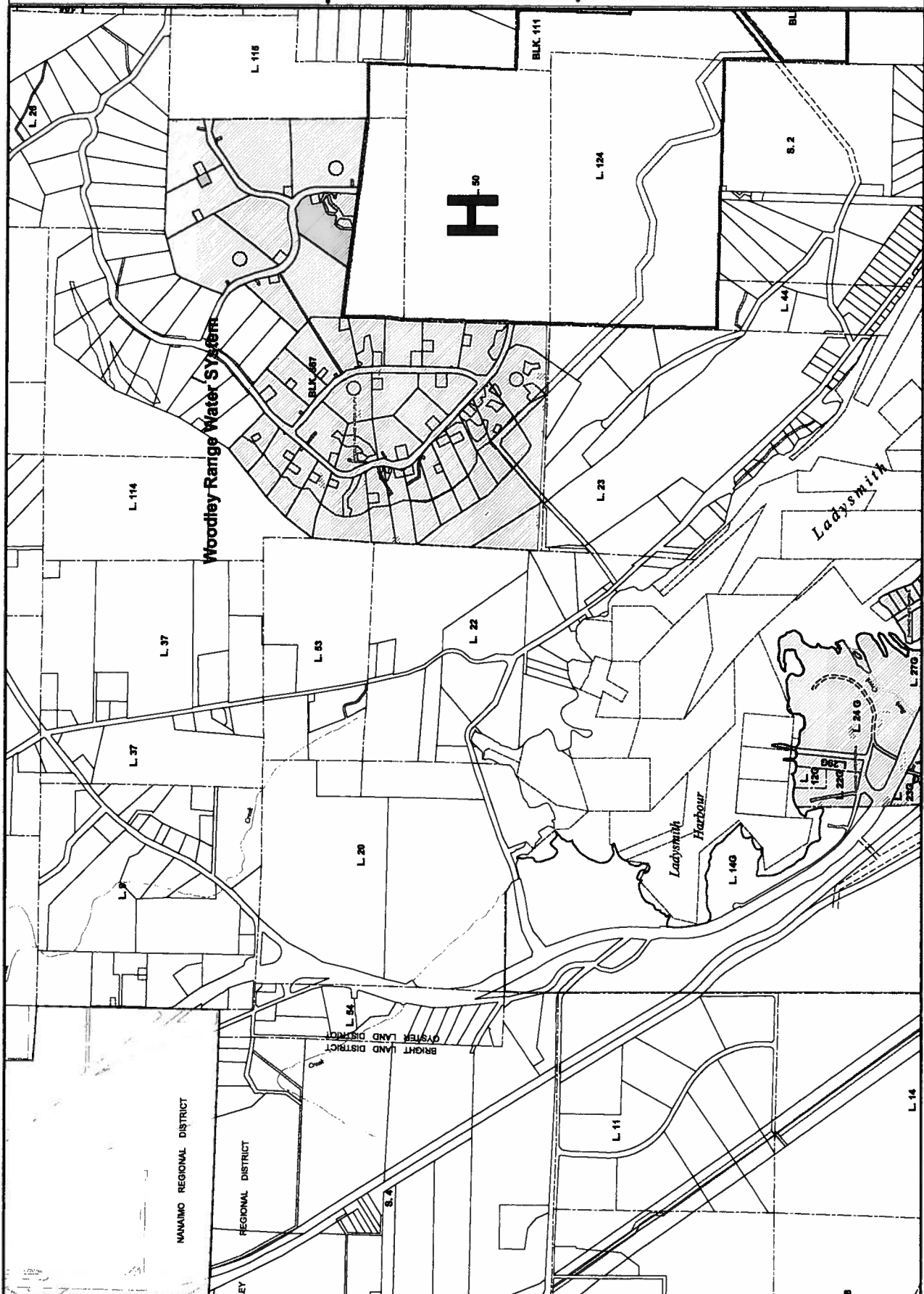
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The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

Printed: April 11, 2011



Scale: 1:20,000





R3

STAFF REPORT

ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: May 11, 2011 **FILE NO:** Bylaws

FROM: Louise Knodel-Joy, Senior Environmental Technologist, Water Management Division

SUBJECT: Requisition Limit Increases – CVRD Sewer Systems

Recommendation:

That it be recommended to the Board:

- 1. That a bylaw be prepared to amend "CVRD Bylaw No. 2790 – Electoral Area A – Sentinel Ridge Sewer System Service Establishment Bylaw, 2006", to increase the maximum requisition from \$34,000 to \$42,400, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 2. That a bylaw be prepared to amend "CVRD Bylaw No. 3052 – Electoral Area D – Lambourn Estates Sewer System Service Establishment Bylaw, 2008", to increase the maximum requisition from \$25,000 to \$31,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 3. That a bylaw be prepared to amend "CVRD Bylaw No. 2128 – Electoral Area D – Cowichan Bay Sewer System Service Establishment Bylaw, 2000", to increase the maximum requisition from \$150,000 to \$187,000, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 4. That a bylaw be prepared to amend "CVRD Bylaw No. 2871 – Electoral Area C – Twin Cedars Sewer System Service Establishment Bylaw, 2006", to increase the maximum requisition from \$40,000 to \$49,900, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 5. That a bylaw be prepared to amend "CVRD Bylaw No. 3103 – Electoral Area C – Cobble Hill Sewer System Service Establishment Bylaw, 2008", to increase the maximum requisition from \$30,000 to \$37,400, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 6. That a bylaw be prepared to amend "CVRD Bylaw No. 1653 – Electoral Area C – Maple Hills Sewer System Service Establishment Bylaw, 2002", to increase the maximum requisition from \$25,000 to \$31,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 7. That a bylaw be prepared to amend "CVRD Bylaw No. 1910 – Electoral Area B – Shawnigan Beach Estates Sewer System Service Establishment Bylaw, 1999", to increase the maximum requisition from \$125,000 to \$156,000, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**
- 8. That a bylaw be prepared to amend "CVRD Bylaw No. 2489 – Electoral Area A – Kerry Village Sewer System Service Establishment Bylaw, 2004", to increase the maximum requisition from \$20,000 to \$24,900, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.**

.../2

9. That a bylaw be prepared to amend "CVRD Bylaw No. 2549 – Electoral Area I – Youbou Sewer System Service Establishment Bylaw, 2004", to increase the maximum requisition from \$37,000 to \$46,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

Relation to the Corporate Strategic Plan: Provides a reliable essential service.

Financial Implications: (Reviewed by Finance Division: SA)

The annual cost of providing this service is recovered by user fees and requisition of money collected by parcel tax. The maximum parcel tax requisition has been:

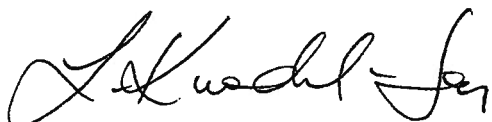
- \$34,000 for Sentinel Ridge Sewer System since 2006
- \$25,000 for the Lambourn Sewer System since 2008
- \$150,000 for the Cowichan Bay Sewer System since 2004
- \$40,000 for the Twin Cedars Sewer System since 2006
- \$30,000 for the Cobble Hill Sewer System since 2008
- \$25,000 for the Maple Hills Sewer System since 2007
- \$125,000 for Shawnigan Beach Estates Sewer System since 2007
- \$20,000 for Kerry Village Sewer System since 2007
- \$37,000 for Youbou Sewer System since 2004

Staff wish to raise the maximum requisitions in 2012 to allow for expansions of the service areas for the above noted utilities. The maximum requisition limit increase is below the allowable 25% over a five year period, in accordance with Section 801 of the Local Government Act.

Background:

With the inclusion of major developments in Kerry Village, Sentinel Ridge, Lambourn and Cowichan Bay Sewer Systems, increasing parcel tax requisition will generate income without raising rates for current customers. The remaining sewer systems have had inclusions to service areas and approved subdivisions, which increased the number of properties and therefore additional income is required to operate and maintain the utilities in the future.

Submitted by,



Louise Knodel-Joy
Senior Engineering Technologist

LKJ/jlb

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Reviewed by:
Division Manager:

Approved by:
General Manager



R4

STAFF REPORT

ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: May 11, 2011 **FILE NO:** Bylaws

FROM: Louise Knodel-Joy, Senior Environmental Technologist, Water Management Division

SUBJECT: Requisition Limit Increase –Water Systems

Recommendation:

That it be recommended to the Board:

1. That a bylaw be prepared to amend "CVRD Bylaw No. 3034 – Electoral Area D – Lambourn Estates Water System Service Establishment Bylaw, 2008", to increase the maximum requisition from \$33,000 to \$41,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
2. That a bylaw be prepared to amend "CVRD Bylaw No. 2994 – Electoral Area A – Fern Ridge Water System Service Establishment Bylaw, 2007", to increase the maximum requisition from \$14,600 to \$18,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
3. That a bylaw be prepared to amend "CVRD Bylaw No. 1670 – Electoral Area D – Cherry Point Water System Service Establishment Bylaw, 1995", to increase the maximum requisition from \$19,040 to \$23,700, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
4. That a bylaw be prepared to amend "CVRD Bylaw No. 2491 – Electoral Area A – Kerry Village Water System Service Establishment Bylaw, 2004", to increase the maximum requisition from \$14,500 to \$18,100, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
5. That a bylaw be prepared to amend "CVRD Bylaw No. 2886 – Electoral Area I – Youbou Water System Merger Bylaw, 2006", to increase the maximum requisition from \$132,000 to \$164,800, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

Relation to the Corporate Strategic Plan: Provides a reliable essential service.

Financial Implications: (Reviewed by Finance Division: S*)

The annual cost of providing this service is recovered by user fees and requisition of money collected by parcel tax. The maximum parcel tax requisitions have been:

- \$33,000 for the Lambourn Water System since 2008
- \$14,600 for the Fern Ridge Water System since 2007
- \$19,040 for the Cherry Point Water System since 1995
- \$14,500 for the Kerry Village Water System since 2004
- \$132,000 for Youbou Water System since 2006

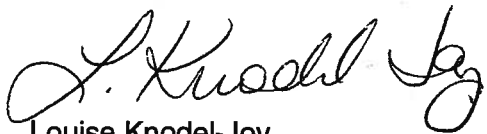
.../2

Staff wish to raise the maximum requisitions for these utilities in 2012, as all of these service areas have had requests for expansion, which require additional income to operate and maintain. The maximum requisition limit increase is below the allowable 25% over a five year period, in accordance with Section 801 of the Local Government Act.

Background:

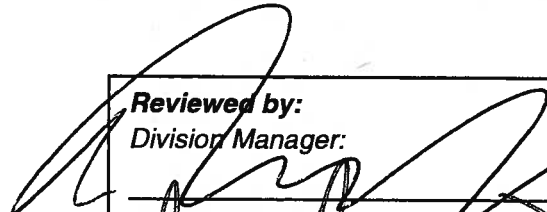
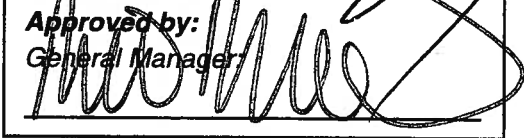
With inclusion of major developments to the Kerry Village and Lambourn Water Service Areas, increasing parcel tax requisition will generate income without raising rates for current customers. The other water systems have had inclusions to service areas and approved subdivisions which increased the number of properties. Additional income is required to operate and maintain the utilities in the future.

Submitted by,



Louise Knodel-Joy
Senior Engineering Technologist
Engineering & Environmental Services

LKJ/jlb
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 Reviewed by: Division Manager:
 Approved by: General Manager:



STAFF REPORT

R5

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: May 10, 2010

FILE NO: Bylaws

FROM: David Leitch, ASCT., Manager, Water Management Division

SUBJECT: 2011 Reserve Fund Bylaws.

Recommendation:

That the following recommendations be forwarded to the Board:

1. That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$156,767 from the *Cowichan Bay Sewer System Capital Reserve Fund* to help finance Joint Utility Board Flood Mitigation project and for capital upgrades to the sewer system, and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
2. That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$184,467 from the *Eagle Heights Sewer System Capital Reserve Fund* to help finance Joint Utility Board Flood Mitigation project and for capital upgrades to the sewer system; and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.

Relation to the Corporate Strategic Plan: Provides a reliable essential service.

Financial Impact: (Reviewed by Finance Division: SA)

As part of the 2011 approved budget, monies from the Cowichan Bay and Eagle Heights Sewer Systems were identified to be withdrawn from capital reserve funds to assist in paying for the capital cost of the above-mentioned works. Without the contribution of these reserve funds, there is insufficient money in the operating budget to complete these capital projects.

Background:

At the Special meeting of the Board on August 25, 2010, the following resolution (10-476-5) was ratified:

"That the 2010 Cowichan Bay and Eagle Heights sewer system budgets be amended to cover their share of the cost of constructing the contingency works for flood mitigation in and around the Joint Utilities Board lagoons. These funds to be taken from the transfer reserve account or by applying operational surplus and connection fee income towards these costs. "

Further to the above resolution, funding of \$84,467 from Eagle Heights Sewer System and \$69,767 from Cowichan Bay Sewer System is required to contribute to the Tier I JUB mitigation works. To cover this and other budgeted capital projects, it is necessary to withdraw monies from Capital Reserve for Eagle Heights and Cowichan Bay Sewer Systems.

Submitted by,

Dave Leitch, ASCT., Manager,
Water Management Division

LKJ/jlb

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Reviewed by:

Division Manager:

Not required

Approved by:

General Manager:



STAFF REPORT

R6

ENGINEERING AND ENVIRONMENT SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: May 17, 2011

FILE NO: 1855-20-EnergyMapping

FROM: Kate Miller, Manager, Regional Environmental Policy Division

SUBJECT: CVRD Energy Mapping and Modeling Project

Recommendation/Action:

That it be recommended to the Board:

1. That resolution No 11-212 be rescinded
2. That the Chair and Corporate Secretary be authorized to sign a contract with EA Energy Analyses (EA) for the Cowichan Valley Energy Mapping and Modeling (Integrated Energy Mapping and Analysis) project for a value of \$184,843.

Financial Impact: (Reviewed by Finance Division: Sit)

Funding for this project comes from the Innovations Fund of the Gas Tax program, which is a program based on a competitive process across the province. The total value of the project to the CVRD is \$300,000.

Background:

The previous recommendations regarding this project inadvertently removed the HST component of the bid price from the total value of the recommendation. When EA prepared their offer they included taxes as per page 3 of the Request for Proposals: 'Any contract awarded as a result of this Request for Proposals will be subject to appropriate taxes'. In Denmark they have a 25% VAT that the provider of the services applies to a contract, however this can be recouped from the Danish Tax Authorities for contracts made internationally.

On the basis of this, and earlier projects in Canada where they were not obligated to pay GST or PST on the services provided, EA made their proposal based on the understanding that the HST would not be applicable to them, and the contract payment would therefore be the aforementioned \$184,843 in their bid.

The selection of the consulting team was made on the best value for available funds.

Submitted by

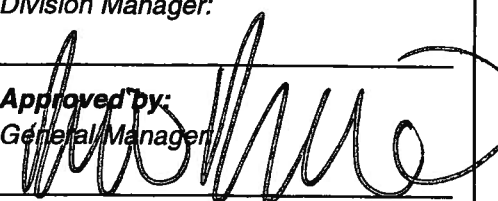

Kate Miller, Manager
Regional Environmental Policy Division

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Reviewed by:
Division Manager:

Approved by:
General Manager:





STAFF REPORT

R7

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF MAY 25, 2011

DATE: May 17, 2011 **BYLAW NOS.:** 3499
3500
FROM: Kathleen Harrison, Legislative Services Coordinator
SUBJECT: Youbou Street Lighting Service and Arbutus Ridge Drainage Service Requisition Limit Increases.

Recommendations:

1. That "CVRD Bylaw No. 3499 – Youbou Street Lighting Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings, and following provincial and voter approval, consideration of adoption.
2. That "CVRD Bylaw No. 3500 – Arbutus Ridge Drainage Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.

Relation to the Corporate Strategic Plan:

The service amendment bylaws are consistent with the objectives of promoting individual and community wellness and reliable essential services as noted in the Corporate Strategic Plan.

Financial Impact: (Reviewed by Finance Division: SA)

Costs for the Youbou Street Lighting Service are recovered through property taxes requisitioned and collected annually. An increase to the maximum requisition limit from \$21,800 to \$40,000 will increase annual parcel tax from \$52.03 to \$95.47 per property within the Youbou Street Lighting Service Area.

Costs for the Arbutus Ridge Drainage Service are recovered through property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area. The maximum annual requisition limit for the Drainage Service will increase from \$31,104 to \$37,000 per annum. The tax rate will increase from \$0.1010/\$1,000 to \$0.1201/\$1000, (based on 2011 rates), and annual costs are estimated to increase from \$10.10 per \$100,000 to \$12.01 per \$100,000 of assessed value of land and improvements within the Arbutus Ridge Drainage Service Area.

Background:

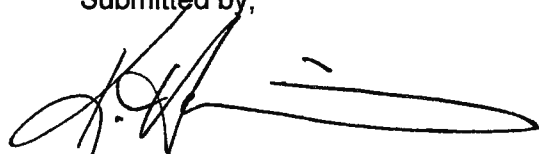
At its meeting held May 11, 2011, the Board endorsed Resolutions 11-237-3-3 and 11-237-7-1 that direct that the maximum requisition limits for the Youbou Street Lighting and the Arbutus Ridge Drainage Services be increased. Therefore, the attached amendment bylaws have been prepared for consideration.

The approval of the service area voters is required before the amendment bylaws can be adopted. In the case of Bylaw No. 3500, voter approval may be obtained by the Area Director consenting, in writing, to the adoption of the bylaw. This bylaw also meets the criteria for exemption from obtaining the Inspector of Municipalities approval pursuant to the *Regional Districts Establishing Bylaw Approval Exemption Regulation, B.C. Reg. 113/2007*.

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In the case of Bylaw No. 3499, the amendment does not meet the criteria for exemption from Provincial or voter approval. With this in mind, the Board passed Resolution 11-237-7-3 that directs that following provincial approval, voter approval for adoption of the bylaw be obtained through an alternative approval process.

Submitted by,


Kathleen Harrison
Legislative Services Coordinator
Corporate Services Department

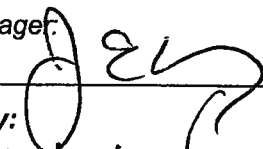
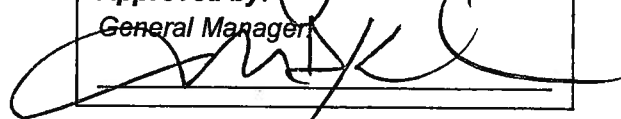
Attachments: Bylaw Nos.: 3499 and 3500

Reviewed by:

Division Manager:

Approved by:

General Manager



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3499

A Bylaw to Amend Youbou Street Lighting Service Establishment Bylaw No. 2193

WHEREAS the Board of the Cowichan Valley Regional District established the *Youbou Street Lighting Service* under the provisions of Bylaw No. 2193, cited as "CVRD Bylaw No. 2193 – Youbou Street Lighting Service Establishment Bylaw, 2001", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 2193 by increasing the maximum annual requisition limit from \$21,800 to \$40,000;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3499 – Youbou Street Lighting Service Area Amendment Bylaw, 2011**".

2. **AMENDMENT:**

That CVRD Bylaw No. 2193 be amended by deleting the words "Twenty One Thousand Eight Hundred Dollars (\$21,800)" and replacing them with the words "Forty Thousand Dollars (\$40,000)" in the second line of the first paragraph of the Section 4 – Cost Recovery text.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3500

A Bylaw to Amend Arbutus Ridge Drainage System Service Establishment Bylaw No. 3290.

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Drainage System Service Area* under the provisions of Bylaw No. 3290, cited as "CVRD Bylaw No. 3290 – Arbutus Ridge Drainage System Service Establishment Bylaw, 2009";

AND WHEREAS the Regional District wishes to amend Bylaw No. 3290 by increasing the maximum annual requisition limit from \$31,104 to \$37,000;

AND WHEREAS the Director for Electoral Area C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "CVRD Bylaw No. 3500 – Arbutus Ridge Drainage Service Amendment Bylaw, 2011".

2. **AMENDMENT:**

That CVRD Bylaw No. 3290 be amended by deleting "\$31,104.00" in the second line of the first paragraph of the Section 6 - Maximum Requisition text and replacing it with "\$37,000", and deleting "\$0.0995 per \$1,000.00" between the words "of" and "to" in the third line of the Section 6 - Maximum Requisition text and replacing it with "\$0.1201/\$1,000".

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



STAFF REPORT

R8

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF WEDNESDAY, MAY 25, 2011

DATE: May 18, 2011s **FILE NO:** Bylaw No. 3503
FROM: Bob McDonald, Manager, Recycling & Waste Management
SUBJECT: Thetis Island Recycling Depot – Annual Financial Contribution

Recommendation/Action:

That it be recommended to the Board:

1. That an Annual Financial Contribution Service be created with a maximum annual requisition limit of Forty Thousand Dollars (\$40,000), for the Thetis Island Residents and Ratepayers Association for the purpose of assisting with costs associated with the operation and collection of solid waste and recycling on Thetis Island.
2. That CVRD Bylaw No. 3503 be forwarded to the Board for consideration of three readings and following provincial and voter approval, be considered for adoption.
3. That voter approval for adoption of CVRD Bylaw No. 3503 be obtained through an alternative approval process.

Relation to the Corporate Strategic Plan: Responsible Waste Management.

Financial Impact: (Reviewed by Finance Division:

An annual contribution of up to \$40,000 will be recuperated from Thetis Island property owners through an annual parcel tax. Currently there is 345 properties on Thetis Island, which would equate to an annual charge of up to \$115.94 per property.

Background:

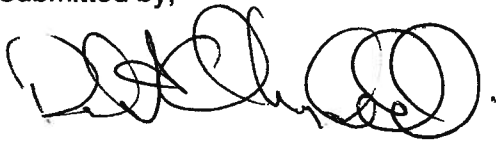
Many residents of Thetis Island have been supporting a private on-Island recycling facility through broad participation and voluntary financial contributions. The service has proven very popular and the not-for-profit Thetis Island Residents and Ratepayers Association (TIRRA) has been the coordinating body for revenue collection and distribution. In addition to the cost of material management and marketing, the recycling depot does have a paid staff person, but also makes use of a core base of volunteers.

Although the majority of residents contribute financially, not all do, and TIRRA has experienced revenue shortfalls, thereby jeopardizing the viability of providing this local service. There is a general acceptance that the regional services provided by the CVRD need to be complemented with a locally available service such as what is currently in place.

.../2



To ensure the continuation of this service, TIRRA has requested that the CVRD establish an annual parcel tax to a maximum limit of \$40,000. This upper limit is beyond current annual costs of approximately \$30,000, but thereby allows for future cost increases if need be. The parcel tax will apply to all parcels but TIRRA intends to rebate select property owners (e.g. parcels that are undeveloped, commercial, or institutional). TIRRA requires this process be initiated immediately in order for TIRA to receive funds in 2012.

Submitted by,



Bob McDonald, Manager,
Recycling & Waste Management

BMc:jlb

Reviewed by: Division Manager:	
Approved by: General Manager:	

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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3503

A Bylaw to Establish a Service to Provide an Annual Financial Contribution to the Thetis Island Residents and Ratepayers Association

WHEREAS pursuant to Sections 796 and 800 of the *Local Government Act*, a Regional District may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of assisting with costs associated with the operation and collection of solid waste and recycling on Thetis Island by the Thetis Island Residents and Ratepayers Association;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011**".

2. SERVICE BEING ESTABLISHED

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to assist the Thetis Island Residents and Ratepayers Association with costs associated with the operation and collection of solid waste and recycling on Thetis Island. The service shall be known as the "Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service".

3. SERVICE AREA BOUNDARIES

The boundaries of the service area are the boundaries of Thetis Island located in Electoral Area G – Saltair/Gulf Islands.

.../2

4. PARTICIPATING AREA

Thetis Island is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- a) parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- b) fees and charges imposed under Section 363 of the *Local Government Act*;
- c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually for the service established shall not exceed forty thousand dollars (\$40,000).

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3503 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary