



ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE

WEDNESDAY, FEBRUARY 25, 2009 - 3:00 P.M.
CVRD BOARDROOM, 175 INGRAM STREET

AGENDA

- | | | Pages |
|----|---|---------|
| 1. | <u>APPROVAL OF AGENDA:</u> | |
| 2. | <u>ADOPTION OF MINUTES:</u> | |
| | M1 Minutes of January 28, 2009 | 1 - 8 |
| 3. | <u>BUSINESS ARISING FROM THE MINUTES:</u> | |
| 4. | <u>DELEGATIONS:</u> No delegations | |
| 5. | <u>REPORTS</u> | |
| | R1 Provision of Economic Relief to Local Recycling Facility | 9 – 10 |
| | R2 Bylaw No. 3258 – Air Pollution Control Service Establishment | 11 - 15 |
| | R3 Urban Development and the Environment Workshop | 16 -17 |
| | R4 Utility Takeover Policy | 18 – 19 |
| | R5 Sewer Management Bylaw Amendments | 20 - 32 |
| | R6 Water Management Bylaw Amendments | 33 – 45 |
| | R7 Environmental Lens Discussion | 46 – 47 |
| | R8 Update on the Lower Cowichan/Koksilah Integrated Flood Management Project. | 48 – 49 |
| | R9 Capital Purchase prior to adoption of 2009 5-year Plan. | 50 |
| 6. | <u>INFORMATION:</u> | |
| | IN1 Update on Cowichan River Weir Operation. | Verbal |

-
7. **PRESS/PUBLIC QUESTIONS PERIOD**
 8. **CLOSED SESSION** - no closed session items.
 9. **NEXT MEETING:** March 25, 2009
 10. **ADJOURNMENT:**
-

Distribution:

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

As Well As:

Director Iannidinardo, Electoral Area D
Director Marcotte, Electoral Area H
Director Morrison, Electoral Area F
Warren Jones, Administrator
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, Treasurer

Agenda Cover Only:

Directors Hutchins, Kent, McGonigle, Seymour, Walker
Tom Anderson, Manager, Development Services
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 and Environmental Services Committee held in the Boardroom, 175 Ingram Street, Duncan, on January 28, 2009 at 3:00 p.m.

PRESENT: Director Cossey, Chair
Directors Dorey, Duncan, Giles, Harrison, Kuhn and Morrison, Iannidinardo (3:16 p.m.)

ABSENT: Director Haywood, Vice-Chair

ALSO W. Jones, CAO

PRESENT: B. Dennison, P. Eng., General Manager, E & E
D. Leitch, ASCT., Manager, Water Management
B. McDonald, Manager, Recycling & Waste Management
J. Bath, Recording Secretary

**APPROVAL
OF AGENDA**

The Committee agreed by consensus that the meeting time be limited to a duration of 1 to 1 ½ hours.

The agenda was amended as follows:

1. Item R8 was struck from agenda.
2. NB1 - Burning Bylaw was added to the agenda.

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 November 12, 2008 regular Engineering Services Committee meeting be adopted.

MOTION CARRIED

**BUSINESS ARISING
OUT OF MINUTES**

No business arising.

**RESOLVE INTO
CLOSED SESSION
3:04 p.m.**

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, Sections 90 (j).

MOTION CARRIED

**RISE FROM
IN CAMERA
3:15 p.m.**

It was moved and seconded that the Committee rise without report.

MOTION CARRIED

REPORTS

R1

Approval in-principle for takeover of Mill Springs sewer, streetlighting and sidewalks:

It was suggested that the following amendments be made to the staff recommendation:

10. Add: *"and that necessary environmental studies be undertaken."*
12. *"That the developer provide suitable reserve fund for each of the utilities."*

Change last paragraph to read: *"and further that an assessment of the tree systems be carried out, funded to a maximum cost of \$20,000, with \$10,000 from the CVRD Feasibility Study Function, to be paid upfront by the developer, and"*

Director Giles requested that public input be carried out prior to CVRD approval-in-principle being granted.

It was moved and seconded that a public consultation meeting be held regarding expansion of Mill Springs Development with the following staff recommendations being used as the guidelines for discussion:

- 1. Previous board resolution No. 98-246, approved in 1998, be rescinded.**
- 2. A review of the concepts, design and installation for existing sewer system and future expansion must be conducted and approved by CVRD engineering staff to ensure compliance with CVRD Design Standards and Subdivision Bylaw 1215 and the South Sector Liquid Waste Management Plan;**
- 3. Sewage disposal field capacity must be technically confirmed by the developer;**
- 4. All lands on which infrastructure works are located be transferred to the CVRD, except where not practical, in which case will be placed within registered Statutory Rights-of-way using the CVRD's standard charge terms;**
- 5. The owners transfer any reserve funds for the sewer system to the CVRD.**
- 6. A utility transfer agreement be executed between the CVRD and the owners/developer;**
- 7. The developer provides all sewer servicing infrastructure for future upgrades, including sewage treatment works, disposal system, pumps, controls, gensets, SCADA system and mainlines for the proposed development;**
- 8. The developer undertakes to provide a two-year warranty on any future sewer works, backed by an irrevocable letter of credit;**
- 9. Take-over of the sidewalk system is dependent upon a modification to provincial legislation allowing the CVRD to transfer liability for sidewalk snow and leaf removal to homeowners;**

10. Further expansion of the service area beyond the Mill Springs development be subject to public consultation and that necessary environmental studies be undertaken;
 11. A public consultation process regarding CVRD takeover must be undertaken by the owner, and petitions completed by at least 50% of the owners of parcels within the proposed service areas and the total value of their parcels represent at least 50% of the net taxable value of all land and improvements in the service areas.
 12. That the developer provide suitable reserve funds for each of the utilities.
- and further that an assessment of the three system be carried out, funded to a maximum cost of \$20,000, with \$10,000 paid up front from the developer, and \$10,000 from a Provincial Feasibility Study Grant, and that, upon completion of a successful petition process, bylaws be prepared to create service areas for these utilities.

MOTION CARRIED

R2

Approval in principle for takeover of Cherry Blossom Estates sewer system:

Director Duncan asked that the following two points be added to staff's recommendation:

1. *"That the system be developed to Class A standards and discharged to ground disposal.*
2. *"That the developer provide an irrevocable letter of credit to be held as a contingency fund in the event that the development negatively impacts neighbouring wells at which time it be connected to a municipal system using the developer's contingency fund."*

It was moved and seconded that that it be recommended to the Board that the CVRD grant approval in principle for takeover of the water and sanitary sewer systems for a proposed 90 lot strata subdivision, described as *"Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157"*, as requested in a letter from Robin Mayo, Ana Sona Investments Ltd., dated December 8, 2008, subject to the following conditions and without prejudice to the rezoning process:

1. The preliminary concepts, detailed design and installation must be approved by Engineering Services staff to ensure compliance with CVRD Design Standards and Subdivision Bylaw 1215, and further that the treatment system meet a Class A standard.
2. The developer must have a qualified professional prepare and submit the Registration of Discharge form, Operation Plan and Environmental Impact Study, and all other necessary documentation, to the Ministry of Environment for the sewage treatment and disposal system.

3. That the developer provide a two-year warranty on the completed works, backed by an irrevocable Letter of Credit.
4. All lands on which infrastructure works are located are transferred to the CVRD, except where not practical, in which case will be placed within registered Statutory Rights-of-way using the CVRD's standard charge terms.
5. All sewage disposal capacities must be confirmed by the developer and disposal of effluent must be to ground.
6. The developer is required to provide a suitable reserve fund to start the water and sewer functions.
7. The developer is required to provide all water and sewer servicing infrastructure, including but not limited to, pumps, reservoir, SCADA system, fire protection, controls and mainlines, and sewage treatment works, disposal system, pumps, controls, gensets, and mainlines for the proposed development.
8. The developer shall pay all costs associated with monitoring and sampling requirements for the sewer system for the initial intensive monitoring period.
9. A utility transfer agreement must be executed between the CVRD and the owner/developer.
10. That the water source, treatment, reservoir and distribution works have adequate capacity and fire flow and have received approval from the Vancouver Island Health Authority.
11. That the developer provide an irrevocable letter of credit to be held as a contingency fund for up to two 2-years after 80% build-out of the development, in the event that it negatively impacts neighbouring wells, at which time it would be connected to a municipal system, using the developer's contingency fund.
12. That a successful petition process be carried out for establishment of service areas for the water and sewage systems; and further that the necessary bylaws be prepared to create water and sewer service areas for these systems.

MOTION CARRIED

R3

Approval in principle for takeover of Arbutus Ridge water and sewer systems:

It was moved and seconded that it be recommended to the Board that the CVRD grant approval in principle for takeover of the water, sanitary sewer and storm drainage systems for the existing Arbutus Ridge strata subdivision in Cobble Hill, as requested in the attached letter from the owners, Arbutus Ridge Strata Corporation VIS 1601, subject to the following conditions:

1. All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;

2.A utility transfer agreement must be executed between the CVRD and the owners/developer;

3.A public consultation process regarding CVRD takeover must be undertaken by the owner, and petitions completed by at least 50% of the owners of parcels within the proposed service area and the total value of their parcels represent at least 50% of the net taxable value of all land and improvements in the service area. and further that, upon completion of a successful petition process, bylaws be prepared to create a service area for these utilities.

MOTION CARRIED

R4

2009 capital expenditures prior to budget approval:

It was moved and seconded that the Board provide approval to incur expenses against the following capital accounts prior to approval of the 2009 budget:

- Cobble Hill Sewer System: \$ 75,000
- Shawnigan Beach Estates Sewer System \$105,000

MOTION CARRIED

R5

Tender award for pickup truck purchase:

Discussion took place regarding looking at the carbon footprint when purchasing vehicles.

It was moved and seconded that the Board approve:

1. The purchase of a new Utilities truck for the Water Management Division in the amount of \$29,000.00, prior to the adoption of the CVRD 5-year Financial Plan.
2. Up to \$29,000.00 in short term borrowing for 2009 in the Water Management Division to be paid back over five years, under the Liabilities Agreement Section 175 of the Community Charter.

MOTION CARRIED

R6

Shawnigan Lake School agreement regarding use of well:

It was moved and seconded that it be recommended to the Board that the CVRD grant approval in principle to develop a partnership agreement for the development, ownership and usage of Wells A and B, located on the Shawnigan Lake School property subject to the following:

1. Shawnigan Lake School will provide 100% of the funding for the initial pump testing, hydrological report and assessment of the wells.
2. The CVRD will transfer ownership of the wells to the Shawnigan Lake School.

3. An agreement is created that will outline all cost sharing, allowable daily, monthly, yearly flows and volumes of each partner as well as the operation and maintenance costs.
4. Shawnigan Lake School will provide a statutory right-of-way to the CVRD over their property that will enable access to the wells for operation and maintenance purposes.
5. Both parties will be responsible for the treatment of their allocated water.

MOTION CARRIED

R7 "Towns for Tomorrow" grant application for Kerry Village Sewer System:

It was moved and seconded that the Board designate the Kerry Village sewer treatment plant and disposal field repair and remediation as the sole Cowichan Valley Regional District application for the 2009 "Towns for Tomorrow" Provincial Grant Program.

MOTION CARRIED

R8 Deferred due to new information received by staff.

R9 Potential provision of economic relief to local recycling facility.

It was moved and seconded this matter be referred back to staff to undertake an analysis of available options.

MOTION CARRIED

R10 Waste Energy Feasibility Study, prepared by Gartner Lee:

Staff provided the Committee with a PowerPoint presentation regarding the Waste Energy Feasibility Study.

The Chair asked staff to provide this report to member municipalities and CVRD Board members.

It was moved and seconded that CVRD staff to continue to work with the Regional District of Nanaimo and other local jurisdictions towards joint waste management solutions.

MOTION CARRIED

R11 Solid Waste 2007 Annual Monitoring Report:

It was moved and seconded that this report be received and filed and that it be provided to all CVRD Board members and member municipalities.

MOTION CARRIED

R12

Cobble Hill Drainage System amendment to service area:

It was moved and seconded that:

1. 3rd Reading of CVRD Bylaw No. 3085 - Cobble Hill Village Drainage System Establishment Bylaw, 2008 be RESCINDED.
2. Section 6 - Maximum Requisition be deleted in its entirety and replaced with the following:
The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$9,912, or an amount that equals the amount raised by applying a property value tax rate of \$0.1434 per \$1,000.00 of the net taxable value of land and improvements in the service area.
3. Schedule A of CVRD Bylaw No. 3085 be amended to include an additional 32 lots within the service area boundary.
4. CVRD Bylaw No. 3085 – Cobble Hill Village Drainage System Establishment Bylaw, 2008 be forwarded to the Board for 3rd reading, as amended; and following provincial and voter approval, adoption.

and further that this Bylaw be effective for the 2010 Assessment Roll.

MOTION CARRIED

R13

Provincial Infrastructure Planning Study Grant applications:

It was moved and seconded that it be recommended to the Board that the CVRD support application of five infrastructure planning grants for the following utilities:

- 1) Mill Springs Sewer Study Grant
- 2) Shawnigan Lake Water Source Study Grant: 4-3-2-1 Compliance with Vancouver Island Health Authority
- 3) Saltair Water Source Study Grant: 4-3-2-1 Compliance with Vancouver Island Health Authority
- 4) Communications Study for Shawnigan Lake Water System
- 5) Communications Study for Saltair Water System

MOTION CARRIED

R14

Recycling of feedbags:

Mr. McDonald provided the Committee with background concerning recycling of feedbags. Many of these bags are lined with plastic or wax, therefore the Contractor is not required to accept them, but they have been advised to leave a note with reason why a product is not accepted. The Contractors will accept feedbags that are not lined, if the resident slits the bag open to show that it is not lined.

Moved and seconded that an education program be developed to provide customers with information regarding recycling of feedbags.

MOTION CARRIED.

IN1

Court ruling regarding Section 102 of the Health Act – 100 feet setback for septic systems:

That the information regarding Section 102 of the Health Act be received and filed and referred to staff to provide an impact analysis.

MOTION CARRIED

NEW BUSINESS

Burning Bylaw:

Staff provided the Committee with an update on this issue, advising that it now has been re-drafted and will be presented to the Committee in the near future.

RESOLVE INTO
IN CAMERA
4:55 p.m.

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, Sections 90{ (1)(g)}.

MOTION CARRIED

RISE FROM
IN CAMERA
5:20 p.m.

It was moved and seconded that the Committee rise without report.

MOTION CARRIED

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:20 p.m.

Chair

Recording Secretary

Dated: _____

**R1**

STAFF REPORT

ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE MEETING OF FEBRUARY 25, 2009

DATE: February 13, 2009 **FILE NO:** 2240-20-VIRC
FROM: Harmony Huffman, Environmental Technologist II
SUBJECT: Provision of Economic Relief to Local Recycling Facility

Recommendation:

That the CVRD provide the following relief to Vancouver Island Recycling Centre:

1. Waive the \$400.00 monthly payment required under the current contract for a period not to exceed six months; and
2. Impose a \$10 per tonne tipping fee for material accepted under the multi-bin program for a period not to exceed six months.

Purpose: To consider providing relief to Vancouver Island Recycling Centres Ltd., for materials accepted under CVRD multi-bin recycling program.

Financial Implications: Up to \$8,400.00 in additional costs and lost revenues.

Interdepartmental/Agency Implications: None at this time.

Background: Global economic downturns have resulted in significant decreases to the market value of materials collected under the CVRD's multi-bin program. All materials under this program are taken to Vancouver Island Recycling Centre (VIRC), which has locations in both Duncan and Nanaimo. Under the current revenue-sharing contract, VIRC pays a net monthly fee to the CVRD of \$400.00 for materials collected under the program, including mixed waste paper, newsprint, magazines, tin cans and glass. At the time of tender, all of these materials, except glass, had a positive value. As of October 31, 2008, however, mixed waste paper had a negative value of \$24.00 per tonne, while prices for cardboard and newsprint had also decreased substantially.

Discussion: Given the effects of global market downturns and impacts on commodity prices, CVRD staff were recently approached by VIRC with a request for temporary relief from their existing contract. The relief program as requested by VIRC is described and clarified below:

- That the \$400.00 monthly payment required under the current contract be waived for a period not to exceed six months; and
- That a \$10 per tonne tipping fee for material accepted under the multi-bin program be imposed for a period not to exceed six months.

As the CVRD currently ships approximately 100 tonnes per month of multi-bin materials to VIRC, a relief program as described above would result in a net cost to the CVRD of approximately \$1,400.00 per month (lost revenues plus tipping fees of \$10.00 per month for mixed materials). Over a six month period, costs would total approximately \$8,400.00, a sharp contrast to revenues generated over the past several years under the revenue-sharing structure of the current contract.

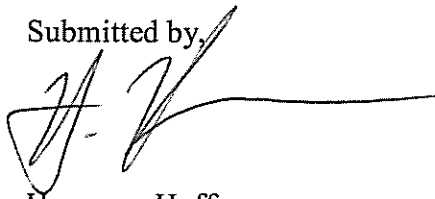
Throughout the province, other local governments are also addressing impacts to recycling markets caused by global market downturns. Amending revenue-sharing contracts to better reflect market pricing appears to be a commonly-used approach in addressing these impacts. Recently, the Capital Regional District's Environment Commission recommended that the CRD Board amend existing contracts with Steel Pacific (Victoria) and Metro Waste Paper Recovery Inc., the contractor responsible for processing and marketing materials collected under the CRD's blue box program. Under existing revenue-sharing contracts, the contractor was paid a per tonne processing fee, while the CRD received revenue from the sale of the material based on the greater of either the tendered floor price or the market price. Recommended amendments would restructure these contracts to remove the tendered floor price, thereby tying the CRD's potential revenues or losses directly to the market value of the materials.

Because revenue-sharing contracts allow the CVRD to share in revenues generated during 'good' economic times, it follows that losses may also be shared during economic downturns. Alternatively, governments can allow companies to defer payments under revenue-sharing contracts until such time as markets improve. The CVRD Board recently approved such an option for Steel Pacific Recycling, allowing the company to defer payments for metal until March 31, 2009.

Another interim measure being pursued by local governments is allowing companies to temporarily stockpile materials until such time as markets improve. For VIRC, stockpiling as an effective management option is limited due to site size and bylaw constraints. Deferment of payments is also not considered a desirable relief option by VIRC due to uncertainty regarding future market conditions.

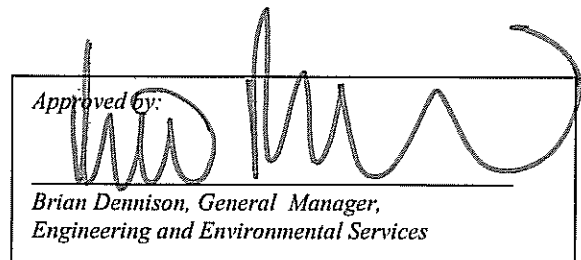
The CVRD only holds two revenue-sharing contracts for solid waste (one with VIRC for multi-bin materials and the other with Steel Pacific Recycling for metals). As described above, the nature of revenue-sharing contracts lends itself to the shared absorption of losses during economic downturns. As such, it does not necessarily follow that the provision of relief under revenue-sharing contracts would set a precedent for the provision of relief under other contracts (i.e. curbside) that were not structured in this manner.

Submitted by:



Harmony Huffman
Environmental Technologist

Approved by:



Brian Dennison, General Manager,
Engineering and Environmental Services

HH:jlb



STAFF REPORT

R2

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF FEBRUARY 25, 2009

DATE: February 17, 2009

FILE NO: Bylaw No. 3258

FROM: Harmony Huffman, Environmental Technologist II

SUBJECT: Establishment of Air Pollution Control Service within CVRD Electoral Areas

Recommendation:

1. That it be recommended to the Board that "CVRD Bylaw No. 2942 - Air Pollution Control Service Establishment Bylaw, 2007", not be proceeded with.
2. That it be recommended to the Board that staff prepare a new bylaw for air pollution control with the nine electoral areas as the participating areas.
3. That "CVRD Bylaw No. 3258 - Air Pollution Control Service Establishment Bylaw, 2009", be forwarded to the Board for consideration of three readings, and following Provincial approval, adoption.

Purpose: To adopt an establishment bylaw for air pollution control within CVRD electoral areas. This bylaw is required prior to introduction of any future regulatory bylaw(s) to address sources of air pollution.

Financial Implications: None at this time.

Interdepartmental/Agency Implications: None at this time.

Background:

Air pollution and its impacts on human health have long been a concern within the Cowichan Valley. Open burning in particular is a concern given local topography and air flows that can 'trap' smoke and particulates within the region. In 2007, staff drafted "Bylaw No. 2942 - Air Pollution Control Service Establishment Bylaw" to address local air quality and open burning. This bylaw allowed the CVRD to provide the service of pollution control, essentially opening the door for later, regulatory bylaws that could specifically address various sources of air pollution.

It was originally envisioned that Bylaw No. 2942 would apply within CVRD electoral areas *and* member municipalities. The reasoning behind this somewhat unusual approach was to provide a seamless border for the regulation and management of air pollution. On December 12, 2007, the CVRD Board gave three readings to Bylaw No. 2942, with the understanding that the bylaw would be adopted following provincial approval and written consent from CVRD member municipalities.

Despite initial support from several municipal committees, the majority of member municipalities have yet to consider participation in Bylaw No. 2942 at the Council level. Furthermore, the unusual approach of adopting a bylaw that would apply across municipal borders has created significant doubt and confusion amongst municipal staff regarding the coordination of enforcement, administration, and cost recovery. These issues have resulted in further delays to the adoption of Bylaw No. 2942 and the CVRD's ability to address local sources of air pollution.

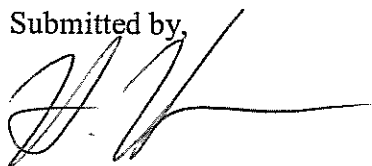
Discussion: In order to overcome these issues, staff suggest that the original Bylaw No. 2942 be changed to apply within electoral areas only. In practice, not having this bylaw apply within their borders makes very little difference to those municipalities that already have full burning bans in place (such as the City of Duncan and the Town of Ladysmith). Other jurisdictions, (i.e. the District of North Cowichan) have indicated at the staff level their reluctance to engage in a 'shared' bylaw with the CVRD, and are instead adopting their own approaches to the regulation of open burning. The Town of Lake Cowichan Council has passed a resolution consenting to the adoption of Bylaw No. 2942, but has since adopted its' own Outdoor Burning Regulation Bylaw No. 851-2008, which effectively prohibits large-scale open burning.

Rather than attempting to have one bylaw apply across borders, the CVRD can instead keep member municipalities apprised of progress in dealing with air pollution by sending 'templates' of various regulatory bylaws to the municipalities. This more common approach not only facilitates consistent regulation throughout the Valley but also promotes open and effective communication between jurisdictions.

A new service establishment bylaw that applies within electoral areas only is attached. Aside from changes to the service area and a new number, the bylaw remains the same as the original, and functions to establish the service of pollution control within electoral areas, and to allow the CVRD Board to adopt regulatory bylaws that will deal with specific sources of air pollution. For a region as widely varied as the CVRD, the flexibility allowed by this approach is particularly beneficial. Unlike concentrated urban centres where the sources of air pollution are relatively limited and outright burning bans may be effective, the wide range of urban and rural populations within electoral areas means that air pollution can be generated by many different sources. An approach that allows the CVRD to target specific activities with specific bylaws better reflects the variety of activities that take place within the electoral areas as a whole.

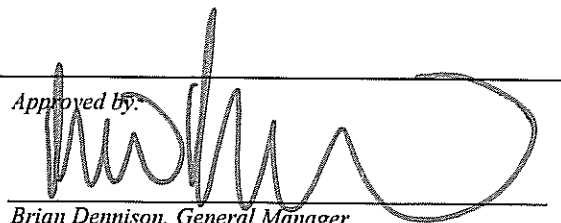
Because the adoption of regulatory bylaws addressing specific sources of air pollution would be a relatively straightforward process once the service is in place, a spring 2009 adoption of this bylaw (following Provincial approval) would allow regulatory bylaws to be adopted well in advance of the fall 2009 burning season. As per previous direction, staff are currently working on the development of regulatory bylaws that would address the large scale burning of land clearing debris and backyard burning within electoral areas. These regulatory bylaws will be addressed by way of separate staff reports.

Submitted by,



Harmony Huffman
Environmental Technologist II

Approved by:



Brian Dennison, General Manager,
Engineering and Environmental Services



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3258

A Bylaw for the Purpose of Controlling and Regulating Air Pollution within the Cowichan Valley Regional District.

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 pursuant to Section 797.1(1)(d) of the *Local Government Act*, the Regional Board of the Cowichan Valley Regional District wishes to establish a service to control and regulate air pollution, nuisances, unwholesome or noxious materials, odours and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia within the regional district;

AND WHEREAS the Cowichan Valley Regional District may, pursuant to Section 725(1)(g) of the *Local Government Act*, require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through the emission of smoke, dust, gas, sparks, ash, soot cinders, fumes or other effluvia; and prescribe measures and precautions to be taken for this purpose; and establish limits not to be exceeded for those emissions;

AND WHEREAS the Regional Board of the Cowichan Valley Regional District wishes to promote the preservation of air quality for all residents within the regional district;

NOW THEREFORE the Regional Board 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. 3258 – Air Pollution Control Service Establishment Bylaw, 2009**".

2. SERVICE BEING ESTABLISHED

- 1) The service being established is the control of pollution, nuisances, unwholesome or noxious materials, odours and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia within the service area (the "service").
- 2) The purpose of the service is to do one or more of the following: require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through emissions referred to in subsection (1); to prescribe measures and precautions to be taken for this purpose; and to establish limits not to be exceeded for those emissions.

3. SERVICE AREA BOUNDARIES

The boundaries of the service area are coterminous with the boundaries of the electoral areas of the Cowichan Valley Regional District.

4. PARTICIPATING AREAS

The participating areas for the Service are: Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands, H – North Oyster/Diamond; and I – Youbou/Meade Creek.

5. METHOD OF COST RECOVERY

The annual costs for providing the Service shall be recovered by one or more of the following:

- a) the requisition of money to be collected by a property value tax to be levied and collected on the net taxable value of land and improvements within the service area;
- b) the imposition of fees and other charges that may be fixed by separate bylaw; and
- c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. APPORTIONMENT OF COSTS

The annual costs of providing this service shall be apportioned among the participants on the basis of the converted value of land and improvements within the participating areas.

READ A FIRST TIME this _____ day of _____, 2009.

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3258 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



STAFF REPORT

R3

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF FEBRUARY 25, 2009

DATE: February 16, 2009

FROM: Kate Miller, Manager, Regional Environmental Policy Division

SUBJECT: Urban Development and the Environment workshop

Recommendation:

That the CVRD Board support the proposed workshop on environmental aspects to planning decisions, Saturday, March 28, 2009, and encourage appropriate CVRD and member municipal staff, advisory planning commissions (APC's) and others to attend.

Purpose: The Regional District, in Partnership with the BC Ministry of Environment (MoE), is co-hosting one of a series of workshops on issues and possible solutions to existing and future environmental challenges. It is proposed that this workshop *specifically target* the large group of community volunteers that provide support to local government decision-making in the review of land use referrals. Advisory commissions typically deal with referrals and proponents in isolation of a variety of other background information and, historically because of a local relationship, may be unaware of practices elsewhere. This workshop will provide them with a more regional perspective and discussion of causal relationships.

Financial Implications: Minimal costs for rental of facilities and meals are proposed to be borne by MoE and other partners. It is hoped that planning staff participation would be encouraged, which may have some financial implication on time in lieu or overtime.

Interdepartmental/Agency Implications: Substantial net benefits can be gained by providing an educational forum for the electoral area and municipal planning commissions to build synergies, share issues and explore potential local solutions to a variety of environmental issues.

The subsequent commission reports will provide additional support to both interdepartmental and other agency relationship-building and synergies.

Background:

Planning staff who deal with land use issues and a variety of emerging environmental concerns provide staff reports and background information to community based advisory planning commissions (land use, parks or environmental focused) from time to time. These community based committees/commissions are critical in providing a locally based response to development proposals. These groups, however, receive little or no formal training or communication regarding background information, capacity building, group building exercises, or support in developing best management practices. The committees typically respond to a developer's vision without having a broader idea of what is occurring elsewhere within the region, what is appropriate or how they might look at a development proposal through an environmental lens.

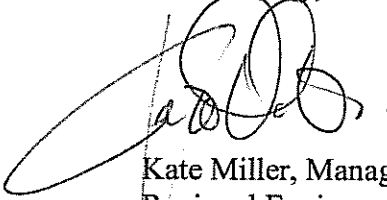
This workshop will provide a number of key elements it will:

- build a more cohesive and knowledgeable public group to draw upon for advice,
- build relationships and synergies across the region in order to develop a more professional standing and recognition for this volunteer group,
- lastly, it will provide the group with up to date tools, knowledge and contacts to ensure their recommendations support the CVRD and that its members become leaders in this area.

Topic to be covered

- The role and opportunity for local advisory perspectives to be integrated into emerging local best practices.
- Local geomorphology and its impact on development
- Develop with Care – Using the guidelines to meet sustainability objectives
- Develop with Care – practical application at all levels
- Climate change and rising sea levels
- Wildlife Tree Stewards and eagle nest trees
- Safer Futures- environmental design and safety considerations
- Large lakes development and environmental zoning
- Riparian Areas Regulations

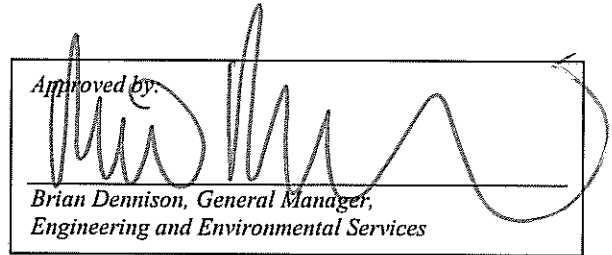
Submitted by,



Kate Miller, Manager
Regional Environmental Policy

KM:jlb

Approved by:



Brian Dennison, General Manager,
Engineering and Environmental Services



R4

STAFF REPORT

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF FEBRUARY 25, 2009

DATE: February 16, 2009

FROM: Brian Dennison, P. Eng., General Manager, Engineering & Environment

SUBJECT: Utility Takeover Policy

Recommendation: For information only.

Purpose: To provide the Committee with details about the Water Management Department's Utility Takeover Policy.

Financial Implications: Cost recovery is required for technical assessments of new utilities due to new development.

Interdepartmental/Agency Implications: n/a

Background:

In the past two years, the CVRD Engineering and Environmental Services Department has been approached by approximately 40 different utility providers or developers to take over water, sewer, drainage and streetlighting functions. These requests can be broken down into two categories, existing utilities and new ones.

Existing Utilities

The CVRD considers the takeover of existing utilities for the following reasons:

1. Many utilities are poorly operated with untrained staff and no access to professional advice. In some cases there is difficulty retaining operators at all. Often there is no ability to have staff available for on-call response to operational issues.
2. Privately owned utilities and Improvement Districts do not have access to infrastructure grant funding, which can make upgrades far more financially viable.
3. Customers have no recourse on the decisions made by the private owners of utilities, particularly privately owned sewer systems which have no regulation on the rates charged to customers.
4. Single utilities cannot benefit from the economic efficiencies gained by cost-sharing equipment and specialized staff over a number of utilities.
5. In some cases, different utilities may be joined together to create a larger more economically viable single utility, improving service to the customers.
6. The BC Ministry of Environment and Vancouver Island Health Authority support CVRD takeover due to better accountability and stability.

The normal procedure for takeover of an existing utility is as follows:

1. The owner of the system submits a written request to the CVRD.

2. A preliminary review of the system is then carried out by staff and a report submitted to the Engineering and Environmental Services Committee with a staff recommendation as well as a preliminary list of conditions for an Approval in Principle (AIP). The AIP provides direction to staff to spend time on the request and indicates to the applicant the CVRD's interest.
3. A technical assessment of the system is carried out usually by a consultant which is paid for by a provincial feasibility study grant and the CVRD's feasibility study function. The CVRD's component is returned if a function is established.
4. Based on the results of the assessment appropriate user fees and parcel taxes as well as any major upgrades or modifications are determined.
5. Assent of the Electorate is obtained based on the financial information obtained in step 4. This is usually through a signed petition process.
6. If a successful petition is achieved the necessary bylaws are prepared and the results submitted to the board and subsequently the province for approval.

The takeover process normally takes about six months or longer if there are more complexities involved.

New Utilities

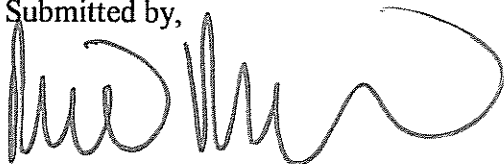
In 2007, the CVRD amended it's zoning bylaws so that new developments may not achieve the densities due to sewer and water servicing unless the service is held publically. Thus, almost all utilities for servicing new developments in the Electoral Areas are taken over by the CVRD or an improvement district. The reasons for this are as follows:

1. There is an incentive for developers to save money on infrastructure by cutting standards. In some cases very poorly built infrastructure has been installed. This is curtailed by the approvals necessary through public ownership.
2. The ability to unify utilities into larger units is limited if the infrastructure is privately held and investment has been made by the utility company. This ultimately also works against incorporation into municipalities.
3. Governance of privately held sewer systems is in question where there is no regulation of fees charged customers.
4. The BC Ministry of Environment and Vancouver Island Health Authority support CVRD takeover of these facilities, again, due to better accountability and stability.

Due to the structure of Regional Districts all costs involved in operating a utility are paid by the customers of the system through parcel taxes and user fees. Even more significant and expensive faults would have to be paid if not through borrowing then in a very large single charge. Other liabilities are covered by the Municipal Insurance Agency with the deductible paid by the service function. Because of these financial liabilities the normal minimum for takeover or creation of a publically held utility is 50 residential units.

One impact of rapid takeover of utilities is the strain on staff resources. Staff are looking into ways of cost-recovery for the work on takeover processes.

Submitted by,



Brian Dennison, P. Eng.,
General Manager, Engineering & Environment

Approved by:

NOT REQUIRED

Brian Dennison, Manager, Engineering Services



C·V·R·D

R5

STAFF REPORT

**ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING
OF WEDNESDAY, FEBRUARY 25, 2009**

DATE: February 16, 2009 **FILE NO:** Bylaws
FROM: Dave Leitch, ASCT., Manager, Water Management
SUBJECT: Sewer System Management Amendment Bylaws

Recommendation:

That it be recommended that the following bylaws be forwarded to the Board for three readings and adoption:

1. "CVRD Bylaw No. 3253 – Cowichan Bay Sewer System Management Amendment Bylaw, 2009" be forwarded to the Board for three readings and adoption.
2. "CVRD Bylaw No. 3254 –Eagle Heights Sewer System Management Amendment Bylaw, 2009".
3. "CVRD Bylaw No. 3255 – Cobble Hill Sewer System Management Amendment Bylaw, 2009".

Purpose: To approve amendments to the above noted sewer system management bylaws.

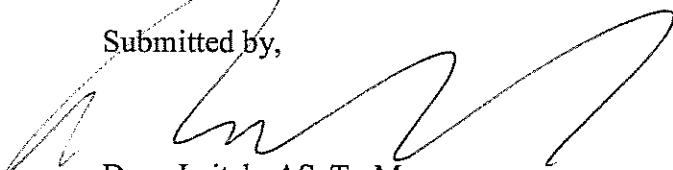
Financial Implications: Eagle Heights and Cowichan Bay Sewer System user fees are being revised to be consistent with the Joint Utility Board lagoon fees.

Interdepartmental/Agency Implications: not applicable.

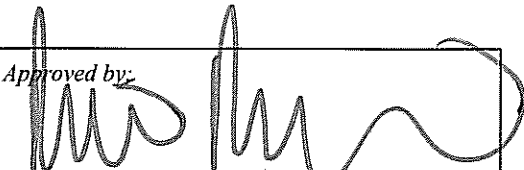
Background:

1. In a few categories of the Cowichan Bay and Eagle Heights sewer bylaws, rates charged to certain users are not consistent with the rates charged to the Service Areas by way of the JUB agreement. User rates in Schedule B of the Eagle Heights and Cowichan Bay Sewer System Management Bylaws have been revised to reflect the fees being charged by the Joint Utilities Board for capacity units.
2. The CVRD took over ownership of the Cobble Hill sewer system in late December, 2008. A result of taking over a utility system after October in a calendar year, is that it is too late to add the new users of the system to the 2009 Parcel Tax Roll. In order to collect the necessary parcel tax fees for 2009, a one-time user fee adjustment is necessary to collect the equivalent parcel tax for 2009. Schedule G of the Cobble Hill Sewer System Management Bylaw has been revised to include a one time only flat rate charge in the amount of \$350.00 to each of the properties within the sewer system service area boundary. This charge will be replaced in 2010 by the application of the Parcel Tax Roll under "CVRD Bylaw No. 3131 - Cobble Hill Sewer System Service Parcel Tax Roll Bylaw, 2008".

Submitted by,


Dave Leitch, ASCT., Manager,
Water Management

Approved by:


Brian Dennison, General Manager,
Engineering and Environmental Services



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3253

A Bylaw to Amend the Cowichan Bay Sewer System Management Bylaw No. 2476

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Cowichan Bay Sewer System* pursuant to CVRD Bylaw No. 2476, cited as "CVRD Bylaw No. 2476 – Cowichan Bay Sewer System Management Bylaw, 2003";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to update the language of the bylaw and revise Schedule B – Sewer Service Charges.

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. 3253 - Cowichan Bay Sewer System Management Amendment Bylaw, 2009**".

2. AMENDMENT

That Schedule B be deleted in its entirety and replaced with Schedule B attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2009.

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 2476

SEWER SERVICE CHARGES

(a) *Consumers of Sewer Services* who do not receive *Metered District Water*, shall pay the minimum billing set out in sub-section (b) below.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>	<u>10% Discount</u>	<u>Discounted Amount</u>
Single Family Dwelling – Per Dwelling	106.67	10.67	96.00
STEP – Per Dwelling	90.67	9.07	81.60
Apartment – Per Unit	90.67	9.07	81.60
Mobile Home Park – Per Unit	106.67	10.67	96.00
RV Trailer Park/Campground:			
a) <u>Site Connected to Sewer</u> - Per serviced pad or site	53.34	5.33	48.00
b) <u>Site not Connected to Sewer</u> - Per pad or site	10.67	1.07	9.60
Hotel/Motel:			
a) Room or Suite: - Per room or suite	42.67	4.27	38.40
b) <u>Kitchenette or Housekeeping Unit</u> - Per room or suite	64.00	6.40	57.60
Restaurants: per seat	6.40	0.64	5.76
Licensed Premises: per seat	10.67	1.07	9.60
Laundromat:			
Minimum charge for each washing machine	106.67	10.67	96.00
Commercial:			
Minimum charge for the <u>first 5 employees or portion thereof per shift</u>	53.34	5.33	48.00
<u>Each additional 5 employees or portion thereof per shift</u>	53.34	5.33	48.00

<u>Classification</u>	<u>Charge</u>	<u>10% Discount</u>	<u>Discounted Amount</u>
School: Minimum charge per classroom.	106.67	10.67	96.00
Continuing Care Facility: Minimum charge for <u>each bed</u>	80.00	8.00	72.00
Bed & Breakfast/Rooming House: The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for <u>each and every guestroom</u>			
a) Single Family Dwelling:	106.67	10.67	96.00
b) Per guest room	42.67	4.27	38.40
Fish Processing Plant:	853.33	85.33	768.00

Other: for each 1.18 m³ (259-Igal.) of daily metered or calculated flow. There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-Family Dwelling rate to offset the cost of septic tank pump outs (typically a maximum of every 5 years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being

towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered or calculated flow, rounded to the higher whole number.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3254

A Bylaw to Amend the Eagle Heights Sewer System Management Bylaw No. 1926

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Eagle Heights Sewer System* pursuant to CVRD Bylaw No. 1926, cited as "CVRD Bylaw No. 1926 – Eagle Heights Sewer System Management Bylaw, 1999";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to update the language of the bylaw and to revise Schedule B – Sewer Service Charges.

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. 3254 - Eagle Heights Sewer System Management Amendment Bylaw, 2009**".

2. AMENDMENT

That Schedule B be deleted in its entirety and replaced with Schedule B attached and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2009.

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE B TO CVRD BYLAW NO. 1926

SEWER SERVICE CHARGES

- a) *Consumers of Sewer Services* who do not receive *Metered District Water*, shall pay the minimum billing set out in Sub-section (b) below.
- b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>	<u>10% Discount</u>	<u>Discounted Amount</u>
Single Family Dwelling – Per Dwelling	\$110.00	11.00	99.00
STEP – Per Dwelling	93.50	9.35	84.15
Apartment – Per Unit	93.50	9.35	84.15
Mobile Home Park – Per Unit	110.00	11.00	99.00
RV Trailer Park/Campground:			
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	55.00	5.50	49.50
b) <u>Site not Connected to Sewer:</u> Per pad or site	11.00	1.10	9.90
Hotel/Motel:			
a) <u>Room or Suite:</u> - Per room or suite	44.00	4.40	39.60
b) <u>Kitchenette or Housekeeping Unit (per room or suite)</u>	66.00	6.60	59.40
Restaurants - Per seat	6.60	0.66	5.94
Licensed Premises - per seat:	11.00	1.10	9.90
Laundromat:			
Minimum charge for each washing machine:	110.00	11.00	99.00
Commercial:			
Minimum charge for each 5 employees or portion thereof per shift	55.00	5.50	49.50
Each additional 5 employees or portion thereof per shift	55.00	5.50	49.50
School:			
Minimum charge per classroom	110.00	11.00	99.00

<u>Classification</u>	<u>Charge</u>	<u>10% Discount</u>	<u>Discounted Amount</u>
Continuing Care Facility:			
Minimum charge for <u>each bed</u>	82.50	8.25	74.25
Bed & Breakfast/Rooming House:			
The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom			
a) Single Family Dwelling:	110.00	11.00	99.00
b) Per guest room	44.00	4.40	39.60

Other: for each 1.18 m³ (259-Igal.) of daily metered or calculated flow. There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number.

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-Family Dwelling rate to offset the cost of septic tank pump outs (typically a maximum of every 5 years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered or calculated flow, rounded to the higher whole number.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3255

A Bylaw to Amend the Cobble Hill Sewer System Management Bylaw No. 3122

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Cobble Hill Sewer System* pursuant to CVRD Bylaw No. 3122, cited as "CVRD Bylaw No. 3122 – Cobble Hill Sewer System Management Bylaw, 2008";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to update the language of the bylaw and to amend Schedule G.

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. 3255 - Cobble Hill Sewer System Management Amendment Bylaw, 2009**".

2. **AMENDMENT**

That Schedule G of Bylaw 3122 be deleted in its entirety and replaced with Schedule G attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2009.

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Secretary



SCHEDULE G

TO CVRD BYLAW NO. 3122

2009 FLAT RATE CHARGE

In addition to user fees, a flat rate charge in the amount of \$350.00 will be invoiced in August 2009 to each of the properties within the service area boundary of the Cobble Hill Sewer System.

The flat rate charge will be applied on a "one-time" basis and will be replaced in 2010 by the application of the Parcel Tax Roll under "CVRD Bylaw No. 3131 - Cobble Hill Sewer System Service Parcel Tax Roll Bylaw, 2008".



STAFF REPORT

R6

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 25, 2009

DATE: February 17, 2009 **FILE NO:** Bylaws
FROM: Dave Leitch, ASCT., Manager, Water Management
SUBJECT: Amendments to Water System Management Bylaws

Recommendation:

That it be recommended that:

1. CVRD Bylaw No. 3257 – Youbou Water System Management Amendment Bylaw, 2009, amending Schedule B – Metered Water Rates and Charges be forwarded to the Board for consideration of three readings and adoption.
2. Bylaw No. 3240 – Arbutus Mountain Estates Water System Management Amendment Bylaw, 2009 be forewarned to the Board for consideration of three readings and adoption.

Purpose: To correct miscalculated rates in Schedule B of the above noted bylaws.

Financial Implications: as noted in Schedule B of the above noted bylaws.

Interdepartmental/Agency Implications: not applicable

Background:

When Schedule B of the Youbou Water Management Bylaw was originally created there was a small carry forward error in the inclined block water rates. The change only affects the 4th level of the inclined rates, accounts for only a few cents in the rate and effects less than 1% of the water users in Youbou. When Schedule B of the Arbutus Mountain Estates Water Management Bylaw was created, the inclined block rates were inadvertently set independent of other CVRD rate schedules for water consumption. Changes to the rate structure will make them consistent with the other water service areas operated by the CVRD.

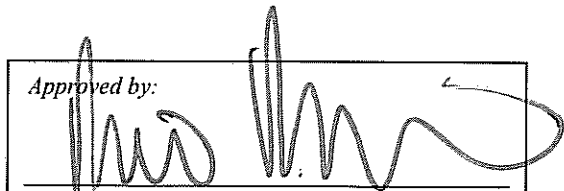
As requested by the Committee at their meeting of November 12, 2008, Schedule A of these bylaws is being adjusted to change the water service connection fee for a 25-mm diameter connection from \$300.00 to \$450.00.

Submitted by,



Dave Leitch, ASCT.
Manager, Water Management

Approved by:



Brian Demison, General Manager,
Engineering and Environmental Services



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3257

A Bylaw to Amend the Youbou Water System Management Bylaw No. 2946

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Youbou Water System* pursuant to Bylaw No. 2946, cited as "CVRD Bylaw No. 2946 – Youbou Water System Management Bylaw, 2007";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to amend Schedule B – Metered Water Rates and Charges;

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. 3257 - Youbou Water System Management Amendment Bylaw, 2009**".

2. AMENDMENTS

a) That Item 1.1 (a) of Schedule A (Water Service Connection Charges) be amended to read:

.1 EXISTING LOT (permits servicing of one unit or building).

(a) An application for *Water Service* shall be accompanied by a payment equal to the *Water Service Connection Charge* of:

19-mm diameter connection\$300.00
25-mm diameter connection\$450.00

plus a deposit in the amount of the *Manager's estimate* to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Water Service Connection* installation.

b) That "Schedule B – Metered Water Rates and Charges" be deleted in its entirety and replaced with Schedule B attached to and forming part of this Bylaw.

READ A FIRST TIME this _____ day of _____, 2009.

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 2946

METERED WATER RATES AND CHARGES

Water Rates and Charges

The *Consumer* of *District Water* supplied through *Water Meters*, shall pay the minimum charge set out in subsection (b) below.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES	
	Water Use	Charge
<u>Group A</u>		
- Single Family Dwelling – Per Dwelling	0 – 200 m ³	\$ 60.00
- Laundromat: Minimum charge for each washing machine	201-300 m ³	\$ 60.00 + \$0.55 per m ³ over 200 m ³
- Elementary/Middle School: Minimum charge per 20 students or portion thereof	301-400 m ³	\$ 115.00 + \$1.11 per m ³ over 300 m ³
	over 400 m ³	\$ 226.00 + \$2.22 per m ³ over 400 m ³
<u>Group B</u>		
- Apartment/Suite – Per Unit	0 – 160 m ³	\$ 44.44
- Mobile Home Park – Per Unit	161-240 m ³	\$ 44.44 + \$0.55 per m ³ over 160 m ³
	241-320 m ³	\$ 88.44 + \$1.11 per m ³ over 240 m ³
	over 320 m ³	\$ 177.24 + \$2.22 per m ³ over 320 m ³
<u>Group C</u>		
- Commercial - Minimum charge for each 10 employees or portion thereof per shift	0 – 130 m ³	\$ 36.11
	131-195 m ³	\$ 36.11 + \$0.55 per m ³ over 130 m ³
	196-260 m ³	\$ 71.86 + \$1.11 per m ³ over 200 m ³
	Over 260 m ³	\$ 144.01 + \$2.22 per m ³ over 260 m ³
<u>Group D</u>		
- Continuing Care Facility: Minimum charge for <u>each bed</u>	0 – 100 m ³	\$ 27.77
	101-150 m ³	\$ 27.77 + \$0.55 per m ³ over 100 m ³
	151-200 m ³	\$ 55.27 + \$1.11 per m ³ over 150 m ³
	over 200 m ³	\$ 110.77 + \$2.22 per m ³ over 200 m ³

CLASSIFICATION	USER CHARGES	
	Water Use	Charges
<u>Group E</u>		
- RV Trailer Park/Campground: Site Connected to Sewer: Per serviced pad or site	0 – 67 m ³	\$ 18.61
	68-100 m ³	\$ 18.61 + \$0.55 per m ³ over 67 m ³
- Restaurant: per 10 seats or patrons, or portion thereof	101-133 m ³	\$ 36.76 + \$1.11 per m ³ over 100 m ³
- Hotel/Motel: per housekeeping unit	Over 133 m ³	\$ 73.39 + \$2.22 per m ³ over 133 m ³
<u>Group F</u>		
- Bed & Breakfast/Rooming House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Room	0-40 m ³	\$ 11.11
	41-60 m ³	\$ 11.11 + \$0.55 per m ³ over 40 m ³
	61-80 m ³	\$ 22.11 + \$1.11 per m ³ over 60 m ³
	Over 80 m ³	\$ 44.31 + \$2.22 per m ³ over 80 m ³
<u>Group G</u>		
- RV Trailer Park/Campground: Site not Connected to Sewer: Per pad or site	0-20 m ³	\$ 5.55
	21-30 m ³	\$ 5.55 + \$0.55 per m ³ over 20 m ³
	31-40 m ³	\$ 11.05 + \$1.11 per m ³ over 30 m ³
	Over 40 m ³	\$ 22.15 + \$2.22 per m ³ over 40 m ³
<u>Group H</u>		
- High School: Minimum charge per 20 students or portion thereof	0 – 270 m ³	\$ 74.75
	271-405 m ³	\$ 74.75 + \$0.55 per m ³ over 270 m ³
	406-540 m ³	\$ 149.00 + \$1.11 per m ³ over 400 m ³
	Over 540 m ³	\$ 298.85 + \$2.22 per m ³ over 530 m ³
<u>Group I</u>		
- Hotel/Motel: Per Room or Suite	0 – 50 m ³	\$ 13.89
	51-75 m ³	\$ 13.89 + \$0.55 per m ³ over 50 m ³
	76-100 m ³	\$ 27.64 + \$1.11 per m ³ over 75 m ³
	Over 100 m ³	\$ 55.39 + \$2.22 per m ³ over 100m ³
<u>Group J</u>		
- Licensed Premises: Per 10 seats or patrons or portions thereof.	0 – 83 m ³	\$ 23.05
	84-125 m ³	\$ 23.05 + \$0.55 per m ³ over 83 m ³
	126-167 m ³	\$ 46.15 + \$1.11 per m ³ over 125 m ³
	Over 167 m ³	\$ 92.77 + \$2.22 per m ³ over 167 m ³
<u>Other</u>		
The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the <i>Manager</i> , do not fall within the above classifications, shall be determined by the Manager of Engineering Services and his decision shall be final.		
<u>Aggregate Allotment</u> - Where more than one of the above classifications including " <i>Other</i> " is in use, or intended for use, then the applicable charges shall be applied to each and every classification		

LEAKS:

User Charges may be adjusted on a one-time forgiveness basis where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classifications(s), and there is no indication that water was knowingly allowed to run to waste. Written verification from the *Consumer* describing the nature of the leakage and the action taken to rectify the problem must be received by the *Manager* before the one-time forgiveness may be considered. To be eligible, the leakage problem must be rectified by the *Consumer* within 30-days of discovery or notification of the problem. Subsequently, the CVRD must be notified within 60-days.

USER CLASSIFICATION DESCRIPTIONS**Single Family Dwelling:**

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a Sanitary Sewer disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate Sanitary Sewer disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3240

A Bylaw to Amend the Arbutus Mountain Estates Water System Management Bylaw No. 2998

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Arbutus Mountain Estates Water System* pursuant to Bylaw No. 2998, cited as "CVRD Bylaw No. 2998 – Arbutus Mountain Estates Water System Management Bylaw, 2008";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to revise Schedule B of the 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 for all purposes as "**CVRD Bylaw No. 3240 - Arbutus Mountain Estates Water System Management Amendment Bylaw, 2009**".

2. **AMENDMENT**

a) That Item 1.1 (a) of Schedule A (Water Service Connection Charges) be amended to read:

.1 **EXISTING LOT** (permits servicing of one unit or building).

(a) An application for *Water Service* shall be accompanied by a payment equal to the *Water Service Connection Charge* of:

19-mm diameter connection\$300.00
25-mm diameter connection\$450.00

plus a deposit in the amount of the *Manager's estimate* to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Water Service Connection* installation.

b) That Schedule B be deleted in its entirety and replaced with Schedule B attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2009.

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 2998

METERED WATER RATES AND CHARGES

Water Rates and Charges

The *Consumer of District Water* supplied through *Water Meters*, shall pay the minimum charge set out in the following table. A 10% discount will be applied for timely payment.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES	
	Water Use	Charge
<u>Group A</u>	0 – 200 m ³	\$ 140.00
- Single Family Dwelling – Per Dwelling	201-300 m ³	140.00 + \$1.10 per m ³ over 200 m ³
- Laundromat: Minimum charge for each washing machine	301-400 m ³	250.00 + \$1.65 per m ³ over 300 m ³
- Elementary/Middle School: Minimum charge per 20 students or portion thereof	Over 400 m ³	415.00 + \$2.48 per m ³ over 400 m ³
<u>Group B</u>	0 – 160 m ³	105.00
- Apartment/Suite – Per Unit	161-240 m ³	105.00 + \$1.10 per m ³ over 160 m ³
- Mobile/Modular Home Park – Per Unit	241-320 m ³	193.00 + \$1.65 per m ³ over 240 m ³
	Over 320 m ³	325.00 + \$2.48 per m ³ over 320 m ³
<u>Group C</u>	0 – 130 m ³	84.00
- Commercial - Minimum charge for each 10 employees or portion thereof per shift	131-195 m ³	84.00 + \$1.10 per m ³ over 130 m ³
	196-260 m ³	155.50 + \$1.65 per m ³ over 195 m ³
	Over 260 m ³	262.75 + \$2.48 per m ³ over 260 m ³
<u>Group D</u>	0 – 100 m ³	65.00
- Continuing Care Facility: Minimum charge for <u>each bed</u>	101-150 m ³	65.00 + \$1.10 per m ³ over 100 m ³
	151-200 m ³	120.00 + \$1.65 per m ³ over 150 m ³
	Over 200 m ³	202.50 + \$2.48 per m ³ over 200 m ³
<u>Group E</u>	0 – 67 m ³	43.00
- RV Trailer Park/Campground: Site Connected to Sewer: Per serviced pad or site	68-100 m ³	43.00 + \$1.10 per m ³ over 67 m ³
- Restaurant: per 10 seats or patrons, or portion thereof	101-133 m ³	79.30 + \$1.65 per m ³ over 100 m ³
- Hotel/Motel: per housekeeping unit	Over 133 m ³	133.75 + 2.48 per m ³ over 133 m ³

CLASSIFICATION	USER CHARGES	
	Water Use	Charges
Group F - Bed & Breakfast/Rooming House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Room	0-40 m ³ 41-60 m ³ 61-80 m ³ Over 80 m ³	\$ 26.00 26.00 + \$1.10 per m ³ over 40 m ³ 48.00 + \$1.65 per m ³ over 60 m ³ 81.00 + \$2.48 per m ³ over 80 m ³
Group G - RV Trailer Park/Campground: Site not Connected to Sewer: Per pad or site	0-20 m ³ 21-30 m ³ 31-40 m ³ Over 40 m ³	13.00 13.00 + \$1.10 per m ³ over 20 m ³ 24.00 + \$1.65 per m ³ over 30 m ³ 40.50 + \$2.48 per m ³ over 40 m ³
Group H - High School: Minimum charge per 20 students or portion thereof	0 – 270 m ³ 271-405 m ³ 406-540 m ³ Over 540 m ³	175.00 175.00 + \$1.10 per m ³ over 270 m ³ 323.50 + \$1.65 per m ³ over 405 m ³ 546.25 + \$2.48 per m ³ over 540 m ³
Group I - Hotel/Motel: Per Room or Suite	0 – 50 m ³ 51-75 m ³ 76-100 m ³ Over 100 m ³	32.50 32.50 + \$1.10 per m ³ over 50 m ³ 60.00 + \$1.65 per m ³ over 75 m ³ 101.25 + \$2.48 per m ³ over 100 m ³
Group J Licensed Premises: Per 10 seats or patrons or portions thereof.	0 – 83 m ³ 84-125 m ³ 126-167 m ³ Over 167 m ³	54.00 54.00 + \$1.10 per m ³ over 83 m ³ 100.20 + \$1.65 per m ³ over 125 m ³ 169.50 + \$2.48 per m ³ over 167 m ³
Other The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the Manager , do not fall within the above classifications, shall be determined by the Manager of Engineering Services and his decision shall be final. Aggregate Allotment - Where more than one of the above classifications including " Other " is in use, or intended for use, then the applicable charges shall be applied to each and every classification		

UNDETECTED LEAKS:

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classifications(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the **Consumer** describing the nature of the leakage and the action taken to rectify the problem must be received by the **Manager** before the one-time forgiveness will be granted. The leakage problem must be rectified by the **Consumer** within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS**Single Family Dwelling:**

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



STAFF REPORT

R7

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF FEBRUARY 25, 2009

DATE: February 17, 2009

FROM: Kate Miller, Manager Regional Environmental Policy Division

SUBJECT: Environmental Lens - discussion

Recommendation:

That it be recommended to the Board that the Manager of Regional Environmental Policy develop a variety of environmental lenses for Board consideration, usable by the CVRD and its member municipality staff to support the Board's resolution of December 10, 2008, that *'the CVRD embed an environmental lens into all decision-making immediately'*.

Purpose:

To develop a set of environmental checklists or re-design of existing systems that supports the application of an environmental (sustainability) lens to local government decision-making, policy formulation and communications. This lens should also be incorporated into existing procedures and policies in order to ensure they are synchronised and provide a consistent messaging by:

- moving commitment – from good intentions to action,
- prompting – remembering to act sustainably,
- building normative response – building community support,
- effective communication – creating effective messages,
- providing incentives – enhancing motivation to act and seeking to removing external barriers.

Financial Implications:

Financial implications are positive, particularly as the organization moves to a lifecycle review of its operations. This process builds better awareness of the interdisciplinary nature of the organization and recognition that decisions have multiple impacts.

Interdepartmental/Agency Implications:

This process provides an opportunity for organizational streamlining and review of multiple issues and impacts across departments

Legal implications

The use of these types of tools supports the development of bylaws and policies required by the federal and provincial governments by providing a clear directive requiring substantiating information. It provides clear direction to proponents of expectations and will result in clearer regulatory and fiduciary communications.

This process also provides a basis for ongoing quality assurance and transparency in operations.

Background:

There is no single correct way to develop a strategic commitment to the environment in local government operations. The overall approach to sustainability is one of continuous improvement and learning. A key aspect of implementing the commitment is establishing clear goals with complementary tools to help organizations, municipalities, citizens and developers to evaluate the effects of new initiatives, programs, operations and developments, and of existing planning and infrastructure practices. Checklists, scorecards and matrixes can set out comprehensive criteria through which decisions are screened and reported against. These resources can be used in a variety of ways. Staff, planning commissions, and elected officials can tailor the tools to local circumstances and use them as a consistent evaluation mechanism. Citizens can use the scorecards to determine how well a development fits and to compare it to other developments. Developers can use these tools to demonstrate the performance of their project when compared with municipal goals. Checklists and matrixes provide a clear message to internal and external entities of intent and expectations.

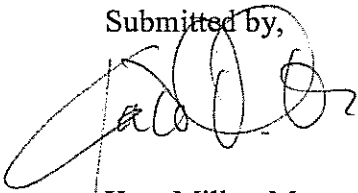
These tools and lenses can range in complexity from a fully implemented ISO 14001 monitoring system to a series of simple checklists, which are consistently communicated and addressed across the organization. An immediate area in which this process may be embedded includes:

- Purchasing policies
- Fleet policies
- Building policies
- Development applications policies and procedures
- Internal communications and records keeping
- Employee communications and benefits

Emerging provincial regulations such as Bill 27 provide a mechanism for providing fast track permitting, reduction of DCC's and requirements for reduction of water use, GHG's, enhanced transportation opportunities etc. An environmental lens approach provides a dynamic and responsive approach to the development of the long term policy developments and regulatory frameworks. Finally, the checklists and scorecards that are designed to evaluate local government plans and bylaws can point out whether or not a local government has the right smart growth strategies in place to create more livable communities through a consistent and structured review of:

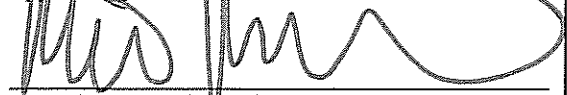
- Ongoing operations and processes
- Evaluation of development proposals
- Evaluation of local government regulations
- Transit and transportation scorecards
- Checklists for local government implementation of sustainable infrastructure
- Carbon reduction and climate proofing
- Local government sustainability performance monitoring programs

Submitted by,



Kate Miller, Manager
Regional Environmental Policy Division

Approved by:



Brian Dennison, General Manager,
Engineering and Environmental Services



STAFF REPORT

R8

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF FEBRUARY 25, 2009

DATE: February 16, 2009

FROM: Kate Miller, Manager, Regional Environmental Policy Division

SUBJECT: Update on Lower Cowichan/Koksilah Integrated Flood Management Project

Recommendation: Project update for information only.

Purpose: To develop an integrated flood management plan for the Lower Cowichan and Koksilah floodplain.

Financial Implications:

In addition to the CVRD, funding for the project was provided by Cowichan Tribes, Provincial Emergency Preparedness and UBCM innovations fund. This plan will identify deficiencies in the existing infrastructure and provide an over-arching plan and rough infrastructure upgrade costs. The Plan will also provide opportunities for alternative financial mechanisms to reduce flood impacts such as resource shifting and compensation. Funding for further work on results of the study has not been included in the core budget for 2009.

Interdepartmental/Agency Implications:

The plan will provide an overarching strategy and framework for the development of an integrated response to infrastructure development and management, land use, and potential opportunities for both climate adaptation and ecosystem and biological restoration.

The design of a coordinated plan and identification of a flood protection area will potentially provide a mechanism for a long term funding mechanism for the ongoing maintenance of the integrated works.

The development of an integrated plan also provides an opportunity to pre-approve complex projects that require Provincial and Federal approvals {such as instream works or those on tribal lands which will require Canadian Environmental Assessment (CEA)}. This overarching plan will substantially reduce response time and costs for works and maintenance.

Legal implications

The plan may recommend the formation of a dyking authority, which would have legal and policy implications. The plan will also identify a flood impact zone and floodways, which will have impacts on existing and proposed development. The existing 200 year flood elevation will be reviewed and analysed relative to existing and proposed development. Legal implications should be discussed in detail with legal counsel.

Background:

The study area encompassed by the project includes a complex of jurisdictional boundaries including Electoral Areas D and E, the City of Duncan, the Municipality of North Cowichan, as well as Cowichan Tribes IR #1 (both band and certificate of possession lands).

The area is characterized by the confluence of two dynamic systems (Cowichan River and Koksilah River), which have been substantially altered over time by redirecting and straightening the system as well as substantial bedload (gravel) deposits. This morphology typically results in a dynamic shifting of the systems over time with associated side channel development and evulsions resulting in gravel deposits and a braided system. Historically the mainstem of the Cowichan flowed towards the Koksilah along the current highway with a minor tributary flowing in its current location. Remnants of this can be seen in the inundation patterns in high flow and flood situations.

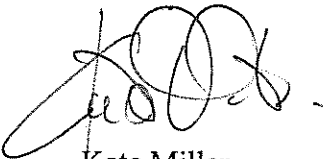
The floodplain study area includes substantial built environments and communities (residential development, major transportation systems, and industrial development), the main potable water source for Duncan and North Cowichan, as well as substantial environmental components (main fisheries production for Cowichan salmonoid species, international migratory flyway and highly productive agricultural lands).

The study and resulting analysis is based on leading edge analytical technology which uses 3D imaging of landform (using LIDAR), extensive on the ground surveys as well as both 2 and 3D hydrometric analysis. This background information as well as a review and analysis of the current state of the existing infrastructure (dykes and other protective mechanisms) and fisheries enhancement was analyzed to develop the plan currently in process.

A wide array of partners is involved in the design of the integrated management plan. This group includes: CVRD (planning, protective services, engineering, and GIS), Cowichan Tribes (admin, GIS, lands, housing), North Cowichan, City of Duncan, DFO, Living Rivers, PEP, MOE, BCCF and M.Ag.

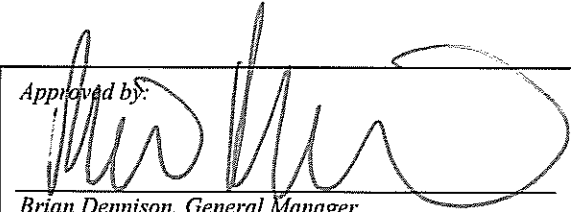
The planning portion of the project is expected to be completed by end of March.

Submitted by,



Kate Miller
Manager, Regional Environmental Policy

Approved by:



Brian Demison, General Manager,
Engineering and Environmental Services

KM:jlb

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STAFF REPORT

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING OF JANUARY 28, 2009

DATE: January 20, 2009**FILE NO:** ES-018-08**FROM:** Bob McDonald, Manager, Recycling & Waste Management**SUBJECT:** Purchase of Skidsteer Loader for Peerless Road

Recommendation:

That the Board approve the purchase of a new Skidsteer Loader for the Recycling and Waste Management Division in the amount of \$45,808.00, prior to the adoption of the CVRD 2009 5-year Financial Plan.

Purpose: To receive CVRD Board approval for the purchase of a Skidsteer (bobcat) prior to the adoption of the 2009 5-year financial plan.

Financial Implications: This capital expenditure is already allocated in Budget 520.

Interdepartmental/Agency Implications: not applicable

Background:

This is a replacement machine for one which has long surpassed its expected life and can no longer be repaired. The CVRD has been renting various machines on a periodic basis to assess the best combination of features and perform the backlog of work. Such rental is costly as is going without a machine because we cannot condense loads for efficient shipment. We therefore wish to commit to purchase a machine to allow for the soonest possible delivery.

The tender process resulted in numerous submissions from various suppliers, and all pricing was within a narrow range. The tender allowed for the purchase of new or used equipment (with less than 1000 hours). The preferred bid is for a Volvo provided by Great West Equipment. It is the second lowest bid, but the lowest (by \$752.00) did not meet all the requirements for operational controls. The Volvo does accept and promotes the use of up to a 30 % blend of bio-diesel in its machinery. The supplier has also provided the Division with a Volvo excavator for the past 4 years which has required minimal repair and we have received exceptional service.

Submitted by,

Bob McDonald, Manager
Recycling & Waste Management

Department Head's Approval
Brian Dennison, Manager, Engineering Services

BMc:jlh

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