



COWICHAN BAY COMMUNITY SEWER SERVICING POLICY

Applicability: CVRD Water Management Division and CVRD Planning and Development

Effective Date: May 13, 2015

PURPOSE:

To establish a policy for allocating capacity in the Cowichan Bay Community Sewer System, consistent with CVRD Electoral Area D – Cowichan Bay Official Community Plan (OCP) Bylaw No. 3605. A key goal of the OCP is to “Carefully Manage Growth” by directing development to areas within established Village and Rural Village Containment Boundaries (as documented by Bylaw No. 3605, Schedule B – Land Use Designations) and to areas which are identified as having existing or potential sewer service (as documented by Bylaw No. 3605, Schedule C-4 – Community Sewer Service). Another key goal of the OCP is to “Restore, Protect, and Enhance the Health of the Cowichan Estuary and Marine Foreshore”. Correspondingly, properties directly adjacent to the Cowichan Estuary and Marine Foreshore, which are outside of Village and Rural Village Containment boundaries, are identified as having potential for sewer service.

POLICY:

1. Sewer capacity shall be allocated in the following order:
 - a. first, to properties located within the existing Cowichan Bay Community Sewer Service Area;
 - b. second, to properties located within the Cowichan Bay Village Containment boundary and identified as having sewer service potential after June 1, 2016;
 - c. third, to properties located within the Rural Village Containment boundary and identified as having sewer service potential after June 1, 2017;
 - d. fourth, to properties located outside Village and Rural Village Containment boundaries and identified as having sewer service potential after June 1, 2018; and
 - e. last, to properties located outside Village and Rural Village Containment boundaries not identified as having sewer service potential (in this case, an OCP amendment will be required to adjust Schedule C-4) after June 1, 2019.
2. Prior to consideration of new projects within the Cowichan Bay Community Sewer Service Area, first priority shall be given to 1a and existing users requiring sewer capacity including secondary suites and float homes; in order to ensure that these existing uses are properly serviced, sewer capacity must be requested by a property owner before June 1, 2016.
3. Available capacity shall only be allocated to a project resulting from an approved subdivision, development permit, building permit, or rezoning application.
4. Property owners shall not be permitted to “bank” sewer capacity units in advance of a formal application.

5. The CVRD may, as a condition of joining the community sewer service area, request that a property owner enter into a covenant, to the benefit of the CVRD, restricting sewer capacity on the subject property to a specified number of units.
6. Once capacity units have been allocated to a project, use of the allocated sewer capacity must occur within a period of two years; if connection to sewer and active use of the allocated sewer capacity has not occurred within a two-year period, monies paid for unused capacity shall be refunded.
7. Notwithstanding the foregoing, upon written request of a property owner, the CVRD Board may extend the period of time that units may be held in order to allow an owner to connect to and make active use of the allocated sewer capacity.
8. Notwithstanding the foregoing, upon written request of a property owner, the CVRD Board may prioritize sewer capacity allocation outside the Cowichan Bay Community Sewer Service area under the following circumstances:
 - a. A Registered Onsite Wastewater Practitioner report indicates that a property has a failed or failing septic system and the property is identified as having sewer service potential as documented by CVRD Bylaw No. 3605, Schedule C-4; or
 - b. A Registered Onsite Wastewater Practitioner report indicates that a property has a failed or failing septic system and the report also indicates that there is no suitable site for a replacement septic system on the subject property; or
 - c. Connection to the community sewer will result in a direct ecological or public health benefit for Electoral Area D – Cowichan Bay.

Approved by: CVRD Board Approval date: May 13, 2015
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