

PRESENT: Minutes of the regular meeting of the Engineering & Environmental Services Committee held in the CVRD Boardroom, 175 Ingram Street, Duncan, on January 25, 2012 at 3:30 p.m.

PRESENT: Director Iannidinardo, Chair
Director Dorey, Vice-Chair
Directors Duncan, Fraser, Giles, Hutchins,
Lefebure, Marcotte, McGonigle, Morrison, Walker,
Weaver

ABSENT:

ALSO

PRESENT: W. Jones, CAO, CVRD
B. Dennison, P. Eng., General Manager, E & E
D. Leitch, ASCT., Manager, Water Management
B. McDonald, Manager, Recycling & Waste.
K. Miller, Manager, Regional Environmental Policy
J. Bath, Recording Secretary

**APPROVAL
OF AGENDA**

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

MOTION CARRIED

**ADOPTION
OF MINUTES**

Corrections were noted on Page 2 – add “Motion Carried” to resolutions R1-1 and R3.

It was moved and seconded that the minutes of the October 26, 2011 regular Engineering & Environmental Services Committee meeting be adopted as amended.

MOTION CARRIED

**BUSINESS ARISING OUT
OF MINUTES**

No business arising

CORRESPONDENCE`

C1

The following Resolution No. NB5 from the Electoral Area Services Committee meeting of November 1, 2011, was brought forward:

"That the issue of requiring that Engineering Service reports provide Directors with clear identification on whether an agreement in principle respecting sewer service is for a regular development or a strata development, be referred to the Engineering & Environmental Services Committee."

The Director for Electoral Area E asked that staff reports provide this information in the future.

REPORTS

R1 The Committee considered a staff report regarding a water overage for the Saltair Water System.

It was moved and seconded that, as the request from a property owner for a second water overage forgiveness due to a water line leak is inconsistent with the policy set out in CVRD Bylaw No. 1763 – Saltair Water System Management Bylaw, 1996, the request be denied.

MOTION CARRIED

R2 A staff report was considered regarding a first Stage approval process for the Warmland Properties development in Electoral Area B.

Staff were asked to advise the Planning and Development Services Department that Electoral Area Directors would like a refresher on how strata lots are created.

The Director for Electoral Area C requested that staff provide the Gas Tax Funding Project list for 2012 as soon as possible.

It was moved and seconded that it be recommended that the CVRD Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the Warmland Property development's three small sewer systems, located in Electoral Area B, as requested by Strata Corporations VIS6204, VIS6337 and VIS6597, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:

- **All lands with infrastructure works are to be transferred to CVRD, or, if not possible, be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;**
- **A utility transfer agreement be executed between the CVRD and the owners;**
- **The CVRD undertake a review of the systems in order to address deficiencies in the sewer systems;**
- **The owners of the utilities be willing to transfer the systems to the CVRD;**
- **A public consultation process regarding CVRD takeover be undertaken;**
- **A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.**

- That an assessment of the three systems be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Electoral Area Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.
- This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed

MOTION CARRIED

R3

A staff report was considered regarding amending the Brulette Sewer Service Establishment Bylaw to include one additional property.

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

1. That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Brulette Place Sewer System Service Area be received.
2. That "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009", be amended to include *"PID 009-497-862; that part of Section 4, Range 8, Shawnigan District, shown outlined in red on Plan 677R except that part in Plan VIP52681 and VIP72005"*.
3. That the amended bylaw be forwarded to the Board for consideration of 3 readings and adoption.

MOTION CARRIED

R4

A staff report from the Manager, Recycling & Waste Management was provided concerning Provincial legislation for declared nuisances.

It was moved and seconded that a strongly worded letter from the CVRD Board Chair be sent to the Province requesting that legislation be introduced that would allow a Regional District to take measures to address 'declared nuisances'.

MOTION CARRIED

Staff were asked to prepare a resolution in this regard for the next CVRD Board meeting for submission to UBCM and the AVICC.

R5

The Manager, Recycling & Waste Management provided the Committee with CVRD Bylaw No. 3556 - Waste Stream Management Licensing Amendment Bylaw, 2012 for consideration.

The Director for Electoral Area C provided the following comment:
6.1 (g) – has been added, but it is the same wording as the original bylaw? Staff will check with attorney.
9.2 (v) – should the words “groundwater samples” be added as requirement.
16.14.8 – last line – add a comma after “request”.

The Committee discussed the removal of the "appeal process" from the bylaw

Staff will review suggested revisions and comments with the CVRD's attorney and bring the bylaw to the February 8, 2012 Board meeting.

It was moved and seconded that it be recommended to the Board that CVRD Bylaw No. 3556 – Waste Stream Management Licensing Amendment Bylaw, 2012 be forwarded to the Board for three readings and, following Provincial approval, be adopted.

MOTION CARRIED

R6

A request for inclusion in the Lambourn Estates Sewer and Water System service areas was considered.

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

- 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Lambourn Estates sewer and water service areas be received.**
- 2. That CVRD Bylaw No. 3052 – Lambourn Estates Sewer System Service Establishment Bylaw, 2008, be amended to include "*PID 027-834-921, Lot B, Section 5, Range 6, Plan VIP86371, Cowichan District*".**
- 3. That CVRD Bylaw No. 3034 – Lambourn Estates Water System Service Establishment Bylaw, 2008 be amended to include "*PID 027-834-921, Lot B, Section 5, Range 6, Plan VIP86371, Cowichan District*".**
- 4. That the amended bylaws be forwarded to the Board for consideration of 3 readings.**
- 5. That the amendment bylaws not be considered for adoption until the following conditions have been met:**
 - 1. A covenant be registered on title of each of the two properties, addressing CVRD Planning concerns.**
 - 2. A Lambourn Estates Sewer and Water Servicing Agreement be executed by each of the Developers and the CVRD.**

MOTION CARRIED

R7

A request for inclusion in the Lambourn Estates Sewer System service areas was considered.

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

1. That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Lambourn Estates sewer service area be received.
2. That CVRD Bylaw No. 3052 – Lambourn Estates Sewer System Service Establishment Bylaw, 2008, be amended to include "*PID 004-211-286, Lot 1, Section 5, Range 6, Cowichan District, Plan 15174, except that part in Plan 25885.*"
3. That the amended bylaw be forwarded to the Board for consideration of 3 readings.
4. That the amendment bylaw not be considered for adoption until the following conditions have been met:
 1. A covenant be registered on title of this property, addressing CVRD Planning concerns.
 2. A Lambourn Estates Sewer and Water Servicing Agreement be executed by the Developers and the CVRD.

MOTION CARRIED

R8

A staff report was provided for information purposes regarding sewage from Cowichan Bay Float homes and live-aboards.

Staff were asked to bring a copy of a proposed draft bylaw from a number of years ago in this regard to the next meeting.

Staff will bring options for enforcement of sewage disposal back to the appropriate committee.

R9

A staff report providing information regarding a Public Education Campaign on Open Burning Awareness was considered.

Staff were given direction from the Committee to move forward with a public awareness campaign on open burning awareness.

R10

A staff report was considered regarding purchase of three waste vegetable oil collection bins for the three recycling depots.

It was moved and seconded that the request for \$25,000 of funding by Cowichan Energy Alternatives, for installation of ten waste vegetable oil collection bins not be given further consideration in the 2012 budget process; and further, that the CVRD use funds within the core 2012 Solid Waste Management budget to purchase three waste vegetable oil collection bins from Cowichan Energy Alternatives, at a cost of \$2,500 each, to be located at existing CVRD recycling drop-off depots

MOTION CARRIED

R11

A staff report regarding a formal Notice of Appeal from Fisher Road Recycling to be heard at a Special Board meeting.

It was moved and seconded that it be recommended to the Board that a Special Board meeting be held on Wednesday March 21, 2012, time to be determined, to hear an appeal by Fisher Road Recycling, as allowed for under CVRD Bylaw No. 2570 - Waste Stream Management Licensing Bylaw, 2004.

MOTION CARRIED

NEW BUSINESS

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:42 p.m.

Chair

Recording Secretary

Dated: