



STAFF REPORT TO THE BOARD

DATE OF REPORT July 3, 2018

MEETING TYPE & DATE Board Meeting of July 11, 2018

FROM: Legislative Services Division
Corporate Services Department

SUBJECT: Cobble Hill Village Sewer System Service Establishment – Alternate Approval Process (AAP) Deadline for Responses

FILE: CVRD Bylaw No. 4205

PURPOSE/INTRODUCTION

To set a deadline date for elector responses to the Alternate Approval Process (AAP) for the adoption of CVRD Bylaw No. 4205 that establishes a new sewer system service area within a portion of Electoral Area C – Cobble Hill that includes the Twin Cedars Sewer System Service Area and the Cobble Hill Sewer System Service Area.

RECOMMENDED RESOLUTIONS

That the deadline for responses to the AAP for the adoption of "CVRD Bylaw No. 4205 – Cobble Hill Village Sewer System Service Establishment Bylaw, 2018", be set at 4:30 p.m., Thursday, September 20, 2018.

BACKGROUND

At its Regular meeting of April 18, 2018 the Board resolved that a bylaw be prepared to establish the *Cobble Hill Village Sewer System Service Area* within a portion of Electoral Area C – Cobble Hill to provide for upgrades to the Twin Cedars and Cobble Hill Sewer System Services including the Cobble Hill Wastewater Integration and Re-use Upgrade project utilizing UBCM Strategic Priorities Grant Funding. At that time, staff advised that public approval was required prior to adoption of the service establishment bylaw and recommended that approval be obtained through an AAP based on public feedback received during community engagement as follows:

- November, 2016 – information letter to customers of Cobble Hill Sewer informing them of the problems with the wastewater treatment plant and future upgrades that would be required.
- September, 2017 – letter to customers of both Twin Cedars and Cobble Hill Sewer to introduce the idea of combining the two systems into one.
- March, 2018 – letter to customers of Twin Cedars and Cobble Hill Sewer to inform them of: the successful grant application and the project that would combine the two systems into one; and provided details of the April 25, 2018 public meeting regarding the Integration of Cobble Hill Sewer project.
- April 25, 2018 – public meeting at the Cobble Hill Hall. The meeting had very low attendance with one person in attendance at 7:00 p.m.; one person at 7:15 p.m.; and one person at 7:20 p.m. All three were in favour of the project.
- May 10, 2018 – Dedicated webpage for the “Cobble Hill Sewer Integration Project” went live on the CVRD website. The webpage describes the project and associated costs for all affected customers and provides a section with contact information for providing feedback or asking questions.

- May 10-June 22, 2018 – five weeks of weekly ads in the CVRD News to advise of the project and contact information of any questions/comments/feedback, etc.

To date very few inquiries have been received, (all related to wanting more details on the project) with no objections or negative comments.

At its Regular meeting of May 9, 2018, the Board granted CVRD Bylaw No. 4205 three readings and the bylaw was forwarded to the Inspector of Municipalities for approval. The Inspectors approval has been received and therefore, the Board may now proceed with the process for obtaining elector consent for adoption of Bylaw No. 4205 through an AAP.

ANALYSIS

Pursuant to the *Local Government Act* and the *Community Charter*, the Board must set a deadline date for receiving elector responses to the AAP. In accordance with the Board's *Alternative Approval Process Policy*, the deadline date must be a minimum of 60 days following the second publication of the statutory notice.

Statutory notices are scheduled to appear in the Cowichan Valley Citizen on Friday, July 13 and Friday, July 20. Following the second publication date the 60 day response period begins.

FINANCIAL CONSIDERATIONS

The costs for the AAP, including advertising, are estimated at \$2,700 to be recovered from Cobble Hill Village Sewer System Service Budget, if established.

COMMUNICATION CONSIDERATIONS

The Legislative Services Division is responsible for the coordination and conduct of all statutory public approval processes and ensures compliance with applicable provincial legislation.

In addition to the required statutory newspaper advertisements in the Cowichan Valley Citizen, a weekly supplemental insertion in the "CVRD News" feature in the Citizen during the duration of the elector response period (\$200/insert) will be published. The Notice; Elector Response Forms; and additional background information will be published on the CVRD webpage to coincide with the first newspaper publication date. This additional information will appear under the "voter approval" section on the Legislative Services landing page.

Engineering Services will keep a dedicated webpage and update as work progresses in addition to distributing a letter explaining the AAP process and providing project updates.

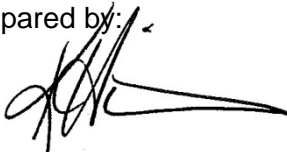
STRATEGIC/BUSINESS PLAN CONSIDERATIONS

This process conforms to Section 5.2 – Community Engagement Policy.

Referred to (upon completion):

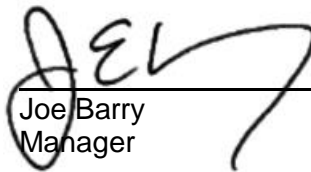
- ☐ Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- ☐ Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology*)
- ☐ Engineering Services (*Environmental Services, Capital Projects, Water Management, Recycling & Waste Management*)
- ☐ Planning & Development Services (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- ☒ Strategic Services

Prepared by:

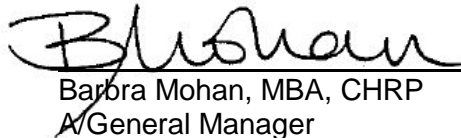


Kathleen Harrison
Deputy Corporate Secretary

Reviewed by:



Joe Barry
Manager



Barbra Mohan, MBA, CHRP
General Manager

Reviewed for Form and Content and Approved for Submission to the Board:

Chief Administrative Officer's Comments / Concurrence



Brian Carruthers
Chief Administrative Officer

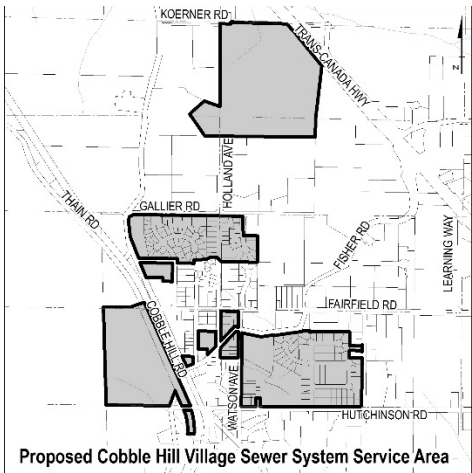
ATTACHMENTS:

Attachment A – Notice of Alternative Approval Process - Bylaw No. 4205

Attachment B – Elector Response Form - Bylaw No. 4205



NOTICE TO ELECTORS WITHIN
A PORTION OF ELECTORAL AREA C – COBBLE HILL
OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD SERVICE ESTABLISHMENT BYLAW NO. 4205



NOTICE IS HEREBY GIVEN that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 4205 – Cobble Hill Village Sewer System Service Establishment Bylaw, 2018".

BYLAW SUMMARY

If adopted, Bylaw No. 4205 will allow the Cowichan Valley Regional District to establish a sewer system service within a portion of Electoral Area C – Cobble Hill to include the Twin Cedars Sewer System Service Area and the Cobble Hill Sewer System Service Area for the collection, conveyance, treatment and disposal of sewage. The estimated annual cost to residential property owners within the proposed service area would be approximately \$900 per unit per annum, as set out in the table below. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, BC during regular office hours, Monday to Friday, 8:00 a.m. - 4:30 p.m., excluding statutory holidays. A copy of the bylaw is also available on the CVRD website at www.cvr.bc.ca

Residential Parcel Tax and User Fee Calculation Table

Proposed Service Area	Parcel Tax	User Fee	Total	Number of Eligible Electors	10%
Cobble Hill Village Sewer System	\$400	\$500	\$900	285	29

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the proposed service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later than 4:30 p.m. on Thursday, September 20, 2018**. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors within the proposed Cobble Hill Village Sewer System Service Area outlined in the map above are entitled to sign. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

Resident Elector – You are entitled to submit an *Elector Response Form* as a resident elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of the proposed Cobble Hill Village Sewer System Service Area for the past 30 days or more.

Non-Resident Property Elector – You are entitled to submit an *Elector Response Form* as a non-resident property elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, have owned and held registered title to a property within the proposed Cobble Hill Village Sewer System Service Area for the past 30 days or more, and do not qualify as a resident elector. NOTE: Only one non-resident property elector may submit a response form per property, regardless of how many owners there may be.

If less than 10% (29) of the proposed service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 285.

A copy of the bylaw and *Elector Response Form* is available from the CVRD, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 250.746.2500 or toll free at 1.800.665.3955, or e-mail aapresponse@cvrd.bc.ca OR on the CVRD website at www.cvr.bc.ca



Attachment B
ELECTOR RESPONSE FORM
BYLAW NUMBER 4205

The Cowichan Valley Regional District (CVRD) is proposing to adopt "CVRD Bylaw No. 4205 – Cobble Hill Village Sewer System Service Establishment Bylaw, 2018" which would allow the CVRD to establish a sewer system service within a portion of Electoral Area C – Cobble Hill to include the Twin Cedars Sewer System Service Area and the Cobble Hill Sewer System Service Area for the collection, conveyance, treatment and disposal of sewage. The estimated annual cost to residential property owners within the proposed service area would be approximately \$900 per unit per annum. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this *Elector Response Form* to the Regional District office by 4:30 PM, Thursday, September 20, 2018. Only those persons who live or own property within the proposed service area and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

- I am a Canadian citizen;
- I am an individual who is age 18 or older;
- I have been a resident of British Columbia for at least the past six months;
- I have been a resident of the proposed Cobble Hill Village Sewer System Service Area for the past 30 days **or** I am entitled to register as a non-resident property elector;
- I am not disqualified by the *Local Government Act*, or any other enactment, from voting in an election or am not otherwise disqualified by law.

I understand and acknowledge that I may not sign an *Elector Response Form* more than once in relation to this alternative approval process.

NAME OF ELECTOR: _____
(please print full name)

ELECTOR STREET ADDRESS: _____
(residential address)

OR

(non-resident property electors only) _____
Address of property in relation to which _____
I am entitled to register as a non-resident _____
property elector. _____
(property address)

(contact telephone number including area code)

SIGNATURE OF ELECTOR: _____

NOTE: The **signed** *Elector Response Form* must be returned to the CVRD Offices located at 175 Ingram Street, Duncan, BC, V9L 1N8 **on or before 4:30 PM, Thursday, September 20, 2018**. Forms can be emailed to aapresponse@cvrd.bc.ca or faxed to 250.746.2513. Regular office hours are 8:00 AM to 4:30 PM, Monday through Friday, excluding statutory holidays.

<p>Section 86(6) of the <i>Community Charter</i> requires all electors to submit their response on the form established by the CVRD, or an accurate copy of that form.</p>
