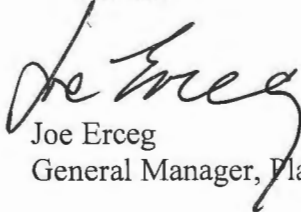




To: Planning Committee **Date:** December 14, 2016
From: Joe Erceg **File:**
 General Manager, Planning & Development
Re: **Richmond Response: Metro Vancouver Proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, to make minor changes to the RGS Sewerage Extension Policies and Procedures**

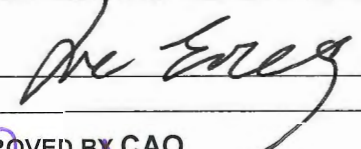
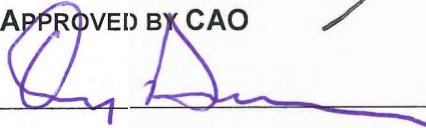
Staff Recommendation

1. That Metro Vancouver Board be advised that the City of Richmond has no concerns with Metro Vancouver's proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, which proposes minor changes to the RGS sewerage extension policies and procedures, by clarifying the circumstances when regional sewerage service may be extended.



Joe Erceg
General Manager, Planning and Development

JE:tc
Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Engineering	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

On November 15, 2016, the City of Richmond (City) received a letter from the Metro Vancouver (MV) Board inviting the City to comment by January 13, 2016, on the Metro Vancouver proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, to make minor changes to the RGS sewerage extension policies and provisions by clarifying the circumstances when regional sewerage service may be extended (Attachment 1). A map showing the relevant Richmond MV RGS land use designations and regional sewerage areas is shown in Attachment 2.

This report responds to this invitation.

This report supports Council's 2014-2018 Term Goal #5 Partnerships and Collaboration:

Continue development and utilization of collaborative approaches and partnerships with intergovernmental and other agencies to help meet the needs of the Richmond community.

5.2. *Strengthened strategic partnerships that help advance City priorities.*

This report supports Council's 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.2. *Infrastructure is reflective of and keeping pace with community need.*

Background

General

On July 29, 2011, with Richmond's and other local governments' consent, the Metro Vancouver Board adopted a regional plan titled: Metro Vancouver 2040 Shaping Our Future, to guide and co-ordinate regional growth, land use, transportation, infrastructure and environmental protection to the year, 2040.

Currently, the Metro Vancouver Board may direct the Greater Vancouver Sewerage and Drainage District (GVS&DD) not to extend regional sewerage services into RGS Rural, Agricultural or Conservation and Recreation areas, except to service existing building footprints in cases where sewer service is needed to: (1) address a public health issue, (2) protect the region's natural assets, or (3) service agriculture or agri-industry.

Since the RGS was adopted, Metro Vancouver, in consultation with local governments, has identified the need to make minor adjustments to the RGS regional sewerage extension policies and procedures, to enhance their practical application and meet a wider range of circumstances.

The aim of the proposed RGS amendment, in RGS Rural, Agricultural and Conservation and Recreational designated areas, is to stipulate that limited regional sewerage extensions may be considered and undertaken to:

- (1) Existing: Allow regional sewerage extensions for certain existing building footprints,
- (2) New: Allow limited regional sewerage extensions for the footprint of new development sites,
- (3) New: Provide needed flexibility to extend regional sewerage service, as follows:
 - (Existing) - the extension is the only reasonable means of preventing or alleviating a public health risk,
 - (New) - the extension is the only reasonable means of preventing or alleviating an environmental risk,
 - (New) - the connection to the regional sewerage service would have no significant impact on the goals of:
 - Containing urban development within the Urban Containment Boundary, and
 - Protecting lands with a RGS Rural, Agricultural, and Conservation and Recreation regional land use designation.

For example, the proposed RGS amendment would;

- Delete the following existing RGS Policy 1.1.1 which says:
Metro Vancouver's role is to: 1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not extend regional sewage services into the Rural, Agricultural or Conservation and Recreation areas, except for building footprints in cases where infrastructure is needed to address a public health issue, protect the region's natural assets, or to service agriculture or agri-industry; and
- Substitute:
*Metro Vancouver's role is to:
1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewage services to lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances below, the GVRD Board will advise the Greater Vancouver Sewerage and Drainage District (GVS&DD) Board that it may consider a connection for existing development and for new development where, in the GVRD's opinion, that new development is consistent with the underlying regional land use designation and where the GVRD determines, either:*
 - *that the extension is the only reasonable means of preventing or alleviating a public health or environmental risk; or*
 - *that the connection to the regional sewerage services would have no significant impact on the goals of containing urban development in the within the Urban Containment Boundary and protecting lands with a Rural, Agricultural, and Conservation and Recreation regional land use designation.*

The proposed Bylaw clarifies the above for each RGS Rural, Agricultural, and Conservation and Recreation land use designation, and that regional sewerage service would only be extended to existing and new building footprints, not whole sites.

Analysis

The origin of Metro Vancouver's proposed RGS Bylaw changes arose due to requests from some MV municipalities (e.g., Langley), to accommodate unique regional sewerage extension servicing situations.

City Engineering and Policy Planning staff have reviewed the proposed MV RGS Bylaw and advise that it is acceptable, as it enables necessary limited regional sewerage extension servicing, to RGS Rural, Agricultural and Conservation and Recreational designated areas, to better service and control development in those areas and reinforce the RGS Urban Containment Boundary. Note that Richmond does not have any RGS Rural designated areas. The proposed MV RGS Bylaw amendment clarifies that regional sewerage service may be extended to existing and new building footprints, for health and environmental reasons, and where there would be no significant impact to the purpose of the RGS designated areas.

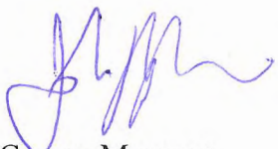
As the proposed RGS Bylaw amendment involves Type 2 minor amendment, in order for it to be approved, it requires an affirmative two-thirds weighted vote of the MV Board and a Public Hearing.

Financial Impact

None

Conclusion

City of Richmond staff have reviewed the proposed RGS Bylaw, have no concerns as it does not jeopardize City interests and advise that the MV board be so advised.


FOR Terry Crowe, Manager
Policy Planning (4139)

TTC:cas

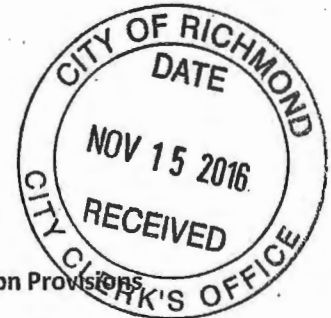
- Att. 1: Metro Vancouver Board Letter regarding the proposed MV RGS Amendment Bylaw1236, 2016
- 2: Map of relevant Richmond MV RGS land use designations and regional sewerage areas

Board and Information Services, Legal and Legislative Services
 Tel. 604 432-6250 Fax 604 451-6686

NOV 10 2016

File: CR-12-01
 RD 2016 Sep 23

Mr. David Weber, Director of City Clerks Office
 City of Richmond
 6911 No. 3 Road
 Richmond, BC V6Y 2C1



Dear Mr. Weber:

Re: Metro Vancouver 2040: Shaping our Future Amendment – Sewerage Extension Provisions

At its September 23, 2016 regular meeting, the Board of Directors of the Greater Vancouver Regional District ('Metro Vancouver') adopted the following resolution:

That the GVRD Board:

- a) Initiate the regional growth strategy minor amendment process for proposed amendments to *Metro Vancouver 2040: Shaping our Future* provisions for the extension of sewerage services;
- b) Give first reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*";
- c) Give second reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*"; and
- d) Direct staff to notify affected local governments as per *Metro Vancouver 2040: Shaping our Future* Section 6.4.2.

This letter provides notification to affected local governments and other agencies, in accordance with Section 437 of the *Local Government Act*, and Sections 6.4.2, 6.4.4 and 6.4.5 of *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy.

Metro 2040 includes policies regarding the coordination of regional sewerage service provision amongst the Metro Vancouver Boards to ensure alignment between *Metro 2040* policies, as governed by the GVRD Board, and Metro Vancouver works and services, governed by the Greater Vancouver Sewerage & Drainage District and Greater Vancouver Water District Boards. The intent is to ensure that all Metro Vancouver works and services are consistent with the goals of the regional growth strategy regarding urban containment, protection of lands with a regional Agricultural, Rural or Conservation and Recreation land use designation, and efficient infrastructure servicing.

Metro 2040 was adopted in July 2011, and the applicable policies have been applied to all sewerage extension applications since then. This experience identified a need to make adjustments to existing *Metro 2040* sewerage extension policies and procedures to enhance the practical application of *Metro 2040*, regional service provision, and improved coordination with member jurisdictions. The adjustments proposed in Amendment Bylaw No. 1236 are intended to maintain firm urban containment objectives, while allowing flexibility for the GVRD Board to determine exceptions for sewerage

extensions where on-site treatment systems are not feasible, or where a specific extension will have no significant impact on *Metro 2040* urban containment goals (Attachment 1). Full background and policy details are provided in the attached GVRD Board report (Attachment 2). *Metro 2040 Implementation Guideline #7: Extension of Regional Sewerage Services* is intended to be a companion document that establishes clear and transparent application procedures and provides detailed review criteria for determining service extension exceptions (Attachment 3). It is anticipated that the implementation guideline will be adopted by resolution of the GVRD Board following adoption of Amendment Bylaw No. 1236.

Metro 2040 Section 6.4.2 'Notification and Request for Comments', states that for all proposed amendments to the regional growth strategy, the GVRD Board will provide written notice of the proposed amendment to all affected local governments; provide a minimum of 30 days for affected local governments, and the appropriate agencies, to respond to the proposed amendment; and post notification of the proposed amendment on the Metro Vancouver website, for a minimum of 30 days.

You are invited to provide written comments on the proposed amendment to *Metro 2040*. Please provide comments in the form of a Council/Board resolution, as applicable, and submit to Chris.plagnol@metrovancover.org by January 13, 2017. Given the detailed nature of the proposed amendment, Metro Vancouver staff is available to provide a presentation to municipal Councils if desired, throughout the notification period. Following the notification period, a regional public hearing will be held to allow opportunity for general public comment on the proposed amendment bylaw.

If you have any questions with respect to the proposed amendment or wish to receive a presentation, please contact Heather McNell, Division Manager of Growth Management, at 604-436-6813 or heather.mcnell@metrovancover.org. More information and a copy of *Metro Vancouver 2040: Shaping our Future* can be found on our website at www.metrovancover.org.

Yours truly,



Chris Plagnol
Corporate Officer / Director

CP/EC/HM/

cc: Terry Crowe, Manager of Policy and Planning Department

Encl:

1. Amendment Bylaw No. 1236
2. GVRD Board Report titled "*Metro Vancouver 2040: Shaping our Future* Amendment – Sewerage Extension Provisions", dated August 26, 2016
3. Draft *Metro 2040* Implementation Guideline #7: *Extension of Regional Sewerage Services*

19476058

**GREATER VANCOUVER REGIONAL DISTRICT
REGIONAL GROWTH STRATEGY AMENDMENT BYLAW NO. 1236, 2016**

A Bylaw to Amend

Greater Vancouver Regional District Regional Growth Strategy Bylaw No. 1136, 2010.

WHEREAS the Board of the Greater Vancouver Regional District adopted the Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010 on July 29, 2011;

AND WHEREAS the Board wishes to amend provisions within Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010 relating to the extension of regional sewerage services.

NOW THEREFORE, the Board of the Greater Vancouver Regional District in open meeting assembled ENACTS as follows:

1. The "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010" is hereby amended as follows:

A) By deleting Section 1.1.1 in its entirety and substituting the following in its place:

1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying regional land use designation, and where the GVRD Board determines either:

- a) that the connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
- b) that the connection to regional sewerage services would have no significant impact on the goals of containing urban development within the Urban Containment Boundary, and protecting lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

B) By deleting Section 1.3.1 in its entirety and substituting the following in its place:

1.3.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Rural regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the

GVRD Board's opinion, that new development is consistent with the Rural regional land use designation and where the GVRD Board determines either:

- a) that the connection to regional sewerage services the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
 - b) that the connection to regional sewerage services would have no significant impact on the strategy to protect lands with a Rural regional land use designation from urban development.
- C) By deleting Section 2.3.1 in its entirety and substituting the following in its place:

2.3.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with an Agricultural regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying Agricultural regional land use designation and where the GVRD Board determines either:

- a) that the connection to regional sewerage services the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
 - b) that the connection to regional sewerage services would have no significant impact on the strategy to protect the supply of agricultural land and promoting agricultural viability with an emphasis on food production.
- D) By deleting Section 3.1.1 in its entirety and substituting the following in its place:

3.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying Conservation and Recreation regional land use designation and where the GVRD Board determines either:

- a) that the connection to regional sewerage services the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
- b) that the connection to regional sewerage services would have no significant impact on the strategy to protect lands with a Conservation and Recreation regional land use designation.

E) By deleting the last sentence of Section 6.8.2.

F) By adding a new Section 6.8.3 as follows:

6.8.3 For lands with a Rural, Agricultural, or Conservation and Recreation regional land use designation, policies 1.1.1, 1.3.1, 2.3.1, and 3.1.1 apply regardless of whether the area is within one of the GVS&DD's sewerage areas.

With reference to Sections 1.1.1, 1.3.1, 2.3.1, and 3.1.1, in determining whether, in the circumstances, connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk, the GVRD Board will consider the opinion of a professional, as such term is defined in the Sewerage System Regulation 326/2004 pursuant to the *Public Health Act* (British Columbia), or if appropriate a qualified professional, as such term is defined in Municipal Wastewater Regulation 87/2012 pursuant to the *Environmental Management Act* (British Columbia), submitted by the member municipality as to the technical and economic feasibility of installing and maintaining a private on-site sewage treatment system in accordance with all laws and regulations applicable in British Columbia. The GVRD Board may also obtain its own opinion from a professional and consider such opinion.

G) By adding a new Section 6.9.2 as follows:

6.9.2 All connections to regional sewerage services approved by the GVRD Board as per *Metro 2040* Sections 1.1.1, 1.3.1, 2.3.1, and 3.1.1 will be contained within a sewerage area footprint boundary as determined by the GVRD and GVS&DD Boards. Any sewerage service connection outside of that boundary will require GVRD Board and GVS&DD Board approval.

H) By adding a new Section 6.9.3 as follows:

6.9.3 The GVRD Board has adopted guidelines titled, "*Metro Vancouver 2040: Shaping Our Future* Implementation Guideline #7 - Extension of Regional Sewerage Services" to assist in the implementation of Regional Growth Strategy policies regarding the provision of regional sewerage services.

I) By deleting the words "and Sewerage Areas" from Section 6.12.4.

2. The official Citation for this bylaw is "Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016" This bylaw may be cited as "Regional Growth Strategy Amendment Bylaw No. 1236, 2016."

Read a First time this _____ day of _____, 2016.

Read a Second time this _____ day of _____, 2016.

Read a Third time this _____ day of _____, 2016.

Passed and Finally Adopted this _____ day of _____, 2016.

Greg Moore, Chair

Chris Plagnol, Corporate Officer



To: GVRD Board

From: Terry Hoff, Senior Regional Planner, Parks, Planning and Environment Department

Date: August 26, 2016 Meeting Date: September 9, 2016

Subject: ***Metro Vancouver 2040: Shaping our Future Amendment – Sewerage Extension Provisions***

RECOMMENDATION

That the GVRD Board:

- a) Initiate the regional growth strategy minor amendment process for proposed amendments to *Metro Vancouver 2040: Shaping our Future* provisions for the extension of sewerage services;
 - b) Give first reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*";
 - c) Give second reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*"; and
 - d) Direct staff to notify affected local governments as per *Metro Vancouver 2040: Shaping our Future* Section 6.4.2.
-

PURPOSE

This report provides the GVRD Board with the opportunity to consider a proposed Type 2 amendment to *Metro Vancouver 2040: Shaping our Future (Metro 2040)* to amend *Metro 2040* provisions for the extension of regional sewerage services.

BACKGROUND

On April 15, 2016 the Regional Planning Committee received for information a report titled, "*Metro 2040 Sewerage Extension Provisions - Implementation Issues and Options*". The report provided a detailed description of existing *Metro 2040* sewerage extension provision, implementation issues and recommended actions. In that meeting the Committee resolved:

That the Regional Planning Committee direct staff to present the report dated March 30, 2016, titled, "Metro 2040 Sewerage Extension Provisions - Implementation Issues and Options" to the Utilities Committee at its May 19 meeting for input.

On May 19, 2016 the Utilities Committee received for information the report dated April 20, 2016, titled, "*Metro 2040 Sewerage Extension Provisions - Implementation Issues and Options*". Staff received feedback on both the proposed amendment and associated implementation guidelines from the Regional Planning and Utilities' Committee members, and have updated both documents accordingly. The amendment bylaw is now ready for GVRD Board consideration.

METRO 2040 SEWERAGE EXTENSION PROVISIONS

In accordance with Section 445 of the *Local Government Act*, *Metro 2040* Section 6.8.1 establishes that all bylaws, works and services undertaken by Metro Vancouver must be consistent with *Metro 2040*, the regional growth strategy. *Metro 2040* includes provisions for coordination amongst the Metro Vancouver Boards to ensure alignment between *Metro 2040* policies as governed by the GVRD Board, and Metro Vancouver works and services governed by the GVS&DD and GVWD

Boards. The intent is to ensure that all Metro Vancouver works and services are consistent with key goals of *Metro 2040*, the regional growth strategy, particularly strategies for urban containment, protection of lands with a regional Agricultural or Rural land use designation, and efficient servicing objectives.

Generally, *Metro 2040* provisions establish that the GVS&DD and the GVWD will not authorize connections to regional services where the nature of that development is, in the sole judgment of the GVRD Board, inconsistent with the provisions of the Regional Growth Strategy. More specifically, *Metro 2040* provisions direct the GVS&DD to not extend regional sewage services into areas within Rural, Agricultural or Conservation and Recreation regional land use designations, except where infrastructure is needed to address a public health issue, protect the region's natural assets, or to service agriculture or agri-industry.

In the years since the adoption of *Metro 2040*, there have been a number of applications by member municipalities to extend regional sewerage services into areas with a *Metro 2040* Agricultural land use designation. In an information report to the October 5, 2012 meeting of the Regional Planning and Agriculture Committee, staff advised the Committee of concerns regarding implementation of *Metro 2040* with respect to Sewerage Areas, specifically exception criteria and application procedures. Staff initiated a review process to consider minor amendments to *Metro 2040* policies and the development of an associated implementation guideline to clarify criteria used to define exceptions and Metro Vancouver sewerage extension application procedures.

***Metro 2040* Implementation Issues**

Three key implementation issues were identified through the processing of sewerage extension applications over the past five years:

- *The need to clearly allow the GVRD Board some flexibility in applying Metro 2040 provisions for minor cases that are 'inconsistent' with Metro 2040 provisions, but have no significant impact on Metro 2040 implementation.*
- *The need to reduce ambiguity and overly broad criteria in defining the exceptions to Metro 2040 sewerage extension provisions.*
- *The need to establish decision-making procedures for the roles of the GVRD and GVS&DD Boards, and Metro Vancouver departments, in considering sewerage extension applications .*

Proposed Responses to Implementation Issues

Following consultation with both Metro Vancouver staff and municipal staff, as well as with Regional Planning Committee and Utilities Committee, staff propose that amendments to sewerage extension provisions within *Metro 2040*, along with a companion sewerage extension Implementation Guideline #7, provide a means to address the issues in an effective way. *Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016* is Attachment 1 to this report, and the associated implementation guideline is Attachment 2.

The proposed *Metro 2040* amendments and associated implementation guideline will:

- Maintain a clear policy directive to inhibit sewerage service extensions outside of the Urban Containment Boundary;
- Provide the GVRD Board with the guidance and discretion to consider exceptions;

- Establish clear application review procedures and decision making roles for the GVRD Board (*Metro 2040* review) and GVS&DD Board (service provision) regarding future extensions of regional sewerage services;
- Provide greater specificity in defining sewerage extension policy exceptions by linking regional policy with existing provincial regulations that address public health and environmental contamination risks;
- Allow flexibility for considering exceptions to sewerage extension policy for extensions / connections having no significant impact on *Metro 2040* goals related to urban containment, or where a qualified professional (as defined through Provincial regulations) recommends that on-site septic treatment systems are not feasible; and
- Maintain GVRD Board discretion to determine that any particular sewerage service connection or extension is inconsistent with the broader provisions of *Metro 2040*.

The draft *Metro Vancouver 2040: Shaping Our Future* IMPLEMENTATION GUIDELINE #7: Extension of Regional Sewerage Services is an integral component in supporting *Metro 2040* policies by providing the detailed exception criteria and review procedures for those sewerage connections or extensions applicable to *Metro 2040*. The guideline specifies that all sewerage extension applications must be submitted to the GVS&DD Board by the respective municipality following a Council resolution. The Implementation Guideline #7 then provides municipalities and the proponent with rationale and the information necessary in submitting an application, as well as the technical assessment process and the review process that is undertaken by Metro Vancouver Boards.

The Implementation Guideline #7 is directly referenced in the amended *Metro 2040* policy and will be conveyed to the GVRD Board for consideration in conjunction with the staff report providing the GVRD Board the opportunity to consider adoption of the amendment bylaw.

Updates to the proposed amendment and Implementation Guideline #7 reflecting comments

As a result of comments from Regional Planning and Utilities Committee members, Implementation Guideline #7 was updated to include:

- the option for a restrictive covenant (page 11 of Implementation Guideline #7); and
- clearer criteria for meeting the 'exceptional circumstances' to meet the 'has no significant impact on *Metro 2040* provisions' exception (pages 8 and 9 of Implementation Guideline #7) to guide GVRD Board consideration.

In addition, the amendment bylaw received legal review and resulting minor edits, and was also amended to:

- explicitly include the option for the GVRD Board to obtain an opinion from a second Qualified Professional as part of their consideration.

Finally, Committee members expressed a desire to ensure that the amendment emphasizes the importance of the *Metro 2040* Sewerage Extension Provisions as a growth management tool, and strikes a balance between providing reasonable flexibility and maintaining the effectiveness of the regional growth strategy's policy to limit the extension of regional sewerage services into lands with a regional Rural, Agricultural, or Conservation and Recreation land use designation.

ALTERNATIVES

1. That the GVRD Board:
 - a) Initiate the regional growth strategy minor amendment process for proposed amendments to *Metro Vancouver 2040: Shaping our Future* provisions for the extension of sewerage services;
 - b) Give first reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*";
 - c) Give second reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*"; and
 - d) Direct staff to notify affected local governments as per *Metro Vancouver 2040: Shaping our Future* Section 6.4.2.
2. That the GVRD Board receive for information the report dated August 26, 2016, titled "*Metro Vancouver 2040: Shaping our Future* Amendment – Sewerage Extension Provisions".

FINANCIAL IMPLICATIONS

If the Board proceeds with Alternative 1, there will be financial implications associated with the cost of holding a public hearing. These costs include advertising, additional staff time and potential remuneration of Board directors to attend the public hearing. The proposed amendment will not have any other direct financial implications for Metro Vancouver. Metro Vancouver will assess the technical implications and potential financial implications of all future sewerage extension applications on a case-by-case basis.

SUMMARY / CONCLUSION

Compact urban form, urban containment and the protection of agricultural lands are fundamental goals of *Metro 2040*, the regional growth strategy. To reinforce these goals, *Metro 2040* contains provisions to limit the extension of regional sewage services into areas with a regional Agricultural, Rural and Conservation and Recreation land use designation. While sewerage extension provisions provide an important tool for managing urban containment, implementation to date indicates that the provisions would be enhanced by including more specific policy content and an implementation guideline to address sewerage extension applications.

Following consultation with municipalities and Metro Vancouver Regional Planning and Liquid Waste Services staff, and consultation with Metro Vancouver Legal staff, staff propose that amendments to sewerage extension provisions within *Metro 2040*, along with a companion set of sewerage extension implementation guidelines provide a means to address the issues in an effective way.

On April 15, 2016 the Regional Planning Committee received for information a report titled, "*Metro 2040* Sewerage Extension Provisions - Implementation Issues and Options" (Attachment 3). The report provided a detailed description of existing *Metro 2040* sewerage extension provision, implementation issues and recommended actions. In that meeting the Committee directed staff to present the report to the Utilities Committee at its May 19 meeting for input. On May 19, 2016 the Utilities Committee received for information the report dated April 20, 2016, titled, "*Metro 2040* Sewerage Extension Provisions - Implementation Issues and Options".

Staff received feedback on both the proposed amendment and associated implementation guideline from the Regional Planning and Utilities' Committee members, and have updated both documents accordingly.

The proposed amendments to *Metro 2040* sewerage extension provisions will maintain the primary policy intent to limit the extension of regional sewerage services to contain urban development within the *Metro 2040* Urban Containment Boundary, but will allow for flexibility for the GVRD Board to determine exceptions for sewerage extensions where on-site treatment systems are not feasible, or where a particular extension has no significant impact on *Metro 2040* urban containment goals. The accompanying Implementation Guideline #7 is integral to *Metro 2040* policy by establishing clear and transparent sewerage extension application procedures and providing detailed review criteria for determining service extension exceptions. Staff recommend Alternative 1.

Attachments:

1. Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016.
2. *Metro Vancouver 2040: Shaping Our Future*, Implementation Guideline #7, Extension of Regional Sewerage Services.
3. Report to the April 15 meeting of the Regional Planning Committee dated March 30, 2016, titled, "*Metro 2040* Sewerage Extension Provisions - Implementation Issues and Options.

Metro Vancouver 2040: Shaping Our Future
IMPLEMENTATION GUIDELINE #7
Extension of Regional Sewerage Services

Dated August 26, 2016

Adopted by the Greater Vancouver Regional District Board XXXX XX, 201X

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Purpose

The purpose of this document is to describe applicable *Metro Vancouver 2040: Shaping our future (Metro 2040)* provisions and application review criteria and procedures for member municipalities requesting a connection to regional sewerage services for lands with a regional Rural, Agricultural or Conservation and Recreation land use designation.

1 Introduction

Metro Vancouver adopted *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy, on July 29, 2011, following acceptance by all affected local governments. *Metro 2040* represents consensus among Metro Vancouver and affected local governments to work collaboratively to meet our collective regional planning goals of creating a compact urban area, supporting a sustainable economy, protecting the environment, responding to climate change impacts, developing complete communities and supporting sustainable transportation choices.

Successful implementation of *Metro 2040* depends on cooperation between Metro Vancouver and affected local governments, and the support of local plans, policies and programs that contribute to the regional planning objectives identified in *Metro 2040*.

Metro Vancouver is responsible for preparing guidelines to assist in implementing *Metro 2040* strategies. This guideline should be read in conjunction with *Metro 2040*, and it does not replace or supersede the content of, or the requirements set out in, the regional growth strategy. This document is one in a series of guidelines supporting *Metro 2040* implementation. *Metro 2040*, related documents and a glossary of terms and references for this guideline can be viewed on the Metro Vancouver website:

<http://www.metrovancouver.org/planning/development/strategy/Pages/default.aspx>

1.1 Metro 2040 Rationale

A primary goal of *Metro 2040* is urban containment, utilizing the Urban Containment Boundary (UCB) to limit the spread of urban development into lands with a regional Rural, Agricultural or Conservation and Recreation land use designation. The UCB establishes a long-term footprint for future urban development, provides predictability for major investments in utility, road and transit infrastructure, and protects the character and viability of lands with a regional Rural, Agricultural, or Conservation and Recreation land use designation. *Metro 2040* anticipates the area within the UCB has capacity to accommodate projected urban growth to 2041, with the majority of future growth concentrated within Urban Centres and along transit corridors within the UCB.

Urban growth typically depends on access to regional sewerage services. To reinforce the urban containment strategy, *Metro 2040* includes policies to coordinate regional growth and utility planning, and to limit the extension of regional sewerage services into lands with a regional Rural, Agricultural, or Conservation and Recreation land use designation.

Metro 2040 Section 6.8.1, which reflects *Local Government Act* Section 445, prevents the Greater Vancouver Regional District, the Greater Vancouver Water District and the Greater Vancouver Sewerage and Drainage District from providing works and services that are inconsistent with *Metro 2040*.

After the Metro Vancouver Board has adopted the Regional Growth Strategy all bylaws adopted and all works and services undertaken by the Greater Vancouver Regional District, the Greater Vancouver Water District or the Greater Vancouver Sewerage and Drainage District must be consistent with the Regional Growth Strategy. The Greater Vancouver Sewerage and Drainage District and the Greater Vancouver Water District will not directly or indirectly supply, agree to supply, or authorize connections that enable the supply of services to a site that is developed or proposed to be developed after the date of adoption of the Regional Growth Strategy where the nature of that development is, in the sole judgment of the Greater Vancouver Regional District, inconsistent with the provisions of the Regional Growth Strategy.

Metro 2040 Section 1.1 'Contain Urban Development within the Urban Containment Boundary', more specifically establishes Metro Vancouver's role as follows:

1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying regional land use designation, and where the GVRD Board determines either:

- c) that the connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
- d) that the connection to regional sewerage services would have no significant impact on the goals of containing urban development within the Urban Containment Boundary, and protecting lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

This policy provision is repeated in *Metro 2040* Section 1.3 for lands with a Rural regional land use designation, Section 2.3 for lands with an Agricultural regional land use designation and Section 3.1 for lands with a Conservation and Recreation regional land use designation.

1.2 Roles of Metro Vancouver Boards

The Greater Vancouver Sewerage and Drainage District (GVS&DD) provides members with regional sewerage collection and treatment services. The Greater Vancouver Regional District (GVRD) is responsible for the implementation and administration of *Metro 2040*. The GVS&DD's Board of Directors is distinct from, but has many directors in common with, the GVRD's Board of Directors.

Connections to regional sewerage services are only provided within the GVS&DD's legally defined Sewerage areas. Prior to the adoption of *Metro 2040*, an application for an expansion of the Sewerage Area required only GVS&DD Board approval. Following adoption of *Metro 2040*, the GVS&DD is not permitted to provide services if the GVRD Board determines such services are inconsistent with *Metro 2040* provisions. *Metro 2040* Section 6.8.1 establishes that the GVRD Board must determine whether a proposed sewerage extension or connection is consistent with *Metro 2040* prior to the GVS&DD Board's final decision on an application.

2 Application Review Criteria and Procedures: Regional Sewerage Service Extension

The process for municipalities applying to connect to regional sewerage services for lands with a Rural, Agricultural, or Conservation and Recreation regional land use designation is described in this section and summarized in Figure 1.

2.1 Initiating an Application

Applications for connection to regional sewerage services must be initiated by a resolution of the respective municipal Council. It is expected that the municipality's application will include appropriate documentation addressing *Metro 2040* provisions and guidelines as appropriate for the specific application. It is recommended that municipal staff consider these guidelines and contact Metro Vancouver staff before seeking a Council resolution and submitting an application. It is important that each municipality ensure the project proponent is fully aware of Metro Vancouver policies and procedures, and understands the appropriate documentation to be included with the application.

2.2 Technical Review of GVS&DD System and Regulatory Implications

Upon receipt of an application, Metro Vancouver Liquid Waste staff will prepare an initial technical review of the application to assess service capacity, service levels and financial implications for the GVS&DD system, and compliance with applicable Acts and Bylaws. If it is determined that there are GVS&DD system or regulatory implications the application may be denied by the GVS&DD Board. If there are no such GVS&DD implications, the application would be forwarded to Metro Vancouver Regional Planning staff to assess consistency with *Metro 2040*.

2.3 Metro 2040 Review

Metro Vancouver staff will assess the existing or proposed development and the merits and potential implications of regional sewerage service extension in regard to *Metro 2040* goals and strategies. The primary policies will include, but not be limited to, *Metro 2040* Land Use Designations, Strategy 1.1 *Contain urban development within the Urban Containment Boundary*; Strategy 1.3 *Protect Rural areas from urban development*; Strategy 2.3 *Protect the supply of Agricultural land and promote agricultural viability*; and, Strategy 3.1 *Protect Conservation and Recreation lands*. *Metro 2040* Section 6.9 provides additional provisions for approved sewerage

connections for lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

On-site systems are the primary method of sewage treatment for lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. *Metro 2040* anticipates that on-site systems will continue to be the primary method of sewage treatment for these lands. However, *Metro 2040* recognizes exceptional circumstances in which regional sewerage service may be extended into lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Sections 2.3.1 and 2.3.2 of this guideline describe how applications will be categorized and assessed in relation to these exceptions. Even if an application falls within one of the exceptions described in sections 2.3.1 or 2.3.2 the GVRD Board may nevertheless determine that the extension of regional sewerage service is inconsistent with other relevant *Metro 2040* provisions and deny the application.

2.3.1 Exception to Address a Public Health or Environmental Contamination Risk

In accordance with *Metro 2040* Sections 1.3.1(a), 2.3.1(a) and 3.1.1(a), exceptions will be considered to ensure there is appropriate sanitary sewer treatment available to avoid the risk of public health or environmental contamination. Exceptions are applicable for existing development, or new development that, in the GVRD Board's opinion, is consistent with *Metro 2040* provisions, where an on-site sewer treatment system constructed and maintained in accordance with applicable Provincial regulations would not be reasonable. For cases where the daily sewage flow is less than 22,700 litres/day, the *Public Health Act* and *Sewerage System Regulation* include provisions for on-site wastewater disposal and the criteria for defining a related public health hazard. For larger developments where the daily sewage flow is greater than 22,700 litres/day, the *Environmental Management Act* and *Municipal Wastewater Regulation* include the provisions and criteria to determine an environmental risk.

Subject to the provisions of applicable provincial regulations, the applicant would qualify for consideration of a *Metro 2040* exception by providing an Environmental Impact Report, prepared and certified by a qualified professional, establishing that an on-site sewerage treatment system constructed and maintained in accordance with applicable regulations would not be feasible. The application must also include a letter signed by the designated authority responsible for the administration of the applicable *Sewerage System Regulation* or *Municipal Wastewater Regulation*, concurring with the exception rationale contained in the *Environmental Impact Report*.

The report must include the following information:

- a) the existing use of the property, the structures proposed for connection and any anticipated changes to the use or structures on the property;

- b) the circumstances inhibiting the feasible installation, maintenance or repair of an on-site sewerage system in accordance with the *Public Health Act* and *Sewerage System Regulation or Environmental Management Act* and *Municipal Wastewater Regulation*. Such circumstances typically relate to site constraints such as soils, natural features, site configuration, flow capacity that would inhibit an on-site system or prohibitive construction or maintenance costs of an on-site treatment system;
- c) the nature of the public health or environmental risk on or adjacent to the site;
- d) the location of the existing regional or municipal sewer pipes proposed for connection and the proposed routing of the new sewer pipes required for connection to the subject site. Consideration will include the potential for extended sewerage infrastructure to prompt additional demands for connection to regional sewerage services. Proximity to an existing sewer main does not alone establish rationale for a sewerage connection;
- e) the site plan showing the proposed GVS&DD sewerage boundary footprint containing only the structure(s) to be connected within the property;
- f) the servicing plan showing that the works are designed to accommodate a flow capacity no greater than the capacity necessary to service the specified structures and activity located within the proposed GVS&DD Sewerage Area footprint; and
- g) the applicant and property owner acknowledge that Metro Vancouver consideration for exemption is specific to the information contained in the application, and that any works to extend the capacity for collection of liquid waste generated outside of the GVS&DD sewerage boundary footprint, within or outside of the subject property, will require a new sewerage extension application to the GVS&DD.

If the proposed connection is within the Agricultural Land Reserve, Metro Vancouver will consult the Agricultural Land Commission to determine whether the extension of sewerage infrastructure and the service connection are acceptable to the Commission.

All submitted documentation will be reviewed and assessed by Metro Vancouver staff, and is subject to consideration by the GVRD Board and the GVS&DD Board. The GVRD Board will evaluate the *Metro 2040* sewerage extension exemption based on the feasibility rationale provided in the application¹, and whether the potential impacts of service extension on *Metro 2040* provisions can be sufficiently addressed. Potential *Metro 2040* impacts include, but are not limited to, the development potential of the subject site and the potential for the extension of sewerage infrastructure to trigger additional service connection applications and land use speculation. The applicant / property owner and the respective municipality must be prepared to accept that a restrictive covenant be registered on the

¹ Following review of the Environmental Impact Report, Metro Vancouver may request additional information be provided to support feasibility rationale, or Metro Vancouver may retain the services of a Qualified Professional, at the applicant's expense, to prepare a supplemental verification report.

property specifying that access to regional sewerage services is provided subject to agreed upon conditions.

If the GVRD Board concurs that it is not reasonable to construct and maintain an on-site sewerage treatment system to alleviate public health or environmental contamination risk, and determines that the potential impacts of service extension on *Metro 2040* provisions can be sufficiently addressed, the GVRD Board may resolve to accept a limited extension of regional sewerage services into lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

2.3.2 Connection Exception for Limited Development Determined to Have No Significant Impact on *Metro 2040* Provisions

“No significant impact” is a term applied to regional sewerage service extensions or connections that do not conflict with the intent or implementation of *Metro 2040* Goal 1 urban containment provisions or related *Metro 2040* land use designations, goals and strategies. The intent of this exception is to recognize there may be particular circumstances where a service connection is practical and there are no significant *Metro 2040* implications.

The GVRD Board’s review of the application will consider the following evaluation criteria in determining whether an application is considered “not significant” under *Metro 2040* provisions 1.1.1(b), 1.3.1(b), 2.3.1(b), or 3.1.1(b):

- a) the nature of development, existing or proposed, does not conflict with, or negatively impact, *Metro 2040* Goal 1 urban containment provisions or related regional land use designations, goals and strategies;
- b) extension of GVS&DD sewage services is provided to a single, non-strata, property, with service access to be contained within a specified GVS&DD sewerage boundary footprint comprising the structures proposed for sewerage connection within that property;
- c) the service connection is designed to accommodate a sewage flow capacity no greater than the capacity necessary to service the existing structures and activity located within the specified GVS&DD Sewerage Area footprint on the date of approval; and
- d) the distance and routing of extended sewerage infrastructure to the subject property is proximate and located such that there is limited potential for prompting additional regional sewerage connection requests in the surrounding area. Proximity to an existing sewer main does not alone establish rationale for a sewerage connection.

To be considered under this exception, applications must include documentation specifying:

- a) the existing use of the property, the structures proposed for connection and any anticipated changes to the use or structures on the property;

- b) the rationale for connecting to the GVS&DD sewerage treatment system versus an on-site sewerage treatment system;
- c) the location of the existing GVS&DD or municipal sewer pipes and the proposed routing of the new sewer pipes required for connection to the subject site;
- d) the site plan showing the proposed GVS&DD sewerage boundary footprint containing only the structure(s) to be connected within the property;
- e) the servicing plan indicating the connection is designed to accommodate a flow capacity no greater than the capacity necessary to service the specified structures and activity to be located within the proposed GVS&DD Sewerage Area footprint; and
- f) the applicant and property owner acknowledge that Metro Vancouver consideration for exemption is specific to the information contained in the application, and that any works to extend capacity for collection of liquid waste generated outside of the GVS&DD sewerage boundary footprint, within or outside of the subject property, will require a new sewerage extension application to the GVS&DD.

The GVRD Board will evaluate the *Metro 2040* sewerage extension exemption based a Metro Vancouver staff assessment of the potential impacts of service extension on *Metro 2040* provisions and whether any potential impacts are sufficiently addressed. Potential *Metro 2040* impacts include, but are not limited to, the development potential of the subject site and the potential for the extension of sewerage infrastructure to trigger additional service connection applications and land use speculation. The applicant / property owner and the respective municipality must be prepared to accept a restrictive covenant be registered on the property specifying that access to regional sewerage services is provided subject to agreed upon conditions.

If the GVRD Board concurs that the service extension has no significant impact on *Metro 2040* provisions, the GVRD Board may resolve to accept a limited extension of regional sewerage services into lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

2.4 Sewerage Extension Applications within the *Metro 2040* Urban Containment Boundary

There may be locations on lands with a General Urban, Industrial or Mixed Employment regional land use designation that are not included within the GVS&DD sewerage area. As these locations are intended for forms of development that require access to sewerage services, *Metro 2040* Section 6.8.2 states that such locations would be eligible for sewerage services provided that the proposed development complies with applicable policies for those designations.

Application to the GVS&DD Board is required for sewerage extension approvals in these areas. Each application will initially be reviewed by the GVRD Board to determine compliance with applicable *Metro 2040* policies. If consistent with *Metro 2040*, the application would then proceed to the

GVS&DD Board for consideration of approval. If not consistent with *Metro 2040*, the GVRD Board would direct the GVS&DD Board to deny the application (see Section 2.5 below).

2.5 Applications that are Inconsistent with *Metro 2040* Provisions

Any sewerage extension application, including applications that meet the exception criteria described in sections 2.3.1, may nevertheless be determined by the GVRD Board to be inconsistent with the broader provisions of *Metro 2040*, as referenced under *Metro 2040* Section 6.8.1. Determining inconsistency with *Metro 2040* provisions will include, but not be limited to, consideration of the following:

- whether the extension is intended to service new development that is inconsistent with the intent of the existing *Metro 2040* Land Use Designation or applicable *Metro 2040* Goal, Strategy or Action;
- whether the extension of new sewerage infrastructure connecting to the subject site would create opportunity and additional pressures for further extension of regional sewerage services in the surrounding Rural, Agricultural or Conservation and Recreation regional land use designations in a manner that may compromise *Metro 2040* urban containment provisions or the intent of those land use designations.

Where the GVRD Board determines that the nature of development (including the extension of municipal infrastructure providing access to GVS&DD works and services) proposed in the subject application is inconsistent with *Metro 2040* provisions, the GVRD Board would direct the GVS&DD to deny the application.

2.6 Potential Conditions to Support *Metro 2040* Compatibility

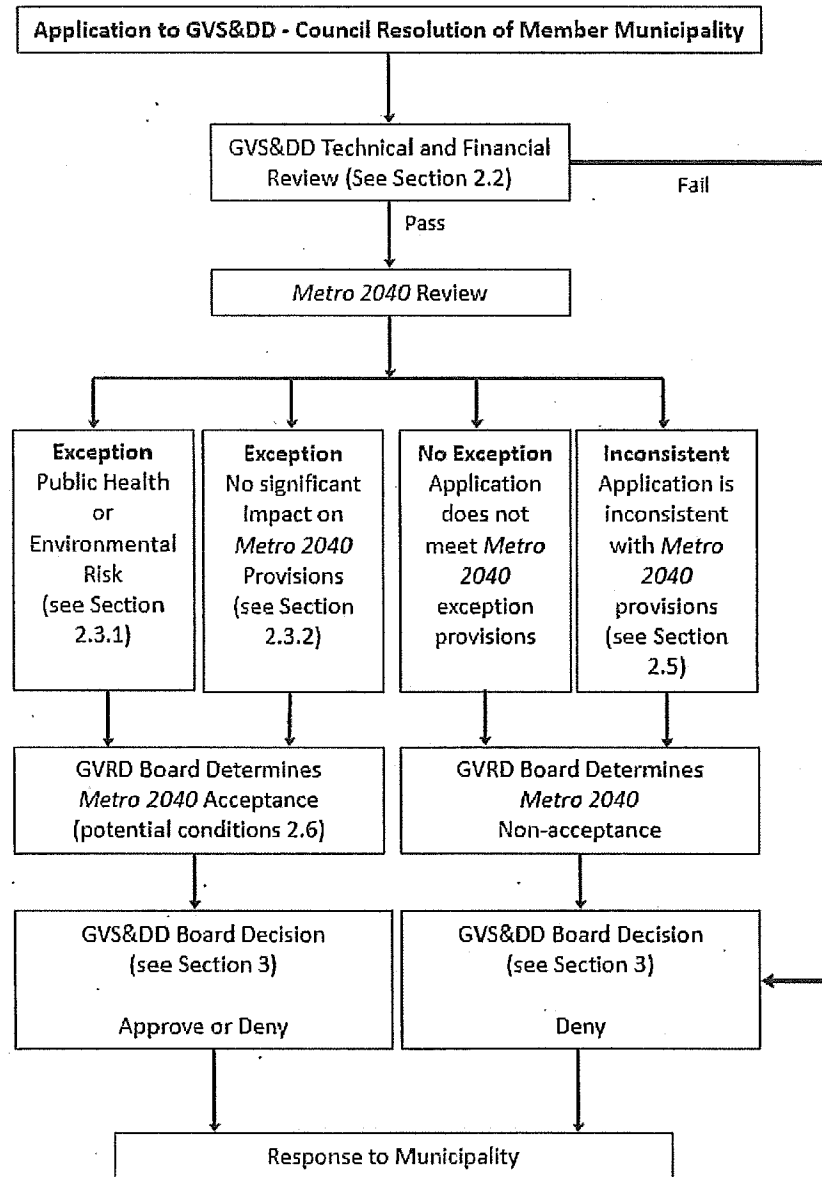
The GVRD Board may additionally determine that the application proceed *with conditions*. Conditions will be determined on a case by case basis and may include, but are not limited to, the following:

- the extension of regional sewerage services is limited by a restrictive covenant registered on the property specifying that sewerage services are provided only within a specified boundary and only for specified land use / structures. In such cases, the municipality must reapply to the GVS&DD for a sewerage extension for any proposed change in the specified boundary, or any change in the land use or development within that boundary as specified by the restrictive covenant.

3 GVS&DD Board Decision

All GVRD Board resolutions pertaining to an application to extend GVS&DD sewerage services will be sent to the GVS&DD Board for final decision. In the cases where the GVRD Board has resolved that an application is not acceptable under *Metro 2040*, the GVS&DD Board is bound by that resolution and must not approve the extension of regional services. In the cases where the GVRD Board has resolved that an application is acceptable under *Metro 2040*, the GVS&DD Board has sole discretion either to approve or deny the application.

Figure 1 Metro 2040 Application Review Process for Municipalities Requesting Extension of GVS&DD Sewerage Services



Please Note:

- 1) It is strongly advised that municipal staff consult Metro Vancouver staff prior to formally submitting an application.
- 2) See Section 2.4 for applications to extend the GVS&DD Sewerage Area boundaries located within the Metro 2040 Urban Containment Boundary.

