

**GREATER VANCOUVER SEWERAGE AND DRAINAGE DISTRICT (GVS&DD)
BOARD OF DIRECTORS**

REGULAR BOARD MEETING

Friday, March 29, 2019

9:00 A.M.

28th Floor Boardroom, 4730 Kingsway, Burnaby, British Columbia

[Membership and Votes](#)

REVISED AGENDA¹

A. ADOPTION OF THE AGENDA

1. March 29, 2019 Regular Meeting Agenda

That the GVS&DD Board adopt the agenda for its regular meeting scheduled for March 29, 2019 as circulated.

B. ADOPTION OF THE MINUTES

1. February 22, 2019 Regular Meeting Minutes

That the GVS&DD Board adopt the minutes for its regular meeting held February 22, 2019 as circulated.

Added C. DELEGATIONS

1. Jansen van Doorn, WMABC

Subject: Bylaw 181 Update and Commercial Hauler Licensing Bylaw Overview, Generator Levy Overview, and Solid Waste Regulatory Framework Correspondence Update.

D. INVITED PRESENTATIONS

E. CONSENT AGENDA

Note: Directors may adopt in one motion all recommendations appearing on the Consent Agenda or, prior to the vote, request an item be removed from the Consent Agenda for debate or discussion, voting in opposition to a recommendation, or declaring a conflict of interest with an item.

¹ Note: Recommendation is shown under each item, where applicable. All Directors vote unless otherwise noted.

1. ZERO WASTE COMMITTEE REPORTS

1.1 Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview

That the GVS&DD Board:

- a) receive for information the report dated March 1, 2019, titled “Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview”; and
- b) send a letter to the Minister of Environment and Climate Change Strategy requesting that the Minister approve the *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017* and the *GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017*.

1.2 Generator Levy Overview

That the GVS&DD Board receive for information the report dated March 1, 2019, titled “Generator Levy Overview”.

1.3 Solid Waste Regulatory Framework Correspondence Update

That the GVS&DD Board receive for information the report dated February 27, 2019, titled “Solid Waste Regulatory Framework Correspondence Update”.

1.4 Mixed Waste Processing Pilot

That the GVS&DD Board:

- a) authorize engaging a consultant to assist in the design of a pilot project, financial model, and procurement process for the purpose of processing municipal solid waste for the recovery of materials and/or fuel; and
- b) direct staff to report back to the Board with the concept plan and procurement model for the implementation of the pilot project.

1.5 Waste-to-Energy Facility Second Pass Superheater Replacement Project Contract Award

That the GVS&DD Board authorize:

- a) award to Covanta Burnaby Renewable Energy, ULC, for the construction of the second pass superheater replacement project at the Metro Vancouver Waste-to-Energy Facility at a cost of \$5,484,000 (including PST, but excluding GST), under the terms and conditions of existing Contract 98106; and
- b) the Commissioner and Corporate Officer to execute any necessary documents.

1.6 Staff Appointments for the Purpose of Serving Summons under the Offence Act

That the GVS&DD Board appoint, for the purpose of serving summons under section 28 of the *Offence Act* for alleged violation of GVS&DD solid waste bylaws, all Metro Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*.

2. LIQUID WASTE COMMITTEE REPORTS

2.1 Support for the Village of Anmore's Membership in the Greater Vancouver Sewerage and Drainage District

That the GVS&DD Board:

- a) support the Village of Anmore's application to the Province of British Columbia for membership in the Greater Vancouver Sewerage and Drainage District (GVS&DD), and
- b) agree to provide sewerage services to the Village of Anmore subject to the following conditions:
 - i. that the Province grants GVS&DD membership to the Village of Anmore;
 - ii. that the Metro Vancouver Regional District Board resolves that the Village of Anmore's request for regional sewerage services meets the provisions of *Metro 2040: Shaping Our Future*;
 - iii. that the existing agreement between the Village of Anmore, the City of Port Moody and the GVS&DD to service Eagle Mountain Middle School be terminated and the Village of Anmore enter into a servicing agreement with the City of Port Moody to convey Anmore wastewater through Port Moody infrastructure; and
 - iv. that an appropriate flow-based billing protocol be developed and implemented to facilitate annual GVS&DD servicing levies.

2.2 Award of Phases 2 and 3, Construction and Post-Construction Management Services: Annacis Island Wastewater Treatment Plant Outfall System Project

That the GVS&DD Board:

- a) approve the award of Phase 2 Construction and Phase 3 Post-Construction for an amount of up to \$11,614,673.25 (exclusive of taxes) to the Phase 1 consultant, Hatch Corporation, for Construction Management Services on the Annacis Island Wastewater Treatment Plant Outfall System Project; and
- b) authorize the Commissioner and the Corporate Officer to execute the required documentation.

2.3 Award of Contract Resulting from Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction

That the GVS&DD Board:

- a) approve the award of a contract in the amount of \$17,771,000 (exclusive of taxes) to NAC Constructors Ltd. resulting from Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction; and
- b) authorize the Commissioner and the Corporate Officer to execute the contract.

2.4 Staff Appointments for the Purpose of Serving Summons under the Offence Act

That the GVS&DD Board appoint, for the purpose of serving summons under Section 28 of the *Offence Act* for alleged violation of GVS&DD liquid waste bylaws, all Metro Vancouver and City of Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No. 299, 2007*.

2.5 2019 Regional Unflushables Campaign – Update

That the GVS&DD Board receive for information the report dated February 20, 2019, titled “2019 Regional Unflushables Campaign – Update.”

2.6 North Shore Wastewater Treatment Plant Indicative Design

That the GVS&DD Board receive for information the report dated March 7, 2019, titled “North Shore Wastewater Treatment Plant Indicative Design”.

3. CHIEF ADMINISTRATIVE OFFICER REPORTS

3.1 Delegations Received at Committee March 2019

That the GVS&DD Board receive for information the report, dated March 14, 2019, titled “Delegations Received at Committee March 2019” containing submissions received from the following delegates:

- a) Steve Bryan, Director, Waste Management Association of BC;
- b) Ken Carrusca, Vice President, Environment and Marketing (Western Region), Cement Association of Canada; and
- c) James Peters, ShowerPot

F. ITEMS REMOVED FROM THE CONSENT AGENDA

G. REPORTS NOT INCLUDED IN CONSENT AGENDA

1. FINANCE AND INTERGOVERNMENT COMMITTEE REPORTS

1.1 GVS&DD Freedom of Information Bylaw No. 324, 2019

*[Recommendation a): simple weighted majority vote.] and
[Recommendation b): 2/3 weighted majority vote.]*

That the GVS&DD Board:

- a) give first, second and third reading to *Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw. No. 324, 2019*; and
- b) pass and finally adopt *Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw. No. 324, 2019*.

H. MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

I. OTHER BUSINESS

J. BUSINESS ARISING FROM DELEGATIONS

K. RESOLUTION TO CLOSE MEETING

Note: The Board must state by resolution the basis under section 90 of the Community Charter on which the meeting is being closed. If a member wishes to add an item, the basis must be included below.

That the GVS&DD Board close its regular meeting scheduled for March 29, 2019 pursuant to the *Community Charter* provisions, Section 90 (1) (e) and (g) as follows:

- “90 (1) A part of a board meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- (e) the acquisition, disposition or expropriation of land or improvements, if the board or committee considers that disclosure could reasonably be expected to harm the interests of the regional district; and
 - (g) litigation or potential litigation affecting the regional district.”

L. RISE AND REPORT (Items Released from Closed Meeting)

M. ADJOURNMENT/CONCLUSION

That the GVS&DD Board adjourn/conclude its regular meeting of March 29, 2019.

**GREATER VANCOUVER SEWERAGE AND DRAINAGE DISTRICT
BOARD OF DIRECTORS**

Minutes of the Regular Meeting of the Greater Vancouver Sewerage and Drainage District (GVS&DD) Board of Directors held at 9:03 a.m. on Friday, February 22, 2019 in the 28th Floor Boardroom, 4730 Kingsway, Burnaby, British Columbia.

MEMBERS PRESENT:

Burnaby, Chair, Director Sav Dhaliwal	Richmond, Director Harold Steves
North Vancouver City, Vice Chair Director Linda Buchanan	Surrey, Director Doug Elford
Burnaby, Director Pietro Calendino	Surrey, Director Laurie Guerra
Burnaby, Director Mike Hurley	Surrey, Director Brenda Locke
Coquitlam, Alternate Director Dennis Marsden for Craig Hodge	Surrey, Director Doug McCallum
Delta, Director George Harvie	Surrey, Alternate Director Allison Patton for Jack Singh Hundial
Electoral Area A, Alternate Director Michael Feeley	Surrey, Director Steven Pettigrew
Langley City, Director Val van den Broek	Vancouver, Director Christine Boyle (arrived at 9:04 a.m.)
Langley Township, Director Jack Froese	Vancouver, Director Adriane Carr
Langley Township, Alternate Director Steve Ferguson for Kim Richter	Vancouver, Director Melissa De Genova
Maple Ridge, Director Mike Morden	Vancouver, Director Lisa Dominato (arrived at 9:04 a.m.)
New Westminster, Director Jonathan Coté	Vancouver, Director Kennedy Stewart (arrived at 9:04 a.m.)
North Vancouver District, Alternate Director Lisa Muri for Mike Little	Vancouver, Director Michael Wiebe (arrived at 9:08 a.m.)
Pitt Meadows, Director Bill Dingwall	West Vancouver, Director Mary-Ann Booth
Port Coquitlam, Director Brad West	White Rock, Director Darryl Walker
Port Moody, Director Rob Vagramov	Commissioner Carol Mason (Non-voting member)
Richmond, Director Malcolm Brodie	

MEMBERS ABSENT:

Coquitlam, Director Richard Stewart	Vancouver, Director Colleen Hardwick
Delta, Director Lois Jackson	

STAFF PRESENT:

Janis Knaupp, Legislative Services Coordinator, Board and Information Services
Chris Plagnol, Corporate Officer

A. ADOPTION OF THE AGENDA

1. February 22, 2019 Regular Meeting Agenda

It was MOVED and SECONDED

That the GVS&DD Board adopt the agenda for its regular meeting scheduled for February 22, 2019 as circulated.

CARRIED

B. ADOPTION OF THE MINUTES

1. January 25, 2019 Regular Meeting Minutes

It was MOVED and SECONDED

That the GVS&DD Board adopt the minutes for its regular meeting held January 25, 2019 as circulated.

CARRIED

9:04 a.m. Directors Boyle, Dominato and K. Stewart arrived at the meeting.

C. DELEGATIONS

No items presented.

D. INVITED PRESENTATIONS

No items presented.

E. CONSENT AGENDA

At the request of Directors, the following item was removed from the Consent Agenda for consideration under Section F. Items Removed from the Consent Agenda:

2.3 Solid Waste Regulatory Framework Update

It was MOVED and SECONDED

That the GVS&DD Board adopt the recommendations contained in the following items presented in the February 22, 2019 GVS&DD Board Consent Agenda:

- 1.1 Northwest Langley Wastewater Treatment Projects – Project Status Update
- 1.2 Climate Change Impacts on Precipitation and Stormwater Management
- 1.3 Metro Vancouver’s Procurement Process for Vendor Selection
- 1.4 Award of a Contract Resulting from Request for Proposal (RFP) No. 18-129: Iona Island Wastewater Treatment Plant Biosolids Dewatering Facility Project
- 2.1 Recycling and Waste Case Studies
- 2.2 Response to Waste Management Association of BC Delegation at the January 10, 2019 Zero Waste Committee Meeting
- 2.4 Single-Use Item Reduction Approach
- 3.1 2019 Liquid Waste Sustainability Innovation Fund Applications
- 4.1 Delegations Received at Committee – February 2019

CARRIED

The items and recommendations referred to above are as follows:

1.1 Northwest Langley Wastewater Treatment Projects – Project Status Update

Report dated January 28, 2019 from Paul Wilting, Program Manager, Northwest Langley Treatment Projects, Liquid Waste Services, updating the GVS&DD Board on the work completed to date for the Northwest Langley Wastewater Treatment Projects.

Recommendation:

That the GVS&DD Board receive for information the report dated January 28, 2019, titled “Northwest Langley Wastewater Treatment Projects – Project Status Update”.

Adopted on Consent

1.2 Climate Change Impacts on Precipitation and Stormwater Management

Report dated January 28, 2019 from Lillian Zarembo, Senior Project Engineer, Liquid Waste Services, updating the GVS&DD Board on results from a recent study useful to member jurisdictions for climate adaptation planning in the area of stormwater management.

Recommendation:

That the GVS&DD Board receive for information the report dated January 28, 2019, titled “Climate Change Impacts on Precipitation and Stormwater Management”.

Adopted on Consent

1.3 Metro Vancouver’s Procurement Process for Vendor Selection

Report dated January 29, 2019 from Roy Moulder, Director, Purchasing and Risk Management, Financial Services, providing the GVS&DD Board with information regarding the process undertaken by Metro Vancouver staff for procurement competitions from determining the procurement method through to vendor selection.

Recommendation:

That the GVS&DD Board receive for information the report dated January 29, 2019, titled “Metro Vancouver’s Procurement Process for Vendor Selection”.

Adopted on Consent

1.4 Award of a Contract Resulting from Request for Proposal (RFP) No. 18-129: Iona Island Wastewater Treatment Plant Biosolids Dewatering Facility Project

Report dated January 31, 2019 from Roy Moulder, Director, Purchasing and Risk Management, Financial Services, and Jeff Chan, Division Manager, Project Delivery, Liquid Waste Services, advising the GVS&DD Board of the results of Request for Proposal No. 18-129: Iona Island Wastewater Treatment Plant Biosolids Dewatering Facility Project, and seeking Board approval to award a

contract in an amount of up to \$50,679,095 (exclusive of taxes) to NAC Constructors Ltd.

Recommendation:

That the GVS&DD Board:

- a) approve the award of a contract in an amount of up to \$50,679,095 (exclusive of taxes) to NAC Constructors Ltd. resulting from RFP No. 18-129: Iona Island Wastewater Treatment Plant Biosolids Dewatering Facility; and
- b) authorize the Commissioner and the Corporate Officer to execute the contract.

Adopted on Consent

2.1 Recycling and Waste Case Studies

Report dated January 30, 2019 from Paul Henderson, General Manager, Solid Waste Services, providing the GVS&DD Board with a series of recycling and waste case studies.

Recommendation:

That the GVS&DD Board receive for information the report dated January 30, 2019, titled "Recycling and Waste Case Studies".

Adopted on Consent

2.2 Response to Waste Management Association of BC Delegation at the January 10, 2019 Zero Waste Committee Meeting

Report dated January 30, 2019 from Paul Henderson, General Manager, Solid Waste Services, providing the GVS&DD Board with Metro Vancouver's response to the delegation from the Waste Management Association of BC from the January 10, 2019 Zero Waste Committee meeting.

Recommendation:

That the GVS&DD Board receive for information the report dated January 30, 2019, titled "Response to Waste Management Association of BC Delegation at the January 10, 2019 Zero Waste Committee Meeting".

Adopted on Consent

2.4 Single-Use Item Reduction Approach

Report dated January 31, 2019 from Karen Storry, Senior Project Engineer, Solid Waste Services, updating the GVS&DD Board on work to develop a single-use item strategy and propose next steps.

Recommendation:

That the GVS&DD Board write the Minister of Municipal Affairs and Housing and the Minister of Environment and Climate Change Strategy expressing support for the Union of British Columbia Municipalities' resolution requesting that a provincial single-use item reduction strategy be put in place.

Adopted on Consent

3.1 2019 Liquid Waste Sustainability Innovation Fund Applications

Report dated January 24, 2019 from Fred Nenninger, Director, Policy, Planning and Analysis, Liquid Waste Services, summarizing the staff evaluation of applications for support from the *Liquid Waste Sustainability Innovation Fund*, and seeking GVS&DD Board approval to allocate funds to recommended projects outlined in the report.

Recommendation:

That the GVS&DD Board approve the allocation from the Liquid Waste Sustainability Innovation Fund for the following projects:

- a) Multiphase Composite Coating for Sewer Pipe Protection: \$620,000 over four years starting in 2019;
- b) Pump Station Optimization: \$330,000 over three years starting in 2019;
- c) Reinventing the Wastewater Biomass Process Within a Circular Economy: \$2,985,000 over six years starting in 2019.

Adopted on Consent

4.1 Delegations Received at Committee – February 2019

Report dated February 8, 2019 from Genevieve Lanz, Legislative Services Coordinator, and Janis Knaupp, Legislative Services Coordinator, Board and Information Services, informing the Board of delegation activities at Committee in accordance with Board direction.

Recommendation:

That the GVS&DD Board receive for information the report, dated February 8, 2019, titled “Delegations Received at Committee – February 2019” containing information received from the following delegates:

- a) Rick and Makai Genovese
- b) Michael Zarbl, Major Appliance Recycling Roundtable (MARR) BC

Adopted on Consent

F. ITEMS REMOVED FROM THE CONSENT AGENDA

2.3 Solid Waste Regulatory Framework Update

Report dated January 30, 2019 from Paul Henderson, General Manager, Solid Waste Services, updating the GVS&DD Board on the Metro Vancouver solid waste regulatory framework, and seeking that the GVS&DD Board write to the Minister of Environment and Climate Change Strategy requesting approval of *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017*, and *GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017*.

Distinct Propositions

At the request of Director Froese, the recommendation was separated into distinct propositions.

Part a) of the recommendation was before the Board.

9:08 a.m. Director Wiebe arrived at the meeting.

Given the complexity of the proposed solid waste framework, the Board considered referring the matter back to Committee.

It was MOVED and SECONDED

That the GVS&DD Board refer to staff the following recommendation from its February 22, 2019 meeting, as presented in the January 30, 2019 report titled "Solid Waste Regulatory Framework", to report back through the Zero Waste Committee:

"That the GVS&DD Board:

- a) send a letter to the Minister of Environment and Climate Change Strategy requesting that the Minister approve the *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017* and the *GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017*; and"

CARRIED

Director Vagramov absent at the vote.

Part b) of the recommendation was before the Board. Members suggested that the entire recommendation be referred back staff Committee at this time.

It was MOVED and SECONDED

That the GVS&DD Board refer to staff the following recommendation from its February 22, 2019 meeting, as presented in the January 30, 2019 report titled "Solid Waste Regulatory Framework Update, to report back through the Zero Waste Committee:

"That the GVS&DD Board:

- b) direct staff to request a meeting with the Minister of Environment and Climate Change Strategy and representatives of the GVS&DD Board."

CARRIED

G. REPORTS NOT INCLUDED IN CONSENT AGENDA

1.1 Greater Vancouver Sewerage and Drainage District Borrowing Bylaw No. 321, 2018

Report dated February 4, 2019 from Chris Plagnol, Corporate Officer and Phil Trotsuk, Chief Financial Officer, seeking GVS&DD Board adoption of *Greater Vancouver Sewerage and Drainage District Borrowing Bylaw No. 321, 2018* to provide the long term capital borrowing authority requirements of the next five years for the GVS&DD, and authorizing the issuance of debenture debt for this purpose through the MVRD and the Municipal Finance Authority of British Columbia in the aggregate amount of \$2,100,000,000.

It was MOVED and SECONDED

That the GVS&DD Board pass and finally adopt *Greater Vancouver Sewerage and Drainage District Borrowing Bylaw No. 321, 2018*.

CARRIED

H. MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

No items presented.

I. OTHER BUSINESS

No items presented.

J. BUSINESS ARISING FROM DELEGATIONS

No items presented.

K. RESOLUTION TO CLOSE MEETING

It was MOVED and SECONDED

That the GVS&DD Board close its regular meeting scheduled for February 22, 2019 pursuant to the *Community Charter* provisions, Section 90 (1) (g) as follows:

"90 (1) A part of a board meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(g) litigation or potential litigation affecting the regional district."

CARRIED

L. RISE AND REPORT (Items Released from Closed Meeting)

No items presented.

M. ADJOURNMENT/CONCLUSION

It was MOVED and SECONDED

That the GVS&DD Board adjourn its regular meeting of February 22, 2019.

CARRIED

(Time: 9:13 a.m.)

CERTIFIED CORRECT

Chris Plagnol, Corporate Officer

Sav Dhaliwal, Chair

28624386 FINAL

**WMABC Response to GVS&DD Board
March 29, 2019 Reports 1.1, 1.2 & 1.3**

The Waste Management Association of B.C. (WMABC) requests the GVS&DD Board to vote against the motion to send a letter to the B.C. Minister of Environment & Climate Change Strategy requesting he approve the Greater Vancouver Sewage & Drainage District (GVS&DD) Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and the GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017.

The WMABC believes that support for these Bylaws is ill-advised given:

- the Competition Bureau of Canada's (CBC) ongoing investigation of Metro Vancouver Bylaws 306, 307 and 309, whereby the Region is using its authority to regulate solid waste disposal in the Region to advance its own commercial interests at the expense of private waste processing facilities, which can be considered an abuse of its power under Section 79 of the Competition Act;
- notwithstanding the \$100.00 license fee, additional costs for private waste service providers to fulfil requirements and change of services to customers under the Bylaw 307 are conservatively estimated to add up to \$133 million per year to Metro Vancouver businesses and taxpayers further exacerbating the affordability within the Region;
- Metro Vancouver has failed to demonstrate how these Bylaws will increase waste diversion within the Region's Industrial, Commercial & Institutional (IC&I) sector, and;
- since the introduction of the Bylaws in July 2017, investments by the private waste services industry in new innovative waste and recycling technologies has virtually collapsed.

It should be noted that Bylaws 307 and 309, in addition to Bylaw 306 are opposed by leading Metro Vancouver and B.C. business and industry associations that represent waste generators in the IC&I and multi-family residential sectors these Bylaws target. These organizations are supporters of waste diversion but share the WMABC's concerns about the unintended economic and environmental consequences of these Bylaws and have sent detailed letters outlining their concerns to the B.C. Minister of Environment & Climate Change Strategy.

The WMABC stands ready and willing to work with Metro Vancouver to address the issue of a sustainable policy approach to waste diversion in Region's IC&I sector.

For further information, please contact Noel Massey, President of WMABC at nmassey@wmabca.ca or Lori Bryan, Executive Director for the WMABC at lbryan@wmabc.com

To: GVS&DD Board of Directors

From: Zero Waste Committee

Date: March 7, 2019 Meeting Date: March 29, 2019

Subject: **Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview**

ZERO WASTE COMMITTEE RECOMMENDATION

That the GVS&DD Board:

- a) receive for information the report dated March 1, 2019, titled "Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview"; and
- b) send a letter to the Minister of Environment and Climate Change Strategy requesting that the Minister approve the *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017* and the *GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017*.

At its March 7, 2019 meeting, the Zero Waste Committee considered the attached report titled "Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview", dated March 1, 2019.

Two presentations were provided to the Committee: one related to the *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017* and *GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017*, and second related to the Generator Levy.

Following the presentations, the Committee discussed the related motion referred by the Board at its February 22, 2019 meeting, and subsequently passed the motion as presented above in underline style. The Committee also suggested that the presentation be shared with the Board and that consideration be given to presenting a condensed version of the Zero Waste Committee presentation at the March 29, 2019 GVS&DD Board meeting, if required.

Attachment

"Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview", dated March 1, 2019.

Reference

[Presentation material](#) provided to Zero Waste Committee, March 7, 2019

28865250

To: Zero Waste Committee

From: Paul Henderson, General Manager, Solid Waste Services

Date: March 1, 2019 Meeting Date: March 7, 2019

Subject: **Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview**

RECOMMENDATION

That the GVS&DD Board receive for information the report dated March 1, 2019, titled "Bylaw 181 Update and Commercial Waste Hauler Licensing Bylaw Overview".

PURPOSE

The purpose of this report is to provide the Zero Waste Committee and the GVS&DD Board with additional information on Bylaw 181 updates and the *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017* (Commercial Waste Hauler Licensing Bylaw).

BACKGROUND

At its February 8, 2019 meeting the Zero Waste Committee received a series of reports related to the Metro Vancouver solid waste regulatory framework, specifically the *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017* (Commercial Waste Hauler Licensing Bylaw); *GVS&DD Tipping Fee and Solid Waste Disposal Regulation Amending Bylaw No. 308, 2017*, implementing the Generator Levy; and the *GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017*, that updates *GVS&DD Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996* (Bylaw 181). The Generator Levy has been in place since January 1, 2018. The Commercial Waste Hauler Licensing Bylaw and updates to Bylaw 181 are before the Minister of Environment and Climate Change Strategy for consideration.

There were a number of questions from the Committee about these bylaws, and at its February 22, 2019 meeting, the Board referred the following recommendations from the report dated January 30, 2019, titled "Solid Waste Regulatory Framework Update" back to the Committee for more information.

That the GVS&DD Board:

- a) *send a letter to the Minister of Environment and Climate Change Strategy requesting that the Minister approve the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and the GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017; and*
- b) *direct staff to request a meeting with the Minister of Environment and Climate Change Strategy and representatives of the GVS&DD Board.*

This report provides more detail on the Bylaw 181 Updates and Commercial Waste Hauler Licensing Bylaw.

BYLAW 181 UPDATES

Purpose of Bylaw 181

Bylaw 181 is an important tool to enhance diversion in Metro Vancouver through the issuance and enforcement of Solid Waste Licenses for private sector facilities that manage municipal solid waste and recyclable material. Approximately 50 facilities managing a range of source-separated recyclable materials and construction and demolition materials are operating with licenses under Bylaw 181.

Bylaw 181 Update Overview

Bylaw 181 has been in place without any changes since 1996. Bylaw updates modernize the regulation of these facilities, increase recycling and ensure a level playing field. Below is an overview of the changes:

- updated the types of facilities requiring licenses;
- created a new simplified license category;
- specified a minimum recovery/reduction rate for mixed waste facilities;
- revised the definition of recyclable material;
- revised and clarified exclusions and exemptions; and
- set a maximum facility license term of 10 years, with renewal provisions.

A blacklined version showing updates to Bylaw 181 is included in Attachment 1. The following outlines key sections of Bylaw 181 along with proposed updates.

Section 1 Interpretation

Definitions: This section includes a series of definitions describing facility types, material types and other terms. Updates include the addition of facility types to ensure that regulated materials are subject to bylaw requirements regardless of the type of facility that manages the material. Mixed waste facilities are added to specify requirements for facilities processing waste from residential and commercial/institutional sources (mixed municipal solid waste). The definition of recyclable material is changed to align with the B.C. *Environmental Management Act*.

Section 2 Facilities Requiring Licenses

Prohibition: Specifies that facilities regulated under the bylaw require licenses unless exempted.

Exclusions: Identifies facilities that are exempted from licensing, including Metro Vancouver and City of Vancouver disposal facilities listed in Schedule C. Brokering facilities that purchase materials are no longer exempted, but rather require a simplified license. Changes to the exemptions are listed below:

- remove exemption for asphalt and concrete facilities (these facilities now require a simplified license)
- exempt drop-off depots that receive source separated products Extended Producer Responsibility materials defined in the Recycling Regulation;
- clarify that existing exemptions for charitable drop-offs, and return to retail systems are exempted if they accept source separated materials only;
- exempt processing facilities that exclusively receive source separated materials under an extended producer responsibility program

- specify that exemption only applies to facilities owned and operated by member municipalities that accept only source-separated recyclable material;
- clarify that the bylaw does not apply to facilities handling only agricultural or industrial waste;
- exempt composting or digesting facilities that are owned and operated by a farmer processing material only from farm businesses; and
- exempt facilities that manage products such as books and clothing for resale to the public.

Section 3 License Applications

Referral to Municipality: License applications are referred to the municipality where the facility is located for review.

Municipal Approval Required: If a municipality states that it does not approve of the license application within the 60-day referral period a license will not be issued.

Evaluation of License Application: A range of factor will be considered in evaluating a facility's license application. These same factors will also be considered in the event of a license renewal. Compliance history for the facility has been added as a new consideration.

Section 4 Licenses

Terms and Conditions of Licenses: This section allows for the issuance of a license and was updated to allow license amendments or renewals. A new requirement to keep and submit records of the facility's operational monitoring data was added.

License Term: This new provision adds a maximum 10-year license term. Maximum license/permit terms are used in many jurisdictions including Alberta, New Brunswick and Nova Scotia.

Term of Existing License: This new provision designates an expiry date of December 31, 2028 on existing licenses that have not been renewed if an expiry date is not already specified in the license.

Renewals: This new provision specifies the time period for applying for a license renewal.

Mixed Waste Facilities: Requirements for mixed waste facilities are added to the bylaw specifying that these facilities must reduce the amount of mixed municipal solid waste by a minimum of 25% by means of material or energy recovery.

Limited Brokering Facilities and Asphalt Facilities: This new provision requires these facilities to maintain records and provide quarterly reports on the type and quantity of waste received. These facilities were previously exempt from requiring licenses.

Section 5 Transition

Transition Period for Existing Facilities: This new provision creates a transition process for existing facilities that were not previously licensed.

Issuance of Licenses to Existing Facilities: This provision identifies the factors that can be considered for licensing a facility existing at the time the bylaw is put in place. These are similar to new facilities, with the exception of no requirement for approval from the municipality where the facility is located.

Section 6 Amendments

Amendment of License: This section is updated to identify the considerations for an amendment of a license by application of the licensee or due to non-compliance.

Section 7 Variances

Amendment of License: This section includes the terms and conditions for the issuance of a variance to the license.

Section 8 Investigation, Inspection, Monitoring and Records

This section includes provisions for investigating, inspecting, observing, monitoring and if deemed necessary an environmental impact assessment.

Section 9 Security

This section includes the financial security to be provided to Metro Vancouver to ensure compliance with the license. The required security can be provided in various forms such as letter of credit, cash etc.

Section 10 Closure

This section sets standards and requirements related to facility closures.

Section 11 Weigh Scales at Disposal Facilities

This section sets the weigh scale requirements at the facility for measuring the material, capturing data and certifying the accuracy of the scale.

Section 12 Fees

This section includes application fees, annual administration fee and disposal fees. Fees are consistent with the existing Bylaw 181 with new fees identified for new facility types.

Credit for Separated Material for Disposal Facility: This section is updated to allow a credit toward a facility's disposal fee based on receipts that show the material was recycled instead of being disposed.

Monthly Statement: This section is updated to require a monthly statement of the quantity of each load of municipal solid waste or recyclable material received and removed at the facility.

Annual Audit: This section includes a provision for when an audit is requested of the quantities of material received and removed at the facility.

COMMERCIAL WASTE HAULER LICENSING BYLAW

Purpose of Commercial Waste Hauler Licensing Bylaw

The Commercial Waste Hauler Licensing Bylaw ensures that recycling systems are in place wherever garbage is collected in the region and assists in the collection of the Generator Levy. The bylaw will

require that all commercial waste haulers collecting more than 10 tonnes per month of mixed municipal solid waste from residential and commercial/institutional source using mechanically unloaded vehicles apply for a license. Currently, Metro Vancouver estimates that less than 50 haulers currently operating within the Metro Vancouver region will require licenses. The bylaw is included in Attachment 2.

Commercial Waste Hauler Licensing Bylaw Overview

The following outlines key sections of the bylaw.

Section 2

Definitions: This section includes a series of definitions describing material types, types of facilities and other terms including:

- mixed municipal solid waste: municipal solid waste from residential or commercial/institutional garbage, not including source separated recyclable material or construction and demolition waste;
- Generator Levy: the levy payable by the generator of municipal solid waste to the GVSⅅ and
- Regional Facilities: Metro Vancouver and City of Vancouver disposal facilities.

Section 3

License Required: Waste haulers are required to apply for a license.

Section 4

Exemptions: The following haulers do not require licenses:

- collectors of only source-separated recyclables or construction and demolition materials;
- municipalities collecting from multi-family or commercial/institutional premises with policies or bylaws in place requiring recycling containers be provided wherever garbage is collected, and;
- haulers collecting less than 10 tonnes per month of garbage or only using hand unloaded vehicles.

Section 6

Application Fee: An application fee of \$100 per company is required.

Section 8

License Information Requirements: License applications must include: company or owner name, list of vehicles, expected monthly quantities of mixed municipal solid waste, and confirmation that the hauler provides separate organic and non-organic recycling containers to clients along with mixed municipal solid waste collection service.

Section 10

License Term: Licenses have a term of up to 1 year and expire each year on March 31.

Section 11

License Renewal: Haulers must declare either that all collected mixed municipal solid waste has been delivered to regional facilities or alternatively if the hauler delivered mixed municipal solid waste to other facilities, a declaration that the Generator Levy has been paid on all mixed municipal solid waste. An annual renewal fee of \$100 per company is required.

Section 12

Separation of Recyclable Material: Haulers must provide separate containers for mixed municipal solid waste, organic recyclables and non-organic recyclables or verify that recycling containers are provided by others. Mixed municipal solid waste, organic and non-organic recyclables must all be managed separately.

Section 15

Record Keeping: Records must be kept of all mixed municipal solid waste collected.

Section 16

Quarterly Report: If a hauler delivers mixed municipal solid waste to any facility other than a regional facility, each quarter, the hauler must report on a load by load basis the origin and destination of all collected mixed municipal solid waste.

Section 17

Powers of Manager: The manager has various powers including suspending or revoking a license.

Section 18

License Revocation and Suspension: Licenses may be suspended if the hauler violates the license conditions or the bylaw among other reasons.

Section 20

Appeals to the Commissioner: Appeals are heard by the GVS&DD Commissioner.

Section 22

Offence: Offences under the bylaw are subject to fines up to \$200,000 per day.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

Updates to Bylaw 181 ensure a level playing field for facilities processing municipal solid waste and recyclable material. The \$100 per year Commercial Waste Hauler License fee is expected to cover administrative costs associated with the license applications.

Enforcement resources for the bylaws will be reviewed over time with any new requirements being brought forward to the Board for consideration as the requirements are identified.

SUMMARY / CONCLUSION

On February 22, 2019, the Board referred recommendations related to two bylaws before the Minister of Environment and Climate Change Strategy back to the Zero Waste Committee for more information. The proposed updates to Bylaw 181 modernize a bylaw that has not been changed since 1996 and aim to increase waste diversion, increase transparency, and ensure a level playing field for facilities managing recyclable material and municipal solid waste in the region.

The Commercial Waste Hauler Licensing Bylaw establishes a licensing program for commercial waste haulers collecting mixed municipal solid waste. Under the bylaw, these haulers apply for an annual \$100 license with a series of requirements including ensuring that recycling containers are provided wherever mixed municipal solid waste is collected. Implementing the Commercial Waste Hauler Licensing Bylaw will help advance waste diversion in the region and assist in the collection of the Generator Levy.

Attachments (*Orbit # 28782984*)

1. *GVS&DD Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996 – Blacklined version*
2. *GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017*

28737193

GREATER VANCOUVER SEWERAGE AND DRAINAGE DISTRICT

Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996

WHEREAS:

- A. Greater Vancouver Sewerage and Drainage District and the Province of British Columbia are jointly committed to the regulation and management within the area of Greater Vancouver Regional District of Municipal Solid Waste and Recyclable Material so as to encourage waste reduction and recycling and ensure that residual materials are disposed of in a manner consistent with the Solid Waste Management Plan approved by the Minister of Environment, Lands and Parks;
- B. Greater Vancouver Sewerage and Drainage District is authorized, inter alia, to regulate with respect to Municipal Solid Waste and Recyclable Material;
- C. Greater Vancouver Sewerage and Drainage District is operating under a Solid Waste Management Plan which defines a regulatory system for the management of all privately operated Municipal Solid Waste and Recyclable Material operations. The goal of the regulatory system is to ensure proper management of privately operated facilities by specifying operating requirements so as to protect the environment and public health, to protect the region's land base in accordance with the host municipality's zoning and land use policies, to ensure that regional and municipal facilities and private facilities operate to equivalent standards and to achieve the objectives of the Solid Waste Management Plan.

NOW THEREFORE the Administration Board of Greater Vancouver Sewerage and Drainage District in open meeting duly assembled enacts as follows:

ARTICLE 1

1 INTERPRETATION

- 1.1 **Definitions.** In this Bylaw terms defined in the ~~Waste~~*Environmental* Management Act shall have the same meaning for the purpose of this Bylaw unless otherwise defined in this Bylaw and,

"Asphalt Facility" means any land or buildings and related improvements used to receive exclusively asphalt, concrete or both for the purposes of reprocessing, resale or reuse;

"Board" means the Administration Board of the District;

"Brokering Facility" means any land or buildings and related improvements used for receiving, cleaning, sorting, baling or packaging Recyclable Material for the purpose of recycling, where the residue does not exceed 10% by weight or volume of the material received;

"Commissioner" means the Commissioner of the District;

"Composting Facility" means any land or buildings and related improvements where ~~municipal solid waste~~source separated organic material is composted on a commercial basis using composting technology which may include physical turning, windrowing, in-vessel, static pile aeration or other mechanical handling of organic matter;

"Construction and Demolition Waste" means refuse that originates from demolition or construction sources that has not been managed with waste from other sources;

"Digesting Facility" means any land or buildings and related improvements where, in the course of conducting an industry, trade or business, source separated organic material is biologically decomposed, whether aerobically or anaerobically;

"Disposal Facility" means any land or buildings and related improvements used for the landfilling or destruction of Municipal Solid Waste;

"District" means Greater Vancouver Sewerage and Drainage District;

"Drop-off Depot" means a facility that exclusively receives Recyclable Material from hand-unloaded vehicles from residents and small business for cleaning, sorting, baling, compacting or packaging for the purpose of recycling;

"Environmental Management Act" means the *Environmental Management Act* S.B.C. 2003, c. 53, as amended or replaced and any successor legislation, and any regulations thereunder;

"Existing Facility" means any Facility ~~which exists and is operating on the date of adoption of this Bylaw or, in the case of a Disposal, including an Asphalt Facility, has on the date of adoption of this Bylaw a valid and subsisting permit or operational certificate under the Waste Management Act and is in compliance with that permit or operational certificate;~~ Digesting Facility or Limited Brokering Facility, lawfully operating without a License prior to July 1, 2017;

"Facility" means ~~any or all of lands, buildings, machinery, equipment or systems used for managing Municipal Solid Waste, Recyclable Material, or both, and includes, but is not limited to, an Asphalt Facility, a Brokering Facility, a Digesting Facility, a Disposal Facility, a Composting Facility, a Limited Brokering Facility, a Material Recovery Facility, a Mixed Waste Facility, a Storage Facility, and a Transfer Station;~~

"Licensee" means a ~~Licensee~~ issued by the Solid Waste Manager under section 4.1;

~~**"Licensed Disposal Facility"** means a Disposal Facility in respect of which~~

"Licensee" means the person to whom a valid and subsisting ~~Licensee~~ has been issued;

"Limited Brokering Facility" means a Brokering Facility that receives exclusively Source Separated Recyclable Material where the owner or operator purchases or otherwise pays valuable

consideration for all Recyclable Material received, cleaned, sorted, baled or packaged at the Brokering Facility;

“Material Recovery Facility” means any land or buildings and related improvements used for receiving Municipal Solid Waste or Recyclable Material and at which materials are separated manually or mechanically for the purpose of recycling;

“Mixed Waste Facility” means any Facility that manages or co-manages Mixed Municipal Solid Waste, and may include, but is not limited to, a Disposal Facility, Material Recovery Facility, Storage Facility or Transfer Station;

“Mixed Municipal Solid Waste” means refuse that originates from residential, commercial, or institutional sources, or any combination of waste or refuse from these sources and other sources, but does not include Source Separated Recyclable Material or Construction and Demolition Waste;

“Municipal Liquid Waste” has the same meaning as in the *Environmental Management Act*, and for clarity includes fats, oils and grease diverted from municipal and District liquid waste infrastructure pursuant to the *GVS&DD Sewer Use Bylaw No. 299, 2007*.

“Municipal Solid Waste” means refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources, but expressly excludes Municipal Liquid Waste;

“New Facility” means any Facility other than an Existing Facility;

“Officer” means a person appointed by the Board under section 13.2;

“Recyclable Material” means a product or substance ~~no longer usable in its current state that can be~~ has been diverted or recovered from municipal solid waste disposal, and used in ~~satisfies at least one of the processing or manufacture of a new product; following criteria:~~

- (a) is organic material from residential, commercial or institutional sources and is capable of being composted, or is being composted, at a site;
- (b) is managed as a marketable commodity with an established market by the owner or operator of a site;
- (c) is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process;
- (d) has been identified as a Recyclable Material in a waste management plan;
- (e) is any other material prescribed by the Lieutenant Governor in Council, or the Minister of the Environment pursuant to the *Environmental Management Act*;

“recycle” or “recycling” means any process by which Municipal Solid Waste and Recyclable Material is transformed into new products;

“Regional Facility” means any facility owned or operated by the GVS&DD or the City of Vancouver, including any of the facilities listed in Schedule “C”;

“Solid Waste Manager” means the person appointed by the Board under section 13.1;

“Source Separated Recyclable Material” means Recyclable Material that has been separated from Municipal Solid Waste by the waste generator at the point of generation for the purposes of recycling;

“Storage Facility” means any land or buildings and related improvements where Municipal Solid Waste or Recyclable Material is accumulated and held and in respect of which there is no clear and convincing evidence that all the Municipal Solid Waste or Recyclable Material will be recycled in the near future;

“Transfer Station” means any land or buildings and related improvements at which Municipal Solid Waste from collection vehicles is received, compacted or rearranged for subsequent transport;

~~**“Waste Management Act”** means the *Waste Management Act* S.B.C. c.40, as amended or replaced and any successor legislation, and any regulations thereunder.~~

1.2 **Citation.** This Bylaw may be cited for all purposes as *“Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996”*.

1.3 **Schedules.** The schedules listed below and annexed hereto shall be deemed to be an integral part of this Bylaw:

Schedule ~~“A”~~ – Fees

Schedule ~~“B”~~ -- Exemptions from Licensing Requirements

Schedule “C” – Regional Facilities.

1.4 **No Conflict with ~~Waste-Environmental~~ Management Act.** Nothing in this Bylaw is intended to conflict with the ~~Waste-Environmental~~ Management Act, but this Bylaw may impose further restrictions or require further conditions than those imposed under the ~~Waste-Environmental~~ Management Act.

1.5 **Compliance with Other Laws.** Except as otherwise specifically provided, nothing in this Bylaw, including, *inter alia*, a License~~see~~ excuses any person from complying with all other applicable enactments and laws.

ARTICLE 2

2 FACILITIES REQUIRING LICEN~~SE~~SCES

2.1 **Prohibition.** Subject to section 2.2, no person shall own or operate a Facility within the area of ~~Greater Vancouver Regional District:~~

- ~~(a) — a Disposal Facility;~~
- ~~(b) — a Transfer Station;~~
- ~~(c) — a Material Recovery Facility;~~
- ~~(d) — a Storage Facility;~~
- ~~(e) — a Brokering Facility; or~~
- ~~(f) — a Composting Facility;~~

the GVS&DD unless that person has ~~with respect thereto and strictly complies with a~~ a valid and subsisting License see for that Facility.

2.2 **Exclusions.** Notwithstanding section 2.1, no License see shall be required for:

- ~~(i) — a Brokering Facility that receives exclusively source-separated Recyclable Material where the owner or operator purchases or otherwise pays valuable consideration for all Recyclable Material received, cleaned, sorted, baled or packaged at the Brokering Facility;~~
- ~~(i) — Facilities owned or operated by the District or its member municipalities; and~~
- (a) those Facilities set out in Schedule "B" to this Bylaw; and
- (b) Regional Facilities.

2.3 **Compliance with License Terms and Conditions.** Every person who owns or operates a Facility shall comply with all License terms and conditions for that Facility.

ARTICLE 3

3 **LICENSE APPLICATIONS**

3.1 **Form of Application.** An application to obtain or amend a License see under this Bylaw shall be filed at the District's offices in the form prescribed by the Solid Waste Manager.

3.2 **Referral to Municipality.** The Solid Waste Manager shall forward an application to issue a License see in respect of a Facility to the municipality in which the Facility is located or is proposed to be located.

3.3 **Report of Municipality.** A municipality to which an application to issue a License see has been forwarded under section 3.2:

- (a) shall provide the Solid Waste Manager with a report containing its comments and recommendations concerning the application and stating whether the municipality approves or does not approve of the application; and

- (b) shall submit the report required under subsection 3.3(a) to the Solid Waste Manager within 60 days after the date of forwarding of the application under section 3.2.
- 3.4 **No Report.** If no report is received under subsection 3.3(b) by the Solid Waste Manager within 60 days after the date of forwarding, the Solid Waste Manager will complete the evaluation of the application and may issue a Licensee.
- 3.5 **Municipal Approval Required.** The Solid Waste Manager shall not issue a Licensee in respect of an application if, in a report submitted to the Solid Waste Manager within the time specified in subsection 3.3(b), the municipality states that it does not approve of the application.
- 3.6 **Evaluation by Solid Waste Manager.** Where a municipality provides a report under subsection 3.3 (a) approving an application to issue a Licensee, the Solid Waste Manager will complete the evaluation of the application and may issue a Licensee.
- 3.7 **Evaluation of Licensee Application.** The Solid Waste Manager, as a result of an application to issue or renew a Licensee, may consider the following matters with respect to the Facility proposed in the application:
- (a) the potential risk posed to the environment and public health;
 - (b) the compliance with municipal zoning and land use designations;
 - (c) any environmental impact assessment and any other investigations, tests, surveys or any other action taken under subsection 8.7(d);
 - (d) the history of compliance or non-compliance with any current or pre-existing license with respect to the same Facility;
 - ~~(d)~~(e) any other information submitted to the Solid Waste Manager under subsection 8.7(e);
 - ~~(e)~~(f) any closure plan submitted to the Solid Waste Manager under section 10.1; and
 - ~~(f)~~(g) any other matter which the Solid Waste Manager considers relevant.
- 3.8 **Procedure on Application.** An applicant for a Licensee, if required by the Solid Waste Manager, shall, at the applicant's cost:
- (a) publish a notice in a newspaper that is distributed at least weekly in the area where the Facility is located or is proposed to be located. The notice must include the following information
 - (i) the civic address of the Facility,
 - (ii) the name of the owner of the land on which the Facility is located or proposed to be located,

- (iii) the full name and address of the operator of the Facility,
- (iv) a brief and complete description of the activity to be carried out and the Municipal Solid Waste or Recyclable Material to be handled at the Facility, and
- (v) such other information as the Solid Waste Manager considers necessary.

The applicant, within 15 days of the date of publication of the notice, shall provide to the Solid Waste Manager a copy of the full page tear sheet as proof that the application was published;

- (b) post a readable copy of the application in a conspicuous place at all main road entrances to the land on which the Facility is located or proposed to be located within 15 days after the date of the application and keep the copy posted for a period of not less than 30 days; and
- (c) serve a written notice that an application has been filed on any person that the Solid Waste Manager considers affected by the application within 15 days of the filing of the application. The written notice shall contain the information set out in paragraphs (a)(i) to (v) above.

ARTICLE 4

4 LICEN~~SC~~ES

4.1 **Terms and Conditions for Licen~~SC~~ees.** The Solid Waste Manager, as a result of an application, may issue, amend or renew a Licen~~SC~~ee to a person for a Facility on such terms and conditions and specifying such requirements as the Solid Waste Manager considers necessary and without limiting in any way the generality of the foregoing, the Solid Waste Manager, with respect to the Facility, may in the Licen~~SC~~ee:

- (a) provide that specified Municipal Solid Waste or Recyclable Material be handled at the Facility in the manner, with the frequency, in the quantity or volume and during the period of time specified by the Solid Waste Manager;
- (b) provide that specified Municipal Solid Waste or Recyclable Material not be handled at the Facility;
- (c) require the Licensee to recover for the purpose of recycling certain Recyclable Material in accordance with the District's region-wide policies;
- (d) provide specified operating procedures and requirements;
- (e) require the Licensee to repair, alter, remove, improve or add to works or to construct new works and to submit plans and specifications specified in the Licen~~SC~~ee;

- (f) require the Licensee to monitor in the way specified by the Solid Waste Manager the Municipal Solid Waste and Recyclable Material, the method of handling the Municipal Solid Waste and Recyclable Material and the places and things that the Solid Waste Manager considers will be affected by the handling of the Municipal Solid Waste or Recyclable Material;
- (g) require a Licensee to install and maintain in good condition at all times at the Facility, devices or equipment and works to inspect, sample or monitor, in a manner specified by the Solid Waste Manager;
 - (i) all or part of the Municipal Solid Waste or Recyclable Material at the Facility, and
 - (ii) the environment which may be affected by the Municipal Solid Waste or Recyclable Material;
- (h) require a Licensee to keep records of volumes, weights, types, amounts, quantities and composition and the geographic area of origin of Municipal Solid Waste or Recyclable Material brought onto or removed from the Facility and to submit the records to the Solid Waste Manager or an Officer;
- (i) require a Licensee to keep records of all samples or monitoring data obtained in relation to the Facility and to submit the records to the Solid Waste Manager or an Officer;
- (j)(i) require a Licensee to prepare and comply with an operating plan approved by the Solid Waste Manager which will contain such matters as may be prescribed by the Solid Waste Manager;
- (j)(k) specify a maximum height (expressed as a geodetic elevation) at the Facility to which any accumulation of Municipal Solid Waste or Recyclable Material (including cover material) may be stored or landfilled and require that the Licensee retain a British Columbia Land Surveyor (and other qualified professionals as appropriate) to prepare and update on a periodic basis a legal survey and a legal elevation control survey, topographic survey or such other survey as the Solid Waste Manager may approve; and
- (k)(l) provide for implementing terms and conditions in phases or varying dates for compliance with terms and conditions.

4.2 **License Term.** The term of every License, including any License renewal, shall be 10 years, or a lesser time if specified in the application.

4.3 **Term of Existing License.** The term of a valid and subsisting License that was issued prior to the adoption of "Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Amendment Bylaw No. 309, 2017" shall expire, if not renewed, on December 31, 2028, unless a fixed term exceeding December 31, 2028 is expressly stated in the License, in which case it will expire on the date stated in the License.

4.4 **Renewals.** Every Licensed Facility is entitled to apply for a renewal of an existing License on a form prescribed by the Solid Waste Manager, provided that the application for renewal of the License is made no less than one year before the License term has expired.

4.5 For clarity, the following provisions of this bylaw apply to the Solid Waste Manager's authority to renew a License without amendment: 3.7, 4.1, 4.2 and 4.4.

Requirements for Specific Facilities

4.6 **Mixed Waste Facilities.** In addition to any terms and conditions imposed by the Solid Waste Manager, every Mixed Waste Facility shall reduce the total weight of Mixed Municipal Solid Waste received by at least 25% by means of:

- a) recycling;
- b) energy recovery at the Facility; or
- c) other lawful means at the Facility,

such that no more than 75% of the Mixed Municipal Solid Waste received at the Mixed Waste Facility is removed from the Facility.

4.7 For the purposes of section 4.6 any refuse, waste, products, or residuals managed or otherwise delivered to a landfill shall be included in the measurement of waste disposed of, including material used as alternate daily cover or road material.

4.8 **Limited Brokering Facilities and Asphalt Facilities.** Despite section 4.1, the only terms and conditions that may be imposed on a Limited Brokering Facility or an Asphalt Facility are terms and conditions related to:

- (a) compliance as a Limited Brokering Facility or Asphalt Facility;
- (b) collecting, recording and maintaining records of the type and quantity (by volume or weight) of waste received by the Facility on a daily basis; and
- (c) providing quarterly reports to the District stating the type and quantity of waste received by the Facility in that quarter.

ARTICLE 5

5 TRANSITION

5.1 **Transition Period for Existing Facilities.** The owner or operator of an Existing Facility who does not hold a valid License will not be in contravention of section 2.1 if the owner or operator completes and files at the District's offices on or before the 30th day after the date of adoption of ~~this~~ "Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and

Recyclable Material Regulatory Amendment Bylaw No. 309, 2017" ~~Bylaw~~ an application under section 3.1 to obtain a Licensee in respect of the Existing Facility.

- 5.2 **Issuance of Licensees to Existing Facilities.** If an owner or operator of an Existing Facility files an application under section 5.1, the Solid Waste Manager will issue a Licensee for the Existing Facility on such terms and conditions and specifying such requirements, inter alia, as set out in section 4.1 as the Solid Waste Manager considers necessary. Sections 3.3 to 3.6, inclusive, shall not apply to an application filed under section 5.1.

ARTICLE 6

6 AMENDMENTS

- 6.1 **Amendment of Licensee.** The Solid Waste Manager may:

- (a) on his or her own initiative where he or she considers it necessary; ~~or due to:~~
- (i) the Licensee failing to comply with the terms and conditions of the License or the Bylaw,
 - (ii) the Licensee making a material misstatement or misrepresentation in the application for the License or reporting, or
 - (iii) the Licensee failing to make payment of fees under Article 12, or comply with any other provision of this Bylaw;

or

- (b) on application by a Licensee;

amend the terms and conditions of a Licensee, either in whole or in part.

- 6.2 **Procedure on Amendment Application.** Sections 3.2, 3.3, 3.4, 3.5, 3.6 and 3.8 shall apply, *mutatis mutandis*, to an application to amend the terms and conditions of a Licensee.
- 6.3 **Evaluation of Amendment Application.** The Solid Waste Manager may, as a result of an application, amend the terms and conditions of a Licensee where he considers it advisable after considering any of the matters set out in section 3.7 which, in the Solid Waste Manager's opinion, are relevant at the time of such application.

ARTICLE 7

7 VARIANCES

- 7.1 **Issuance of Variance Order.** Where the Commissioner or the Solid Waste Manager considers that a person should have temporary relief from the requirements of a Licensee, he or she may issue a variance order with respect to that Licensee.

- 7.2 **Terms and Conditions.** Where the Commissioner or the Solid Waste Manager issues a variance order, he or she shall:
- (a) specify the requirements in respect of which he grants relief;
 - (b) specify the period during which the variance order remains in effect; and
 - (c) cause a notice of the variance order to be published in a newspaper that is distributed at least weekly in the area where the Facility is located.
- 7.3 **Cancellation and Renewal.** The Commissioner or the Solid Waste Manager may, notwithstanding section 7.2:
- (a) cancel a variance order; and
 - (b) renew or extend a variance order.

ARTICLE 8

8 INVESTIGATION, INSPECTION, MONITORING AND RECORDS

- 8.1 **Investigation.** The Solid Waste Manager or an Officer may at any reasonable time enter any Facility, site or premises and investigate any works, contents of a vehicle, process or activity that is related to, used for or capable of being used for the handling of Municipal Solid Waste or Recyclable Material, but nothing in this section authorizes the entry into any structure used solely as a private residence or any residential accommodation in any other structure.
- 8.2 **Additional Powers.** The powers of the Solid Waste Manager or an Officer under section 8.1 include the power to:
- (a) examine, take away and make copies of records relating to
 - (i) the causing of pollution,
 - (ii) the handling of Municipal Solid Waste or Recyclable Material, and
 - (iii) the characteristics of the Municipal Solid Waste or Recyclable Material handled;
and
 - (b) inspect contents of a vehicle; and
 - (b)(c) carry out inspections, observations, measurements, tests and monitoring and to otherwise ascertain whether the terms and conditions of this Bylaw or a Licensee have been or are being complied with and take away samples of land, articles, substances, Municipal Solid Waste or Recyclable Material as he considers appropriate.

- 8.3 **Return of Documents.** Where the Solid Waste Manager or an Officer has taken away original records from a Facility, site or premises under subsection 8.2(a), the Solid Waste Manager or Officer, upon written request from the owner or operator of the Facility, will return copies of the records to the owner or operator within 24 hours of the inspection or if that is not possible, as soon thereafter as is practicable.
- 8.4 **Assistance.** The Solid Waste Manager or an Officer may take with him on to any Facility, site or premises such other persons or equipment as may be necessary.
- 8.5 **Safety Equipment.** The Solid Waste Manager or an Officer entering a Facility, site or premises for the purposes of inspection shall make use of appropriate safety equipment.
- 8.6 **Identification.** The Solid Waste Manager or an Officer shall, forthwith upon arrival at a Facility, site or premises, provide proof of identity to a person present at the Facility.
- 8.7 **Assessments.** The Solid Waste Manager, where he deems it necessary in the circumstances, may require:
- (a) a person who applies for a Licensee;
 - (b) a Licensee; or
 - (c) a person who handles or proposes to handle Municipal Solid Waste or Recyclable Material;
- at that person's expense
- (d) to undertake an environmental impact assessment and other investigations, tests, surveys and any other action, in accordance with methods and procedures approved by the Solid Waste Manager; and
 - (e) to provide to the Solid Waste Manager such information as he deems necessary to
 - (i) assess a Licensee application; or
 - (ii) determine whether such person is in compliance with the provisions of this Bylaw or any Licensee.
- 8.8 **Assessment by Third Party.** The Solid Waste Manager may require that all or some of the environmental impact assessment or other investigations, tests, surveys and other actions required under section 8.7 be undertaken by an independent third party acceptable to the Solid Waste Manager.
- 8.9 **Records.** Notwithstanding section 2.2, the Solid Waste Manager may require the owner or operator of a Facility, site or premises at which Municipal Solid Waste or Recyclable Material is handled to keep records of volumes, weights, types, amounts, quantities and composition of Municipal Solid Waste or Recyclable Material ~~originating from within the Greater Vancouver~~

~~Regional District~~ that is brought onto or removed from the Facility, site or premises and to submit, on request annually, the records to the Solid Waste Manager or an Officer.

ARTICLE 9

9 SECURITY

- 9.1 **Requirement for Security.** The Solid Waste Manager, as a condition of issuing, amending, or in a Licensee, may require an applicant or a Licensee to ~~post~~provide a ~~bond~~letter of credit, cash or provide other security to the District in such form and amount, as deemed by the Solid Waste Manager acting reasonably, as necessary to ensure compliance with the provisions of a Licensee or the Bylaw.

ARTICLE 10

10 CLOSURE

- 10.1 **Closure Requirements.** The Solid Waste Manager in a Licensee may:
- (a) set standards and requirements relating to the closure of a Facility; and
 - (b) require that a closure plan satisfactory to the Solid Waste Manager be prepared and submitted to the Solid Waste Manager within a specified time.

ARTICLE 11

11 WEIGH SCALES AT DISPOSAL FACILITIES

- 11.1 **Installation of Weigh Scales.** Every Licensee who operates a Disposal Facility or Mixed Waste Facility shall have ~~installed by December 31, 1996~~ at least one weigh scale to measure the quantity of Municipal Solid Waste and Recyclable Material received at that ~~Disposal~~ Facility.
- 11.2 **Weigh Scale Data.** Every Licensee that has installed one or more weigh scales under section 11.1 shall weigh on such weigh scales the quantity of Municipal Solid Waste and Recyclable Material received at the Disposal Facility to provide measurements for the monthly written statements referred to in section 12.5.
- 11.3 **Certification of Weigh Scales.** Every Licensee who operates a Disposal Facility or Mixed Waste Facility shall ensure that every weigh scale used to provide measurements for the monthly written statements referred to in section 12.5 shall satisfy the requirements of the *Weights and Measures Act* and the regulations and shall be regularly certified to be in proper working order thereunder.

~~11.4. **Exemption.** Section 11.1 shall not apply in respect of Disposal Facilities which are scheduled for closure within 6 months after December 31, 1996 in accordance with a closure plan approved by the Solid Waste Manager.~~

ARTICLE 12

12 FEES

12.1 **Establishment of Fees.** The Board by bylaw may from time to time establish rates or levels of fees to be charged under this Bylaw.

12.2 **Application Fees.** Every person who applies for a License or any amendment thereto shall pay to the District, on application, for a Facility set out in Column 1 of Schedule "A" to this Bylaw, the corresponding Existing Facility application fee, New Facility application fee or amendment application fee as set out in Columns 2, 3 or 4, respectively, of Schedule "A" to this Bylaw, as applicable. An application fee shall not be refunded if a License is not issued or amended.

12.3 **Annual Administration Fee.** Every Licensee shall pay to the District upon the date of issuance of a License and thereafter annually on the anniversary date of such issuance, the annual administration fee set out in Column 5 of Schedule "A" to this Bylaw. The District will provide to all Licensees annual invoices setting out the annual administration fee due and payable in accordance with Schedule "A" to this Bylaw.

12.4 **Disposal Fees.**

~~In addition~~

~~(a) Subject to subsection (b), the fees payable under sections 12.2 and 12.3, every person, except as exempted under section 2.2, who operates a Disposal Facility owner or operator of a Mixed Waste Facility, Transfer Station, Material Recovery Facility or Storage Facility other than those persons exempted under section 2.2, shall pay monthly in arrears to the District the applicable disposal fees set out in Column 6 of Schedule "A" to this Bylaw. The disposal fees will be calculated commencing for material that is removed from July 1, 1996 and the first payment will be due and payable within 30 days of the date of the first invoice such Mixed Waste Facility, Transfer Station, Material Recovery Facility or Storage Facility and delivered to a site that is not~~

~~(i) a Disposal Facility for which a License has been issued, or~~

~~(ii) a Regional Facility.~~

~~(b) Subsection (a) does not apply to Source Separated Recyclable Material that is managed as Recyclable Material.~~

12.5 **Disposal Fees for Disposal Facility.** The owner or operator of a Disposal Facility shall pay the disposal fee set out in Column 6 of Schedule "A" per metric tonne of Municipal Solid Waste or Recyclable Material received at that Disposal Facility.

~~12.6~~ **Receipts for Separated Material for Disposal Facility.** The owner or operator of a Disposal Facility may deliver to the District ~~will provide monthly invoices setting out the~~ receipts issued by a ~~Brokering Facility or other Facility that manages Recyclable Material showing the quantity in metric tonnes of material that has been managed as Recyclable Material and has not been disposed.~~

~~12.5~~~~12.7~~ **Credit for Separated Material for Disposal Facility.** The quantity of Recyclable Material that has been transferred for management other than disposal ~~fees due and payable based on the statements received as verified in receipts provided under section 12.5 and 6 shall be multiplied by the disposal fee set out in accordance with~~ Column 6 of Schedule "A ~~to this Bylaw.~~" and that amount shall be applied as a credit toward the Disposal Facility's disposal fee invoice.

~~12.8~~ ~~12.5~~ **Monthly Statement.** Every person, except as exempted under section 2.2, who operates a Disposal ~~Facility, Mixed Waste~~ Facility, Transfer Station, Material Recovery Facility or Storage Facility shall deliver to the District a monthly written statement of the quantity in metric tonnes ~~(or, for Facilities which have not installed weigh scales or are exempt under section 11.4 of this Bylaw, in cubic metres)~~ each load of Municipal Solid Waste and Recyclable Material received at that ~~person's~~ person's Facility ~~and the quantities of each load of Municipal Solid Waste and Recyclable Material removed from the Facility and delivered to each of:~~

- ~~(a)~~ a Disposal Facility that is licensed under this Bylaw;
- ~~(b)~~ a Regional Facility;
- ~~(c)~~ a Brokering Facility or other Facility that manages Recyclable Material; or
- ~~(d)~~ any other location.

The statement shall be delivered monthly to the District within seven days after the last day of each month.

~~12.6~~~~12.9~~ ~~12.6~~ **Annual Audit.** A person who is required to provide a monthly statement under section 12.58, if requested by the Solid Waste Manager, shall at that person's expense provide to the District an audited annual statement of the quantities of Municipal Solid Waste and Recyclable Material received ~~and removed~~ at that person's Facility.

~~12.7~~~~12.10~~ ~~12.7~~ **Failure to Provide Monthly Statement.** If a person who operates a Disposal ~~Facility, Mixed Waste~~ Facility, Transfer Station, Material Recovery Facility or Storage Facility does not deliver the monthly statement required under section 12.58 within the specified time, the District may prepare an invoice under section 12.4 ~~or 12.5~~ based upon the quantity of Municipal Solid Waste and Recyclable Material authorized in a permit, operational certificate or License ~~see~~ relating to the ~~Mixed Waste Facility~~, Disposal Facility, Transfer Station, Material Recovery Facility or Storage Facility or upon such other basis as the Solid Waste Manager, acting reasonably, determines appropriate.

~~12.8~~12.11 ~~12.8~~ — **Receipts for Separated Material.** A Licensee who operates a ~~Disposal~~Mixed Waste Facility, Transfer Station, Material Recovery Facility or Storage Facility ~~may~~shall deliver to the District on monthly basis receipts from a ~~recycling broker~~Brokering Facility or other person acceptable to the Solid Waste Manager evidencing the quantity in metric tonnes of items recovered from Municipal Solid Waste and Recyclable Material received at the Facility subsequent to ~~July 1, 1996 for the purpose of July 1, 2018 for the purpose of recycling and the delivery of those items to such Brokering Facility or other person acceptable to the Solid Waste Manager.~~

~~recycling and the delivery of those items to such recycling broker or other person acceptable to the Solid Waste Manager.~~

~~12.9~~ — **Credit for Separated Material.** The quantity set out in any receipts delivered under and in accordance with section 12.8 shall be multiplied by the per tonne disposal fee set out in Column 6 of Schedule "A" to this Bylaw and the result thereof shall be credited against the amount payable by the Licensee under the Licensee's monthly invoice under section 12.4.

~~12.9~~12.12 ~~12.10~~ — **Receipts for Disposal.** A Licensee who owns or operates a Mixed Waste Facility, Transfer Station, Material Recovery Facility or Storage Facility ~~may~~shall deliver to the District on a monthly basis receipts from any Regional Facility ~~owned or operated by the District or any of its member municipalities or any Licensed~~ Disposal Facility evidencing the quantity in metric tonnes of Municipal Solid Waste delivered by the Licensee to such Facilities subsequent to ~~July 1, 1996.~~July 1, 2018.

~~12.11~~ — **Credit for Disposal.** The quantity set out in any receipts delivered under and in accordance with section 12.10 shall be multiplied by the per tonne disposal fee set out in Column 6 of Schedule "A" to this Bylaw and the result thereof shall be credited against the amount payable by the Licensee under the Licensee's monthly invoice under section 12.4.

~~12.10~~12.13 ~~12.12~~ — **Invoices.** All invoices rendered by the District shall be due and payable 30 days from the date of the invoice. Late payments will accrue interest computed at the rate of one and one quarter percent (1.25%) per month on the outstanding balance, calculated and compounded monthly, from the date such amounts become due and payable until the date they are paid in full.

~~12.11~~12.14 ~~12.13~~ — **Municipal Allocation.** The disposal fees established under section 12.4 and 12.45 may include an amount to assist a municipality in which a Facility is located to pay the demonstrated costs of providing for constructing, repairing, maintaining and operating highways and roads and obtaining, operating, repairing and maintaining fire fighting equipment and such other reasonable costs, whether of a capital or operating nature or otherwise, directly attributable to the operation of the ~~Facility~~Facility within the municipality.

ARTICLE 13

13 SOLID WASTE MANAGER AND OFFICERS

- 13.1 **Appointment of Solid Waste Manager.** The Board shall appoint by resolution or bylaw a person to be the Solid Waste Manager and a person to be the Deputy Solid Waste Manager who may exercise all the powers given to the Solid Waste Manager under this Bylaw.
- 13.2 **Appointment of Officers.** The Board may appoint by resolution or bylaw a person or persons to be an Officer or Officers who may exercise all the powers given to an Officer under this Bylaw.

ARTICLE 14

14 CONTRAVENTIONS

- 14.1 **Reporting.** Where there is any conduct or activity contrary to any Licensee or that is otherwise in contravention of this Bylaw, any person who:

- (a) owns, operates, has charge or control of or manages any Facility or Municipal Solid Waste or Recyclable Material that is affected by or is the subject of such contravention; or
- (b) causes or contributes to the causation of such contravention;

shall, at the first available opportunity after becoming aware of the contravention, verbally report such contravention to the Solid Waste Manager and shall forthwith undertake all remedial action that may be necessary to minimize, counteract, mitigate and remedy the effect of such contravention. The verbal report shall be confirmed as soon as possible thereafter by a written report.

ARTICLE 15

15 SUSPENSION AND CANCELLATION

- 15.1 **Suspension and Cancellation of Licensees.** Without limiting any other provision of this Bylaw, the Solid Waste Manager, after giving reasonable written notice to a Licensee, may suspend or cancel a Licensee or a part of License where:

- (a) the Licensee fails to comply with the terms and conditions ~~or requirements~~ of the Licensee or the Bylaw;
- (b) the Licensee has made a material misstatement or misrepresentation in the application for the Licensee; or
- (c) the Licensee has failed to
 - (i) make payment of fees under Article 12, or
 - (ii) comply with any other provision of this Bylaw.

- 15.2 **Further Suspension and Cancellation.** The Solid Waste Manager, in addition to his powers under section 15.1, may:

- (a) upon request from a Licensee, suspend a Licensee for up to but not longer than the length of time requested; and
- (b) cancel a Licensee where
 - (i) the Licensee is an individual who has died,
 - (ii) the Licensee is a corporation that is struck off the register under the *Company Act* or is dissolved,
 - (iii) the Licensee is a partnership that is dissolved, or
 - (iv) the Licensee requests that the Licensee be cancelled.

ARTICLE 16

16 APPEALS

16.1 **Definition of “Decision”.** For the purpose of this Article 16 “decision” means:

- (a) the exercise of a power;
- (b) the imposition of a standard or requirement;
- (c) the issuance, amendment, suspension, refusal or cancellation of a Licensee; and
- (d) the inclusion in any Licensee of any term or condition.

16.2 **Appeal to Commissioner.** A person who considers himself aggrieved by a decision of the Solid Waste Manager or the Deputy Solid Waste Manager may appeal to the Commissioner.

16.3 **Appeal Procedure.** An appeal under section 16.2 shall be commenced by giving written notice of intention to appeal to the Solid Waste Manager within 21 days after the decision appealed from is made.

16.4 **Extension of Appeal Period.** The Commissioner may extend the time for commencing an appeal either before or after the time for commencement of the appeal has elapsed.

16.5 **Decision of Commissioner.** On considering an appeal, the Commissioner may:

- (a) confirm, reverse or vary the decision appealed from;
- (b) refer the matter back to the Solid Waste Manager or Deputy Solid Waste Manager for reconsideration, as the case may be, with or without directions; or
- (c) make any decision that the Solid Waste Manager or the Deputy Solid Waste Manager could have made and that the Commissioner considers appropriate in the circumstances.

- 16.6 **No Stay during Appeal.** An appeal under this Bylaw does not operate as a stay or suspend the operation of the decision being appealed unless the Commissioner decides otherwise.
- 16.7 **Participation by Solid Waste Manager.** At the request of the Solid Waste Manager or the Deputy Solid Waste Manager, whose decision is being appealed, the Commissioner shall permit the Solid Waste Manager or the Deputy Solid Waste Manager to have full party status at the appeal.

ARTICLE 17

17 OFFENCES AND PENALTIES

- 17.1 **Offence.** Any person who contravenes a provision of this Bylaw, a Licensee or requirement made or imposed under this Bylaw commits an offence and is liable to a fine not exceeding \$1,000,000.
- 17.2 **Separate Offences.** Where there is an offence that continues for more than one day, separate fines, each not exceeding the maximum fine for the offence, may be imposed for each day or part thereof in respect of which the offence occurs or continues.
- 17.3 **No Limitation.** Nothing in this Bylaw shall limit the District from utilizing any other remedy that would otherwise be available to the District at law.

ARTICLE 18

18 GENERAL

- 18.1 **No Transfer or Assignment.** A transfer or assignment of a Licensee is without effect without the prior written approval of the Solid Waste Manager.
- 18.2 **Headings.** The headings in this Bylaw are for convenience only and shall not limit, enlarge or affect the scope of any of the provisions in this Bylaw.
- 18.3 **Gender.** In this Bylaw, gender specific terms include both genders and include corporations.
- 18.4 **Severability.** If any portion of this Bylaw is deemed ultra vires, illegal, invalid or unenforceable in any way in whole or in part by any court of competent jurisdiction, such decision shall not invalidate or void the remainder of this Bylaw, the parts so held to be ultra vires, illegal, invalid or unenforceable shall be deemed to have been stricken therefrom with the same force and effect as if such parts had never been included in this Bylaw or revised and reduced in scope so as to be valid and enforceable.

SCHEDULE "A"

FEES

The application, administration and disposal fees payable to the District under this Bylaw shall be as follows:

~~Application. Amendment. Annual Administration and Disposal Fees~~

Column 1	Column 2	Column 3	Column 4	Column 5	^(a) Column 6
Facility	Existing Facility Application Fee	New Facility Application Fee	Amendment Application Fee	Annual Administration Fee	Disposal Fee (per metric tonne)
Disposal Facility	\$1,000	\$5,000	\$2,500	\$1,000	\$3
Mixed Waste Facility	\$1000	\$5,000	\$2,500	\$1,000	\$3
Transfer Station	\$500	\$1,000	\$500	\$1,000	\$3
Material Recovery Facility	\$500	\$1,000	\$500	\$1,000	\$3
Storage Facility	\$500	\$1,000	\$500	\$1,000	\$3
Brokering Facility	\$500	\$1,000	\$500	\$1,000	N.A.
Composting Facility	\$500	\$1,000	\$500	\$1,000	N.A.
Digesting Facility	\$500	\$1,000	\$500	\$1,000	N.A.
All Other	\$500	\$1,000	\$500	\$1,000	N.A.
Limited Brokering and Asphalt Facilities	\$100	\$100	\$100	\$100	N.A.

^(a) ~~The disposal fee in Column 6 will apply to Municipal Solid Waste removed from a Facility per Section 12.4(a) or received at a the Facility. For Facilities which have not installed weigh scales or are exempt under section 11.4 of the Bylaw the applicable fee shall be \$1.25 per cubic metre of municipal solid waste received at the Disposal Facility per 12.5. (measured in the delivery vehicle). For Transfer Stations and Material Recovery Facilities during a transition period ending November 1, 1996 the applicable fee shall be \$0.80 per cubic metre of municipal solid waste received at the Facility (measured in the delivery vehicle).~~

SCHEDULE "B"

EXEMPTIONS FROM LICENSING REQUIREMENTS

For greater certainty and without limiting the generality of section 2.1 of the Bylaw, the following Facilities shall be exempt from the licensing requirements under section 2.1:

- ~~any Facility which accepts exclusively asphalt and concrete for the purposes of reprocessing, resale and reuse;~~
- ~~1. any drop-off Facilities owned or operated by the District's member Municipalities that accept only Source Separated Recyclable Material;~~
- ~~1.2. any Drop-off Depot which is owned or operated by a charitable organization, as defined in the Income Tax Act (Canada), or a non-profit organization, as referred to in section 149 of the Income Tax Act (Canada);, and that accepts only Source Separated Recyclable Material;~~
- ~~3. any retail food, grocery, beverage or drug establishment that accepts recyclable products on a return-to-retail basis, and that accepts only Source Separated Recyclable Material;~~
- ~~4. any Drop-off Depot that operates for the sole purpose of receiving Source Separated Recyclable Materials, and that manages products that are defined in section 1 of the Recycling Regulation B.C. Reg. 449/2004;~~
- ~~5. any Facility that operates for the sole purpose of receiving Source Separated Recyclable Materials or Municipal Solid Waste consisting exclusively of products defined in section 1 of the Recycling Regulation B.C. Reg. 449/2004, and which the Facility is responsible for managing under a Provincial Stewardship Program;~~
- ~~6. a Facility handling only industrial, agricultural waste, or Municipal Liquid Waste, or a combination of these wastes, provided that it does not handle any Municipal Solid Waste;~~
- ~~7. a Composting Facility or Digesting Facility owned or operated by a farmer, as that person is defined in the Farm Practices Protection (Right to Farm) Act, R.S.B.C. 1996, c. 131, if that Composting Facility or Digesting Facility uses Municipal Solid Waste and Recyclable Material originating solely from one or more farm businesses as defined in the Farm Practices Protection (Right to Farm) Act; and~~
- ~~8. Facilities that only manage consumer products such as books and clothing for resale to the general public.~~

SCHEDULE "C"

REGIONAL FACILITIES

- Coquitlam Transfer Station located at 1200 United Boulevard, Coquitlam
- North Shore Transfer Station located at 30 Riverside Drive, North Vancouver
- Surrey Transfer Station located at 9770 192nd Street, Surrey
- Langley Residential Transfer Station located at 1070 272 Street, Langley
- Maple Ridge Residential Transfer Station located at 10092 236 Street, Maple Ridge
- Waste-to-Energy Facility located at 5150 Riverbend Drive, Burnaby
- Vancouver South Transfer Station located at 377 West Kent Avenue North, Vancouver
- Vancouver Landfill located at 5400 72nd Street, Delta

GREATER VANCOUVER SEWERAGE AND DRAINAGE DISTRICT

BYLAW NO. 307, 2017

A Bylaw to License Commercial Waste Haulers

WHEREAS:

- A. Pursuant to the *Greater Vancouver Sewerage and Drainage District Act* (the “**Act**”) the objects of the Greater Vancouver Sewerage and Drainage District (“**GVS&DD**”) include the disposal of all types of waste and the operation and administration of facilities for the disposal of all types of waste;
- B. The GVS&DD is authorized pursuant to section 25(3)(h) and (i) of the *Environmental Management Act* to regulate with respect to municipal solid waste and recyclable material, and to require haulers to hold a hauler licence and to set conditions for the issuance, suspending or cancelling of a hauler licence;
- C. Licensing of waste collection service providers is identified as an initiative in the Integrated Solid Waste and Resource Management Plan; and
- D. In relation to the disposal of solid waste generated within the geographic area of the GVS&DD, section 7B of the Act empowers the GVS&DD to set levies payable by generators of waste or by other persons who use the services of a commercial waste hauler based on the quantity, volume, type or composition of waste generated, and to require haulers to remit that levy to the GVSⅅ

NOW THEREFORE the Board of the Greater Vancouver Sewerage and Drainage District in open meeting assembled, enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited as the “Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017”.

2.0 Definitions

- 2.1 In this Bylaw, terms defined in the *Environmental Management Act* shall have the meaning set out therein for the purpose of this bylaw unless otherwise defined in this bylaw. In this bylaw:

“**Board**” means the board of directors of the Greater Vancouver Sewerage and Drainage District;

“**Client**” means a person, a household, a strata corporation, a business, an institution, or any other generator of waste, who pays a hauler to collect or manage municipal solid waste;

“**Construction and Demolition Waste**” means refuse that originates from demolition or construction sources that has not been handled or managed with waste from other sources;

“Environmental Management Act” means the *Environmental Management Act* S.B.C. 2003 c. 53;

“Generator Levy” means the levy payable by the generator of municipal solid waste to the GVS&DD pursuant to the Tipping Fee Bylaw in effect from time to time;

“GVS&DD” means the Greater Vancouver Sewerage and Drainage District;

“Hauler Licence” means a valid and subsisting licence issued under this bylaw;

“Licence Holder” means the person who is the holder of a valid and subsisting Hauler Licence;

“Manager” means the person appointed as the Solid Waste Manager pursuant to the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*, and includes any person appointed or designated to act in his or her place;

“Mixed Municipal Solid Waste” means refuse that originates from residential, commercial, or institutional sources, or any combination of waste or refuse from these sources and other sources, but does not include Source Separated Recyclable Material or Construction and Demolition Waste;

“Non-organic Recyclable Material” means recyclable material as defined in the *Environmental Management Act*, other than Organic Recyclable Material;

“Organic Recyclable Material” includes packaged or unpackaged food waste, green waste, clean wood, recyclable paper that has been soiled by or comingled with food residue, compostable packaging and products, carbon paper, tissue paper, paper napkins or towels or paper that is covered or infused with wax, or any combination thereof and does not contain more than 5% (by wet weight) of any other type of refuse;

“Private Facility” means a facility that handles, manages, accepts or disposes of waste that is not a Regional Facility;

“Regional Facility” means any facility owned or operated by the GVS&DD or the City of Vancouver, including any of the facilities listed in Schedule “A”, as attached hereto as Schedule “A” and hereby made part of this bylaw;

“Source Separated Recyclable Material” means:

- (i) Organic Recyclable Material that has been separated from other recyclable material and from municipal solid waste, and
- (ii) Non-organic Recyclable Material that has been separated from municipal solid waste,

by the waste generator at the point of generation for the purposes of recycling; and

“Tipping Fee Bylaw” means the Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw in effect from time to time, or where no such bylaw exists, the bylaw in effect from time to time that establishes tipping fees at Regional Facilities.

3.0 Licence Required

- 3.1 No person shall haul waste within the geographic area of the GVS&DD unless that person holds a valid and subsisting Hauler Licence authorizing that activity.

4.0 Exemptions

- 4.1 Notwithstanding section 3.0 of this bylaw, the following haulers do not require a Licence:
- (a) Haulers that collect only Source Separated Recyclable Material, Construction and Demolition Waste, or both;
 - (b) Municipalities that collect municipal solid waste from multi-family buildings, commercial and institutional sectors, or both, provided that the municipality has a bylaw or policy requiring recycling containers to be provided wherever the municipality collects municipal solid waste;
 - (c) A hauler that manages less than 10 tonnes of Mixed Municipal Solid Waste in every month of a calendar year; or
 - (d) A hauler that only uses vehicles that are hand unloaded, with no mechanical assistance.

5.0 Licence Applications

- 5.1 Every application for a Hauler Licence shall be made to the GVS&DD on the application form prescribed by the Manager.

6.0 Application Fee

- 6.1 At the time of making application for a Hauler Licence under this bylaw, an applicant shall pay to the GVS&DD the non-refundable application fee of \$100.

7.0 Applicants

- 7.1 Every application for a Hauler Licence shall be made by the owner of the vehicle or vehicles used by the applicant to haul waste, or that person’s authorized signatory.
- 7.2 If there is more than one owner of the vehicle that is the subject matter of a Licence application, each owner must sign the application or consent to another owner signing the document on their behalf.

8.0 Licence Information Requirements

8.1 All applications for a Hauler Licence shall include the following information:

- (a) Company or owner name and contact information;
- (b) A list of all vehicles used by the hauler to haul Mixed Municipal Solid Waste, including the gross vehicle weight and licence plate number of each vehicle;
- (c) The anticipated monthly amount of Mixed Municipal Solid Waste hauled by the hauler;
- (d) Confirmation that the hauler has provided its clients with containers for each of Organic Recyclable Materials, Non-Organic Recyclable Materials and Mixed Municipal Solid Waste, or an explanation of why those containers are not provided in accordance with sections 12.1 and 12.2 of this bylaw.

9.0 Licence Issuance

9.1 The Manager shall issue a Hauler Licence to the applicant where a complete application for a Hauler Licence under this bylaw has been made indicating compliance with all terms of this bylaw, and the applicant has paid the application fee for the Licence. All future Licences issued to the same hauler may only be issued as a renewal.

10.0 Term of Licence

10.1 The term of every Hauler Licence will be up to one year and shall expire on March 31 of each calendar year.

11.0 Licence Renewal

11.1 A Licence Holder may apply to renew its Hauler Licence annually anytime after December 31 but before March 31 of each calendar year by submitting to the Manager the following:

- (a) A completed renewal application in the form prescribed by the Manager, clearly indicating any changes in licensing information from the previous licence term;
- (b) Where the hauler has only delivered Mixed Municipal Solid Waste to Regional Facilities, and has not delivered any Mixed Municipal Solid Waste to a Private Facility, a declaration in the form prescribed by the Manager; and
- (c) Where the hauler has delivered any Mixed Municipal Solid Waste to a Private Facility, a copy of the hauler's Quarterly Reports as required pursuant to sections 16.1 and 16.2 of this bylaw, and a declaration in the form prescribed by the Manager that all Generator Levy amounts collected by the Hauler up to December 31 of the previous calendar year have been remitted to the GVS&DD in accordance with the Tipping Fee Bylaw.

11.2 The Manager shall issue a renewal of a Hauler Licence where:

- (a) the Hauler Licence is in good standing, all fees are up to date, and all Generator Levy amounts have been remitted pursuant to the Tipping Fee Bylaw;
- (b) all the original Licence information is still valid and applicable to the existing operations, or has been updated in the renewal application;
- (c) the reporting requirements applicable to the hauler under this bylaw or any other enactment have been satisfied; and
- (d) the Licence Holder has paid to the GVS&DD a renewal fee of \$100.

12.0 Separation of Recyclable Materials

12.1 Every hauler shall provide to each of its clients bins of adequate size for the separate collection of each of the following:

- (a) Non-organic Recyclable Material including, at a minimum, paper and paper products, and metal, glass and plastic containers;
- (b) Organic Recyclable Material; and
- (c) Mixed Municipal Solid Waste.

12.2 As a limited exception to section 12.1, where a hauler has verified the provision of any one of the containers required to be provided under section 12.1 by their client or another hauler, that hauler is not required to provide that container to its client.

12.3 Every hauler shall manage Non-organic Recyclable Material, Organic Recyclable Material and Mixed Municipal Solid Waste so as to keep these materials separate from one another at all times.

13.0 Inspection and Weighing of Loads

13.1 Every hauler shall ensure that every load of Mixed Municipal Solid Waste or recyclable material delivered to a Regional Facility or Private Facility is weighed or otherwise quantified and recorded upon receipt at the facility and before mixing with any other loads.

14.0 Record of Loads

14.1 Every hauler shall maintain a record of all loads of Mixed Municipal Solid Waste delivered to a Regional Facility or Private Facility, including the date, time, quantity, facility name, location, and vehicle licence plate number.

15.0 Record Keeping

15.1 A Licence Holder shall maintain accurate and up-to-date records of all Mixed Municipal Solid Waste delivered to every Regional Facility and Private Facility, and make those records available

for inspection by request of the Manager or any officer appointed by the Board for the purpose of enforcing the bylaws of the GVS&DD.

16.0 Quarterly Report

16.1 Every Licence Holder shall prepare a Quarterly Report containing the following:

- (a) the quantity (by weight or volume) of Mixed Municipal Solid Waste collected from generators within the geographic area of the GVS&DD on a load by load basis;
- (b) the quantity (by weight or volume) of Mixed Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivered to Regional Facilities on a load by load basis; and
- (c) the quantity (by weight or volume) of Mixed Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivered to Private Facilities or locations other than Regional Facilities on a load by load basis.

16.2 Every Licence Holder shall submit to the Manager the Quarterly Report prepared pursuant to section 16.0 as follows:

- (a) for January 1 to March 31, by April 15 of each calendar year;
- (b) for April 1 to June 30, by July 15 of each calendar year;
- (c) for July 1 to September 30, by October 15 of each calendar; and
- (d) for October 1 to December 31, by January 15 of the following calendar year.

16.3 Where a Licence Holder has only delivered Mixed Municipal Solid Waste to a Regional Facility in any given quarter, no Quarterly Report is required.

17.0 Powers of Manager

17.1 Without limiting the authority granted to the Manager under this bylaw and other enactments, the Manager has the following powers:

- (a) To prepare and prescribe forms that are to be used for the purposes of this bylaw;
- (b) To determine whether a Licence application or Licence renewal is complete;
- (c) To request additional information from an applicant where the Manager considers that the information provided in relation to a Licence application or Licence renewal is incomplete;
- (d) To refuse a Hauler Licence application or Licence renewal on the basis that the application is incomplete, or where satisfied that the conditions of this bylaw have not been met;

- (e) To suspend or revoke a Hauler Licence in accordance with this Part;
- (f) To impose conditions on a Hauler Licence in accordance with this Part;
- (g) To request information from a Licence Holder in relation to compliance with a Licence or this bylaw; and
- (h) To renew a Hauler Licence in accordance with this bylaw.

18.0 Licence Revocation and Suspension

18.1 The Manager may suspend or revoke a Hauler Licence under this bylaw where the Manager considers that:

- (a) The Licence Holder has contravened this bylaw, or another relevant and applicable bylaw or enactment;
- (b) The Licence Holder has contravened a condition of the Licence;
- (c) The Licence was issued on the basis of information submitted by the Licence Holder in support of the Licence application which was incorrect or misleading in a material way; or
- (d) The Licence Holder has failed or refused to pay a fee or remit a levy required under this bylaw or a related bylaw.

19.0 Imposition of Conditions in Relation to Suspension or Revocation

19.1 Where the Manager suspends a Licence, it may also impose conditions in relation to compliance with this bylaw or related enactments, including conditions that:

- (a) Shorten the term of a suspension upon compliance with a Hauler Licence or this bylaw; or
- (b) Impose additional monitoring or reporting requirements on a Licence Holder.

19.2 All conditions imposed in relation to a Licence suspension become Licence conditions, and are enforceable under this bylaw in the same manner as other Licence conditions.

19.3 An applicant may appeal a determination by the Manager to refuse a Licence application or Licence renewal, to impose conditions on a Licence, or to revoke or suspend a Licence to the Commissioner.

19.4 The decision of the Manager with respect to any of the above matters is immediately effective unless or until varied or reversed by the Commissioner on appeal.

20.0 Appeals to the Commissioner

- 20.1 If the Manager refuses a Hauler Licence application or Hauler Licence renewal, or revokes or suspends a Hauler Licence, the applicant or Licence Holder may appeal this determination to the Commissioner by submitting a written request for an appeal to the Manager within 30 days of the Manager's decision.
- 20.2 The Commissioner may extend the time for commencing an appeal either before or after the time for commencement of the appeal has elapsed.
- 20.3 On an appeal of a decision of the Manager, the Commissioner may consider new information submitted to the Commissioner by the applicant or Licence Holder, the Manager, an affected municipality, or other relevant parties, provided that this information is made available to all interested parties prior to the Commissioner's determination of the appeal.
- 20.4 On considering an appeal, the Commissioner may:
- (a) confirm, reverse or vary the decision appealed from;
 - (b) refer the matter back to the Manager for reconsideration, as the case may be, with or without directions; or
 - (c) make any decision that the Manager could have made and that the Commissioner considers appropriate in the circumstances.
- 20.5 At the request of the Manager whose decision is being appealed, the Commissioner shall permit the Manager to have full party status at the appeal.

21.0 Compliance with Bylaw and Licence

- 21.1 No person shall:
- (a) Fail to comply with the terms of a Hauler Licence issued under this bylaw;
 - (b) Deliver Mixed Municipal Solid Waste to a Regional Facility without a Hauler Licence, unless exempted under section 4.0 of this bylaw;
 - (c) Manage Mixed Municipal Solid Waste, Organic Recyclable Material or Non-Organic Recyclable Material contrary to this bylaw;
 - (d) Prevent or obstruct, or seek or attempt to prevent or obstruct the Manager or another GVS&DD employee administering or enforcing this bylaw; or
 - (e) In relation to an application for a Hauler Licence under this bylaw, intentionally submit false or misleading information.

21.2 The Manager, and every officer appointed by the Board for the purpose of enforcing the bylaws of the GVS&DD, is authorized to enter a site or inspect the contents of a vehicle for the purpose of enforcing this bylaw and, for this purpose, to exercise all the authority set out in sections 109 and 111 (2) of the *Environmental Management Act*.

22.0 Offence

22.1 Every person who commits an act that is prohibited by this bylaw commits an offence under this bylaw is liable on summary conviction to fines of up to \$200,000.

22.2 Each day that a violation of this bylaw continues constitutes a separate offence.

23.0 Compliance with Other Laws

23.1 Nothing in this bylaw, including, a Licence under this bylaw, excuses any person from complying with all other applicable enactments.

24.0 Application

24.1 This bylaw applies to all land located within the geographic area of the GVS&DD.

25.0 Date of Effect

25.1 This bylaw comes into force and effect upon adoption.

READ A FIRST TIME this 24th day of November, 2017.

READ A SECOND TIME this 24th day of November, 2017.

READ A THIRD TIME this 24th day of November, 2017.

APPROVED BY THE MINISTER OF ENVIRONMENT this _____ day of _____, _____.

PASSED AND FINALLY ADOPTED this _____ day of _____, _____.

Greg Moore, Chair

Chris Plagnol, Corporate Officer

SCHEDULE A

Regional Facilities

- Coquitlam Transfer Station located at 1200 United Boulevard, Coquitlam
- North Shore Transfer Station located at 30 Riverside Drive, North Vancouver
- Surrey Transfer Station located at 9770 192nd Street, Surrey
- Langley Residential Transfer Station located at 1070 272 Street, Langley
- Maple Ridge Residential Transfer Station located at 10092 236 Street, Maple Ridge
- Waste-to-Energy Facility located at 5150 Riverbend Drive, Burnaby
- Vancouver South Transfer Station located at 377 West Kent Avenue North, Vancouver
- Vancouver Landfill located at 5400 72nd Street, Delta

To: Zero Waste Committee

From: Paul Henderson, General Manager, Solid Waste Services

Date: March 1, 2019

Meeting Date: March 7, 2019

Subject: **Generator Levy Overview**

RECOMMENDATION

That the GVS&DD Board receive for information the report dated March 1, 2019, titled “Generator Levy Overview”.

PURPOSE

The purpose of this report is to provide the Zero Waste Committee and the GVS&DD Board with additional information on the Tipping Fee Bylaw and Generator Levy.

BACKGROUND

On November 24, 2017, the Board approved the *GVS&DD Tipping Fee and Solid Waste Disposal Regulation Amending Bylaw No. 308, 2017* to implement the Generator Levy effective January 1, 2018. At the February 8, 2019 Zero Waste Committee meeting there were a number of questions from Committee members on the Generator Levy, in response to the report titled “Solid Waste Regulatory Framework Update”. The purpose of this report is to provide an overview of the Tipping Fee Bylaw and additional information on the Generator Levy.

GENERATOR LEVY BYLAW

Tipping Fee Bylaw

The Tipping Fee Bylaw establishes fees for municipal solid waste and recyclable materials such as yard trimmings dropped off at Metro Vancouver solid waste facilities. The Tipping Fee Bylaw also specifies materials included in the region’s disposal ban program, and includes both the criteria for levying disposal ban surcharges along with disposal ban surcharge fees. The City of Vancouver separately sets fees and requirements for the Vancouver Landfill through the City of Vancouver Solid Waste Bylaw, and by agreement the City of Vancouver fees and requirements align with the Tipping Fee Bylaw provisions.

Generator Levy

The Generator Levy ensures that all generators of waste from residential and commercial/institutional sources (mixed municipal solid waste) contribute to the fixed costs of Metro Vancouver’s transfer station network and solid waste planning, services that benefit all waste generators in the region. The Generator Levy is included in the tipping fee charged at Metro Vancouver and City of Vancouver disposal facilities (regional facilities) and does not increase the cost of disposal at these facilities. The Generator Levy is required to be remitted by haulers to Metro Vancouver for mixed municipal solid waste delivered to facilities other than regional facilities. The Generator Levy is set at \$42 per tonne for 2019, making up on average about 1/3 of the tipping fee at regional facilities.

One of the benefits of the Generator Levy is it encourages the delivery of mixed municipal solid waste to regional facilities, where disposal bans and other requirements and services are in place to help encourage waste diversion. The net cost of recycling services at transfer stations is also funded through the Generator Levy.

In 2018, the Generator Levy was revised through the *GVS&DD Tipping Fee and Solid Waste Disposal Regulation Amending Bylaw No. 312, 2018*. The updated Generator Levy provides a rebate to private facilities processing mixed municipal solid waste to recover energy or materials that reduce mixed municipal solid waste by a minimum of 25%. The rebate ensures that the Generator Levy is only paid once for waste being processed at these facilities.

Tipping Fee Bylaw Generator Levy Provisions

A blacklined version of the Tipping Fee Bylaw showing all of the components related to the Generator Levy is included in the Attachment.

Section 3: Definitions

Definitions added to the Tipping Fee Bylaw to implement the Generator Levy include new types of materials along with “qualified private facility”. A qualified private facility is a facility that recovers a minimum of 25% of incoming mixed municipal solid waste for fuel or recycling materials. Any use of material at a landfill would not be considered recovery.

Section 5: Rates and Charges

Waste generators pay the \$42/tonne Generator Levy for all municipal solid waste with exceptions specified in the bylaw.

Section 8: Waste Haulers

The Generator Levy is included in the tipping fee at regional facilities. Waste haulers must remit the Generator Levy to Metro Vancouver if they deliver waste to any facility other than a regional facility.

Haulers must create and maintain records related to the collection and disposal of mixed municipal solid waste. If haulers deliver waste to facilities other than regional facilities, the Generator Levy must be remitted to Metro Vancouver on a quarterly basis.

Section 9: Generator Levy Rebate

This establishes requirements for the Generator Levy rebate for qualified private facilities recovering energy or materials. The Generator Levy is originally paid to Metro Vancouver by haulers delivering waste to the qualified private facility. Residual waste delivered from the qualified private facility to a regional facility is eligible for the rebate on tipping fees paid by the qualified private facility. The qualified private facility must provide documentation that all Generator Levy payments have been made by haulers. Up to 75% of the total Generator Levy paid can be remitted to the qualified private facility recognizing that at a minimum 25% of the incoming waste to the qualified private facility must be reduced through material or energy recovery.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

The Tipping Fee Bylaw sets fees and requirements for regional facilities as well as the amount and requirements related to the Generator Levy. Fees and the Generator Levy are set such that Solid Waste Services revenues and expenditures match on an annual basis.

SUMMARY / CONCLUSION

The Generator Levy was approved by the Board in November 2017, and has been in place since January 2018. This report provides an overview of the Tipping Fee Bylaw and the Generator Levy. The Generator Levy is an important tool in advancing waste diversion in the region and ensuring a cost effective and equitably funded regional solid waste system.

Attachment

Consolidation of *Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 306, 2017* – Blacklined Version (*Orbit #28730051*)

28737193

TIPPING FEE AND SOLID WASTE REGULATION BYLAW

THIS IS A CONSOLIDATION, FOR REFERENCE PURPOSES, OF:

- “Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 306, 2017
(Adopted October 27, 2017). Effective date January 1, 2018.
- “Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 308, 2017”
(Adopted November 24, 2017). Effective date January 1, 2018.
- “Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 312, 2018”.
(Adopted February 23, 2018).
- “Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 323, 2018”.
(Adopted October 26, 2018).

As of January 1, 2019

COPIES OF THE ORIGINAL BYLAWS MAY BE INSPECTED AT
BOARD AND INFORMATION SERVICES, METRO VANCOUVER

**GREATER VANCOUVER SEWERAGE AND DRAINAGE
DISTRICT**

BYLAW NO. 306, 2017

**A Bylaw to Establish the Tipping Fee and Solid Waste Disposal
Regulation**

WHEREAS:

- A. Pursuant to the *Greater Vancouver Sewerage and Drainage District Act* (the "**Act**") the objects of the Greater Vancouver Sewerage and Drainage District ("**GVS&DD**") include the disposal of all types of waste and the operation and administration of facilities for the disposal of all types of waste;
- B. Section 7A(5)(b) of the Act empowers the GVS&DD to establish the uses to which its waste disposal facilities may be put and by whom they may be used;
- C. Section 7A(5)(g) of the Act empowers the GVS&DD to establish scales of charges for services rendered by the GVS&DD and for the use of any of the GVS&DD's waste disposal facilities;
- D. In relation to the disposal of solid waste generated within its area, section 7B of the Act empowers the GVS&DD to set levies payable by generators of waste or by other persons who use the services of a waste hauler based on the quantity, volume, type or composition of waste generated; and
- E. Section 55(4) of the Act empowers the GVS&DD to establish a method of apportionment of its costs among its member municipalities.

NOW THEREFORE the Board of the Greater Vancouver Sewerage and Drainage District in open meeting assembled, enacts as follows:

1.0 Repeal of Bylaw

- 1.1 "Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 302, 2016" is hereby repealed.
- 1.2 "Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 304, 2017" is hereby repealed.

2.0 Citation

2.1 The official citation for this bylaw is "Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 306, 2017".

2.2 This Bylaw may be cited as the "2018 Tipping Fee Bylaw".

3.0 Definitions

3.1 In this Bylaw:

"Agricultural Waste" means Refuse that originates from an agricultural operation as defined pursuant to the *Agricultural Waste Control Regulation*, B.C. Reg. 131/1992, adopted pursuant to the *Environmental Management Act*, and includes manure, used mushroom medium and agricultural vegetation waste;

"Banned Materials" means Hazardous and Operational Impact Materials, Recyclable Materials or Product Stewardship Materials;

"Board" means the board of directors of the Greater Vancouver Sewerage and Drainage District;

"Clean Wood" means Municipal Solid Waste that comprises solid wood, lumber or pallets:

- (i) that does not contain any glues or resins;
- (ii) that is unpainted, unstained and untreated; and
- (iii) that may or may not be pierced with nails or other metal fasteners;

Added by Bylaw 308, 2017

"Construction and Demolition Waste" means refuse that originates from demolition or construction sources that has not been handled or managed with waste from other sources;

"Contaminated Recyclable Paper" means Recyclable Paper that has been contaminated with grease, oil, food residue or other material;

"Corrugated Cardboard" means Recyclable Paper that consists of a fluted corrugated sheet and one or two flat linerboards;

"Delta Garbage" means all Garbage originating from within the territorial boundaries of the Corporation of Delta, except Delta Residential Drop-off Garbage;

"Delta Residential Drop-off Garbage" means Garbage brought to a Vancouver Disposal Site by residential customers who reside in Delta;

Added by Bylaw 308, 2017

"Disposal Rate" is the difference between the Tipping Fee and the Generator Levy, and is generally calculated on the basis of the costs of transportation and disposal of waste;

"Disposal Site" means any of the Municipal Solid Waste disposal facilities listed in Schedule "A";

Added by Bylaw 312, 2018

"EMA Recyclable Material" means a product or substance that has been diverted from disposal, and satisfies at least one of the following criteria:

- (i) is organic material from residential, commercial or institutional sources and is capable of being composted, or is being composted, at a site;
- (ii) is managed as a marketable commodity with an established market by the owner or operator of a site;
- (iii) is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process;
- (iv) has been identified as a recyclable material in a waste management plan;
- (v) is any other material prescribed by the Lieutenant Governor in Council, or the Minister of the Environment pursuant to the *Environmental Management Act*;

"Environmental Management Act" means the *Environmental Management Act* S.B.C. 2003 c. 53;

"Expanded Polystyrene Packaging" means white expanded polystyrene used for protecting and distributing products, but excluding:

- (i) food and beverage containers;
- (ii) packing 'peanuts'; and
- (iii) expanded polystyrene that has been painted, soiled or treated.

"Food Waste" means Municipal Solid Waste that comprises food, including meat, fish, fat, dairy products, bread, baking products, fruits and vegetables, whether cooked or uncooked and packaged or unpackaged;

"Garbage" means the Municipal Solid Waste that is disposed of in a bunker, pit or on the tipping floor, as opposed to a Recycling Area, at a Disposal Site or a Vancouver Disposal Site;

Added by Bylaw 308, 2017

"Generator Levy" means the levy payable by the generator of Municipal Solid Waste pursuant to this bylaw in the amount set out at section 5, which is calculated annually on the basis of the amount required to recover the projected fixed costs of the regional transfer station network and solid waste planning, including the Regional Services Rate;

"Greater Vancouver Sewerage and Drainage District Act" or the **"Act"** means the *Greater Vancouver Sewerage and Drainage District Act* S.B.C. 1956 c. 59;

Replaced by Bylaw 323, 2018

"Green Waste" means Municipal Solid Waste that comprises vegetative matter resulting from gardening, landscaping or land clearing that is capable of being composted and includes grass, shrub and tree branches, grass sod, flowers, weeds, leaves, vegetable stalks, brush and tree stumps with a maximum diameter of 30 centimetres and maximum length of 120 centimetres, but excludes Snow Flocked or Frosted Trees, Toxic Plants, Clean Wood, Food Waste and Agricultural Waste;

Added by Bylaw 308, 2017

"GVS&DD" means the Greater Vancouver Sewerage and Drainage District;

"Gypsum" means Municipal Solid Waste that comprises board made of several plies of fiberboard, paper or felt bonded to a hardened gypsum plaster core that is also known as drywall and includes gypsum board that has been painted or covered in wallpaper;

"Gypsum – New" means Gypsum date stamped 1990 or newer that has not been previously installed and does not contain tape, paint or drywall mud;

"Gypsum – Used" means Gypsum without a date stamp, Gypsum that is date stamped before 1990, or Gypsum that contains tape, paint or drywall mud;

"Hazardous and Operational Impact Materials" means the classes of Refuse listed in Schedule "C";

"International Waste" means Municipal Solid Waste originating from outside of Canada, but excludes Refuse from cruise ships from the United States;

"Load" means a quantity of Municipal Solid Waste that is or was contained within a single vehicle attending at a Disposal Site;

"Manager" means the person appointed to the position of General Manager, Solid Waste Services from time to time and includes any person appointed or designated to act in his or her place;

"Mattresses" means Municipal Solid Waste that comprises a case of canvas or other heavy cloth stuffed with wool, cotton, other fibers or similar material, with or without coiled

springs, that was used as a bed or as support for a bed;

"Municipal Garbage" means:

- (i) Loads that contain any Municipal Solid Waste collected from single family residences, whether or not mixed with other types of Municipal Solid Waste, and collected by local government, their contractors or by entities contracting directly with individual households where such collection occurs on a regular basis (typically: weekly, every two weeks or monthly); or
- (ii) Loads of Municipal Solid Waste collected by local government staff from local government owned premises, such as parks, streets or public buildings;

Added by Bylaw 312, 2018

"Mixed Municipal Solid Waste" means refuse that originates from residential, commercial or institutional sources, or any combination of waste or refuse from these sources and other sources, but does not include Source-Separated Recyclable Material or Construction and Demolition Waste;

"Municipal Solid Waste" means Refuse that originates from residential, light industrial, commercial, institutional, demolition, land clearing or construction sources or Refuse specified to be included in the GVS&DD's solid waste management plan pursuant to the *Environmental Management Act*;

"Noxious Weeds" means the weeds designated as noxious weeds in Part I and Part II of Schedule A of the Weed Control Regulation, B.C. Reg. 143/2011 but excludes Giant Hogweed (*Heracleum Mantegazzianum*) and Spurge Laurel (*Daphne Laureola*);

"Peak Hours" means from 10:00 am to 2:00 pm on Monday to Friday, excluding statutory holidays;

Added by Bylaw 308, 2017

"Person" includes natural persons, as well as businesses, households, strata corporations, institutions, non-profit societies, and corporations;

"Personal Hygiene Products" means personal care products such as diapers, feminine hygiene products and incontinence products;

"Product Stewardship Materials" means the classes of Refuse listed in Schedule "E";

Added by Bylaw 312, 2018

"Qualified Private Facility" means a facility that:

- (i) manages Mixed Municipal Solid Waste;

- (ii) reduces the total weight of incoming Mixed Municipal Solid Waste by at least 25%, calculated monthly, as a result of resource recovery or the production of fuel at the facility, provided always that any material delivered to a landfill, including material used for roads or for alternative daily cover, is included in the calculation as waste disposed from the facility; and
- (iii) operates in full compliance with all applicable laws, including holding a valid and subsisting license to manage Mixed Municipal Solid Waste pursuant to Greater Vancouver Sewerage and Drainage District Solid Waste and Recyclable Material Regulatory Bylaw 181, 1996, as amended or replaced from time to time;

"Quarter" means, within any calendar year, the three month period from January 1 to March 31, April 1 to June 30, July 1 to September 30, or October 1 to December 31;

"Recyclable Materials" means the classes of Refuse listed in Schedule "D";

Replaced by Bylaw 323, 2018

"Recyclable Paper" means Municipal Solid Waste manufactured from thin sheets from wood pulp or other fibrous substances that may be converted into reusable materials and includes newspapers and inserts, magazines, telephone directories, catalogues, office papers, envelopes, boxboard, paper bags and mail, but excludes photographic paper, carbon paper, tissue paper, paper napkins or towels, paper that is adhered to plastic or metal;

"Recycling Area" means those parts of a Disposal Site or Vancouver Disposal Site designated for Green Waste, Source-Separated Organic Waste, Clean Wood, Gypsum, Mattresses and the specific materials, substances and objects that comprise Recyclable Materials and Product Stewardship Materials;

"Recycling Depots" means the area located in front of the weigh scales at the Coquitlam Transfer Station and the North Shore Transfer Station, where identified materials can be dropped-off at no charge;

"Recycling Fee" means the recycling fee charged by the GVS&DD for Green Waste, Source-Separated Organic Waste, Clean Wood, Gypsum, Mattresses and the specific materials, substances and objects that comprise Recyclable Materials dropped off in the designated Recycling Area at Disposal Sites, as set out in Table 3 of Schedule "B" of this Bylaw;

"Recycling Regulation" means the *Recycling Regulation*, B.C. Reg. 449/2004 adopted pursuant to the *Environmental Management Act*;

"Refuse" means discarded or abandoned materials, substances or objects;

"Regional Services Rate" means the fee charged by the GVS&DD for solid waste management related services that the GVS&DD provides for the benefit of the entire area of the GVS&DD

including, but not limited to, system analysis and planning, regulation and enforcement, demolition, land clearing and construction waste management, recycling and sustainability initiatives and administration;

"Snow Flocked or Frosted Tree" means a natural tree that has received an application of a substance that looks like artificial snow.

"Source-Separated Organic Waste" means unpackaged Food Waste, Green Waste, Clean Wood, Recyclable Paper that has been soiled by or comingled with food residue, or carbon paper, tissue paper, paper napkins or towels or paper that is covered or infused with wax, or any combination thereof and does not contain more than 0.05% (by wet weight) of any other type of Refuse;

Replaced by Bylaw 312, 2018; Added by Bylaw 308, 2017

"Source-Separated Recyclable Material" means EMA Recyclable Material that has been separated from Municipal Solid Waste by the waste generator at the point of generation for the purposes of recycling;

"Special Handle Waste" means International Waste and Municipal Solid Waste that requires immediate destruction or is designated for product destruction by a regulatory agency;

"Surcharge" means the amount charged by the GVS&DD, in addition to the applicable Tipping Fee, for disposing of Banned Materials at a Disposal Site, as set out in Table 4 of Schedule "B" of this Bylaw;

Replaced by Bylaw 308, 2017

"Tipping Fee" means the fee charged by the GVS&DD for disposing of Garbage or Special Handle Waste at Disposal Sites, as set out in Table 1 of Schedule "B" of this Bylaw, and which includes the Regional Services Disposal Rate and the Generator Levy;

"Toxic Plants" means Devil's Club (Oplopanax Horridus), Giant Hogweed (Heracleum Mantegazzianum) and Spurge Laurel (Daphne Laureola);

"Transaction Fee" means the fee charged by the GVS&DD, in addition to the Tipping Fee, for all Loads of Garbage disposed of at Disposal Sites, all Loads of Special Handle Waste disposed of at the Waste-to-Energy Facility and all Loads of Gypsum dropped off at designated Recycling Areas, as set out in Table 2 of Schedule "B" of this Bylaw;

"Unsecured Load" means a Load that is not tied and covered or otherwise secured to prevent any of the Load escaping from the vehicle;

"Vancouver Disposal Site" means either of the following Municipal Solid Waste disposal facilities that are owned or operated by the City of Vancouver:

- (i) Vancouver Landfill located at 5400 72nd Street, Delta;

- (ii) Vancouver South Transfer Station, Recycling Depot and Yard Trimmings Drop-off located at 377 West Kent Avenue North, Vancouver; and

"Vancouver Garbage" means all Garbage that originates from within the territorial boundaries of the City of Vancouver.

Replaced by Bylaw 308, 2017

"Waste Hauler" has the same meaning as in the Act; and

"Weight Only Ticket" means a document provided at the scale house that records only the weight of the particular Load brought to a Disposal Site.

4.0 Restrictions and Prohibitions

- 4.1 No person shall dispose of anything at a Disposal Site except in accordance with this Bylaw.
- 4.2 No person shall dispose of Municipal Solid Waste at a Disposal Site unless it originates from within the geographic area of the GVS&DD.
- 4.3 Despite section 4.2, the Board may authorize acceptance at a Disposal Site of Municipal Solid Waste that originates from outside the geographic area of the GVS&DD, including International Waste.
- 4.4 No person shall dispose of any Loads that emit odours, fumes or particulate matter (such as dust) that cause or are capable of causing material discomfort to a person at a Disposal Site, except that where expressly authorized by the Manager such Loads may be disposed of at the Waste-to-Energy Facility.
- 4.5 No person shall dispose of any Loads dominated by oily materials, substances or objects at a Disposal Site, except that where expressly authorized by the Manager such Loads may be disposed of at the Waste-to-Energy Facility.
- 4.6 No person shall dispose of any Loads of Toxic Plants at a Disposal Site, except that where expressly authorized by the Manager such Loads may be disposed of at the Waste to Energy Facility, double bagged and in dedicated Loads.

Added by Bylaw 323, 2018

- 4.7 Despite anything else in this Bylaw, Noxious Weeds can be disposed of as Garbage or as Green Waste.

4.8 through 4.12 Renumbered by Bylaw 323, 2018

- 4.8 No person shall dispose of Gypsum at a Disposal Site, except Gypsum that weighs less than one half tonne may be dropped off at a designated Recycling Area.
- 4.9 No person shall dispose of Mattresses at a Disposal Site, except that four or fewer Mattresses

may be dropped off at a designated Recycling Area.

- 4.10 No person shall dispose of refrigerators, freezers, air conditioners, dehumidifiers, and water coolers at a Disposal Site, except that four or fewer of these types of appliances may be dropped off at a designated Recycling Area.
- 4.11 No person shall scavenge or salvage any Municipal Solid Waste or Recyclable Materials from a Disposal Site.
- 4.12 The Manager may prohibit a person who contravenes this Bylaw from disposing of Municipal Solid Waste at any Disposal Site for such period as the Manager may determine.

Replaced by Bylaw 323, 2018

5.0 Tipping Fees, Transaction Fee, Recycling Fees and Surcharges Levies, Rates and Charges

5.1 Every person who generates Municipal Solid Waste within the geographic area of the GVS&DD must pay the Generator Levy in the amount of \$42/tonne with respect to all Municipal Solid Waste that that person generates as follows:

- (a) to the GVS&DD at a Disposal Site in accordance with section 5.2;
- (b) to the City of Vancouver at a Vancouver Disposal Site as part of the applicable tipping fee at those sites; or
- (c) to a Waste Hauler that picks up their Municipal Solid Waste.

~~5.1~~5.2 Every person who disposes of Municipal Solid Waste at a Disposal Site must pay to the GVS&DD:

- (a) the applicable Tipping Fees set out in Table 1 of Schedule "B";
- (b) the Transaction Fee set out in Table 2 of Schedule "B";
- (c) the applicable Recycling Fees set out in Table 3 of Schedule "B"; and
- (d) the applicable Surcharges set out in Table 4 of Schedule "B",

and all such fees and charges must be paid before the person leaves the Disposal Site.

~~5.2~~5.3 Every person who disposes of Special Handle Waste at the Waste-to-Energy Facility must pay the applicable Tipping Fee specified in Table 1 of Schedule "B" of this Bylaw and the Transaction Fee specified in Table 2 of Schedule "B" of this Bylaw.

- 5.35.4 Every person who drops off Source-Separated Organic Waste, Green Waste, Clean Wood, Gypsum or Mattresses at a designated Recycling Area must pay the applicable Recycling Fee specified in Table 3 of Schedule "B" of this Bylaw.
- 5.45.5 If a person attends a Disposal Site with a Load that contains any combination of Source-Separated Organic Waste, Green Waste, Food Waste, Clean Wood, Gypsum, Mattresses, other Recyclable Materials and/or other Municipal Solid Waste and the person chooses not to weigh-out after dropping off each part of the Load at the designated Recycling Areas, then the person must pay to the GVS&DD the Tipping Fee for the entire Load that is based on the highest fee payable for any part of the Load, in the amounts set out in Schedule "B" of this Bylaw, together with any applicable Surcharges.
- 5.55.6 Every person who disposes of a Load at a Disposal Site that contains a quantity of Recyclable Materials other than Food Waste or Expanded Polystyrene Packaging that exceeds either 5% of the total weight of the Load or 5% of the total volume of the Load must pay a Surcharge in the amount set out in Table 4 of Schedule "B" of this Bylaw.
- 5.65.7 Every person who disposes of a Load at a Disposal Site that contains Contaminated Recyclable Paper that exceeds either 5% of the total weight of the Load or 5% of the total volume of the Load must pay a Surcharge in the amounts set out in Table 4 of Schedule "B" of this Bylaw.
- 5.75.8 Every person who disposes of a Load at a Disposal Site that contains Expanded Polystyrene Packaging that exceeds either 20% of the total weight of the Load or 20% of the total volume of the Load must pay a Surcharge in the amounts set out in Table 4 of Schedule "B" of this Bylaw.
- 5.85.9 Every person who disposes of a Load at a Disposal Site that contains Food Waste that exceeds either 25% of the total weight of the Load or 25% of the total volume of the Load must pay a Surcharge in the amounts set out in Table 4 of Schedule "B" of this Bylaw.
- 5.95.10 Every person who drops off a Load of Source-Separated Organic Waste at a designated Recycling Area that contains more than 0.05% (by wet weight) of any other type of Refuse must pay a Surcharge in the amount set out in Table 4 of Schedule "B" of this Bylaw.
- 5.105.11 Every person who disposes of a Load at a Disposal Site that contains any Hazardous and Operational Impact Materials or Product Stewardship Materials must pay a Surcharge in the amount set out in Table 4 of Schedule "B" of this Bylaw, plus the costs of remediation and clean up.

~~5.115.12~~ Every person who enters a Disposal Site with an Unsecured Load must pay a Surcharge in the amount set out in Table 4 of Schedule "B" of this Bylaw.

~~5.125.13~~ Special Handle Waste is exempt from all Surcharges, but if a Load of Special Handle Waste contains any Hazardous and Operational Impact Materials, it will be subject to the costs of remediation and clean-up.

~~5.135.14~~ Where a single Load is subject to multiple Surcharges, the Surcharge with the highest value will apply for the weight of the entire Load.

~~5.145.15~~ Despite anything else in this Bylaw, in advance of any person transporting a single Load or multiple Loads to a Disposal Site, the Manager may, at his or her discretion, waive any Surcharge or Surcharges or a portion thereof for a specified period and for specified classes of persons.

~~5.155.16~~ Despite anything else in this Bylaw, the Manager may, at his or her discretion, waive all fees and charges for a Load delivered to a Disposal Site by a non-profit or volunteer group resulting from a community clean-up project, provided that:

- (a) the community clean-up project is conducted within the geographic area of any GVRD member municipalities;
- (b) the community clean-up project involves collecting Noxious Weeds, litter or abandoned waste from the natural environment from any of the following publicly owned areas:
 - (i) green space, such as natural areas, recreational parks or playgrounds;
 - (ii) roads;
 - (iii) marine shorelines and harbours;
 - (iv) lakes, ponds, rivers, creeks, streams or other natural waterways.
- (c) the Load does not contain Recyclable Materials or Hazardous and Operational Impact Materials;
- (d) the Manager receives an advance written request from the non-profit or volunteer group prior to the date the community clean-up project is to be held;
- (e) the Manager confirms in writing to the non-profit or volunteer group that fees and charges otherwise payable under this Bylaw will be waived; and
- (f) the non-profit or volunteer group brings the Manager's written confirmation to the Disposal Site at the time of disposal.

~~5.165.17~~ The weigh scales at Disposal Sites weigh to the nearest 0.005 tonnes. For those customers who do not have a customer charge account, as described in Schedule "F", the total amount payable to GVS&DD is rounded to the nearest dollar.

~~5.175.18~~ Every person who enters a Disposal Site to obtain a Weight Only Ticket must pay a fee of \$15 per ticket.

~~5.185.19~~ Every person who disposes of a Load at the Waste-to-Energy Facility that is made up of at least 85% by weight of metals will receive a credit of \$25 per tonne on exiting the scale house at the Waste-to-Energy Facility.

~~5.195.20~~ Despite section 5.1 of this Bylaw, any person ~~who disposes of Municipal Solid Waste at a Disposal Site on a regular basis~~ may apply to the GVS&DD for a customer charge account in accordance with Schedule "F" to this Bylaw.

~~5.205.21~~ In the event the weigh scale system at a Disposal Site is not functioning for any reason, at his or her discretion the Manager may:

- (a) close the Disposal Site until the weigh scale system is functioning; or
- (b) permit a person to dispose of a single Load at the Disposal Site subject to the following:
 - (i) the Load must not measure more than 0.5 cubic metres in volume; and
 - (ii) the minimum Tipping Fee set out in Table 1 of Schedule "B" of this Bylaw, plus the Transaction Fee, will be charged for the Load.

~~5.215.22~~ In the event that a customer enters the Disposal Site with a rental vehicle, out-of-province or dealer licence plate, or previously left without payment then a \$50 deposit is required on entry to the Disposal Site.

6.0 Regional Services Rate

6.1 The Regional Services Rate is set at an amount equal to 6% of the Tipping Fee for Municipal Garbage, as specified in Table 1 of Schedule "B". The Regional Services Rate is included in all Tipping Fees.

6.2 Every Quarter, the City of Vancouver must record:

- (a) the total tonnage of Garbage;
- (b) the tonnage of Vancouver Garbage and Delta Garbage; and
- (c) the tonnage of Delta Residential Drop-off Garbage,

that is disposed of at the Vancouver Disposal Sites during that Quarter and provide such information to GVS&DD and the Corporation of Delta within 30 days of the end of the Quarter.

6.3 Every Quarter GVS&DD will invoice the City of Vancouver for an amount equal to the Regional Services Rate for every tonne of Vancouver Garbage and Delta Residential Drop-off Garbage disposed of at the Vancouver Disposal Sites during the previous Quarter, and the City of Vancouver must remit payment to GVS&DD within 30 days of the date of such invoice.

6.4 Every Quarter GVS&DD will invoice the Corporation of Delta for an amount equal to the Regional Services Rate for every tonne of Delta Garbage disposed of at the Vancouver Disposal Sites during the previous Quarter, and the Corporation of Delta must remit payment to GVS&DD within 30 days of the date of such invoice.

7.0 Apportionment of Recycling Depot Costs

7.1 On or before March 31 each year, the GVS&DD will prepare a detailed estimate of the amount required for constructing, maintaining, administering and operating the Recycling Depot at the North Shore Transfer Station ("**Annual Estimate North Shore Recycling Depot**") in that calendar year.

7.2 The Annual Estimate North Shore Recycling Depot will be calculated as follows: Annual Estimate North Shore Recycling Depot = $OP + AD + CA + LA - R \pm DE$ Where:

OP = the amount charged by GVS&DD's service provider for operating the Recycling Depot at the North Shore Transfer Station in that calendar year (which does not include costs related to management of mixed metals at the Recycling Depot);

AD = GVS&DD's administrative charge of \$25,000;

CA = amortized capital costs, amounting to \$68,000 each year for the calendar years 2017 – 2031;

LA = a land use contribution of \$23,268 each calendar year;

R = revenues received from Multi-Material BC Society and Product Care Association of Canada for collection of recyclable materials from the Recycling Depot at the North Shore Transfer Station during the calendar year; and

DE = any deficit or surplus in the estimate from any previous calendar year.

7.3 The GVS&DD will apportion the Annual Estimate North Shore Recycling Depot among the City of North Vancouver, District of North Vancouver the District of West Vancouver on the basis of population (as published in the most recent version of British Columbia Municipal and Regional District Population Estimates of the Demographic Analysis Section of BC Stats, Ministry of Technology, Innovation and Citizens' Services of the Government of the Province of British Columbia).

7.4 On or before March 31 each year, the GVS&DD will prepare a detailed estimate of the amount required for constructing, maintaining, administering and operating the Recycling Depot at the Coquitlam Transfer Station ("**Annual Estimate Coquitlam Recycling Depot**") in that calendar year.

7.5 The Annual Estimate Coquitlam Transfer Station will be calculated as follows: Annual Estimate

Coquitlam Recycling Depot = OP + AD + LA – R +/- DE Where:

OP = the amount charged by GVS&DD's service provider for operating the Recycling Depot at the Coquitlam Transfer Station in that calendar year (which does not include costs related to management of mixed metals at the Recycling Depot);

AD = GVS&DD's administrative charge of \$25,000;

LA = a land use contribution of \$17,812;

R = revenues received from Product Care Association of Canada for collection of recyclable materials from the Recycling Depot at the Coquitlam Transfer Station during the calendar year; and

DE = any deficit or surplus in the estimate from any previous calendar year.

- 7.6 The GVS&DD will apportion the Annual Estimate Coquitlam Recycling Depot among the City of Port Moody, the City of Coquitlam and the City of Port Coquitlam on the basis of population (as published in the most recent version of British Columbia Municipal and Regional District Population Estimates of the Demographic Analysis Section of BC Stats, Ministry of Technology, Innovation and Citizens' Services of the Government of the Province of British Columbia).
- 7.7 On or before March 31 each year the GVS&DD will deliver to each municipality referenced in this section 7 an invoice for its apportionment of costs pursuant to this section 7, and, in accordance with section 56 of the *Greater Vancouver Sewerage and Drainage District Act*, such invoices are payable on or before August 15 of the calendar year.

Added by Bylaw 308, 2017.

8.0 Waste Haulers

8.1 Waste Haulers must collect the Generator Levy in the amount set out at section 5.1 of this bylaw with respect to all Municipal Solid Waste that the Waste Hauler collects from generators of waste within the geographic area of the GVS&DD as an agent of the GVS&DD.

8.2 A Waste Hauler who has collected the Generator Levy in accordance with section 8.1 must remit the full amount of the Generator Levy to the GVS&DD as follows:

- (a) where the Waste Hauler delivers the Municipal Solid Waste collected from a generator to a Disposal Site, the Waste Hauler must remit the Generator Levy in accordance with section 5.2 of this bylaw;
- (b) where the Waste Hauler delivers the Municipal Solid Waste collected from a generator to a Vancouver Disposal Site, the Waste Hauler must remit the Generator Levy as part of the applicable tipping fee at those sites; or

- (c) where the Waste Hauler delivers the Municipal Solid Waste collected from a generator to a facility or location other than a Disposal Site or Vancouver Disposal Site, the Waste Hauler must remit the Generator Levy directly to the GVS&DD on a quarterly basis in accordance with section 8.4.

8.3 Every Waste Hauler that handles Municipal Solid Waste within the geographic area of the GVS&DD must create and maintain the following records for at least 5 years:

- (a) the quantity (by weight or volume) of Municipal Solid Waste collected from generators within the geographic area of the GVS&DD on a load by load basis;
- (b) the quantity (by weight or volume) of Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivered to Disposal Sites or Vancouver Disposal Sites on a load by load basis; and
- (c) the quantity (by weight or volume) of Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivered to facilities or locations other than to a Disposal Site or Vancouver Disposal Site, on a load by load basis.

8.4 Every Waste Hauler that handles Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivers any portion of that Municipal Solid Waste to a facility or location other than a Disposal Site or Vancouver Disposal Site must remit the Generator Levy collected in the previous quarter to the person appointed by the Board as the Solid Waste Manager, as follows:

- (a) for January 1 to March 31, on or before April 15 of each calendar year;
- (b) for April 1 to June 30, on or before July 15 of each calendar year;
- (c) for July 1 to September 30, on or before October 15 of each calendar; and
- (d) for October 1 to December 31, on or before January 15 of the following calendar year.

8.5 Sections 5.1, 8.2, 8.3 and 8.4 of this bylaw do not apply where a generator or Waste Hauler delivers only Source-Separated Recyclable Material or Construction and Demolition Waste to a facility or location other than a Disposal Site or Vancouver Disposal Site.

8.6 Every Waste Hauler must permit any person appointed by the Board as the Solid Waste Manager or an Officer appointed pursuant to the *Greater Vancouver and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996* to inspect and

make copies of the records required pursuant to section 8.3 of this Bylaw, Mondays to Fridays between 9 am and 5 pm.

8.7 No person shall misrepresent the class or quantities of Municipal Solid Waste collected from generators within the geographic area of the GVS&DD.

8.8 No person shall fail to remit the Generator Levy in accordance with section 8.2 of this bylaw.

Added by Bylaw 312, 2018

9.0. Generator Levy Rebate

9.1. A Qualified Private Facility may apply to the Greater Vancouver Sewerage and Drainage District for a rebate of the Generator Levy in respect of residual waste from the Qualified Private Facility delivered to a Disposal Site or a Vancouver Disposal Site, where:

- (a) the residual waste is from the Qualified Private Facility only and is not mixed with waste from other sources;
- (b) the Qualified Private Facility applies for the rebate within 30 days of the end of the calendar month in which the residual waste was delivered to a Disposal Site or Vancouver Disposal Site;
- (c) all Tipping Fees and Surcharges payable under this Bylaw for residual waste from the Qualified Private Facility have been paid for the calendar month;
- (d) the Qualified Private Facility provides documentation satisfactory to the Manager identifying:
 - (i) for each load of Mixed Municipal Solid Waste received at the Qualified Private Facility originating within the geographic area of the GVS&DD, the date, time of delivery, name of the hauler, and the weight of the load; and
 - (ii) for each load of material leaving the Qualified Private Facility, the quantity, material type, date, and destination.

9.2. A Qualified Private Facility is not entitled to a rebate of the Generator Levy under Section 9.1 of this Bylaw if any of the conditions set out in that section are not met.

9.3. Subject to Section 9.2, the GVS&DD will rebate to the Qualified Private Facility an amount equal to the Generator Levy paid for each tonne of residual waste delivered to either a Disposal Site or a Vancouver Disposal Site in the immediately preceding calendar month, up to a maximum of 75% of the total Generator Levy received by the Greater Vancouver Sewerage and Drainage District for Mixed Municipal Solid Waste delivered to the Qualified Private Facility in the immediately preceding calendar month.

Section Re-numbered by Bylaw 312, 2018; Section Re-numbered by Bylaw 308, 2017.

9.010.0 **Interpretation**

- 9.110.1** If a portion of this Bylaw is held to be invalid it shall be severed and the remainder of the Bylaw shall remain in effect.
- 9.210.2** In this Bylaw, the word "person" includes a corporation.
- 9.310.3** Schedules "A", "B", "C", "D", "E", and "F" are attached to and form part of this Bylaw.

Section Re-numbered by Bylaw 312, 2018; Section Re-numbered by Bylaw 308, 2017.

10.011.0. **Effective Date**

- 10.111.1.** This Bylaw comes into force and takes effect January 1, 2018.

SCHEDULE "A"

DISPOSAL SITES

- Coquitlam Transfer Station located at 1200 United Boulevard, Coquitlam
- North Shore Transfer Station located at 30 Riverside Drive, North Vancouver
- Surrey Transfer Station located at 9770 192nd Street, Surrey
- Langley Residential Transfer Station located at 1070 272 Street, Langley
- Maple Ridge Residential Transfer Station located at 10092 236 Street, Maple Ridge
- Waste-to-Energy Facility located at 5150 Riverbend Drive, Burnaby

SCHEDULE "B"

TIPPING FEES, TRANSACTION FEE, RECYCLING FEES AND SURCHARGES

Replaced by Bylaw 308, 2017; Replaced by Bylaw 323, 2018

Table 1-Tipping Fees for Garbage and Special Handle Waste (including the ~~Regional Services~~Generator Levy and the Disposal Rate)

	Net Weight	North Shore Transfer Station ¹	Surrey Transfer Station ¹	Coquitlam Transfer Station ¹	Maple Ridge Transfer Station ¹	Langley Transfer Station ¹	Waste-to- Energy Facility ¹
Municipal Garbage	All Loads	\$108/tonne	\$108/tonne	\$108/tonne	\$108/tonne	\$108/tonne	\$108/tonne
All Garbage other than Municipal Garbage	0 to .99 tonnes 1.0 to 8.99 tonnes 9.0 tonnes or more	\$142/tonne ² \$120/tonne ⁴ \$90/tonne	\$142/tonne ² \$120/tonne ⁴ \$90/tonne	\$142/tonne ² \$120/tonne ⁴ \$90/tonne	\$142/tonne ³ \$120/tonne ⁵ Not accepted.	\$142/tonne ² \$120/tonne ⁴ Not accepted.	\$142/tonne ² \$120/tonne ⁴ \$90/tonne
Minimum Tipping Fee for Garbage	Minimum Tipping Fee during Peak Hours	\$20/Load	\$20/Load	\$20/Load	\$10/Load	\$10/Load	\$10/Load
	Minimum Tipping Fee outside of Peak Hours	\$10/Load	\$10/Load	\$10/Load	\$10/Load	\$10/Load	\$10/Load
Special Handle Waste	All Loads	Not accepted.	Not accepted.	Not accepted.	Not accepted.	Not accepted.	\$250/tonne, \$50 minimum.

¹ All Loads originating from Maple Ridge will be assessed an additional fee of \$4/tonne.

² To a maximum of \$120 per Load.

³ To a maximum of \$124 per Load.

⁴ To a maximum of \$810 per Load.

⁵ To a maximum of \$846 per Load.

Table 2 - Transaction Fee

Each Load of Garbage disposed of at any Disposal Site, each Load of Special Handle Waste disposed of at the Waste-to-Energy Facility, and each Load of Gypsum dropped off at a designated Recycling Area	\$5/Load
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Table 3 – Recycling Fees for materials dropped off in designated Recycling Areas

	North Shore Transfer Station	Surrey Transfer Station	Coquitlam Transfer Station	Maple Ridge Transfer Station	Langley Transfer Station	Waste-to-Energy Facility
Source-Separated Organic Waste	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	Not accepted.
Green Waste	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	Not accepted.
Clean Wood	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum.	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum	\$95/tonne, \$10 minimum.	Not accepted.
Gypsum – New: less than ½ tonne	\$150/tonne, \$10 minimum	\$150/tonne, \$10 minimum	\$150/tonne, \$10 minimum	\$150/tonne, \$10 minimum	\$150/tonne, \$10 minimum	Not accepted.
Gypsum – Used: less than ½ tonne	\$200/tonne, \$10 minimum	\$200/tonne, \$10 minimum	\$200/tonne, \$10 minimum	\$200/tonne, \$10 minimum	\$200/tonne, \$10 minimum	Not accepted.
Mattresses	\$15 per Mattress	\$15 per Mattress	\$15 per Mattress	\$15 per Mattress	\$15 per Mattress	Not accepted.

Table 4- Surcharges

Replaced by Bylaw 308, 2017; Replaced by Bylaw 323, 2018

Loads containing Recyclable Materials other than Food Waste or Expanded Polystyrene Packaging that exceeds either 5% of the total weight of the Load or 5% of the total volume of the Load (section 5.6)	50% of the applicable Tipping Fee
Loads containing Contaminated Recyclable Paper that exceeds either 5% of the total weight of the Load or 5% of the total volume of the Load (section 5.7)	50% of the applicable Tipping Fee
Loads containing Expanded Polystyrene Packaging that exceeds either 20% of the total weight of the Load or 20% of the total volume of the Load (section 5.8)	100% of the applicable Tipping Fee
Loads containing Food Waste that exceeds either 25% of the total weight of the Load or 25% of the total volume of the Load (section 5.9)	50% of the applicable Tipping Fee
Loads of Source Separated Organic Waste containing more than 0.05% (by wet weight) of any other type of Refuse (section 5.10)	\$50 per Load
Loads containing any Hazardous and Operational Impact Materials or Product Stewardship Materials (section 5.11)	\$65 per Load plus any remediation or clean-up costs
Unsecured Loads (section 5.12)	50% of the applicable Tipping Fee to a maximum of \$50.00

SCHEDULE "C"

HAZARDOUS AND OPERATIONAL IMPACT MATERIALS

1. Agricultural Waste;
2. Automobile parts and bodies;
3. Refuse that is on fire, smoldering, odourous, dusty, flammable or explosive;
4. Hazardous Waste as defined in the *Hazardous Waste Regulation*, B.C. Reg. 63/88;
5. Propane tanks;
6. Liquids or sludge;
7. Coated or uncoated wire, hosing, rope or cable exceeding 1.0 metre in length;
8. Dead animals;
9. Inert fill material including soil, sod, gravel, concrete and asphalt exceeding 0.5 cubic metres per load.
10. Excrement, other than amounts of pet excrement that are double bagged and discarded with Municipal Solid Waste and that do not exceed either 5% of the total weight of the Load or 5% of the total volume of the Load;
11. Personal Hygiene Products where the Personal Hygiene Products make up more than 10% of the Load unless the Personal Hygiene Products are double bagged in sealed plastic bags that are sufficiently durable to resist leaking or breaking during collection and disposal;
12. Barrels, drums, pails or other large (205 litre or greater) liquid containers;
13. Any single object that:
 - (a) weighs more than 100 kilograms; or
 - (b) exceeds 1.2 metres in width or 2.5 metres in length, except at the Waste-to-Energy Facility where a single object must not exceed 1.0 metre in length.
14. Gypsum;

15. Mattresses;
16. Railroad ties or creosote treated wood;
17. Toxic Plants;
18. Refuse that would cause undue risk of injury or occupational disease to any person at the Disposal Site or that would otherwise contravene the *Occupational Health and Safety Regulation* B.C. Reg. 296/97 enacted pursuant to the *Workers Compensation Act*, as amended or replaced from time to time; and
19. Any other Refuse that the Manager considers unsuitable for handling at a Disposal Site.

SCHEDULE "D"

RECYCLABLE MATERIALS

1. Beverage containers identified in "Schedule 1-Beverage Container Product Category" to the *Recycling Regulation*;
2. Containers other than beverage containers made of:
 - (a) metal;
 - (b) glass;
 - (c) polyethylene terephthalate (number 1 PET plastic), high density polyethylene (number 2 H D P E plastic), low density polyethylene (number 4 L D P E plastic) or polypropylene (number 5 PP); or
 - (d) composite materials to create rigid packaging consisting of paper and polyethylene (gable top cartons, frozen food boxes, ice cream cartons and microwaveable dinner cartons) or paper, polyethylene and aluminum (aseptic cartons);
3. Corrugated Cardboard;
4. Recyclable Paper;
5. Green Waste;
6. Food Waste;
7. Clean Wood; and
8. Expanded Polystyrene Packaging.

SCHEDULE "E"

PRODUCT STEWARDSHIP MATERIALS

1. The following materials pursuant to Schedule 2 – Residual Product Category to the *Recycling Regulation*:
 - (a) Solvents and flammable liquids;
 - (b) Pesticides;
 - (c) Gasoline;
 - (d) Pharmaceutical products and medications;
 - (e) Oil, oil filters and oil containers;
 - (f) Lubricating oils and lubricating oil containers;
 - (g) Paint and paint containers;
 - (h) Lead-acid batteries;
 - (i) Antifreeze and antifreeze containers;
2. Electronics and electrical products, including metal household and commercial appliance, as identified in Schedule 3 – Electronics and Electrical Products Category to the *Recycling Regulation*;
3. Tires pursuant to Schedule 4-Tire Product Category to the *Recycling Regulation*.

SCHEDULE "F"

CUSTOMER CHARGE ACCOUNTS

1. Any person wishing to establish a customer charge account with the GVS&DD must complete the GVS&DD's application for credit ("**Application for Credit**").
2. The Treasury Manager may approve the Application for Credit on behalf of the GVS&DD and establish a commercial charge account for a person for up to \$250,000.
3. The Division Manager of Financial Planning and Processes may approve the Application for Credit on behalf of the GVS&DD and establish a commercial charge account for a person for amounts up to \$500,000.
4. The Chief Financial Officer may approve the Application for Credit on behalf of the GVS&DD and establish a commercial charge account for a person for amounts up to \$2,000,000.
5. If the GVS&DD approves a person's Application for Credit and establishes a commercial charge account, then:

Replaced by Bylaw 312, 2018

- (a) the person, or a hauler authorized by the person, may leave the Disposal Site before paying the applicable Tipping Fees, Transaction Fee, Recycling Fees and Surcharges; and
 - (b) the GVS&DD will generate invoices for Tipping Fees, Transaction Fees, Recycling Fees and Surcharges on a monthly basis for up to the established commercial charge account limit, which invoices are payable within 35 days.
6. Where a person fails or refuses to pay an invoice for Tipping Fees, Transaction Fees, Recycling Fees and Surcharges within 35 days, then the GVS&DD may rescind their customer charge account and the person must:
 - (a) pay interest at the rate of 1.25% per month (15% per year) compounded monthly and calculated daily on all amounts overdue, including all overdue interest, from the date the charge was due to the date of payment; and
 - (b) not dispose of any Municipal Solid Waste at a Disposal Site until any outstanding invoice has been paid in full.

To: Zero Waste Committee

From: Paul Henderson, General Manager, Solid Waste Services

Date: February 27, 2019 Meeting Date: March 7, 2019

Subject: **Solid Waste Regulatory Framework Correspondence Update**

RECOMMENDATION

That the GVS&DD Board receive for information the report dated February 27, 2019, titled "Solid Waste Regulatory Framework Correspondence Update".

At the February 8, 2019 Zero Waste Committee meeting, staff were requested to provide committee members with stakeholder correspondence received by Metro Vancouver relating to the solid waste regulatory framework updates, including letters of support or concern. The information below was emailed to Zero Waste Committee members on February 14, 2019. On February 20, 2019, the David Suzuki Foundation sent a letter of support to the Minister of Environment and Climate Change Strategy. This letter is included as Attachment 1.

The letters provided to the Committee on February 14, 2019 are available as follows:

- Letters received between July 7 and November 24, 2017 are included in the consultation summary reports that were provided to the Minister of Environment and Climate Change Strategy, available on the Metro Vancouver website:
 - Bylaw 181 Consultation Program Report is included as Reference 1. Letters start on page 489.
 - Commercial Waste Hauler Licensing and Generator Levy Consultation Program Report is included as Reference 2. Letters start on page 469.
- Correspondence received since November 24, 2017 is included as Attachment 2.

Attachments (*Orbit #28770471*)

1. Correspondence re Support for approval of the GVS&DD Bylaws No. 307, 2017 and No. 309, 2017 dated February 20, 2019 from the David Suzuki Foundation
2. Correspondence re Metro Vancouver Solid Waste Regulatory Updates (Received between November 24, 2017 and February 14, 2019)

References

1. [Bylaw 181 Consultation Program Report](#)
2. [Commercial Waste Hauler licensing and Generator Levy Consultation Program Report](#)



**FONDATION
DAVID SUZUKI**
Un monde. Une nature.

davidsuzuki.org

Hon George Heyman
Min of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2
VIA EMAIL: env.minister@gov.bc.ca

Re: Support for approval of the GVS&DD ByLaws No. 307, 2017 and No. 309, 2017

Dear Minister Heyman,

The David Suzuki Foundation supports approval and implementation of the two bylaws noted, above, the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and the GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309, 2017.

These by laws are a necessary step to increased waste diversion and a financially sustainable regional solid waste system as Metro Vancouver strives meet its zero waste goals. These measures will also help reduce greenhouse gas emissions and thus align with regional and provincial greenhouse gas emission reduction goals.

The bylaws have undergone extensive consultation and technical review and are specifically identified as key strategies in the Metro Vancouver Integrated Solid Waste and Resource Management Plan. The proposals are well thought out, share costs equitably and consistently across the waste disposal supply chain and will provide certainty and a level playing field for businesses wanting to engage in waste management and recycling.

While there is opposition from some sectors, the support for these regulatory measures is strong from a wide spectrum of individual waste and recycling companies, waste and recycling associations, industry associations, extended producer responsibility agencies and other regional districts.

Finally, the David Suzuki Foundation supports these bylaws for reasons beyond their ability to create an efficient and effective system of reducing and recycling waste. We also support them because they exemplify the citizens of Metro Vancouver acting on the knowledge that we are all a part of the shared ecosystem and taking responsibility for the waste we generate. Taking that responsibility is an excellent way to encourage ever improving performance towards a zero waste region.

Thank you for your attention to and support of this important regulatory improvement. Please contact me should you have any questions regarding our support for these by-laws.

Sincerely,

Jay Ritchlin
Director-General
Western Canada

VANCOUVER (HEAD OFFICE)

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514 871 4932

Correspondence: Metro Vancouver Solid Waste Regulatory Updates (Received between November 24 2017 and February 14 2019)

Date	To	From	Subject
Support Noted			
June 5, 2018	Minister of Environment and Climate Change Strategy	Cascades Recovery	Re: Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates
June 3, 2018	Minister of Environment and Climate Change Strategy	Recycle BC	Re: Metro Vancouver Bylaw 181 Update
March 29, 2018	Minister of Environment and Climate Change Strategy	West Coast Reduction Ltd.	Re: Metro Vancouver Solid Waste Regulatory Initiatives
March 23, 2018	Minister of Environment and Climate Change Strategy	Regional District of Central Kootenay	RE: Regional District of Central Kootenay Support for the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017.
March 21, 2018	Minister of Environment and Climate Change Strategy	SWANA Pacific Chapter	Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates
March 16, 2018	Minister of Environment and Climate Change Strategy	Recycling Council of BC	Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates
March 9, 2018	Minister of Environment and Climate Change Strategy	Retail Council of Canada (RCC)	RE: Metro Vancouver Generator Levy and Hauler Licensing Bylaws
March 6, 2018	Minister of Environment and Climate Change Strategy	BC Electronic Products Recycling Association (EPRA)	(No Subject)

Date	To	From	Subject
March 3, 2018	Minister of Environment and Climate Change Strategy	Regional District of Nanaimo	RE: Endorsement of GVS&DD Commercial Waste Hauler licensing Bylaw No. 307, 2017
February 22, 2018	Minister of Environment and Climate Change Strategy	Product Care	RE: Metro Vancouver Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181 Updates
February 22, 2018	Minister of Environment and Climate Change Strategy	Comox Valley Regional District	RE: GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017
February 19, 2018	Minister of Environment and Climate Change Strategy	Merlin Plastics Supply Inc.	Re: Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates
February 15, 2018	Minister of Environment and Climate Change Strategy	Central Coast Regional District	RE: Central Coast Regional District (CCRD) expression of support for the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017
January 30, 2018	Minister of Environment and Climate Change Strategy	Covanta Renewable Energy, ULC	Re: GVS&DD Regional Bylaws
January 27, 2018	Minister of Environment and Climate Change Strategy	Net Zero Waste	(No Subject)
January 25, 2018	Minister of Environment and Climate Change Strategy	Encorp Pacific (Canada)	(No Subject)
January 18, 2018	Minister of Environment and Climate Change Strategy	Major Appliance Recycling Roundtable (MARR)	Re: Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates

Concerns Noted			
June 20, 2018	Minister of Environment and Climate Change Strategy	Surrey Board of Trade	Surrey Board of Trade: Hauler Licensing Program
March 26, 2018	Minister of Environment and Climate Change Strategy	Business Council of British Columbia (BCBC)	(No Subject)
December 4, 2017	Metro Vancouver	City of Abbotsford	Re: Metro Vancouver Solid Waste Regulatory Changes
January 26, 2018	Metro Vancouver	WMABC	Re: Metro Vancouver Generator Levy Implementation



CASCADES RECOVERY+
a division of Cascades Canada ULC
12345 104th Avenue
Surrey, (BC) Canada V3V 3H2
Telephone: 604.589.7833

June 5, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2
Via email: env.minister@gov.bc.ca

Dear Minister Heyman :

RE : Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates

We are writing you in support of Metro Vancouver's proposed amendments to Bylaw 181.

Cascades Inc. is built on the concept of resource recovery, resource return and has operated with this mindset since its inception in 1964. The Circular business model has flourished with the full integration of the Recovery Operations into the Cascades family, allowing Cascades to strengthen its presence in the marketplace and focus on the development of sustainable products and packaging that can be collected, processed and returned as resources. The history of Cascades Recovery+ division is diverse and founded on hard work and commitment to a sustainable future.

Our view is that the Bylaws will provide socio-economic benefits to business and residents in Metro Vancouver while allowing for innovation and improvements in the operation of waste and recycling systems.

Cascades Recovery+ appreciates the efforts of Metro Vancouver staff to ensure a thorough stakeholder consultation and is satisfied with that process.

Thank you for your time and attention to this matter.

Sincerely

Brandon Rogers
Regional General Manager, BC Operations

CC: Paul Henderson, General Manager, Solid Waste Services, Metro Vancouver



June 3, 2018

George Heyman
Minister of Environment and Climate Change Strategy
BC Government
PO Box 9047 Stn Prov Govt
Rm 112, Parliament Buildings
Victoria BC V8W9E2

Re: Metro Vancouver Bylaw 181 Update

Dear Minister Heyman,

I am writing to you in support of Metro Vancouver's proposed amendments to Bylaw 181.

Recycle BC is a not-for-profit organization responsible for residential packaging and paper recycling throughout British Columbia, servicing over 1.8 million households. Recycle BC works in partnership with more than 160 collection and post-collection partners, including local governments, First Nations, non-profits and private companies.

Given the significant developments in the recycling and solid waste management industry over the past two decades, Recycle BC supports the updates proposed in Bylaw 181 with the intent to reduce waste and increase recycling in the Metro Vancouver region. In particular, Recycle BC supports the exemptions under the Bylaw for facilities that manage products captured under provincial stewardship programs. These exemptions recognize the important role these facilities play as part of the network of provincial stewardship programs, including Recycle BC, that are diverting material from landfill while ensuring that it can be recycled in a responsible manner.

If you have any questions or require additional information, please contact us.

Sincerely,

Allen Langdon
Managing Director, Recycle BC

CC: Paul Henderson, General Manager, Solid Waste Services, Metro Vancouver



West Coast Reduction Ltd.
1292 Venables Street
Vancouver, British Columbia V6A 4B4
Phone: 604.255.9301

March 29, 2018

Delivered via Email
env.minister@gov.bc.ca

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Honourable Minister Heyman,

Re: Metro Vancouver Solid Waste Regulatory Initiatives

We are writing you to express our support for Metro Vancouver's solid waste regulatory initiatives, two of which are before you now for approval.

West Coast Reduction Ltd. ("WCRL") is a British Columbia based family business that has played a key role in the management of solid waste and recyclable materials in British Columbia for over 50 years. Our recycling operations represent the best use for organic byproducts; the volume (220,000 tonnes) is approximately 60% of Metro Vancouver's organic diversion from landfill target, each year. WCRL plays a vital role in accomplishing Metro Vancouver's solid waste regulatory initiatives which would be difficult to replace if WCRL was not operating.

WCRL supports the **GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017**; and **GVS&DD Solid Waste and Recyclable Materials Amending Bylaw No. 309, 2017**, and we would hope that the regulatory initiatives will receive your approval.

The reduction of waste through source control and increased recycling is a goal that all British Columbians should aspire to and the equitable funding of infrastructure to facilitate it is vital to our success.

We would welcome the opportunity to provide you with further information about WCRL and our role in sustainability and invite you for a plant tour at your convenience.

If there is anything that required further discussion, we would be happy to provide input and/or answer questions.

Yours very truly,
West Coast Reduction Ltd.

Barry C. Glotman, B.Sc.
President and Chief Executive Officer
Direct: 604.252.2070
Email: bglotman@wcrl.com

cc Ken Ingram, WCRL Director of Technical and Environmental Services – kingram@wcrl.com
Carol Mason CAO, Metro Vancouver – carol.mason@metrovancover.org
Greg Moore, Board Chair, Metro Vancouver Regional District – mooreg@portcoquitlam.ca
Malcolm Brodie, Chair of the Metro Vancouver Solid Waste Committee – mayorandcouncillors@richmond.ca
Mark Zacharias, Deputy Minister of Environment – DM.ENV@gov.bc.ca
Paul Henderson, General Manager, Metro Vancouver Solid Waste Services – paul.henderson@metrovancover.org



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
Telephone: (250) 352-6665
BC Toll Free: 1-800-268-7325

Web: www.rdck.ca
Email: info@rdck.bc.ca
Fax: (250) 352-9300

File No. 12-6200-01-2018

March 23, 2018

Honorable George Heyman
Minister of Environment and Climate Change Strategy
PO BOX 9047 STN PROV GOV
Victoria, BC, V8W9E2

Dear Minister Heyman:

RE: Regional District of Central Kootenay Support for the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017.

The purpose of this letter is to advise of the Regional District of Central Kootenay's (RDCK) support of the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017 as part of Metro Vancouver's solid waste regulatory framework. The RDCK Board, at its regular meeting of March 15, 2018, passed the following resolution:

216-18 That the Board support Metro Vancouver's GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and to demonstrate this support will send a letter to the Honorable George Heyman, Minister of the Environment and Climate Change Strategy to be signed by the Chair.

Bylaw No. 307 requires Commercial Waste Haulers in Metro Vancouver to provide recycling containers for all multi-family and commercial/institutional buildings. Your approval of this bylaw will help Metro Vancouver in reaching their waste diversion targets and implement initiatives included in their Integrated Solid Waste and Resource Management Plan.

Waste flow management is an important issue for many regional districts in British Columbia. The ability to effectively manage waste flow is critical if we are to provide the long term infrastructure and services necessary to reach waste reduction targets. Further, to fully realize the benefit of waste diversion policies local government must have the ability to regulate the flow of municipal waste and recyclable materials as provided for in the *Environmental Management Act*.

The RDCK commends Metro Vancouver for demonstrating leadership on this issue and we strongly encourage you to approve their bylaw.

Sincerely,

Karen Hamling
RDCK Board Chair

cc: Paul Henderson, General Manager of Solid Waste Services, Metro Vancouver
Michelle Mungall, MLA, Nelson-Creston
Katrine Conroy, MLA, Kootenay West





March 21, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2
VIA EMAIL: env.minister@gov.bc.ca

Re: Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates

Dear Minister Heyman:

I am writing on behalf of the Executive Board of the Solid Waste Association of North America (Pacific Chapter) to express our support for the Greater Vancouver Sewage & Drainage District's (GVS&DD) Commercial Waste Hauler Licensing Bylaw No. 307, Amending Bylaw No. 308 and Amending Bylaw No. 309.

The Solid Waste Association of North America (SWANA) is an organization of more than 10,000 public and private sector professionals committed to advancing from solid waste management to resource management through their shared emphasis on education, advocacy and research. For more than 50 years, SWANA has been the leading association in the solid waste management field.

SWANA Pacific is the BC and Yukon Chapter of SWANA, providing expertise and professional development to over 220 members from the public and private sectors through networking, training, and certification in disciplines including: collection, composting, construction and demolition, recycling, landfill management, municipal solid waste management, and transfer stations.

The Executive Board of SWANA Pacific supports the intent of the Bylaws, which is to equitably fund solid waste infrastructure while continuing to both reduce waste and increase recycling. We believe that the Bylaws would provide social and economic benefits to businesses and residents in Metro Vancouver while allowing for innovation and improvements in the operation of waste and recycling systems.

PO Box 47007 - 555 West 12th Avenue, Vancouver, BC V5Z 3X0
Phone (604) 379- 5156 www.swanabc.org

Greater Vancouver Sewerage and Drainage District

We also recognize that Metro Vancouver staff have worked to ensure a thorough and open stakeholder consultation process. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Watt', with a stylized flourish underneath.

Mark Watt, President
SWANA Pacific – BC & Yukon

cc: Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy
David Morel, Assistant Deputy Minister, Environmental Protection, Environment and Climate Change Strategy
Greg Moore, Chair of the Board, Metro Vancouver
Paul Henderson, General Manager, Solid Waste Services, GVS&DD

RCBC



**RECYCLING
COUNCIL OF
BRITISH
COLUMBIA**

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Vancouver, BC
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email:
rcbc@rcbc.ca

web:
www.rcbc.ca

March 16, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2
VIA EMAIL: env.minister@gov.bc.ca

Re: Support for Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates

Dear Minister Heyman:

I am writing on behalf of the Board of Directors of the Recycling Council of British Columbia (RCBC) to express the organization's support for the Greater Vancouver Sewage & Drainage District's (GVS&DD) Commercial Waste Hauler Licensing Bylaw No. 307, Amending Bylaw No. 308 and Amending Bylaw No. 309.

RCBC supports the intent of the Bylaws as mechanisms to equitably fund solid waste infrastructure, while continuing to both reduce waste and increase recycling. It is RCBC's perspective that the Bylaws would provide socio-economic benefits to businesses and residents in Metro Vancouver while allowing for innovation and improvements in the operation of waste and recycling systems.

RCBC appreciates the efforts of Metro Vancouver staff to ensure a thorough stakeholder consultation and is satisfied with that process. Thank you for your time and attention to this matter.

Sincerely,

Brock Macdonald
RCBC CEO

CC: Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy
David Morel, Assistant Deputy Minister, Environmental Protection, Environment and Climate Change Strategy
Greg Moore, Chair of the Board, Metro Vancouver
Paul Henderson, General Manager, Solid Waste Services, GVS&DD



Retail Council of Canada



Conseil canadien du
commerce de détail

Retail Council of Canada
Conseil canadien du commerce de
détail

410-890 West Pender Street
Vancouver, B.C. V6C 1J9
Telephone +1 (604) 736-0368
www.retailcouncil.org

9 March 2018

Hon. George Heyman, MLA
Ministry of Environment and Climate Change Strategy
PO Box 9063, Stn Prov Govt
Victoria, B.C. V8W 9E2

By electronic mail

Dear Minister Heyman,

RE: Metro Vancouver Generator Levy and Hauler Licensing Bylaws

Retail is both Canada and British Columbia's largest employer with over 360,000 British Columbians (May 2017) working in the retail and wholesale trade alone. The sector generated payroll over \$10 billion (2016) and \$84 billion in sales (2017) in British Columbia. Retail Council of Canada (RCC) members represent more than two-thirds of retail sales in the country. RCC is a not-for-profit industry-funded association and represents small, medium and large retail business in every community across the country. As the Voice of Retail in Canada, we proudly represent more than 45,000 storefronts in all retail formats, including department, grocery, specialty, discount, independent retailers and on-line merchants.

The Retail Council of Canada writes today in support of Metro Vancouver's proposed Commercial Waste Hauler Licensing Bylaw and their proposed revisions to the Generator Levy bylaws.

Our view is that the changes will improve equity in the system by increasing the number of participants contributing to the fixed costs of the Metro Vancouver's solid waste program while improving diversion of solid waste through increased recycling.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Greg Wilson
Director of Government Relations (B.C.)

Copy: Mark Zacharias, Deputy Minister
Paul Henderson, General Manager, Solid Waste Services, Metro Vancouver

Halifax ♦ Montreal ♦ Ottawa ♦ Toronto ♦ Winnipeg ♦ Vancouver



March 6, 2018

George Heyman
Minister of Environment and Climate Change Strategy
BC Government
PO Box 9047 Stn Prov Govt
Rm 112, Parliament Buildings
Victoria BC V8W9E2

Dear Minister Heyman,

I am writing to you in support of Metro Vancouver's proposed amendments to Bylaw 181.

Electronics Products Recycling Association (EPRA) is the not-for-profit stewardship agency that operates electronics recycling programs in British Columbia and across Canada. We contract for collection services with a number of depot operators and retailers in the Metro Vancouver area.

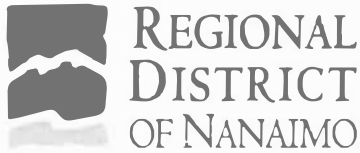
We are writing to provide general support for Bylaw 181 and specifically its recognition of the unique and valuable role of drop-off depots and retailers in the recycling process. They are different from most other solid waste management sites and we support in particular the appropriate exemptions under the revised bylaw for those who manage stewarded products.

If you require additional information, please feel free to contact me.

Regards,

Craig Wisehart
Executive Director, Western Canada

cc: Andrew Doi, Metro Vancouver
Paul Henderson, Metro Vancouver



March 3, 2018

Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Gov
Victoria BC V8W 9E2

Dear Minister;

Re: Endorsement of GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017

On January 18, 2018, Metro Vancouver Board wrote to the Regional District of Nanaimo (RDN) Board outlining their proposed GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017.

At the RDN's regular board meeting of February 27, 2018 the following motion endorsing the proposed bylaw was carried:

Metro Vancouver Commercial Waste Hauler Licensing Bylaw No.18-071

It was moved and seconded that the Board send a letter to the Minister of Environment and Climate Change Strategy endorsing Metro Vancouver's Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw 307, 2017.

The RDN recognizes that Metro Vancouver's proposed bylaw is intended to increase waste diversion and ensure that all waste generators pay the cost associated with waste infrastructure. The RDN is also contemplating Waste Hauler Licensing provisions. Staff are currently consulting on our draft Solid Waste Management Plan (Plan) which includes Waste Hauler Licensing and Mandatory Waste Source Separation as key initiatives to achieving the 90% diversion goal proposed in our draft Plan. It is anticipated the RDN Board will consider adoption of our draft Plan in the spring of 2018.

British Columbia is leading the world in its accomplishments towards zero waste. Waste Hauler Licensing is an effective tool for local governments to increase waste diversion. It is an opportunity to promote a sustainable innovative economy with significant environmental benefit.

We look forward to your decision approving Metro Vancouver GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Veenhof".

William Veenhof, Chair

cc: Greg Moore, Chair, Metro Vancouver Board
Malcolm Brodie, Chair, Metro Vancouver Zero Waste Committee
Paul Henderson, General Manager, Solid Waste Services, Metro Vancouver



February 22, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO BOX9047 Stn Prov Govt
Victoria, BC V8W 9E2
VIA EMAIL: ENV.Minister@gov.bc.ca

Dear Minister Heyman,

Re: Metro Vancouver Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181 Update

Product Care is a not-for-profit industry sponsored association that manages product stewardship programs for household hazardous and special waste on behalf of its members across Canada. Product Care operates stewardship programs in British Columbia for paint, flammable liquids, pesticides and gasoline, lighting products and smoke alarms. Product Care also manages a number of other stewardship programs in BC on behalf of other industries for small appliance and exercise equipment, major appliance, and outdoor electrical power equipment.

We are writing to you in general support of Metro Vancouver Municipal Solid Waste and Recyclable Material Regulatory Amendment Bylaw No. 309, 2017 on the condition that the following amendment be made to SCHEDULE B – EXEMPTIONS FROM LICENSING REQUIREMENTS.

Currently the 3rd exemption reads:

3. any retail food, grocery, beverage or drug establishment that accepts recyclable products on a return-to-retail basis, and that accepts only Source Separated Recyclable Material;

Product Care supported amendment:

3. any retail, including, food, grocery, beverage or drug establishment that accepts recyclable products on a return-to-retail basis, and that accepts only Source Separated Recyclable Material;

It is our understanding based on discussions with Metro Vancouver that the proposed changes to Bylaw 181 were not intended to limit the exemption to food, beverage and drug establishments only but to exempt all establishments accepting products on a return-to-retail

Product Care Association of Canada | 105 West 3rd Avenue, Vancouver BC V5Y 1E6
Phone: 604-592-2972 | Fax: 604-592-2982 | productcare.org



basis. This amendment would allow stewardship programs to continue to flourish and be successful in diverting waste obligated under the Recycling Regulation.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Mannie Cheung', written over a horizontal line.

Mannie Cheung
Vice President of Operations
Product Care Association of Canada

Cc: Mark Kurschner, President, Product Care Association of Canada
Paul Henderson, General Manager, Solid Waste Services, Metro Vancouver

Office of the Chair

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 0470.01

February 22, 2018

Sent via email only: ENV.Minister@gov.bc.ca

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PC Box 9047 Stn Pov Govt
Victoria, BC V8W 9E2

Dear Minister:

Re: GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017

The Comox Valley Regional District (Comox Strathcona Waste Management) Board, at its February 15, 2018 meeting, passed the following resolution:

“THAT the Comox Strathcona Waste Management Board of Directors send a letter to the Minister of Environment and Climate Change Strategy in support of the "GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017", and affirm that regional solid waste boards should have autonomy over their waste management affairs.”

Metro Vancouver’s Commercial Waste Hauler Licensing bylaw would help increase waste diversion by requiring Commercial Waste Haulers in Metro Vancouver to ensure recycling containers are provided for all multi-family and commercial/institutional buildings. The multi-family and commercial/institutional sectors have lower recycling rates compared to the single family sector where municipalities typically directly provide waste and recycling services.

In addition, commercial waste hauler licensing would also facilitate the collection of the Generator Levy, which ensures that all waste generators contribute to the fixed costs of the region’s transfer station network and solid waste planning, which benefit all waste generators in the region. As outlined in their proposal, these changes are aligned with their objectives to reduce waste, increase recycling and ensure current and future infrastructure is equitably funded.

The Comox Valley Regional District (Comox Strathcona Waste Management) Board supports Metro Vancouver’s proposed new regulatory framework, and as outlined in the resolution noted above, do so under the principle that regional solid waste boards should have autonomy over their waste management affairs to develop local solutions and innovative methods to meet their unique challenges.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Jolliffe', is written over a faint, circular official stamp.

Bruce Jolliffe
Chair

cc: Claire Trevena, MLA, North Island
Ronna-Rae Leonard, MLA, Courtenay-Comox
Scott Fraser, MLA, Mid-Island Pacific Rim
Greg Moore, Chair, Metro Vancouver Board
Malcolm Brodie, Chair, Zero Waste Committee



Merlin Plastics
SUPPLY INC.

109 - 917 Cliveden Ave
Delta, BC V3M 5R6
Tel: 604-522-6799
Fax: 604-522-6791
www.merlinplastics.com

February 19, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Pov Govt
Victoria, BC V8W 9E2
VIA EMAIL: env.minister@gov.bc.ca

Dear Minister Heyman:

RE: Support for Metro Vancouver Generator Levy/Hauler Licensing/ Bylaw 181 Updates

I, Antoine Moucachen, President and CEO of Merlin Plastics, would like to express my support for the GVS&DD's Commercial Waste Hauler Licensing Bylaw No. 307, Amending Bylaw No. 308 and Amending Bylaw No. 309.

Merlin Plastics supports the intent of the Bylaws to equitably fund solid waste infrastructure while continuing to reduce waste and increase recycling. Our view is that the Bylaws will provide socio-economic benefits to businesses and residents in Metro Vancouver while allowing for innovation and improvements in the operation of waste and recycling systems.

Merlin Plastics appreciates the efforts that Metro Vancouver staff have made to ensure that there was thorough stakeholder consultation and are satisfied with the consultation process.

Yours truly,

Antoine Moucachen
President & CEO, Merlin Plastics

CC: Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy
David Morel, Assistant Deputy Minister, Environmental Protection, Ministry of Environment and Climate Change Strategy
Greg Moore, Chair of the Board, MetroVan
Malcolm Brodie, Director of the Board, MetroVan
Paul Henderson, General Manager, Solid Waste Services, GVS&DD



P.O. Box 186, Bella Coola, BC V0T 1C0
Phone (250) 799-5291 Fax (250) 799-5750 Email: info@ccrd-bc.ca

Encompassing the Coastal Communities of Ocean Falls, Bella Bella, Denny's Island, Oweekeno and the Bella Coola Valley

February 15, 2018

Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Gov
Victoria, BC
V8W 9E2

Dear Minister Heyman,

RE: Central Coast Regional District (CCRD) expression of support for the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017.

The Board of Directors for the Central Coast Regional District is writing to express their support for the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017. Your approval of the bylaw is a critical step in helping Metro Vancouver achieve its waste diversion targets and implement regulatory initiatives identified in their approved Integrated Solid Waste and Resource Management Plan (ISWRMP).

A licencing program for commercial waste haulers will allow Metro Vancouver to ensure waste haulers provide recycling containers to the multi-family and commercial/institutional sectors they service. These sectors currently have the lowest diversion rates and their increased participation is required to help achieve the target of 80% waste diversion by 2020.

In closing, CCRD encourages the Ministry of Environment and Climate Change Strategy to support Metro Vancouver and regional districts across the province in implementing strategies to help achieve the goals identified in their respective Solid Waste Management Plans. Your support for GVS&DD Bylaw No. 307 is an important step in this direction.

Yours truly,

Alison Sayers
Chair, Central Coast Regional District

CC: Greg Moore, Chair, Metro Vancouver Board

Paul Henderson, General Manager, Solid Waste Services, Metro Vancouver

Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy

David Morel, Assistant Deputy Minister, Environmental Protection, Ministry of Environment and Climate Change Strategy

Tessa Graham, Executive Director, Regional Operations Branch, Ministry of Environment and Climate Change Strategy

AJ Downie, Regional Director, Authorizations – South, Environmental Protection Division, Ministry of Environment and Climate Change Strategy

Luc Lachance, Section Head, General Industry / Solid Waste Authorizations – South, Regional Operations Branch Environment Protection Division, Ministry of Environment and Climate Change Strategy

January 30, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9E2
Via email: env.minister@gov.bc.ca

Re: GVS&DD Regional Bylaws

Dear Minister Heyman,

Covanta is writing to express our support for the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307 and the GVS&DD Solid Waste and Recyclable Material Amending Bylaw No. 309. These bylaws will ensure that Metro Vancouver can continue to reduce waste, increase recycling and ensure the solid waste and recycling infrastructure and planning network is equitably funded. These bylaws will also allow the private sector to continue to participate in the solid waste system in a manner that is fair to all. Metro Vancouver is a recognized leader in the management of solid waste and these bylaws will ensure the continuation of a sustainable waste management system.

We also recognize the efforts that Metro Vancouver staff made to ensure all stakeholders were well informed and had the opportunity to be involved in the consultation process during the review of the proposed bylaws.

Sincerely,



Christopher Baker
Vice President & General Manager – West Region, Covanta

cc: Paul Henderson, General Manager, Metro Vancouver Solid Waste Services
Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy



5050 Gladwin Road
Abbotsford BC V4X 1X8

Tel: (604) 557-7065

www.netzerowasteabbotsford.com

Minister of the Environment and Climate Change Strategy
Room 112 Parliament Buildings
Victoria, BC V8V 1X4

January 27, 2018

Dear Minister Heyman

I am writing to you today to express my support for the approval of the Hauler Licensing Bylaw and updates to Bylaw 181 so as to ensure a sustainable waste management system within Metro Vancouver. I provide the following letter of support towards local infrastructure, local jobs, downstream businesses and a level playing field for all businesses that participate in Waste Management within BC. My firm, Net Zero Waste Inc. has a share in the ownership and operation of 4 composting facilities in South Western BC. I am also a Professional Engineer with more than 15 years of experience in the design and construction of composting facilities and organic management programs for communities ranging from as small as Powell River, BC to as large as the Los Angeles County Sanitation Districts, CA.

Generator Levy

My understanding is that under the Generator Levy, all waste generators contribute to the fixed costs of transfer stations and solid waste planning within Metro Vancouver. NZW facilities only process Source Separated Organics (which as a recyclable is not covered by the Generator Levy), however the existence of Transfer Stations are critical for an efficient integrated regional processing system. Our composting facilities are located outside of the populations centers where natural buffers help to minimize possible downstream odour impacts. Metro Vancouver Transfer Station Infrastructure allows communities to ship their organics to our facilities at a cost competitive rate. We recently lost a bid for a large Metro Municipality as we could not direct haul, which creates unbalanced processing throughout the region.

It has been proven that the best way to encourage recycling is to make garbage expensive. This can be seen by looking at provinces or states where waste is cheap as they trail others in sustainability and diversion programs. Recycling can then be completed at a savings to the community, allowing regulators to control unpermitted "dumps" that pollute and negatively impact downstream communities.

Hauler Licensing

To my understanding, the license conditions focus around municipal waste. If a processor is handling pre-processed or depackaged materials, then they would not require a license. The same would apply regarding the processing of agricultural or industrial waste streams currently not regulated by Metro Vancouver or handled through Metro Vancouver Infrastructure. Other conditions of the license mandate that haulers must ensure recycling containers are provided wherever they pick up garbage and that Organics are collected separately from dry recyclables or garbage. Net Zero Waste supports this effort as it has been proven that when organics are co-mingled with all wastes they become too heavily contaminated to be sustainably recycled. Our goal should be to keep Organics out of the landfill so while depackaged organics provide a great feedstock for digestors, bulk comingling of solid waste streams does not provide for a sustainable system and typically is driven by cost savings for the hauler rather than improved diversion.

Bylaw 181 Update

This bylaw has not been updated since 1996. From my understanding, the changes proposed are intended to increase recycling and facilitate a level playing field for all businesses across all sectors within the waste industry. As the updates will only affect facilities that require a license, my concerns about agricultural waste or depackaged materials are covered by the points raised in the previous section. The update will require that any facility handling Mixed Municipal Solid Waste must reduce or recover a minimum of 25% of the total materials processed. This will help to maintain a focused effort to continually improve diversion, even if only a final 25% is pulled from the waste stream.

It is my goal as an environmentalist and businessman to do what I can to support sustainability and a smaller carbon footprint for our community. The changes discussed above do not appear to intend to control organics, but rather to help to ensure a level playing field for all of those that provide the same processing services for the same municipal waste streams. These controls will update our bylaws to include facilities which more than 20 years ago didn't exist. These sites currently fall in-between the cracks and sit outside of any sort of regulatory control which provides them with a competitive advantage over those facilities which follow the BC regulatory regime.

Having a degree of regional control in BC's largest population center helps to ensure that a shared network will allow the "best" solution to be implemented, not only the closest. Metro needs to commit to continue to identify population centers with no access to Transfer Stations and invest in new Transfer Station sites, as the above controls look to discourage private sector investment in waste management infrastructure. We need our communities to be able to access the lowest regional costs and highest end use disposal options. This changes when existing facilities are challenged by increasing tonnages and mass odour complaints or downstream impacts. We need to have the ability to avoid overloading Mega sites that process more than 100,000 Tonnes per year, for balanced regional processing. There needs to be a recognition that funding this infrastructure may not always provide the "cheapest" solution in the short term, however it does help to ensure that a balanced and studied approach is taken for a sustainable solution with high diversion rates over the longer term. Net Zero Waste hopes that our odour free facilities located outside of the population centers can be part of the Metro Vancouver solution. We require the support of Metro Vancouver in our efforts and the utilization of regional infrastructure so as to ensure that organics can be transported to our sites at a cost competitive rate.



Mateo Ocejo; P.Eng
(604)868-6075

Cc: Greg Moore; Metro WMC Chair
Paul Henderson, P.Eng.; General Manager - Solid Waste Services



January 25, 2018

George Heyman
Minister of Environment and Climate Change Strategy
BC Government
PO Box 9047 Stn Prov Govt
Rm 112, Parliament Buildings
Victoria BC V8W9E2

Dear Minister Heyman,

I am writing to you in support of Metro Vancouver's proposed amendments to Bylaw 181.

Encorp Pacific (Canada) is the not-for-profit stewardship agency which operates the used beverage container return system under the Return-It brand. We license Return-It Depots as container return locations and collect used beverage containers from retailers across Metro Vancouver.

Solid waste management and recycling have evolved substantially over the past two decades and timely updating of applicable bylaws is needed. We are pleased that the amendments to Bylaw 181 continue to recognize the unique and valuable role of drop-off depots and retailers in the recycling value chain and that they are distinct in character from most other solid waste management sites. Encorp is in support of the proposed revisions, in particular appropriate exemptions under the revised bylaw for those who manage stewarded products.

If you require additional information, please feel free to contact us.

Regards,

ENCORP PACIFIC (CANADA)

A handwritten signature in blue ink, appearing to read "S. Fraser", is positioned above the printed name and title of the sender.

Scott Fraser
President

cc: Andrew Doi, Metro Vancouver
Paul Henderson, Metro Vancouver

Major Appliance Recycling Roundtable

105 West 3rd Avenue
Vancouver BC, V5Y 1E6
1-888-252-4621
info@marrbc.ca
www.marrbc.ca

January 18, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
PO Box 9047 Stn Pov Govt
Victoria, BC V8W 9E2
VIA EMAIL: ENV.minister@gov.bc.ca

Dear Minister Heyman:

Re: Metro Vancouver Generator Levy/Hauler Licensing/Bylaw 181 Updates

We are writing to you today to advise you that we are in support of the GVS&DD Waste Hauler Licensing Bylaw No. 307 and the GVS&DD Solid Waste and Recyclable Material Regulatory Amending Bylaw No. 309 that were submitted for your approval by Metro Vancouver. Our view is that these Bylaws will help fund solid waste infrastructure while continuing to reduce waste and increase recycling. We believe that the proposals will provide socio-economic benefits to businesses and residents in Metro Vancouver while allowing for innovation and improvements in the operation of waste and recycling systems. We are satisfied with the efforts that Metro Vancouver have made to ensure that there was thorough stakeholder consultation and we are satisfied with the responses to our initial questions and concerns.

Yours Truly,



Michael Zarbl
Executive Director, MARR

Cc: Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy
David Morel, Assistant Deputy Minister, Environmental Protection, Ministry of Environment and Climate Change Strategy
Paul Henderson, General Manager, Solid Waste Services, GVS&DD



inclusive | innovative | independent

June 20, 2018

Hon. George Heyman
Minister of Environment and Climate Change Strategy
Legislature Building
Victoria, BC

Submitted by email

Re: Metro Vancouver's Generator Levy and Hauler Licensing

Dear Minister Heyman,

The Surrey Board of Trade has a responsibility to review changes of policy or legislation or programs at all levels of government if they impact our members. Often we agree that such changes may improve economic opportunity. At other times, however, we find that suggested changes will in fact impede members' ability to compete fairly in an equally balanced marketplace. The proposed generator levy, coupled with a hauler licensing program, is one that has caused us concern.

Members of our Environment & Resource Infrastructure Team have reviewed the proposed levy and licensing, and have hosted representatives from Metro Vancouver and the Waste Management Association. The members discussed the pros and cons in detail and have come to the conclusion that there are challenges to our members and to the concept of fairness of economic opportunity. As such, we cannot support the program as outlined for the following reasons.

1. Inherent Conflict of Interest

This has been raised before, and we raise it again, as it unfairly skews the market in favour of Metro Vancouver. Metro is regulating the waste disposal/waste haul business in Metro Vancouver. At the same time it is the owner/operator of major waste disposal and waste transfer facilities in Metro. Its proposed regulation can easily be seen as a means of protecting its investment and supporting its operating cost rather than a sincere attempt to provide needed service in the most efficient way and at the lowest cost to the consumer/taxpayer.

There is also an inherent conflict between Metro's zero waste initiatives and its need to provide revenue to its waste disposal and transfer facilities. Revenues are volume dependent and Metro cannot arbitrarily continue to raise per unit prices to compensate for declining volumes. Progress in environmental management should yield dividends for society at large. Metro needs an analysis to show how improved waste handling reduces everybody's costs and a plan to scale back its waste management costs as progress takes hold. Less waste should logically mean less cost. A schedule increasing disposal fees from \$80/tonne to \$93/tonne (16%) over the next 5 years does not meet this expectation.

If waste haulers are paying a \$40/tonne levy to Metro Vancouver, regardless of whether they utilize a Metro facility or a private facility, how can a private facility compete? Simply, they can't. The market is skewed in favour of Metro.

2. Impact on Haulers

Most, if not all, commercial waste haulers already provide source separating containers for their clients. However, the onus is now on the haulers to change the behaviour of waste generators, as per Metro's goal to increase the effectiveness of source separation of mixed solid waste. Haulers compete for client contracts – admonishing haulers for client inability to source separate through fines and other penalties, requires the haulers to be in the position of enforcers of municipal by-laws, without the means or the authority to do so.

The recourse of “off-loading” or downloading the fine onto their clients, breaches current contracts and is a detriment to future contracts. The challenge is that multiplex units and multi-family towers provide individual anonymity when it comes to non-compliant behaviour, regardless of how many times a hauler may leave letters and notices. Waste haulers realistically have little or no means to influence the behaviour of their customers. Source separation has inherent inefficiencies and there are better, more efficient ways to accomplish these objectives. These alternative solutions might even create a few jobs and a contribution to provincial GDP.

3. Licenses as Free Market Disincentives

As we understand the intended Commercial Waste Hauler Licensing (By-law 181 amendments), licenses are ten years for private facilities, and one year for waste haulers. Neither time period is sufficient to provide long-term stability required by financial institutions or business development strategies. Compounding the detrimental limitation is that the only avenue to appeal is through the same license granting agency.

The short license terms are a major disincentive to private sector investment. Metro is intending to build a transfer station facility in Coquitlam at a cost of about \$57M. How can a private entity be able to raise similar investments with only a 5-10 year license; a license that is granted and reviewed by a competitor in the open market?

It is worth noting that across the street from the new proposed Metro facility, there is a private investor who has an approved license and is willing to commit the capital so long as the split fee and facility license are not in place. This would in effect save Metro Vancouver \$57 million in capital costs.

Minister Heyman, with respect, the private sector companies — waste haulers and facilities — are full participants in the waste management for the Lower Mainland, and if given sufficient opportunity, could be the means by which Metro can save millions in capital expenditure and operating costs. We hope that you take our comments in the spirit intended, to assist you in making decisions that will help save residents and businesses in the long run.

If you have any questions or require further comment, please do not hesitate to contact me at anita@businessinsurrey.com or 604-581-7130.

Respectfully submitted,



(H) Captain Anita Huberman, CEO, Surrey Board of Trade



WHERE LEADERS MEET TO UNLOCK BC'S FULL POTENTIAL



March 26, 2018

The Honourable George Heyman
Minister of Environment and Climate Change Strategy
Parliament Buildings
Victoria BC V8V 1X4

Dear Minister:

We write to you today to express our concern and opposition to the Greater Vancouver Sewerage and Drainage District tipping fee and solid waste regulation bylaw or "2018 Tipping Fee Bylaw".¹ We strongly support using your authority, granted under the *Environmental Management Act* (EMA), to refuse this bylaw in the interest of businesses and the citizens of Metro Vancouver.

In our view the bylaw was rushed through the Metro Vancouver approval process without sufficient scrutiny or consultation. We are concerned about the legitimacy of the bylaw requirements, practical implications of implementation, and increased costs for citizens and businesses of Metro Vancouver. These additional costs add to the affordability challenges faced by all who live in the region and add unnecessary complexity to a process that should be straightforward. Both these issues are ones your government committed to address. These new bylaws are another in a series of attempts to create a an anti-competitive waste management monopoly while doing little to protect the environment or reduce waste.

In 1998, British Columbia established legislation laying the ground work for results based product stewardship and waste management systems with an embedded polluter pay principle and performance standards; a first in North America. In this framework, the operational management of waste was left to experts, in partnership with regional districts, municipalities, home and apartment owners, and citizens. The result is one the most effective recycling programs on the continent along with innovations in waste management and hauling that has benefited the environment and lowered costs.

.../2

¹ A consolidation of Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 306, 2017 (Adopted October 27, 2017). Effective date January 1, 2018 and the [Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 308, 2017](#) (Adopted November 24, 2017). Effective date January 1, 2018.

The Honourable George Heyman

March 26, 2018

Page Two

The current bylaw undermines the framework and the successes to date. We are concerned this a reworking of previous attempts by Metro Vancouver to create borders where none exist and exert power inappropriately, and add administrative infrastructure and related costs borne by consumers unnecessarily. For example, section 4.2 says "no person shall dispose of Municipal Solid Waste at a Disposal Site unless it originates within the geographic area of the GVS&DD." This implies monitoring a border and requiring registration of waste management company vehicles outside of Metro Vancouver.

We are concerned the levy, which is a fee under the EMA, is not tied directly to the actual cost of providing service. The supporting material to the bylaw provides no context or analysis on how the flows of revenue are balanced against the actual cost of service or how the tax is assessed for residents and businesses. The supporting correspondence related to this levy specifically suggests use for other purposes. Therefore, this is a tax and the Supreme Court of Canada is clear "(a) charge to users for the relevant service (by government or an agency) must have some reasonable relationship to the cost of the provision of that service." (Eurig Estate (Re), [1998] 2 S.C.R. 565)

The structure of the new bylaw requirements generates additional administration including reporting and monitoring (but without guidance on the "how to"), and related increases in bureaucracy for questionable additional benefits. For example, Bylaw 307 requires haulers to expand their audit teams and yet provides no details on how the tax is collected, adding unnecessary complexity to a system with no appreciable benefit to the environment. As a result, haulers become data collection agents, raising issues of privacy and competitiveness, while being left with potential tax collection liabilities. This is unacceptable and likely unenforceable.

We have raised the concern about jurisdictional over-reach by Metro Vancouver in the past. For this reason, we ask you to review the bylaws under your EMA authority, reject them, and ask Metro Vancouver to reconsider their approach including consultation with industry. The result should include a set of clear principles, operational instructions, and defined outcomes (e.g., improved efficiency and reducing, not adding, costs and complexity) for businesses and resident of the region who face significant affordability challenges.

Sincerely,



Greg D'Avignon
President & CEO



December 4, 2017

File: 5360-20-04

Paul Henderson, P.Eng.
General Manager, Solid Waste Services
4330 Kingsway
Burnaby, BC V5H 4G8

Dear Mr. Henderson:

Re: Metro Vancouver Solid Waste Regulatory Changes

I am writing in regards to recent Metro Vancouver solid waste regulatory changes, including the generator levy, commercial hauler licensing, and Bylaw 181 review. In October 2017, Abbotsford City Council received a delegation from the Waste Management Association of BC citing concerns that the changes will control the flow of waste from the region, limit competition and prevent private sector investment. The changes were discussed at the City's Council Meeting held on November 20, 2017, where Council authorized staff to send comments to Metro Vancouver and the Ministry of Environment regarding the proposed regulatory changes.

The City supports the pursuit of increased waste diversion, as evidenced by Council's Strategic Initiatives to align with regional diversion goals. The City understands Metro Vancouver's stated objectives for the regulatory changes, which include providing equitable and sustainable funding of regional solid waste management, increasing waste diversion and increasing the effectiveness of solid waste regulation. Despite this fact, the City has concerns with the proposed Metro Vancouver regulatory changes due to the negative impacts they will have on some local solid waste businesses and the potential for Metro Vancouver to re-instate its pursuit of additional Waste-to-energy (WTE) facilities. The latter is reinforced by the understanding that Metro Vancouver plans to review WTE facility development options as part of its 2018 Zero Waste Committee work plan. WTE is of particular concern given the fragile and vital air shed shared by Metro Vancouver and the Fraser Valley Regional District (FVRD), and the negative consequences that WTE would have on local air quality and public health.

The City would like to continue to work cooperatively with its partners at the FVRD and Metro Vancouver to find workable solutions to achieve diversion that will benefit residents in both regions. We welcome the opportunity to meet with you to further discuss alternate solutions for achieving waste diversion goals.

If you have further questions, please contact Nathan Koning, Senior Engineer, Solid Waste and Environmental Services, at 604-557-1465 or nkoning@abbotsford.ca.

Yours truly,

Peter Sparanese, P.Eng.
General Manager, Engineering

c. Honourable George
Mayor Henry Braun, City
City of Abbotsford Council member
George Murray, City Manager,



January 26, 2018

Paul Henderson
General Manager, Solid Waste Services
Greater Vancouver Sewerage and Drainage District
4330 Kingsway
Burnaby, B.C. V5H 4G8

Re: Metro Vancouver Generator Levy Implementation

Dear Paul,

In your letter dated January 25, 2018, you state "Metro Vancouver understands that these records are currently maintained by commercial waste haulers." That understanding is mistaken and there is currently no means for haulers to maintain the detailed records implicitly required by the purported Generator Levy. As Metro has itself admitted, the Generator Levy depends on its companion draft bylaw. Unless and until that companion bylaw is approved by the Minister, Metro has no authority to require haulers to maintain and remit such (non-existent) records.

As always, we stand ready to meet with you to discuss ways and means that can and would work, for all parties, in order to meet the primary goal of maximizing waste diversion within Metro Vancouver specifically and the Province of BC additionally.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Bryan'.

Lori Bryan
Executive Director, WMABC

Waste Management Association of BC
PO Box 3322, Station Main
Mission, BC V2V 4J5
info@wmabc.ca 604-283-5603

Greater Vancouver Sewerage and Drainage District

To: Zero Waste Committee

From: Paul Henderson, General Manager, Solid Waste Services

Date: March 1, 2019

Meeting Date: March 7, 2019

Subject: **Mixed Waste Processing Pilot**

RECOMMENDATION

That the GVS&DD Board:

- a) authorize engaging a consultant to assist in the design of a pilot project, financial model, and procurement process for the purpose of processing municipal solid waste for the recovery of materials and/or fuel; and
 - b) direct staff to report back to the Board with the concept plan and procurement model for the implementation of the pilot project.
-

PURPOSE

The purpose of this report is to seek direction from the Zero Waste Committee and GVS&DD Board to initiate a pilot project for the purpose of processing municipal solid waste for the recovery of materials and/or fuel.

BACKGROUND

Representatives of the cement industry have communicated to Metro Vancouver that cement kilns provide a unique opportunity for this region to divert a portion of the municipal solid waste stream that originates from residential and commercial/institutional sources to use as fuel and displace traditional fuel sources such as coal and natural gas. In addition, over the years various enterprises have come forward in the region promoting various technologies that claim to effectively recover materials from municipal solid waste for various uses, including use as a fuel source.

This report has been prepared to provide preliminary information for the Committee and Board on using municipal solid waste as fuel in cement kilns, including a pilot project to investigate the feasibility of processing municipal solid waste for the purpose of generating recyclable material or fuel.

MIXED WASTE PROCESSING

Cement Kilns and Refuse Derived Fuel

Cement kilns use a variety of alternative fuels, both here in the Lower Mainland as well as across North America and Europe. Typically, these fuels are high energy materials with consistent characteristics. Alternative fuels may lower costs for the cement kilns and reduce greenhouse gas emissions through the displacement of fossil fuels such as coal and natural gas. In British Columbia, there is an added benefit in expanding the use of alternative fuels in cement kilns because fossil fuels are subject to the Carbon Tax, making up a substantive component of the cost of using coal or natural gas.

Municipal solid waste is processed into refuse derived fuel for use in cement kilns in a number of countries in Europe and other parts of the world. The use of refuse derived fuels in cement kilns has been explored both in Canada and the United States for many years, but to Metro Vancouver's knowledge there are no cement kilns using refuse derived fuel at an operational scale in North America at this time. Historic challenges within North America have involved air emissions-related regulatory requirements for the use of the refuse derived fuel, processing costs and reliability.

Proposed Mixed Waste Pilot Project

A mixed waste processing pilot project would answer a number of questions about mixed waste processing, including those relating to reliability, cost, environmental performance, regulatory requirements, and the appropriate business model.

The first steps would be to engage a consultant to help design the pilot project, develop the financial model, identify potential sites and prepare a procurement process. Once these tasks have been completed and an appropriate site has been secured, Metro Vancouver would initiate the procurement process to contract with a third party entity to develop a small-scale facility to process municipal solid waste. Recyclables and/or fuel would be recovered from the municipal solid waste and sold to either recycling markets or local cement kilns. Metro Vancouver anticipates that a pilot facility may be able to process in the range of 20,000 tonnes per year of municipal solid waste which would provide a suitable scale to determine the viability of mixed waste processing on a larger scale.

Under this proposal, once a contract is awarded, a pilot facility would be built to receive and process mixed waste. While details on the financial model are yet to be developed, it is anticipated that mixed waste would be delivered to the pilot facility by commercial or municipal haulers and Metro Vancouver would collect tipping fees on the same basis as other regional facilities. Incoming mixed waste loads would be inspected as part of the disposal ban program and the mixed waste processing company would be compensated based on the amount of material processed at the facility.

Consultation with member jurisdictions and industry representatives would be required in the development of the pilot project to ensure that the proposed pilot is both financially viable for Metro Vancouver and for potential proponents. It would also be critical to ensure that the pilot is designed in a way that aligns with the goals and objectives established Metro Vancouver's *Integrated Solid Waste and Resource Management Plan*.

ALTERNATIVES

1. That the GVS&DD Board:
 - a) authorize engaging a consultant to assist in the design of a pilot project, financial model, and procurement process for the purpose of processing municipal solid waste for the recovery of materials and/or fuel; and
 - b) direct staff to report back to the Board with the concept plan and procurement model for the implementation of the pilot project.
2. That the Zero Waste Committee receive for information the report dated March 1, 2019, titled "Mixed Waste Processing Pilot" and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

If the Board approves Alternative 1, staff will engage a consultant to assist in the design of the pilot project and the associated procurement process. It is anticipated that consultant services will be approximately \$300,000. These funds can be accommodated in the 2019 Solid Waste Services budget. Under this alternative, staff will report back to the Committee and Board with the proposed pilot project concept and a recommended procurement approach for implementation.

Under Alternative 2, Metro Vancouver would not pursue a pilot project at this time to examine opportunities to recover materials from mixed residual waste. All mixed residual waste within the Metro Vancouver system is currently disposed at the *Waste-to-Energy Facility* in Burnaby, the Vancouver Landfill and at remote landfills.

SUMMARY / CONCLUSION

Representatives of the cement industry have communicated to Metro Vancouver that cement kilns provide a unique opportunity for this region to divert a portion of the municipal solid waste stream. In addition, over the years various businesses have come forward promoting technologies that claim to effectively recover materials from municipal solid waste for various uses, including use as a fuel source.

To respond to this interest, staff have prepared this report to provide preliminary information for the Committee and Board on using municipal solid waste as fuel in cement kilns, including a pilot project to investigate the feasibility of processing municipal solid waste for the purpose of generating recyclable material or fuel. The pilot project would answer a number of questions related to the effectiveness of processing of mixed waste and provide important information on the feasibility of implementing the technology on a larger scale. If successful on a small scale, the pilot would also demonstrate the potential to achieve broader environmental benefits for the region by reducing GHGs through the displacement of traditional fuel sources.

If the Board supports this initiative, staff will engage a consultant to assist in the design of a pilot project, financial model, and procurement process for the purpose of processing municipal solid waste for the recovery of materials and/or fuel. Staff will also consult with member jurisdictions and industry stakeholders in the development of the pilot project and will report back to the Committee and Board with the concept plan and procurement model for the proposed implementation of the pilot project. Staff recommend the approval of Alternative 1.

28672585

To: Zero Waste Committee

From: Brent Kirkpatrick, Lead Senior Engineer, Solid Waste Services

Date: March 1, 2019 Meeting Date: March 7, 2019

Subject: **Waste-to-Energy Facility Second Pass Superheater Replacement Project Contract Award**

RECOMMENDATION

That the GVS&DD Board authorize:

- a) award to Covanta Burnaby Renewable Energy, ULC, for the construction of the second pass superheater replacement project at the Metro Vancouver *Waste-to-Energy Facility* at a cost of \$5,484,000 (including PST, but excluding GST), under the terms and conditions of existing Contract 98106; and
 - b) the Commissioner and Corporate Officer to execute any necessary documents.
-

PURPOSE

The purpose of this report is to seek GVS&DD Board authorization to award to Covanta Burnaby Renewable Energy, ULC (Covanta) the construction of the second pass superheater replacement system at the Metro Vancouver *Waste-to-Energy Facility* in the amount of \$5,484,000 (including PST, but excluding GST).

BACKGROUND

Pursuant to the *Officers and Delegation Bylaw No. 247* and the *Procurement and Real Property Contracting Authority Policy* adopted by the Board on July 11, 2014 effective September 1, 2014, procurement contracts which exceed a value of \$5,000,000 require the approval of the Board of Directors. Second pass superheaters are part of the energy recovery system at the *Waste-to-Energy Facility*. The existing units require replacement, and the overall project cost exceeds \$5,000,000 and therefore entering into a contract to complete the work requires approval of the Board.

SECOND PASS SUPERHEATERS

The existing second pass superheaters are 15 years old, and have reached the end of their expected life. These superheaters, which are located in the second pass of the boiler, raise the temperature of the saturated steam to superheated steam to avoid condensation in the turbine, which would be operationally problematic. The existing tubes are difficult to repair, and frequent failures are resulting in a loss of processing capacity at the *Waste-to-Energy Facility*. Replacement of end of life equipment, including the second pass superheaters, is not part of the contract with Covanta.

To ensure continual operation of the *Waste-to-Energy Facility*, Covanta is the best firm to perform the work, as Covanta would operate the facility during the upgrades and continue to meet the requirements of Operational Certificate 107051 and fulfill the obligations of the Electricity Purchase Agreement with BC Hydro (e.g., avoid liquidated damages). In addition, as Covanta is responsible for

the operation and maintenance of the installed works, there is greater accountability if Covanta acts as general contractor during construction. To ensure a fair price for Metro Vancouver, Covanta will tender out the construction work and their markup for the work is specified in Contract 98106. Covanta has submitted a not to exceed value of \$5,484,000 (including PST, but excluding GST) for project construction.

ALTERNATIVES

1. That the GVS&DD Board authorize:
 - a) award to Covanta Burnaby Renewable Energy, ULC, for the construction of the second pass superheater replacement project at the Metro Vancouver *Waste-to-Energy Facility* at a cost of \$5,484,000 (including PST, but excluding GST), under the terms and conditions of existing Contract 98106; and,
 - b) the Commissioner and Corporate Officer to execute the required agreement.
2. That the Zero Waste Committee receive for information the report dated March 1, 2019, titled "Waste-to-Energy Facility Second Pass Superheater Replacement Project Contract Award" and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

If the Board approves Alternative 1, Covanta will proceed with construction of the second pass superheater replacement project in the amount of \$5,484,000 (including PST, but excluding GST). Funding for this project exists in the approved 2019 capital budget.

If the second pass replacement project does not proceed, the availability of the *Waste-to-Energy Facility* would be impacted as the existing equipment has reached the end of useful life.

SUMMARY / CONCLUSION

The existing second pass superheaters have reached the end of their useful life. Staff recommend Alternative 1 that Covanta be contracted to construct the second pass superheater replacement project at a cost of \$5,484,000 (including PST, but excluding GST), under the terms and conditions of existing Contract 98106.

28498420

To: Zero Waste Committee

From: Ray Robb, Division Manager, Environmental Regulation and Enforcement

Date: March 6, 2019 Meeting Date: March 7, 2019

Subject: **Staff Appointments for the Purpose of Serving Summons under the *Offence Act***

RECOMMENDATION

That the GVS&DD Board appoint, for the purpose of serving summons under section 28 of the *Offence Act* for alleged violation of GVS&DD solid waste bylaws, all Metro Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*.

PURPOSE

To appoint existing GVS&DD officers for the additional purpose of serving a summons for alleged offences under GVS&DD solid waste bylaws.

BACKGROUND

GVS&DD appointed officers could more efficiently enforce GVS&DD solid waste bylaws if they were also provided with the power to serve summons related to GVS&DD bylaw infractions. The GVS&DD Board has the ability to appoint officers under the *Offence Act* for the purpose of serving summons for bylaw infractions.

SERVING SUMMONS UNDER THE *OFFENCE ACT*

The *Offence Act* requires that only peace officers or enforcement officers may serve summons. The *Offence Act* allows regional districts to appoint bylaw enforcement officers for the purpose of serving summons for bylaw violations. For the purpose of enforcement of GVS&DD solid waste bylaws under the *Environmental Management Act*, the GVS&DD is considered to be a regional district.

While GVS&DD-appointed officers have numerous inspection powers for the enforcement of GVS&DD bylaws, they must retain the services of a peace officer to serve a summons related to enforcement of GVS&DD solid waste bylaws. In addition to delays and additional time required to brief local police officers, it takes these officers away from their other important duties.

GVS&DD solid waste bylaw enforcement officers, if appointed for that purpose, may serve a summons in respect of alleged offences under a solid waste bylaw, pursuant to section 28 of the *Offence Act*. To increase efficiencies, it would be beneficial for GVS&DD-appointed officers to also be appointed for the purposes of serving a summons in respect of alleged offences under a GVS&DD solid waste bylaw.

Twelve summons have been provided since 1996 for violations of GVS&DD solid waste bylaws.

ALTERNATIVES

1. That the GVS&DD Board appoint, for the purpose of serving summons under section 28 of the *Offence Act* for alleged violation of GVS&DD solid waste bylaws, all Metro Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*.
2. That the GVS&DD Board refer this report back to staff with instructions.

FINANCIAL IMPLICATIONS

There are no significant financial implications or expenditures as the appointments are for existing Metro Vancouver staff.

SUMMARY / CONCLUSION

To promote efficient enforcement of Metro Vancouver solid waste bylaws, staff recommend that the GVS&DD Board appoint, for the purpose of serving summons under the *Offence Act* for alleged violation of GVS&DD solid waste bylaws, all Metro Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*.

Staff recommend Alternative 1.

27823442

To: Liquid Waste Committee

From: Fred Nenninger, Director, Policy Planning and Analysis, Liquid Waste Services

Date: March 4, 2019 Meeting Date: March 14, 2019

Subject: **Support for the Village of Anmore's Membership in the Greater Vancouver Sewerage and Drainage District**

RECOMMENDATION

That the GVS&DD Board:

- a) support the Village of Anmore's application to the Province of British Columbia for membership in the Greater Vancouver Sewerage and Drainage District (GVS&DD), and
- b) agree to provide sewerage services to the Village of Anmore subject to the following conditions:
 - i. that the Province grants GVS&DD membership to the Village of Anmore;
 - ii. that the Metro Vancouver Regional District Board resolves that the Village of Anmore's request for regional sewerage services meets the provisions of *Metro 2040: Shaping Our Future*;
 - iii. that the existing agreement between the Village of Anmore, the City of Port Moody and the GVS&DD to service Eagle Mountain Middle School be terminated and the Village of Anmore enter into a servicing agreement with the City of Port Moody to convey Anmore wastewater through Port Moody infrastructure; and
 - iv. that an appropriate flow-based billing protocol be developed and implemented to facilitate annual GVS&DD servicing levies.

PURPOSE

To seek Liquid Waste Committee and Board support for the Village of Anmore's application to the Province of British Columbia requesting membership in the Greater Vancouver Sewerage & Drainage District (GVS&DD) in order to provide sewerage services to two properties within the Village of Anmore and to seek conditional GVS&DD Board approval on providing sewerage services to the Village of Anmore.

BACKGROUND

At its council meeting on January 8, 2019, the Village of Anmore passed the following resolution seeking GVS&DD support for Anmore's application to the Province of BC for membership in the GVS&DD:

That Council:

- d) *Request the Greater Vancouver Sewerage and Drainage District Board support the Village of Anmore becoming a member of the Greater Vancouver Sewerage and Drainage District and, subject to becoming a member, expand the sewerage area to include the footprints of the existing 51 homes at Anmore Green Estates.*

This report is being brought forward to consider the request from the Village of Anmore for the GVS&DD Board support of their application to the Province for GVS&DD membership.

PREVIOUS SEWERAGE SERVICES AGREEMENT FOR EAGLE MOUNTAIN MIDDLE SCHOOL

Metro Vancouver municipalities receive regional sewerage services if they are members of the GVS&DD. Currently, the GVS&DD supplies sewerage services (conveyance and treatment) to 18 Metro Vancouver municipalities. The Village of Anmore is not a member of the GVS&DD and regional sewerage services are not provided to Anmore residents. Anmore's Official Community Plan requires properties to be serviced by on-site sewerage systems.

In 2014, an exception was made by the GVS&DD Board for Eagle Mountain Middle School (the middle school) located in Anmore. The GVS&DD Board resolved that regional sewer services to the middle school were warranted for unique and exceptional circumstances and the school building was connected to the adjacent Port Moody sewer network (Attachments 1 & 2). An agreement was signed between Anmore, Port Moody and the GVS&DD that allowed wastewater to be conveyed from the middle school through Port Moody's infrastructure to the regional system. That agreement was based on Anmore not being a member of the GVS&DD and prohibits Anmore from connecting any future properties to Port Moody's system.

MINISTERIAL ORDER ISSUED TO ANMORE GREEN ESTATES

In 2017, the Ministry of Environment and Climate Change Strategy conducted an inspection of Anmore Green Estates, a strata property adjacent to the middle school in the Village of Anmore, in response to a failing on-site treatment system that was causing septic leachate to be deposited onto school property. The investigation confirmed that bacterial levels were high and a risk to human health existed. On November 23, 2017, the Ministry issued a pollution abatement order to Anmore Green Estates requiring that an action plan be developed detailing pollution abatement options. On April 18, 2018, another pollution abatement order was issued to Anmore Green Estates requiring an engineering assessment of on- and off-site treatment options be completed. That report recommended *"the only solution that is sustainable in all three areas, Social, Environmental and Financial is to tie into the existing Municipal Sewer Collection System adjacent to the development."*

On August 16, 2018, the Ministry issued a Ministerial Order to the Village of Anmore requiring them to prepare a Liquid Waste Management Plan to address the sewage issues. Provincial staff have stated that the requirement for an LWMP may be rescinded if Anmore has an agreement in place with the GVS&DD to connect Anmore Green Estates to the regional sewerage system.

VILLAGE OF ANMORE REQUEST FOR GVS&DD MEMBERSHIP

The Village of Anmore has indicated they will be applying to the Province for membership in the GVS&DD. To facilitate their request to the Province, Anmore has requested GVS&DD Board support for its membership application. Under Section 66 of the *GVS&DD Act*, the Lieutenant-Governor in Council has the absolute authority to grant membership in the GVS&DD and set conditions upon that membership.

- 66** (1) *The Lieutenant-Governor in Council shall have absolute power and authority, upon the request of a municipality which is not a member of the Corporation, to order or refuse to order such municipality to be a member of the Corporation.*
- (2) *Any Order of the Lieutenant-Governor in Council made under this section shall fix the terms and conditions (if any), and shall name the day on which the municipality shall become and be a member of the Corporation.*
- (3) *Upon a municipality becoming a member of the Corporation, the area of the Corporation shall ipso facto include the area within the territorial limits of such municipality.*

ANTICIPATED COSTS FOR VILLAGE OF ANMORE MEMBERSHIP IN GVS&DD

Should Anmore be granted membership in the GVS&DD, they will be billed annual GVS&DD levies as a member jurisdiction. The GVS&DD annual levy has three components – Growth Charges, Non-Growth Charges and DCC's. Anmore does not expect new development within the sewerage area before 2023, so DCC costs are not anticipated for the first five years of membership. The following estimates have been developed for growth charges and non-growth charges for the Village of Anmore through 2023:

- Non-Growth Levy - This annual cost is flow-based, and measured using appropriate flow meters. As wastewater flows have not yet occurred from Anmore, preliminary cost estimates were developed for wastewater flows from Anmore Green Estates and the Middle School and total about \$23,400 for 2019 rising to about \$28,900 in 2023.
- Growth Levy - This annual cost is based on member total population growth projections and distributes the growth charge to all members across the Fraser Sewerage Area. Based on Anmore's population growth projection, preliminary cost estimates are about \$36,100 for 2019 rising to about \$116,400 in 2023.

GVS&DD CONDITIONS

Should the Province grant Anmore membership in the GVS&DD, Anmore is eligible to receive sewerage services from the GVS&DD, provided the following Metro Vancouver conditions are satisfied.

1. Metro 2040 Consideration

Following adoption of *Metro 2040* (the Regional Growth Strategy) in 2011, Metro Vancouver procedures regarding the extension of regional sewer services are subject to the provisions of *Metro 2040*. Therefore, any requests from member municipalities for extensions of sewerage services must be presented to the Metro Vancouver Regional District (MVRD) Board for consideration of consistency with the provisions of *Metro 2040*. The MVRD Board must resolve that the request for sewer services is consistent with the provisions of *Metro 2040* before Anmore can receive sewerage services. The Regional Planning Committee and MVRD Board will consider the Village of Anmore's request for the extension of sewer services through its revised Regional Context Statement at their meetings on March 8 and March 29, 2019 respectively (Attachment 3).

2. Current Servicing Agreement

In 2014, the GVS&DD Board resolved to grant sewerage services to Eagle Mountain Middle School, located within the Village of Anmore, without Anmore becoming a GVS&DD member in recognition of unique and exceptional circumstances. The GVS&DD Board amended the Fraser Sewerage Area to include only the building footprint of the middle school. As the GVS&DD does not own sewer infrastructure in or adjacent to Anmore, an agreement, dated August 1, 2014, between the GVS&DD, the Village of Anmore, and the City of Port Moody allowed the middle school wastewater to be conveyed through Port Moody infrastructure. Once Anmore becomes a member of the GVS&DD, the existing agreement will need to be terminated and a new servicing agreement executed between Anmore and Port Moody.

3. Flow measurement

Annual levies in the Fraser Sewerage Area are partially based on flow measurements and GVS&DD flow meters are installed at various locations throughout the regional sewerage system. Normally, Anmore would be required to install wastewater flow meters to determine the annual volume of wastewater from Anmore. However, wastewater flow meters are not recommended in this case as traditional flow meters have proven to be inaccurate at the relatively low wastewater flow volumes expected from Anmore. Instead, as a proxy, water-use can be used to estimate wastewater flows. A proxy formula and measurement protocol need to be established prior to Anmore receiving sewerage services. Water meters are currently installed on Anmore Green Estates property, and the middle school property and as such can be used to estimate wastewater flows. Should wastewater services to Anmore expand in the future to service more than 1000 residents, then Anmore would be responsible for all costs associated with installation and maintenance of the appropriate wastewater flow meters.

FINAL GVS&DD APPROVAL

For a municipal property to receive sewerage services, it must be located within one of the GVS&DD's four sewerage areas. Sewerage area boundaries are established under the *Greater Vancouver Sewerage and Drainage District Sewerage and Drainage Areas Boundaries Bylaw, No. 310, 2018*. Sewerage areas are amended through an amending bylaw and in accordance with Sections 31 and 32 of the *GVS&DD Act*. In 2014, the GVS&DD Board amended the Fraser Sewerage Area to include the Eagle Mountain Middle School building footprint. In its council resolution of January 8, 2019, Anmore council requested an amendment of the Fraser Sewerage Area to include the building footprints of the existing 51 units within Anmore Green Estates. Once Anmore is granted membership in the GVS&DD and the conditions of service noted above are completed, the GVS&DD Board can consider amending the *Sewerage and Drainage Areas Boundaries Bylaw, No. 310, 2018* to include the footprints requested by the Village of Anmore.

ALTERNATIVES

1. That the GVS&DD Board

- a) support the Village of Anmore's application to the Province of British Columbia for membership in the Greater Vancouver Sewerage and Drainage District (GVS&DD); and
- b) agree to supply sewerage services to the Village of Anmore subject to the following conditions:
 - i. that the Province grants GVS&DD membership to the Village of Anmore;

- ii. that the Metro Vancouver Regional District Board resolves that the Village of Anmore's request for regional sewerage services meets the provisions of *Metro 2040: Shaping Our Future*;
 - iii. that the existing agreement between the Village of Anmore, the City of Port Moody and the GVS&DD to service Eagle Mountain Middle School be terminated and the Village of Anmore enter into a servicing agreement with the City of Port Moody to convey Anmore wastewater through Port Moody infrastructure; and,
 - iv. that an appropriate flow-based billing protocol be developed and implemented to facilitate annual GVS&DD servicing levies.
2. That the GVS&DD Board do not support the Village of Anmore's membership application to the Province and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The Village of Anmore has responsibility for all capital costs associated with connection to the GVS&DD sewerage system and membership in the GVS&DD. The Village has indicated that all costs associated with connection to the regional sewerage system will be borne by the property owners and future GVS&DD levies will be addressed by the Village of Anmore. No costs associated with this connection are anticipated for the GVS&DD.

SUMMARY / CONCLUSION

The Village of Anmore has indicated in writing that it will be applying to the Province of BC to request membership in the Greater Vancouver Sewerage and Drainage District. They have requested GVS&DD Board support for their application.

Once the Province grants membership, Anmore will be eligible to receive regional sewerage services from the GVS&DD subject to the following conditions:

1. The Metro Vancouver Regional District Board resolves that the Village of Anmore's request for regional sewerage services meets the provisions of *Metro 2040: Shaping Our Future*;
2. The existing agreement between the Village of Anmore, the City of Port Moody and the GVS&DD to service Eagle Mountain Middle School be terminated and the Village of Anmore enter into a servicing agreement with the City of Port Moody to convey Anmore wastewater through Port Moody infrastructure; and,
3. An appropriate flow-based billing protocol be developed to facilitate annual GVS&DD levies to Anmore.

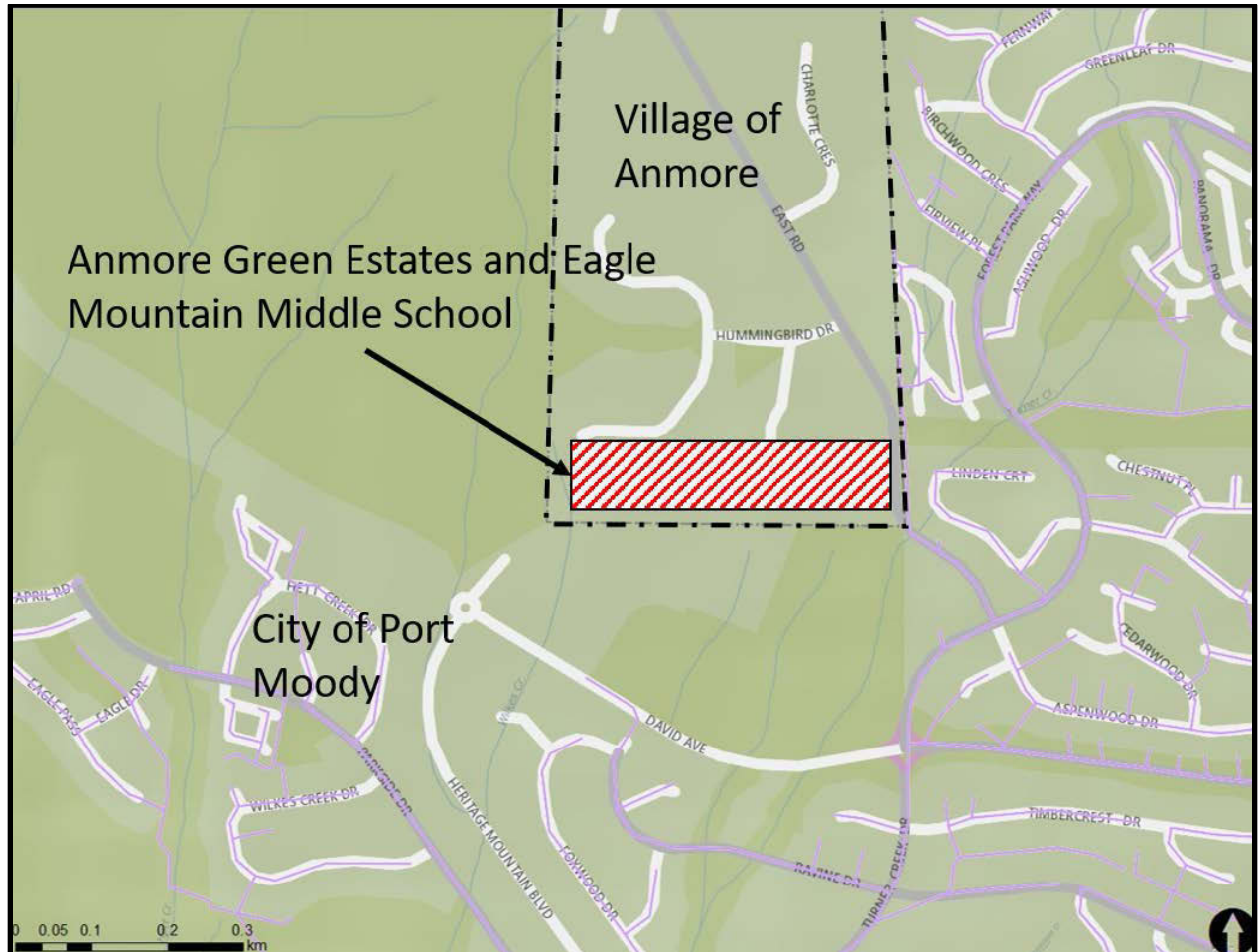
Staff recommend supporting the Village of Anmore's application to the Province for membership in the GVS&DD subject to the conditions outlined above for Anmore to receive sewerage services as presented under Alternative 1.

Attachments

1. Figure of proposed Anmore service area in relation to GVS&DD sewer mains
2. Figure of Anmore Green Estates and Eagle Mountain Middle School location
3. Regional Planning Committee report dated February 13, 2019, titled "Consideration of the Village of Anmore's Amended Regional Context Statement"

28079793





To: Regional Planning Committee

From: James Stiver, Division Manager, Growth Management and Transportation,
Regional Planning

Date: February 13, 2019 Meeting Date: March 8, 2019

Subject: **Consideration of the Village of Anmore's Amended Regional Context Statement**

RECOMMENDATION

That the MVRD Board accept the Village of Anmore's amended Regional Context Statement as submitted to Metro Vancouver on January 11, 2019.

PURPOSE

To seek MVRD Board acceptance of the Village of Anmore's amended Regional Context Statement in accordance with Section 866 of the *Local Government Act*.

BACKGROUND

The Village of Anmore has submitted an amended Regional Context Statement to Metro Vancouver for consideration (Attachment). The Regional Context Statement seeks to include the Anmore Green Estates site within the Urban Containment Boundary and redesignate the parcel from a Rural regional land use designation to General Urban. Section 448 (2) of the *Local Government Act* stipulates that the MVRD Board must respond by resolution within 120 days after receipt indicating whether or not it accepts the Regional Context Statement. If the Board fails to respond within this period of time, the Regional Context Statement is deemed to be accepted.

The Village Council has also endorsed a resolution requesting the Board of the Greater Vancouver Sewerage and Drainage District (GVS&DD) to support its request to become a member of the GVS&DD and, subject to becoming a member, to expand the sewerage area to include the footprints of the existing 51 homes within the Anmore Green Estates lands for the purpose of connecting to the regional sewerage system. This request will be considered separately by the Liquid Waste Committee and GVS&DD Board.

REGIONAL CONTEXT STATEMENTS

Section 446 of the *Local Government Act* requires that each municipality submit a Regional Context Statement that identifies the relationship between the municipality's Official Community Plan (OCP) and the regional growth strategy, *Metro Vancouver 2040: Shaping our Future (Metro 2040)*. It is the role of municipalities to adopt Regional Context Statements that specify how the municipality's OCP addresses each of the applicable *Metro 2040* policy actions. When the MVRD Board considers acceptance of a new or amended Regional Context Statement, it is expected that it be "generally consistent" with the goals, strategies, actions, and parcel-based regional land use designations in *Metro 2040*.

VILLAGE OF ANMORE OFFICIAL COMMUNITY PLAN

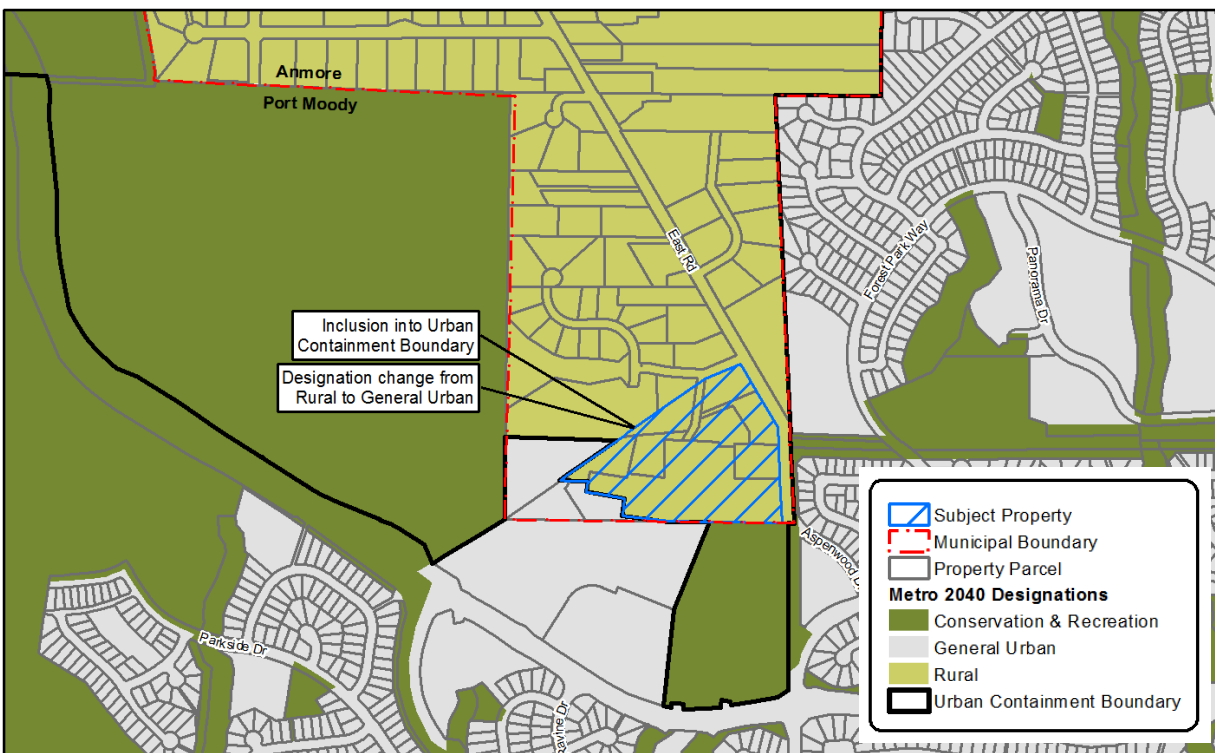
The Village of Anmore is a predominantly rural and semi-rural community in the north eastern portion of the region, outside of the Urban Containment Boundary. As a community, Anmore is not planned or expected to absorb a significant portion of regional growth or connect to urban servicing. The Village's current OCP policies state that the Village will not develop a municipal-wide sewer system in the interest of respecting the rural and semi-rural character of the community where residents rely on private septic system services, as a means of limiting more urban forms of development.

The Village's Regional Context Statement, which forms part of its OCP and was accepted by the MVRD Board in July of 2011, reinforces the limitation of sewer servicing by restricting the extension of regional sewerage servicing by designating the Village primarily with a Rural land use designation in *Metro 2040*. The one exception is the Eagle Mountain Middle School, which is designated General Urban and located within the Urban Containment Boundary in *Metro 2040*.

Anmore Green Estates

Anmore Green Estates is an existing strata development comprising 51 residential units at the southern limits of the Village of Anmore, bordering on the City of Port Moody adjacent to the Eagle Mountain Middle School.

Location Map



The strata operates a communal septic system for the development's residents, as the development is not connected to a municipal sewerage system. In November 2017, in response to a discovered leak from the communal system onto neighbouring properties owned by School District 43 in

Port Moody, the Ministry of Environment and Climate Change Strategy issued a Pollution Abatement Order to Anmore Green Estates that required the preparation of an action plan to address the failure of the system. Through the Winter and Spring of 2018, required engineering work was completed to consider and recommend options to address the issue. Upon completion, the engineering reports recommended that the most viable solution was to connect the development to the GVS&DD sewerage system via Port Moody's collection system. In August 2016 a Minister's Order was issued requiring that the Village of Anmore submit a plan to manage liquid wastes within the Village to the Province for approval. There are many requirements and parties involved in advancing this solution, that go beyond the ability of Anmore Green Estates and the Village of Anmore to address.

Anmore Council Resolution

At its January 8, 2019 meeting, Village of Anmore Council resolved to seek to connect the Anmore Green Estates site to the GVS&DD system, and passed the following resolution:

THAT Council:

- a) Give 1st reading to Village of Anmore Official Community Plan Amendment Bylaw 590-2019;*
- b) Refer Village of Anmore Official Community Plan Amendment Bylaw 590-2019 to the City of Port Moody, the Village of Belcarra and School District No. 43 for comment;*
- c) Submit the proposed amendment to Anmore's Regional Context statement comprised of a regional land use designation change from Rural to General Urban for the Anmore Green Estates property, and a corresponding extension of the Urban Containment Boundary to the Metro Vancouver Board for acceptance; and*
- d) Request the Greater Vancouver Sewerage and Drainage District Board support the Village of Anmore becoming a member of the Greater Vancouver Sewerage and Drainage District and, subject to becoming a member, expand the sewerage area to include the footprints of the existing 51 homes at Anmore Green Estates.*

AND THAT no further steps be taken until such time as the memorandum of understanding is in place with Anmore Green Estates Strata."

Timeline of Proposed Amendment

With Anmore Council giving first reading to Bylaw 590-2019 on January 8, 2019, a circulation of notice to neighbouring jurisdictions is now underway. The Village intends to consider further readings of the Bylaw and a public hearing in March 2019. MVRD's consideration of the amended Regional Context Statement and the GVS&DD Board's consideration of support for Anmore's membership in the GVS&DD service area is required to support the Village's application for membership in the GVS&DD to the Ministry of Municipal Affairs and Housing for an Order in Council to amend Metro Vancouver's Letters Patent to include the Village of Anmore. The consideration of acceptance of the amended Regional Context Statement is the first step prior to the Liquid Waste Committee's and GVS&DD Board's consideration of the Village's request to amend the service area, and the other steps noted above involving the City of Port Moody and the Province.

AMENDED REGIONAL CONTEXT STATEMENT

The Village of Anmore staff report states that the rationale for limiting the connections only to Anmore Green Estates, is to only address the environmental and public health concerns related to the development's sewage treatment system and not to provide excess servicing that could accommodate additional development. The General Urban designation for *Metro 2040* is being sought due to:

- the urgency of the need to address the environmental and public health risk of the failing septic system;
- the level of development in the Anmore Green Estates development being significantly different than the semi-rural and rural development densities seen in the other areas of the municipality;
- this is the only site that is intended to be connected to regional sewerage servicing; and
- the number of units and density of the development is existing and the change in land use designation will more appropriately reflect the existing development than the current Rural designation.

The Village has proposed to amend its Regional Context Statement rather than pursuing a Type 2 amendment to *Metro 2040*. A Type 2 amendment is often the required approach to amending the Urban Containment Boundary. However, this approach is consistent with other Regional Context Statements with regional land use designation changes that have been submitted and considered by the MVRD Board, particularly in situations where there are environmental and public health impact concerns or to better align the regional land use designation with an existing land use / development.

Village of Anmore staff reported to Village Council that:

- there are no consequential impacts to this proposed amendment on the intent of *Metro 2040*'s urban containment objectives as the 51 units are existing no new development will result;
- the connection to regional sewer servicing was concluded as the only viable means to address the Ministry's Pollution Abatement Order process to address the public health and environmental risk issues; and
- there is no regional significance to the proposed amendments and a full *Metro 2040* amendment process is not warranted in this case.

For the above reasons, a General Urban designation in *Metro 2040* is appropriate. It should be noted that should Anmore join the GVS&DD, it does set the stage for future consideration of additional sewerage extension requests.

Anmore's Amended Regional Context Statement and Metro 2040

A primary way in which *Metro 2040* reinforces a compact urban area, and protects the region's rural, natural and agricultural areas, is with the introduction and maintenance of the Urban Containment Boundary. To reinforce this objective, *Metro 2040* sets out policies that restrict the extension of sewer servicing into the designated Rural, Conservation and Recreation, and Agricultural areas. While *Metro 2040* includes provisions for the MVRD Board to consider exceptions to this objective in cases where

such a proposed connection would prevent or alleviate a public health or environmental contamination risk, or where a connection has no significant impact on the strategy of urban containment, the Village of Anmore has opted to amend its Regional Context Statement map (Attachment) to adjust the Urban Containment Boundary to encompass the Anmore Green Estates lands and designate those lands as General Urban.

Anmore Green Estates is an existing development on the edge of the General Urban area, built at urban densities, and dissimilar to the Village's prevailing rural and semi-rural form. Furthermore, the Eagle Mountain Middle School, immediately to the west of the Anmore Green Estates lands, is currently connected to the regional sewerage system and contained within the Urban Containment Boundary; in 2014, an amendment to *Metro 2040* was approved to redesignate those lands to General Urban and adjust the Urban Containment Boundary and a 25 year servicing agreement was entered into with School District 43, rather than by way of membership within GVS&DD, to facilitate the construction of the school. Therefore, the intent of *Metro 2040*'s objectives of urban containment and protecting the region's Rural lands is not negatively impacted by the proposed amendment.

GVS&DD CONSIDERATIONS

In addition to the MVRD Board's consideration of the Regional Context Statement, at their respective meetings in March, 2019 the Liquid Waste Committee and GVS&DD Board will also be considering the Village of Anmore's application to the Province of British Columbia for membership in the GVS&DD.

If the MVRD Board ultimately accepts the Regional Context Statement, the GVS&DD Board will be able to consider the Village of Anmore's application for membership in the GVS&DD with the understanding that the requested extension of sewer servicing will be consistent with the policies of *Metro 2040*. Alternatively, if the Regional Context Statement is not accepted, the GVS&DD Board will need to consider the implications of the Village of Anmore's application for membership in the GVS&DD, as the application for membership and expansion of the sewer area will be in conflict with the policies of *Metro 2040* and will require further consideration by the MVRD Board of the exception provisions of *Metro 2040* to allow the connection of regional sewerage servicing for a public health or environmental contamination reason, or whether such a sewerage extension would have an impact on the intent of the Rural land use designation.

ALTERNATIVES

1. That the MVRD Board accept the Village of Anmore's amended Regional Context Statement as submitted to Metro Vancouver on January 11, 2019.
2. That the GVRD Board not accept the Village of Anmore's Regional Context Statement, indicating the provisions to which the Board objects and the reasons for objection, and request the Village of Anmore amend its Regional Context Statement and re-submit it to the Board for consideration.

FINANCIAL IMPLICATIONS

If the MVRD Board chooses Alternative 1, there are no financial implications to the MVRD related to the acceptance of the Village of Anmore's Regional Context Statement. If the MVRD Board chooses Alternative 2, a dispute resolution process may take place as prescribed in the *Local Government Act*.

The cost for this dispute resolution is prescribed based on the proportion of assessed land values. Metro Vancouver would be responsible for most of the associated costs.

There are financial implications associated with the request for membership in the GVS&DD. These implications will be presented separately in the March 14, 2019 report to the Liquid Waste Committee.

SUMMARY / CONCLUSION

The Village of Anmore is seeking to amend its Regional Context Statement to include the Anmore Green Estates site within the Urban Containment Boundary and to designate it as General Urban. Village Council has also submitted a formal request to the GVS&DD Board seeking support to become a member of the Greater Vancouver Sewerage and Drainage District and to connect the 51 existing residential units of Anmore Green Estates to the regional sewerage system. The requested sewer connection via Port Moody is intended to address the environmental and public health concerns related to the development's failing septic sewage treatment system and not to provide excess servicing capacity that could accommodate additional development.

The proposed General Urban designation and an adjustment to the Urban Containment Boundary is being proposed:

1. to address the urgency of the need to address the environmental and public health risk of the failing septic system;
2. to more accurately reflect that the existing Anmore Green Estates development is a significantly different density and form that the semi-rural and rural development densities seen in the other areas of the municipality; and
3. as this is the only site that is intended to be connected to regional sewerage servicing and it is only to service an existing development.

There are no consequential impacts on the intent of *Metro 2040's* urban containment objectives as no new development will result. Therefore, staff are recommending Alternative 1, that the MVRD Board accept the Village of Anmore's amended Regional Context Statement to set the stage for the GVS&DD to consider support for Anmore's membership in the GVS&DD, and facilitate the sewer connection to address the Province's Pollution Abatement Order.

Attachment: Correspondence re Village of Anmore Official Community Plan Amendment Bylaw No. 590-2019 from Village of Anmore, dated January 11, 2019 (*orbit doc #28305307*)

28538078



January 11, 2019

Chris Plagnol
Corporate Officer
Metro Vancouver
Metrotower III, 4730 Kingsway
Burnaby, BC V5H 0C6

Dear Mr. Plagnol:

**Re: Village of Anmore Official Community Plan Amendment Bylaw
No. 590-2019**

The Village of Anmore Council recently passed the following resolution at its
January 8, 2019 Regular Council meeting:

"THAT Council:

- a. Give 1st reading to Village of Anmore Official Community Plan Amendment Bylaw 590-2019;
- b. Refer Village of Anmore Official Community Plan Amendment Bylaw 590-2019 to the City Port Moody, the Village of Belcarra, and School District No. 43 for comment;
- c. Submit the proposed amendment to Anmore's Regional Context Statement comprised of a regional land use designation change from Rural to General Urban for the Anmore Green Estates property, and a corresponding extension of the Urban Containment Boundary to the Metro Vancouver Board for acceptance; and
- d. Request the Greater Vancouver Sewerage and Drainage District Board support the Village of Anmore becoming a member of the Greater Vancouver Sewerage and Drainage District and, subject to becoming a member, expand the sewerage area to include the footprints of the existing 51 homes at Anmore Green Estates;

AND THAT no further steps be taken until such time as the Memorandum of Understanding is in place with Anmore Green Estates Strata."

Attached is a copy of the Official Community Plan Amendment Bylaw, which contains the amendments to the Regional Context Statement, and the accompanying staff report outlining the Village's rationale.

The Village has been working with the appropriate Metro Vancouver staff and they are aware that these requests would be forthcoming. Should there be any further questions on this matter please feel free to contact our Manager of Development Services, Jason Smith, at 604-469-9877 or jason.smith@anmore.com.

Sincerely,



Juli Halliwell
Chief Administrative Officer
T 604-469-9877
juli.halliwell@anmore.com

Attachment: *Report to Council dated January 4, 2019*

Cc: Carol Mason, Commissioner/Chief Administrative Officer
Neal Carley, General Manager of Planning & Environment
Peter Navratil, General Manager of Liquid Waste
Jessica Beverley, Corporate Solicitor



VILLAGE OF ANMORE

REPORT TO COUNCIL

Date: January 4, 2019

Submitted by: Jason Smith, Manager of Development Services

Subject: Anmore Green Estates – Membership in the Greater Vancouver
Sewage and Drainage District, Official Community Plan and Regional
Context Statement Amendment

Purpose / Introduction

The purpose of this report is provide Council with the opportunity to initiate the many processes required to connect Anmore Green Estates to the regional sewer system. To connect Anmore Green Estates to the regional sewer system will necessitate becoming a member of the Greater Vancouver Sewage and Drainage District, amending the Village's Official Community Plan and Regional Context Statement

Recommended Option

THAT Council request that staff advise the Anmore Green Estates Strata that the Village of Anmore is willing and ready to proceed with connecting the existing 51 homes at Anmore Green Estates to the Greater Vancouver Sewerage and Drainage District sewerage system; but that the Village will only proceed once there is a Memorandum of Understanding between the Village and the Anmore Green Estates Strata in order to ensure that all parties are equally committed to resolving the sewage treatment issue at Anmore Green Estates.

Background

There has been long standing issues surrounding the treatment of sewage at Anmore Green Estates (AGE). AGE is made up of 51 homes whose sewage is treated by a community septic system and field. The AGE strata operates a community septic system under a permit issued by the Ministry of Environment and Climate Change Strategy (the Ministry). The Ministry is solely responsible for the regulation and enforcement of sewage treatment under this permit.

A Pollution Abatement Order was issued in November 2017 by the Ministry in response to reported leakage of sewage onto the neighbouring school site. This Pollution Abatement Order required the AGE Strata to develop an action plan to address the immediate pollution on the school site and to hire their own engineers to devise a long term solution for treating their sewage.

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

Through the winter and spring of 2018 the Ministry required the AGE strata to hire a series of engineers to make recommendations and to conduct a peer review. This was a Ministry led process and the Village of Anmore had no jurisdiction to become involved in this process.

In May 2018, the final engineering reports were provided to the Ministry, as well as the peer review. The conclusion of those reports was that, from a strict engineering perspective, the most viable solution was to connect AGE to the Greater Vancouver Sewerage and Drainage District (GVS&DD) system via Port Moody. Those reports did not consider or address the Village's Official Community Plan (OCP), the fact that the Village of Anmore was not a member of GVS&DD, the requirements for membership in the GVS&DD or Metro Vancouver's Regional Growth Strategy. The Village had raised those concerns with the Ministry throughout the winter and spring of 2018 and they were not addressed. The Village, after receiving the final engineering reports and recommendations, asked repeatedly for clarification, through the Ministry, on why on-site solutions were dismissed by the engineers hired by the AGE strata. These requests for clarifications were never addressed by the Ministry or the AGE strata.

Having gotten no further information from the Ministry, the Village of Anmore Council chose to begin consideration of the various processes that would be required to be completed in order to connect AGE to the GVS&DD system. One of the first processes that would need to be undertaken would be to address the Village of Anmore's OCP and Regional Context Statement (RCS) contained within it.

The Village has been in communication, since early December, with representatives from the AGE strata to come to an agreement regarding a Memorandum of Understanding (MOU). The purpose of the MOU is to come to an agreement on the high level of principles of how to move forward with resolving the sewage issues at AGE and that both parties are equally committed. The Village continues to wait to hear back from the AGE strata on whether they are ready to proceed.

Discussion

Current OCP Policy

The current OCP states in Policy MS-7 that "During the time frame of this Plan, the Village will not develop a municipal-wide sewer system." The Village of Anmore Council has interpreted that policy to be an articulation of the Village's longstanding policy that the Village is a semi-

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

rural community where residents are responsible for treating their own sewage through on-site systems.

The lack of urban level sewer services is a means of preserving the semi-rural character of the Village as this places limits on the density of development. This lack of urban services supports the maximum permitted density in the OCP of 2 units/acre.

Current RCS

The current Regional Context Statement (RCS), which forms part of the Village's OCP, utilizes Metro Vancouver's Regional Growth Strategy (RGS) policies to support Village OCP policies to restrict the expansion of regional sewer services by designating all of the Village with a Rural land use designation in the RGS. The Village believes that the Rural designation is appropriate for the semi-rural densities that the Village anticipates in its OCP and the intent to have development treat its sewage on-site.

The one exception in the RCS is the Eagle Mountain Middle School Site, which is designated General Urban and is located within the Urban Containment Boundary. This site was connected to the GVS&DD system after an amendment to the RGS in 2012 re-designating the site from Rural to General Urban. The rationale for that amendment was that the urban services could only be provided to urban areas.

OCP and RCS Amendments for Anmore Green Estates

The Village of Anmore Council has directed staff to begin the processes to connect AGE to the GVS&DD system. The following outlines the necessary OCP and RCS amendments that are required to facilitate this.

1. Add words in italics to Policy MS-7 "The Village will join the Greater Vancouver Sewage and Drainage District to accommodate the connection of Anmore Green Estates to the Greater Vancouver Sewage and Drainage District System. During the time frame of this Plan, the Village will not develop a municipal-wide sewer system" (**Attachment 1**)
2. Amend Map 3: Regional Context Statement Map to change the lots comprising Anmore Green Estates from a Rural regional land use designation to a General Urban regional land use designation and amend the Urban Containment Boundary to include the properties.

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

Rationale for Amendments

The primary rationale for the amendments to the OCP is to accommodate connection of AGE to regional sewer system. The amendment will not enable any new development and it will simply allow the existing AGE development to address environmental and public health concerns related to the treatment of sewage.

The regional General Urban designation is appropriate because in the Anmore and neighbouring contexts, this is urban level density, the existing density of 4 units/acre at AGE exceeds the semi-rural densities found in the rest of Anmore. These densities and the fact that it will be served by urban level services (both sewer and water) make the General Urban designation appropriate.

The Village wants to make a clear distinction between General Urban and Rural to signal its intent to remain a semi-rural community and support the objectives of the RGS. Designating the AGE site will serve to reinforce that important distinction. This premise is further reinforced by the OCP policies and zoning in place for the surrounding properties that will keep those properties semi-rural and curtail any risk of further urban expansion.

The Village is proposing not to pursue a full RGS Type 2 amendment process to change the regional Urban Containment Boundary and the regional land use from Rural to General Urban. There are several reasons for this choice:

1. There are no consequential impacts to this amendment in terms of development. The amendment is only to allow for the expansion of the regional sewer system to service existing development (51 units) and will not facilitate any new development
2. The connection to the regional sewer system is the only viable means, according to the engineering reports provided to the Village through the Ministry's Pollution Abatement Order process, to address public health and environmental issues created by the sewerage generated at AGE.
3. It is the Village's view, that there is no regional significance to the proposed amendments and that a full RGS amendment process is not warranted in this case and would not be an effective use of public resources.

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

Public Consultation

Section 475 of the *Local Government Act* requires specific consideration be given to consultation on the proposed amendment:

1. Whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing. Given this amendment will only enable AGE to connect to the regional sewer system, that there will be no further development on the site or consideration of expanding the sewer area, and that the AGE strata is fully aware of what is taking place – staff would not recommend any further consultation beyond a mail drop to the community explaining what is taking place at AGE.
2. The Metro Vancouver Board will have a direct say on this matter through consideration of the Village's RCS and therefore staff would not recommend any further consultation with them.
3. The scope and impact of this amendment is very limited and therefore staff do not recommend consultation with the boards of any regional district that is adjacent to the area covered by the OCP.
4. In terms of consultation with adjacent municipalities, staff recommend sending the amendment to the City of Port Moody, who will have a direct role in the resolving this matter, and to the Village of Belcarra. Given that this amendment will only enable AGE to connect to the regional sewerage system, that there will be no further development on the site or consideration of expanding the sewer area staff do not recommend referring this amendment to any of other local governments.
5. Given that this amendment will only enable AGE to connect to the regional sewerage system, that there will be no further development on the site or consideration of expanding the sewer area, staff do not recommend consultation with First Nations.
6. Staff recommend sending the amendment to School District No. 43 for comment as they will have direct role in resolving this matter. The GVS&DD Board will also be involved through the request to support the Village's request for membership in GVS&DD and the subsequent amendments to the regional Fraser Sewerage Area that they will need to make in order to connect AGE to the regional sewerage system – therefore staff do not recommend consulting with the GVS&DD Board on this matter.
7. Staff do not see the need to consult with the Provincial or Federal governments on this amendment. The impacted provincial ministries will have direct involvement in the connection process and have been consulted on this matter already.

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

In summary, staff recommend the following consultation plan for this OCP amendment. That a one page issue summary be sent to all residents of Anmore outlining the Village's intent, why it is pursuing this matter and encouraging residents to provide comments to Council. This summary should be delivered through a mail drop, distributed through social media and posted on the Village's website.

The OCP amendment should be referred to the Village of Belcarra, City of Port Moody and School District No. 43 for comment prior to the public hearing.

Process Timelines

Here is an overview of possible timelines, should Council initiate the process at their January 8, 2019 regular Council Meeting:

Item	Agency Responsible	Date	Comments
OCP Amendment 1 st Reading	Village of Anmore	January 8, 2019	Refer amendment to neighbouring jurisdictions as outlined
OCP Amendment 2 nd Reading	Village of Anmore	March 5, 2019	Set date for public hearing
Public Hearing, possible 4 th Reading	Village of Anmore	March 19, 2019	
Regional Planning Committee Review of RCS*	Metro Vancouver Regional District	February 2019	
Acceptance of RCS*	Metro Vancouver Regional District Board	February 22, 2019	
GVS&DD Board motion to support Anmore's membership in GVS&DD*	GVS&DD Board	February 22, 2019	Required to apply to Province for membership

***Timeline is subject to the Metro Vancouver Regional District and GVS&DD Boards' scheduling**

Once the RCS is accepted and the Village has received GVS&DD Board support for its membership in the GVS&DD, the Village would need to apply to the Ministry of Municipal Affairs and Housing for an Order In Council to be made by Cabinet to officially become a member of the GVS&DD. This process is estimated to take between 3-6 months.

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

Options

The following options are presented for Council's consideration:

1. THAT Council:
 - a. Request, through the Minister of Municipal Affairs and Housing, that the Province of British Columbia make the Village of Anmore a member of the Greater Vancouver Sewage and Drainage District;
 - b. Give 1st reading to Village of Anmore Official Community Plan Amendment Bylaw 590, 2019;
 - c. Refer Village of Anmore Official Community Plan Amendment Bylaw 590, 2019 to the City Port Moody, the Village of Belcarra, and School District No. 43 for comment;
 - d. Submit the proposed amendment to Anmore's Regional Context Statement comprised of a regional land use designation change from Rural to General Urban for the Anmore Green Estates property, and a corresponding extension of the Urban Containment Boundary to the Metro Vancouver Board for acceptance; and
 - e. Request the Greater Vancouver Sewerage and Drainage District Board support the Village of Anmore becoming a member of the Greater Vancouver Sewerage and Drainage District and, subject to becoming a member, expand the sewerage area to include the footprints of the existing homes at Anmore Green Estates.

OR

2. THAT Council request that staff advise the Anmore Green Estates Strata that the Village of Anmore is willing and ready to proceed with connecting the existing 51 homes at Anmore Green Estates to the Greater Vancouver Sewerage and Drainage District sewerage system; but that the Village will only proceed once there is a Memorandum of Understanding between the Village and the Anmore Green Estates Strata in order to ensure that all parties are equally committed to resolving the sewage treatment issue at Anmore Green Estates.

OR

3. THAT Council advise staff of how they would like to proceed.

Report/Recommendation to Council

Anmore Green Estates – Membership in the Greater Vancouver Sewage and Drainage District,
Official Community Plan and Regional Context Statement Amendment
January 4, 2019

Financial Implications

There will be financial implications for the recommended options. The financial implications of these options should be recoverable through the Memorandum of Understanding (MOU) that the Village is negotiating with the AGE strata. A primary principle of MOU is that all of the costs associated with connecting AGE to the regional sewer system will be paid for by the AGE strata. Therefore staff time, legal fees and any costs for the public hearing will be paid for by the AGE strata.

Attachments:

1. Village of Anmore Official Community Plan Amendment Bylaw 590, 2019

Prepared by:
 _____ Jason Smith Manager of Development Services
Reviewed for Form and Content / Approved for Submission to Council:
Chief Administrative Officer's Comment/Concurrence  _____ Chief Administrative Officer

VILLAGE OF ANMORE

BYLAW NO. 590-2019

A bylaw to amend the Official Community Plan

WHEREAS the *Local Government Act* authorizes a municipality to amend its community plan from time to time;

NOW THEREFORE the Municipal Council of the Village of Anmore, in open meeting assembled, enacts as follows:

1) That this bylaw may be cited for all purposes as "Village of Anmore Official Community Plan Amendment Bylaw No. 590-2019".

2) That Village of Anmore Official Community Plan Bylaw No. 532, 2014 be amended as follows by replacing Policy MS-7 with the following text:

"The Village will join the Greater Vancouver Sewage and Drainage District to accommodate the connection of Anmore Green Estates to the Greater Vancouver Sewage and Drainage District System. During the time frame of this Plan, the Village will not develop a municipal-wide sewer system"

3) Replace Map 3: Regional Context Statement Map with the map attached as Schedule A to change the lots comprising of the 51 existing homes at Anmore Green Estates from a Rural designation to an Urban designation within the Urban Containment Boundary.

READ a first time the _____ day of, 2019

READ a second time the _____ day of, 2019

PUBLIC HEARING HELD the _____ day of, 2019

READ a third time the _____ day of, 2019

ADOPTED the _____ day of, 2019

MAYOR

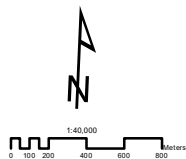
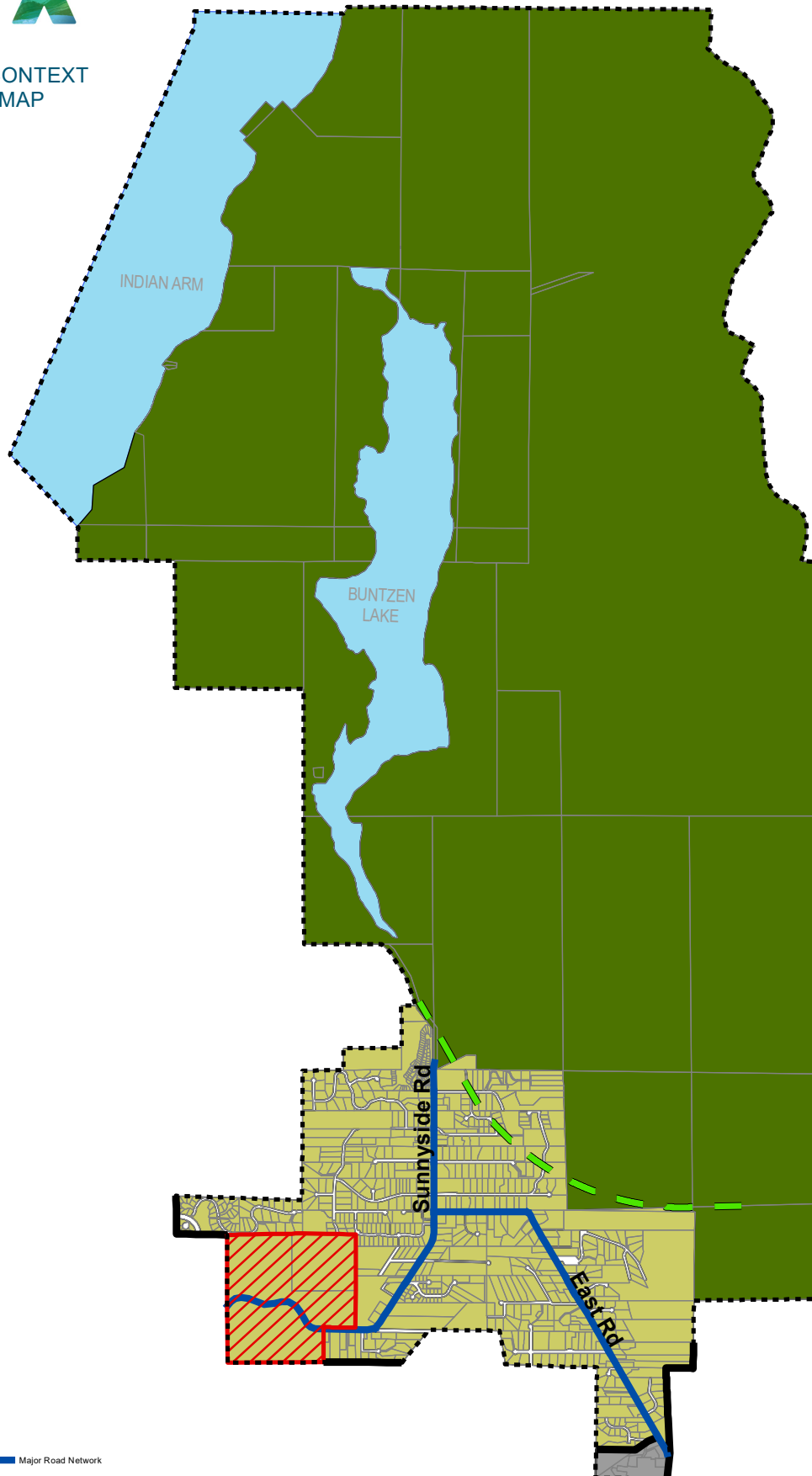
CORPORATE OFFICER

Certified to be a true and correct copy of the "Village of Anmore Official Community Plan Amendment Bylaw No. 590-2019" adopted by the Municipal Council of the Village of Anmore the [DATE] day of [MONTH, YEAR].

CORPORATE OFFICER



MAP 3: REGIONAL CONTEXT
STATEMENT MAP



Legend

- | | |
|---------------------------|----------------------------|
| General Urban | Major Road Network |
| Rural | Urban Containment Boundary |
| Conservation & Recreation | Regional Greenway Network |
| Special Study | Municipal Boundary |

To: Liquid Waste Committee

From: Roy Moulder, Director, Purchasing and Risk Management, Financial Services
Jeff Chan, Division Manager, Project Delivery, Liquid Waste Services

Date: March 4, 2019 Meeting Date: March 14, 2019

Subject: **Award of Phases 2 and 3, Construction and Post-Construction Management Services: Annacis Island Wastewater Treatment Plant Outfall System Project**

RECOMMENDATION

That the GVS&DD Board:

- a) approve the award of Phase 2 Construction and Phase 3 Post-Construction for an amount of up to \$11,614,673.25 (exclusive of taxes) to the Phase 1 consultant, Hatch Corporation, for Construction Management Services on the Annacis Island Wastewater Treatment Plant Outfall System Project; and
 - b) authorize the Commissioner and the Corporate Officer to execute the required documentation.
-

PURPOSE

This report is to request authorization from the GVS&DD Board to award Phase 2 Construction and Phase 3 Post-Construction to the Phase 1 consultant, Hatch Corporation, for Construction Management (CM) Services on the Annacis Island Wastewater Treatment Plant (AIWWTP) Outfall System Project, resulting from Request for Proposal (RFP No. 16-168) in the amount of up to \$11,614,673.25 (exclusive of taxes).

BACKGROUND

Pursuant to the *GVS&DD Officers and Delegation Bylaw No. 284, 2014* (Bylaw) and the *Procurement and Real Property Contracting Authority Policy* (Policy), procurement contracts which exceed a value of \$5 million require the approval of the Board of Directors. For multi-phased consultancy contracts, the Policy provides that the value of the contract is the anticipated total value of the services to be provided over all phases, exclusive of taxes.

The GVS&DD Board authorized the award of Phase 1 (Pre-Construction) to Hatch Corporation at its February 24, 2017 meeting. The current contract value is \$713,526.68. In the initial award report, the Board was advised that award would be sought for subsequent phases of work, as these amounts would exceed the \$5 million threshold value and would require approval by the Board.

This report is being brought forward to the Liquid Waste Committee to consider a recommendation to the GVS&DD Board to authorize award of Phases 2 and 3 prior to proceeding to the construction stage of the AIWWTP Outfall System Project.

PROJECT DESCRIPTION

A new outfall for the AIWWTP is being designed to replace the existing outfall built in the mid-1970's to provide additional capacity to meet growth demands and provide improved dispersion in the Fraser River. The new outfall will withstand an earthquake event and be operational post-disaster.

The new outfall will consist of two mined tunnels (total of 780m long) with an inside diameter of 4.2m; and a 2.5m diameter diffuser manifold at the bottom of the Fraser River at total length (two sections) of 280 metres with 24 diffuser ports. This project includes modifications to the existing outfall to operate as an emergency outlet.

Hatch Corporation (Hatch) was awarded the CM Services contract during the detailed design phase carried out by others. Hatch will help ensure that the construction will be completed on time, on budget and meet all technical requirements. Hatch will apply and integrate comprehensive project controls to manage time, cost, scope, quality, risk, and safety. A key role is to mitigate and manage claims, and to assist unbiasedly in any potential dispute resolution.

In Phase 2 Hatch will:

- provide full-time on-site construction management and contract administration duties
- provide document management
- provide cost control
- document construction progress and activities and provide regular progress reports
- facilitate regular site meetings
- liaise with permitting agencies and monitor compliance with permit conditions
- assist with claims and dispute resolution
- provide an inspector in the tunnel boring machine, and
- provide site office IT set-up and maintenance

In Phase 3 Hatch will:

- prepare the project close-out report
- resolve outstanding claims, and
- conduct and document a formal "Lessons Learned" task

In order to proceed with the project, authorization from the GVS&DD Board to proceed with CM Services for Phase 2 Construction and Phase 3 Post-Construction is being sought at this time.

CM fees for this project are summarized as follows:

Previously Awarded	\$713,526.68
Pending award	
Phase 2 – Through the duration of construction	\$11,253,050.73
Phase 3 – Post-Construction	\$361,622.52
Proposed amended contract value	\$12,328,199.93

On the close date of the CM Services RFP in 2016, Hatch and the other proponents submitted fees based on the level of effort in hours that was prescribed in the RFP. These hours were estimates as project details were not fully established at that time. At that time, detailed design was only 50% complete, and the terms and conditions of the various permits and approvals had not been determined.

Proposals have recently been received from contractors bidding on the construction work, and the construction schedule from the highest ranked proponent is 60 months long, which is 33 months longer in duration than what was originally estimated when the CM RFP was let. The construction schedule is longer than expected for the following reasons:

- The estimated construction schedule assumed that all the in-river work could be completed in one in-river season. The complexities of the in-river works became more evident during design and the schedule was revised such that in-river work actually requires three seasons.
- The bidding contractors were free to come up with a schedule that was most advantageous and cost-effective for them, which also results in the lowest construction costs for Metro Vancouver.

Hatch was asked to revise their Phase 2 and 3 fees based on the highest ranked proponent's schedule. Since the construction schedule is much longer than estimated, there is a significant increase in the effort and hours required by Hatch.

The table below shows a comparison of original amounts from Hatch's 2016 proposal and revised amounts based on the current anticipated construction schedule.

	Original Hours (prescribed by MV)	Revised Hours (based on contractor's construction schedule)	Original Fees (based on MV's prescribed hours)	Revised Fees (based on contractor's construction schedule AND added scope)
Phase 2 (including tunnel inspector)	35,894	78,446	\$4,515,525	\$11,253,050.73
Phase 3	2,268	2,268	\$328,081	\$361,622.52 ¹
Total	38,162	80,714	\$4,843,606	\$11,614,673.25

As shown in the table below, \$353,000,000 has been allocated for this project in the current Board approved financial plan. This approved amount covers the total project budget including engineering, permits, property acquisition and construction. It is not anticipated that additional funds will be required.

¹ The additional cost covers CPI increases from 2017 to 2019, as per the terms of the RFP, and fees associated with the document management software license which were not originally accounted for.

	Approved Budget	Projected Expenditures
Consulting Engineering Services	\$29,000,000	\$49,700,000
Property acquisition & Site Prep	\$20,000,000	\$19,400,000
Internal Costs	\$3,000,000	\$3,000,000
Permitting	\$1,000,000	\$1,000,000
Construction	\$300,000,000	\$245,000,000
Contingency	included in each item	\$34,900,000
Total	\$353,000,000	\$353,000,000

ALTERNATIVES

1. That the GVS&DD Board:
 - a) approve the award of Phase 2 Construction and Phase 3 Post-Construction for an amount of up to \$11,614,673.25 (exclusive of taxes) to the Phase 1 consultant, Hatch Corporation, for Construction Management Services on the Annacis Island Wastewater Treatment Plant Outfall System Project; and
 - b) authorize the Commissioner and the Corporate Officer to execute the required documentation.
2. That the GVS&DD Board terminate the contract with Hatch Corporation resulting from RFP No. 16-168: Construction Management Services for the Annacis Island Wastewater Treatment Plant Outfall System Project and direct staff to report back to the GVS&DD Board with options for an alternate course of action.

FINANCIAL IMPLICATIONS

If the GVS&DD Board approves Alternative 1, an amount of up to \$11,614,673.25 (exclusive of taxes) will be added to the contract with Hatch, for a total value of \$12,328,199.93. This work was contemplated in the RFP and was anticipated to be \$4.8 Million, based on the originally envisioned schedule. The revised fee can be accommodated within the overall budget due to the anticipated savings in the construction phase of the project.

The GVS&DD Board has the choice not to proceed with Alternative 1, however, staff will need further direction in relation to the project. The delay associated with Alternative 2 would pose a risk to the completion schedule of the overall AIWWTP expansion and associated risks of continued and increasing Sanitary Sewer Overflows. The outfall capacity increase is needed to meet growth demands. The completion of this project, along with the Stage 5 expansion, is required to meet the Provincial Operational Certification requirements for the AIWWTP.

SUMMARY / CONCLUSION

RFP No. 16-168 was issued for Construction Management Services for the Annacis Island Wastewater Treatment Plant Outfall System Project and contemplated the work to be done in three phases. Hatch Corporation was the successful proponent and has completed Phase 1, Pre-Construction Services. It is recommended that the GVS&DD Board authorize the Commissioner and the Corporate Officer to amend the contract with Hatch Corporation to provide Phases 2 and 3 of the Construction Management Services on the Annacis Island Wastewater Treatment Outfall System Project in the amount of up to \$11,614,673.25 (exclusive of taxes).

To: Liquid Waste Committee

From: Roy Moulder, Director, Purchasing and Risk Management, Financial Services
Jeff Chan, Division Manager, Project Delivery, Liquid Waste Services

Date: February 19, 2019 Meeting Date: March 14, 2019

Subject: **Award of Contract Resulting from Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction**

RECOMMENDATION

That the GVS&DD Board:

- a) approve the award of a contract in the amount of \$17,771,000 (exclusive of taxes) to NAC Constructors Ltd. resulting from Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction; and
 - b) authorize the Commissioner and the Corporate Officer to execute the contract.
-

PURPOSE

This report is to advise the GVS&DD Board of the results of Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction and to recommend award of the contract in the amount of \$17,771,000 (exclusive of taxes) to NAC Constructors Ltd.

BACKGROUND

Pursuant to the *GVS&DD Officers and Delegation Bylaw No. 284, 2014* (Bylaw) and the *Procurement and Real Property Contracting Authority Policy* (Policy), procurement contracts which exceed a value of \$5 million require the approval of the GVS&DD Board of Directors.

This report is being brought forward to the Liquid Waste Committee to consider a recommendation to the GVS&DD Board to award a contract for the secondary clarifier upgrades construction at Annacis Island Wastewater Treatment Plant.

PROJECT DESCRIPTION

The Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Program involves the replacement of highly corroded equipment in the 12 existing secondary clarifiers and the improvement of flow distribution among the 12 existing clarifiers. Construction is being implemented in a phased approach to suit plant operational constraints. The scope of this Tender includes the replacement of five (5) mechanisms and twelve (12) effluent launders and weirs, and the addition of nine (9) influent flow balancing gates and thirty-six (36) level measuring instruments in the existing secondary clarifiers.

As a result of Request for Qualifications (RFQ No. 18-269): Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrade in August 2018 that was publicly advertised on Metro Vancouver's and BC Bid websites, four (4) experienced firms were shortlisted and invited to respond to Tender

No. 18-304 for the secondary clarifier upgrades construction. The tender closed on January 24, 2019 and four (4) submissions were received as follows:

Proponent	Bid Price (exclusive of taxes)
NAC Constructors Ltd.	\$17,771,000
Graham – Aecon Joint Venture	\$19,520,541
Maple Reinders Constructors Ltd.	\$22,655,760
Kenaidan Contracting Ltd.	\$28,530,407

The bids were reviewed for completeness by members of the project team and Purchasing and Risk Management Division, Financial Services Department. NAC Constructors Ltd. has been identified as the lowest compliant bid.

ALTERNATIVES

1. That the GVS&DD Board:
 - a) approve the award of a contract in the amount of \$17,771,000 (exclusive of taxes) to NAC Constructors Ltd. resulting from Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction, and
 - b) authorize the Commissioner and the Corporate Officer to execute the contract.
2. That the GVS&DD Board terminate Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction, and direct staff to report back to the GVS&DD Board with options for an alternate course of action.

FINANCIAL IMPLICATIONS

If the GVS&DD Board approves Alternative 1, a contract will be awarded to NAC Constructors Ltd., in the amount of \$17,771,000 (exclusive of taxes) to complete the project work. The tender submitted by NAC Constructors Ltd. is the lowest compliant bid. This amount is within the budget allocated for this project.

The GVS&DD Board has the choice not to proceed with Alternative 1, but staff will need further direction in relation to the project. Alternative 2 would result in project schedule delays. Alternative 2 increases the risk of the existing secondary clarifiers failing in the near future and would result in Operational Certificate exceedances.

SUMMARY / CONCLUSION

Tender No. 18-304 was issued for Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction, and NAC Constructors Ltd. was identified as the lowest compliant bid. It is recommended that the GVS&DD Board authorize the Commissioner and the Corporate Officer to award and execute a contract to NAC Constructors Ltd. in the amount of \$17,771,000 (exclusive of taxes).

Attachment:

1. Tender No. 18-304: Annacis Island Wastewater Treatment Plant Secondary Clarifier Upgrades Construction – Summary of Scope

Tender No. 18-304: Annacis Island Wastewater Treatment Plant secondary Clarifier Upgrades Construction - Summary of Scope



To: Liquid Waste Committee

From: Ray Robb, Division Manager, Environmental Regulation and Enforcement, Planning & Environment

Date: March 1, 2019 Meeting Date: March 14, 2019

Subject: **Staff Appointments for the Purpose of Serving Summons under the *Offence Act***

RECOMMENDATION

That the GVS&DD Board appoint, for the purpose of serving summons under Section 28 of the *Offence Act* for alleged violation of GVS&DD liquid waste bylaws, all Metro Vancouver and City of Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No. 299, 2007*.

PURPOSE

To appoint existing GVS&DD officers for the additional purpose of serving a summons for alleged offences under a GVS&DD sewer use bylaw.

BACKGROUND

GVS&DD appointed officers could more efficiently enforce GVS&DD liquid waste bylaws if they were also provided with the power to serve summons related to GVS&DD bylaw infractions. The GVS&DD Board has the ability to appoint officers under the *Offence Act* for the purpose of serving summons for bylaw infractions.

SERVING SUMMONS UNDER THE *OFFENCE ACT*

The *Offence Act* requires that only peace officers or enforcement officers may serve summons. The *Offence Act* allows regional districts to appoint bylaw enforcement officers for the purpose of serving summons for bylaw violations. For the purpose of enforcement of GVS&DD liquid waste bylaws under the *Environmental Management Act*, the GVS&DD is considered to be a regional district.

While GVS&DD-appointed officers have numerous inspection powers for the enforcement of GVS&DD bylaws, they must retain the services of a peace officer to serve a summons related to enforcement of GVS&DD liquid waste bylaws. In addition to delays and additional time required to brief local police officers, it takes these officers away from their other important duties.

GVS&DD bylaw enforcement officers, if appointed for that purpose, may serve a summons in respect of alleged offences under a sewer use bylaw, pursuant to section 28 of the *Offence Act*. To increase efficiencies, it would be beneficial for GVS&DD-appointed officers to also be appointed for the purposes of serving a summons in respect of alleged offences under a sewer use bylaw.

Less than five summons have been served since 1990 for violation of GVS&DD sewer use bylaws.

ALTERNATIVES

1. That the GVS&DD Board appoint, for the purpose of serving summons under Section 28 of the *Offence Act* for alleged violation of GVS&DD liquid waste bylaws, all Metro Vancouver and City of Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No. 299, 2007*.
2. That the GVS&DD Board refer this recommendation back to staff with instructions.

FINANCIAL IMPLICATIONS

There are no significant financial implications for expenditures as the appointments are for existing Metro Vancouver employees and positions.

SUMMARY / CONCLUSION

To promote efficient enforcement of Metro Vancouver sewer use bylaws, staff recommend that the GVS&DD Board appoint, for the purpose of serving summons under the *Offence Act* for alleged violation of GVS&DD sewer use bylaws, all Metro Vancouver and City of Vancouver staff currently appointed as officers under the *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No. 299, 2007*.

Staff recommend Alternative 1.

27345438



To: Liquid Waste Committee

From: Larina Lopez, Corporate Communications Division Manager, External Relations

Date: February 20, 2019

Meeting Date: March 14, 2019

Subject: **2019 Regional Unflushables Campaign – Update**

RECOMMENDATION

That the GVS&DD Board receive for information the report dated February 20, 2019, titled “2019 Regional Unflushables Campaign – Update.”

PURPOSE

To update the Committee and GVS&DD Board on the upcoming regional Unflushables campaign to reduce the flushing of wipes, medications and other materials, which will take place in the spring and summer of 2019.

BACKGROUND

The flushing of wipes and other materials is an ongoing issue for the wastewater system and can cause clogs, sewer overflows and damage to equipment. Other materials, like medications, are difficult to fully remove through treatment and may end up in the residual biosolids and the final effluent. The Unflushables campaign was first launched in 2017 and educates residents about seven priority items that should not be flushed. This campaign is an expansion of the 2016 “Never Flush Wipes” regional campaign.

This report provides an overview of the 2019 Unflushables campaign plans, as identified in the 2019 Liquid Waste Committee Work Plan.

2019 REGIONAL UNFLUSHABLES CAMPAIGN

The 2019 regional Unflushables campaign will continue to address the seven priority items identified for previous campaigns: wipes, paper towels, dental floss, hair, tampons and applicators, condoms and medications. The 2019 campaign will launch on April 1 and its main elements will run until the end of May. Depending on demand and availability, outreach at public events will continue through the summer.

Campaign Approach

The 2019 campaign will continue to use approaches proven to be successful in the previous campaigns. These include use of humour and reaching residents in relevant locations for this sometimes sensitive topic, such as public washrooms and public works events.

The campaign will target both men and women. The media buy will be slightly skewed to women, as they are the main purchasers and users of many of the items addressed in the campaign. While the campaign will address all seven items, online platforms will emphasize disposable wipes, which remain the most problematic flushed item.

Creative Materials and Campaign Elements

The creative materials will continue to feature the seven Unflushables characters, with the “Don’t Flush Us” tagline (see Attachment). Some characters will be profiled individually for social media, allowing for humorous descriptions of their ‘offences’.

Main campaign elements include:

- advertising through online display ads, YouTube and social media (Facebook, Twitter and Instagram)
- posters in washrooms, restobars and fitness facilities (posters will be tailored to each gender)
- interactive cinema game shown before movies (played on cinema-goers’ smart phones)
- new videos and an updated campaign web page
- engagement at public events around the region, using campaign branded toilet paper and interactive wastewater displays.

A post-campaign survey and online metrics will be used to help assess the impact of the campaign. Online metrics will include video views, engagement with content, number of people reached and visits to the campaign website.

Collaboration with Members

Campaign details and creative materials will be shared with members’ communication staff and the REAC Liquid Waste Sub-Committee before the campaign’s launch. Opportunities to be part of the campaign include sharing the campaign on social media, placing posters in washrooms in municipal facilities and hosting outreach teams at community events.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

The budget for the regional Unflushables outreach program is \$190,000. These costs are included in the 2019 Liquid Waste Communications Program Budget managed by the External Relations Department.

SUMMARY/CONCLUSION

The disposal of wipes and other materials causes ongoing issues for the wastewater system and can contribute to clogs, overflows and damaged equipment. Substances like medications are hard to fully remove through treatment and may end up in the residual biosolids and the final effluent. The 2019 regional Unflushables campaign will address the correct disposal of seven priority items that should not be flushed: wipes, paper towels, hair, floss, condoms, tampons and applicators and medications. Now in its third year, the campaign will continue with the creative materials and approaches that have proven successful in previous campaigns. These include reaching residents in relevant locations for this topic, such as washrooms and public works events, and using a humorous tone. The campaign will include advertising through online channels (YouTube, display ads) and social media (Facebook, Twitter, Instagram), updated videos and campaign web page, posters in washrooms in various locations and engagement at public events. Members can be part of the campaign by sharing it on

social media, placing posters in washrooms in municipal facilities and hosting outreach teams at community events. The main elements of the campaign will run from April through May, with outreach at public events around the region continuing through the summer, depending on demand. A post-campaign survey and various online metrics will be used to assess the campaign's performance.

Attachment

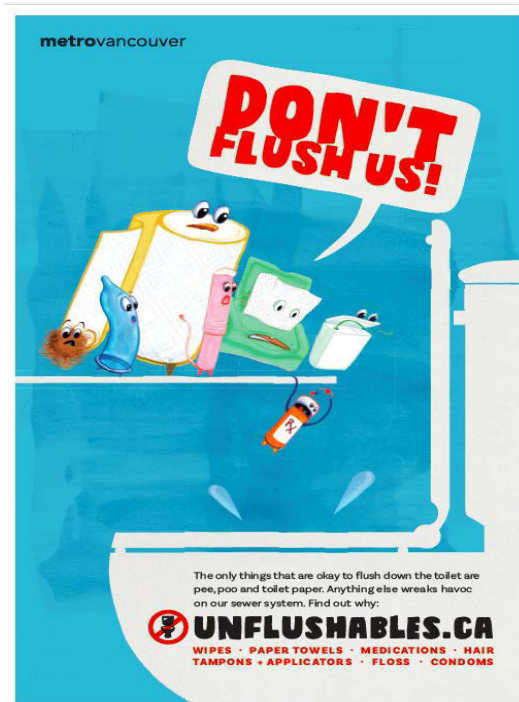
1. Sample of campaign artwork and marketing materials

Reference

1. [Unflushables campaign web page](#)

28641502

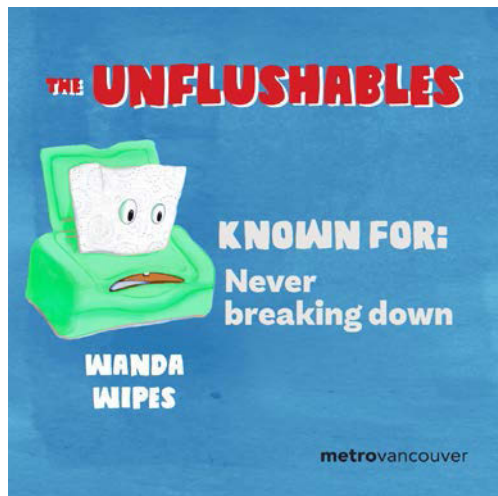
Sample of Campaign Artwork and Advertising Materials



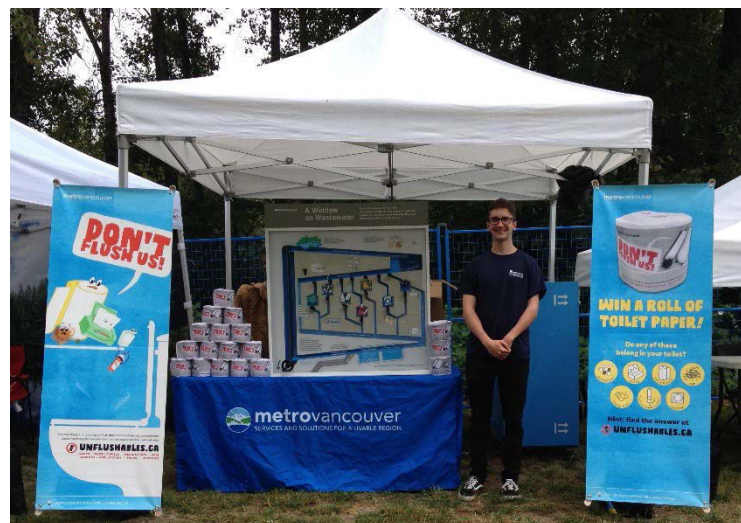
Washroom poster



Don't Flush Us - Interview (video)



Unflushables character (social media image)



Community events

To: Liquid Waste Committee

From: Fred Nenninger, Director, Policy Planning and Analysis, Liquid Waste Services

Date: March 7, 2019 Meeting Date: March 14, 2019

Subject: **North Shore Wastewater Treatment Plant Indicative Design**

RECOMMENDATION

That the GVS&DD Board receive for information the report dated March 7, 2019, titled “North Shore Wastewater Treatment Plant Indicative Design”.

PURPOSE

To update the Board on the background and the decisions made during the selection of the Indicative Design for the new North Shore Wastewater Treatment Plant – specifically the selection of the level of treatment and the preferred treatment technology.

BACKGROUND

This report is being brought forward at this time to address inquiries specific to the level of treatment and the technology selected for the new North Shore Wastewater Treatment Plant. At their meeting on November 7, 2013, the Board considered a report related to the new plant to serve the North Shore (Attachment 1) and endorsed the Indicative Design for the new plant by adopting the following resolution:

“That the GVS&DD Board:

- a) Endorse the Indicative Design for the new Lions Gate Secondary Wastewater Treatment Plant as developed through the Project Definition Phase and as summarized in the report titled “Lions Gate Secondary Wastewater Treatment Plant Indicative Design Summary Report” (Attachment 2); and*
- b) Direct staff to utilize the Indicative Design as the basis for senior government funding applications and for the procurement work for design and construction of the new plant.”*

The Indicative Design was used to secure senior government cost sharing for the project and to procure the design and construction phase of the project utilizing a Design-Build-Finance contract.

LEVEL OF TREATMENT

To establish the level of treatment needed to ensure protection of the receiving waterways, Metro Vancouver and all Canadian municipalities now follow the approach developed and adopted by the Canadian Council of Ministers of Environment (CCME) in 2009 and documented in the *Canadian Strategy for the Management of Municipal Wastewater Effluent*. This strategy is based on a standard of secondary treatment for Canada to be implemented based on a priority assessment – in the Metro Vancouver region the North Shore plant is being upgraded by 2020 and the Iona Island plant by 2030. The need for treatment beyond the secondary level is determined based on a receiving environment

assessment approach as specified in the *Canadian Strategy for the Management of Municipal Wastewater Effluent*. Metro Vancouver has a comprehensive receiving environment monitoring program that has been in place for several decades, which confirms that our wastewater discharges are protective of the receiving waterways.

Tertiary Treatment

Tertiary treatment is any additional treatment train that provides a level of treatment beyond the secondary treatment base standard needed to ensure protection of the receiving environment. It is often associated with the removal of nitrogen and phosphorus nutrients to protect sensitive receiving waters from algae blooms (eutrophication). This is not currently a requirement in Metro Vancouver given the large receiving waterways and the discharge to the marine environment.

Two tertiary treatment trains have been incorporated into the approved North Shore plant design. High levels of ammonia will be removed from the solids train de-watering side stream to ensure that the effluent ammonia levels remain low and non-toxic to fish. The use of tertiary filtration using disk filter technology will provide a quantity of reclaimed non-potable water to be made available for use within the plant and for external users from a standpipe for tanker truck connection. The initial disk filter installation will produce reclaimed water up to 25 percent of the average daily flow.

TREATMENT TECHNOLOGY SELECTION

During the Project Definition Phase, technical assessment from a list of modern treatment technologies resulted in the development of three distinct Build Scenarios that were business-cased using a triple bottom line assessment to establish the preferred treatment technology for the new North Shore Wastewater Treatment Plant. These scenarios were reviewed with the Utilities Committee at the time in a series of three workshops - April 10, 2013; June 25, 2013; and September 24, 2013. The recommended technology and Indicative Design for the new plant was presented at the September 24th workshop. The treatment technology related to the three Build Scenarios were:

Build Scenario A: based on Biologically Aerated Filtration (BAF) having the advantage of the smallest footprint.

Build Scenario B: based on Deep Tank Activated Sludge having the advantage of a robust, reliable technology that can be migrated to higher intensity technologies in the future.

Build Scenario C: based on a Membrane Bioreactor having the advantage of a more polished effluent.

Attachment 2 is an excerpt from the June 25, 2013 Utilities Committee workshop which summarized the business case analysis relative to the six key objectives.

The Indicative Design presented at the September 24, 2013 workshop and endorsed by the Board at their November 7, 2013 meeting was based on the selection of Scenario B, which meets the secondary treatment objective, has the lowest electrical consumption, has the lowest greenhouse gas emissions, requires no chemicals, has the lowest capital and operating cost and provides flexibility

for future adaption. The recommendation ensured that the receiving waters are protected and that the plant is optimized relative to costs, chemical use, energy use and greenhouse gas emissions.

Metro Vancouver received input during the development of the Indicative Design through an extensive community engagement program. The program included a Public Advisory Committee, a Community Resource Forum, Norgate residents, local businesses, the broader public, the North Shore Councils and First Nations.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

The North Shore Wastewater Treatment Plant project is currently in the Design and Construction phase. Funding for the project is included in the Board's current year budget and the 5-year budget outlook. The current approved budget for the project is \$778 million which includes the treatment plant construction, the conveyance works and decommissioning of the existing Lions Gate plant. The project received \$212.3 million in grant funding from the federal government and \$193 million in grant funding from the provincial government.

SUMMARY / CONCLUSION

This report addresses recent inquiries specific to the level of treatment and technology selection for the new North Shore Wastewater Treatment Plant. At their meeting on November 7, 2013 the Board considered a report related to the new plant to serve the North Shore and endorsed the Indicative Design for the new plant.

To establish the needed level of treatment all Canadian municipalities now follow the approach developed and adopted by the Canadian Council of Ministers of Environment (CCME) in 2009 and documented in the *Canadian Strategy for the Management of Municipal Wastewater Effluent*. The need for treatment beyond the secondary level is determined based on a receiving environment assessment approach. Metro Vancouver has a comprehensive receiving environment monitoring program that has been in place for several decades, which confirms that our wastewater discharges are protective of the receiving waterways.

Three distinct Build Scenarios were developed and business-cased using a triple bottom line assessment to establish the preferred treatment technology for the new North Shore Wastewater Treatment Plant. The Indicative Design endorsed by the Board at their November 7, 2013 meeting was based on the selection of Scenario B, which meets the secondary treatment objective, has the lowest electrical consumption, has the lowest greenhouse gas emissions, requires no chemicals, has the lowest capital and operating cost and provides flexibility for future adaption. The recommendation ensured that the receiving waters are protected and that the plant is optimized relative to costs, chemical use, energy use and greenhouse gas emissions.

Attachments

1. *Lions Gate Secondary Wastewater Treatment Plant Indicative Design* report dated October 22, 2013
2. Excerpt from Utilities Committee Special Meeting on June 25, 2013

References

1. [Meeting details page for Special Utilities Committee Meeting on April 10, 2013](#)
2. [Meeting details page for Special Utilities Committee Meeting on June 25, 2013](#)
3. [Meeting details page for Special Utilities Committee Meeting on September 24, 2013](#)

28834651

To: Utilities Committee

From: Fred Nenninger, Manager, Policy Planning Analysis and WWTP Upgrade

Date: October 22, 2013 Meeting Date: November 7, 2013

Subject: **Lions Gate Secondary Wastewater Treatment Plant Indicative Design**

RECOMMENDATION

That the GVS&DD Board:

- a) Endorse the Indicative Design for the new Lions Gate Secondary Wastewater Treatment Plant as developed through the Project Definition Phase and as summarized in the report titled "Lions Gate Secondary Wastewater Treatment Plant Indicative Design Summary Report" (Attachment 2); and
 - b) Direct staff to utilize the Indicative Design as the basis for senior government funding applications and for the procurement work for design and construction of the new plant.
-

PURPOSE

To present and seek the Board's endorsement for the Indicative Design for the Lions Gate Secondary Wastewater Treatment Plant (LGSWWTP), which will be used for senior government funding applications and for the procurement work for the design and construction of the new plant.

BACKGROUND

In accordance with the Integrated Liquid Waste and Resource Management Plan approved by the BC Minister of Environment in 2011, the Lions Gate plant requires upgrading to secondary treatment by 2020. The Board authorized funds in the 2011 budget to proceed with the initial work, including the Project Definition Phase. The budget for the Project Definition Phase is summarized in Attachment 1.

The new Lions Gate Secondary Wastewater Treatment Plant is to be constructed on land purchased in 2008 and located in the District of North Vancouver approximately two kilometres east of the existing primary treatment plant. The project is divided into three phases:

- Phase 1: Project Definition (to be completed by 2013) - defines the scope of the new plant and establishes a project budget;
- Phase 2: Design and Construction (2014 – 2020) - develops the design and completes the construction and commissioning by December 31, 2020 as required by regulation;
- Phase 3: Decommissioning of the Existing Plant (2021) - prepares the existing site for return to Squamish Nation.

Four project objectives were established for the new plant:

1. Meet the required secondary treatment standard;
2. Consider how the project can contribute to meeting the Board's Sustainability Targets;

3. Determine how Integrated Resource Recovery (IRR) could be accomplished (reclaimed water, energy, nutrient recovery and liquid waste and food waste integration for energy recovery);
4. Integrate the new plant into the community.

The Project Definition Phase has been undertaken by a technical team comprising Metro Vancouver staff and a team of consultants that incorporated all subject matter disciplines required to complete the work. An Integrative Design Process (IDP) was utilized to develop the project scope and definition in parallel with a community engagement program. Through a series of seven IDP workshops the project definition was developed from a long-list of applicable technologies and ideas. These were screened to nine concepts that were developed, utilizing a range of criteria, into three distinct build scenarios that would meet the project objectives, but in quite different ways. The three build scenarios were analyzed using a triple-bottom-line business casing approach. The result of the business casing work led to the development of an Indicative Design that defines the project scope in preparation for the funding applications and the design and construction phase.

Throughout the Project Definition Phase a community engagement program allowed the technical team to receive valuable input and feedback from the community as the project scope developed. The community engagement work is the subject of a separate report to the Board.

The Utilities Committee and Board were kept apprised of the indicative design progress through a series of quarterly progress reports. Additionally, the Utilities Committee met three times in 2013 (April 10, June 25 and September 24) in special meeting workshops to review the progress and development of the work. An Indicative Design for the LGSWWTP has now been completed and is ready for consideration by the Utilities Committee and Board.

At their October 3, 2013 meeting the Utilities Committee approved a recommendation to create a subcommittee to review the business casing work and make a recommendation on the procurement contracting strategy for the design and construction phase.

DISCUSSION

Attachment 2, *Lions Gate Secondary Wastewater Treatment Plant, Indicative Design Summary Report* describes the new LGSWWTP in terms of the design criteria, the site, architecture and community integration, wastewater treatment and solids management processes, odour control and noise management, power reliability, resource recovery, future expansion and modifications, and the project implementation schedule.

How the four key project objectives were addressed in the indicative design are summarized below:

Secondary Treatment

The LGSWWTP will utilize a deep tank activated sludge treatment process to provide secondary treated effluent quality that meets the requirements established in the Integrated Liquid Waste and Resource Management Plan and the new federal Wastewater Systems Effluent Regulation under the Fisheries Act. The deep tank process was selected due to its lower life cycle costs and its flexibility to accommodate new technologies to achieve higher effluent standards as a result of potential future regulatory changes. It can also be modified in the future to achieve higher capacity to accommodate population growth (beyond 250,000).

Incorporated within the treatment plant processes is a robust odour control strategy that actively focuses on prevention, containment, treatment and dispersion. The strategy involves containment of odorous compounds within the treatment plant and treatment of odorous air utilizing a two stage odour control system. The treated air is discharged through a single stack for increased dilution and dispersion.

Sustainability

The LGSWWTP provides an opportunity to demonstrate Metro Vancouver's commitment to sustainability, while fulfilling its mandate of providing a core service. The principles of sustainability have been integrated into the wastewater treatment indicative design. The LGSWWTP will focus on:

- energy efficiency - through electricity conservation, an energy efficient treatment process, and high efficiency equipment;
- utilization of the heating and cooling potential of the treated wastewater;
- utilization of the biogas produced from the digestion process as an energy source;
- water conservation and water reclamation within the treatment plant;
- storm water management through rainwater harvesting from the green roof;
- designing a construction program that focusing on minimizing waste generation and maximizing reuse and recycling of waste that remains. This practice has begun with the deconstruction of the existing rail buildings on site, where over 90% of the material from the site was diverted from landfills for beneficial reuse.

Integrated Resource Recovery

The wastewater treatment process generates a number of valuable materials that can serve as energy, water and nutrients. The LGSWWTP will generate energy from wastewater in two forms; biogas utilization for electricity generation and heating to off-set the requirement of external energy sources (hydro and natural gas), and extracting sewer heat from the treated effluent for potential connection into an external district energy system. Space has been allocated within the Operations and Maintenance Building for an energy provider to utilize the sewer heat from the effluent for incorporation into existing or future district energy systems. The plant has the full potential of becoming overall energy neutral with the utilization of at least 12 percent of the available sewer heat for district energy systems.

Reclaimed water will be used extensively within the LGSWWTP for non-potable uses and made available to external users via a standpipe for tanker truck connection. The reclaimed water system can be expanded to accommodate other off-site users utilizing a reclaimed water (purple pipe) system if the opportunities become available.

Class A biosolids will be produced at the treatment plant and will be incorporated into Metro Vancouver's beneficial reuse program to utilize the high nutrient content organic matter of the biosolids. Accommodation has also been made within the treatment plant for future phosphorus recovery, through the formation of struvite, if either future market conditions or operational considerations improve the business case.

Community Integration

The LGSWWTP indicative design considers the local context and integrates both physically and spatially with the local community in several key ways. These include:

- Development of spaces to support various types of future community partnerships on the roof areas. These opportunities can include production greenhouses, community gardens, solar arrays or other functions that can utilize a significant flat space.
- Architectural massing, site grading and planting strategies along 1st Street to reduce the apparent mass and scale of the long linear tankage and provide a green buffer between the plant and the neighbours to the north.
- An outdoor public space created at the foot of Pemberton Avenue through a partnership with the District of North Vancouver. This space will provide additional visitor parking, create a welcome entrance to the LGSWWTP and transform the area at the foot of Pemberton Avenue into public space.
- Enclosed spaces provided at the ground floor of the operations building that would be available for uses such as education programs, outreach and public meetings.

Wastewater Conveyance

The majority of the wastewater from the District of North Vancouver and City of North Vancouver will be diverted to the LGSWWTP at 1st Street adjacent to the new plant. To convey wastewater from the District of West Vancouver, Squamish Nation, and a small area in the District of North Vancouver requires new wastewater conveyance works. Most of the new conveyance works would begin near the existing Lions Gate Wastewater Treatment Plant, cross through Squamish Nation land and then follow existing road allowances in the District of North Vancouver.

To take advantage of the tidal currents and mixing conditions in the First Narrows the existing outfall will be used as part of the LGSWWTP. The effluent from the LGSWWTP will need to be conveyed to the existing outfall through existing road allowances in the District of North Vancouver and possibly through the Squamish Nation land.

Decommissioning of Existing Treatment Plant

In 2021, when the new LGSWWTP becomes operational, the existing Lions Gate Wastewater Treatment Plant will be decommissioned and deconstructed. The lands will then be vacated by Metro Vancouver and returned to Squamish Nation. Further site assessment and review with Squamish Nation is necessary to develop a complete decommissioning plan. This will be undertaken during the project design and construction phase.

ALTERNATIVES

- 1) That the Board:
 - a) Endorse the Indicative Design for the new Lions Gate Secondary Wastewater Treatment Plant as developed through the Project Definition Phase and as summarized in the report titled "Lions Gate Secondary Wastewater Treatment Plant Indicative Design Summary Report" (Attachment 2).
 - b) Direct staff to utilize the Indicative Design as the basis for senior government funding applications and for the procurement work for design and construction of the new plant.
- 2) That the Board provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The Lions Gate Secondary Treatment project is included in the GVS&DD long-range capital plan. Given that the plant is being upgraded to secondary treatment, costs will be shared in accordance with the regional Tier I / Tier II cost sharing formula. A separate report from the CAO addresses the application of the cost allocation formula for the Lions Gate and Iona Island upgrades and recommends how it should be applied to the current and future projects.

The design and construction cost for the treatment plant component of the project is estimated to be \$450 million. Allowances for pipelines conveying wastewater and effluent, decommissioning of the existing plant, an inflation adjustment to 2018 (the mid-year of construction) and project contingency for design and construction need to be included before a project budget is finalized. The full project budget will be in the order of \$700 million (2018 dollars). Staff will work with the subcommittee reviewing the business cases and procurement options for the design and construction phase and review the contracting alternatives together with the design and construction budget and bring forward recommendations to the Utilities Committee and the Board.

OTHER IMPLICATIONS

As part of the Project Definition Phase an Indicative Design for the new Lions Gate Secondary Treatment Plant has been prepared that defines the scope of the project and meets the four project objectives. Based on the indicative design, there will be a need to engage the Province, Squamish Nation, the District of North Vancouver, and other parties to finalize any operational certificates, permits and agreements required to construct the works. Discussions and negotiations are ongoing and will continue in 2014 as part of the work during the design and construction phase.

SUMMARY / CONCLUSION

As part of the Project Definition Phase for the new Lions Gate Secondary Treatment Plant an Indicative Design has been prepared that defines the scope of the project and meets the four project objectives. The Indicative Design is a major component of the Project Definition Phase and is considered adequate in its definition of scope to allow the project to proceed to the design and construction phase.

Staff will work with the Subcommittee to review the business cases for the design and construction procurement options to bring forward recommendations on the preferred contracting option for the design and construction phase as well as the recommended project budget for the design and construction phase.

Staff recommend Alternative 1 whereby the Board endorses the Indicative Design for the new Lions Gate Secondary Wastewater Treatment Plant as developed through the Project Definition Phase and as summarized in the report titled "Lions Gate Secondary Wastewater Treatment Plant Indicative Design Summary Report" (Attachment 2) and direct staff to utilize the Indicative Design when applying for senior government cost sharing and when commencing the procurement work for design and construction.

Attachments:

Attachment 1: Project Definition Phase – Financial Status Update (7945759)

Attachment 2: Lions Gate Secondary Wastewater Treatment Plant Indicative Design Summary Report (7968979)

7892093

Project Definition Phase – Financial Status Update (August 2013)

	Budget Approved to Date	Project Definition Phase Initial Budget	Expenditure to Date	Committed to Date	Projected Cost
As of August 31, 2013	\$20,000,000	\$8,000,000	\$5,598,000	\$5,641,000	\$8,000,000

For the Project Definition Phase, the expenditure to date is summarized as follow:

	Amount-to-date (August 2013)	Budget
1. Consultants		
Engineering	\$ 1,957,000	\$ 3,084,000
Architecture	\$ 1,000,000	\$ 1,243,000
Cost/Quantity Surveying Consultant	\$ 126,000	\$ 184,000
Constructability Consultant	\$ 48,000	\$ 152,000
Business Case Consultant (including Value-for-Money analysis)	\$ 192,000	\$ 228,000
Integrative Design Process Facilitation	\$ 245,000	\$ 295,000
Expert Advisors	\$ 135,000	\$ 241,000
Environmental Monitoring Consultant	\$ 140,000	\$ 140,000
2. MV Project Management, Public Consultation and Administration	\$ 1,755,000	\$ 1,960,000
3. Contingency	\$ -	\$ 473,000
Totals	\$ 5,598,000	\$ 8,000,000

LIONS GATE SECONDARY WASTEWATER TREATMENT PLANT INDICATIVE DESIGN SUMMARY REPORT

October 2013

LIONS GATE SECONDARY WASTEWATER TREATMENT PLANT INDICATIVE DESIGN SUMMARY REPORT

The Integrative Design Process model dissolves traditional discipline oriented silos, thereby allowing the project team to discover opportunities that emerge from the design process which would otherwise be unrealized. The integrative process provides a robust framework for the team to work across disciplines to develop concepts consistent with Metro Vancouver's four key objectives, simultaneously fostering exploration of the interdependencies between key project objectives. Involvement of all disciplines throughout the design process resulted in an indicative design that is more responsive to a range of criteria.

- 1 EXECUTIVE SUMMARY
- 2 PROJECT BACKGROUND
- 3 PROJECT OBJECTIVES
- 4 KEY DESIGN CRITERIA
- 5 SITE CHARACTERIZATION
- 6 INDICATIVE DESIGN
- 7 PROJECT IMPLEMENTATION SCHEDULE



(top) Aerial view from southeast

(bottom) View of Operations and Maintenance Building from public plaza at Pemberton Ave

I. EXECUTIVE SUMMARY

The Lions Gate Secondary Wastewater Treatment Plant presents an opportunity to simultaneously provide a needed upgrade to an essential service, protect the local environment and contribute to development on the North Shore. Located on former BC Rail lands, the intent of this Indicative Design is to define the scope of the work required for the delivery of a twenty first century wastewater treatment plant.

The Lions Gate Secondary Wastewater Treatment Plant will occupy much of its 3.5 hectare site, employing best practices for wastewater treatment and providing maximum flexibility for future treatment technology upgrades. The Indicative Design included in this report was developed specifically to fulfill Metro Vancouver's four goals for the project, including:

1. The provision of robust secondary wastewater treatment.
2. The development and demonstration of a project that is socially, ecologically and economically sustainable.
3. The implementation of integrated resource recovery strategies.
4. The creation of a facility integrated into the community.

The project team has worked together in a highly collaborative way with a large number of stakeholder groups including businesses, residents, technical experts, local government and First Nations in order to integrate these objectives with the project design. The outcome is a facility that is resilient and future proof; belongs to the place; is secure but visually open to the community; has the potential to be a net producer of energy; and that can be used to teach future generations about sustainable building, wastewater treatment and environmental stewardship.

This Indicative Design Summary Report provides a brief overview of the defined project. It describes the recommended treatment technology, architectural character, and community integration opportunities present in the Lions Gate Secondary Wastewater Treatment Plant.

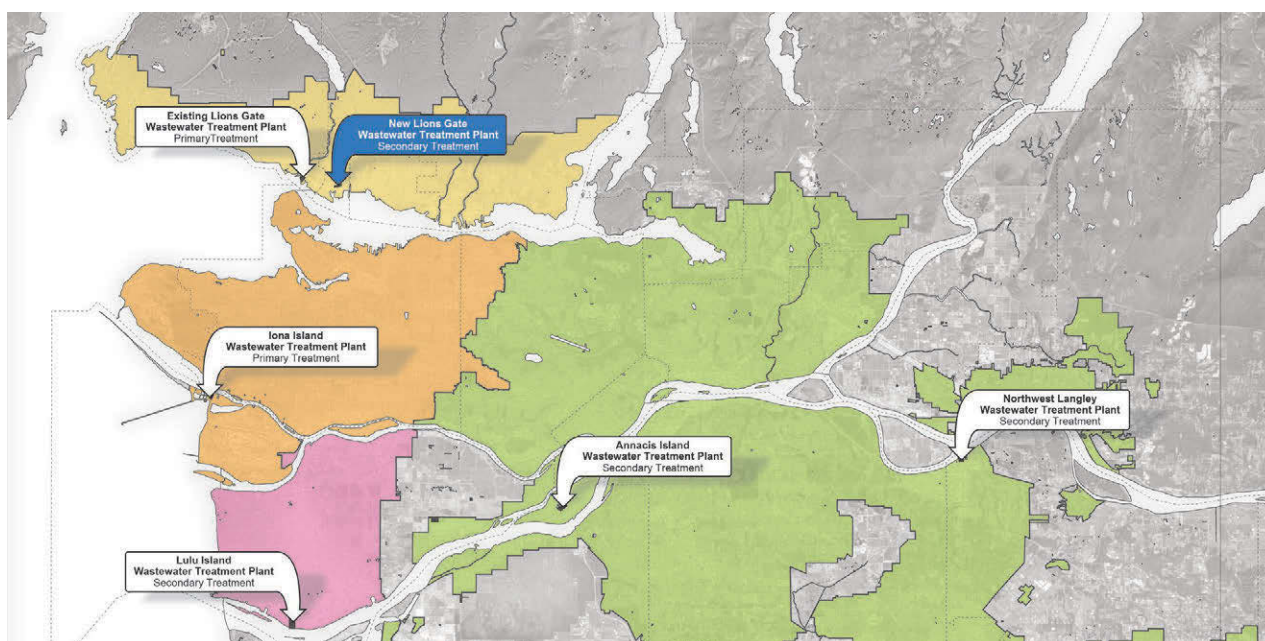
In early 2014, Metro Vancouver will assess its construction procurement options and funding structures. Following the Board decision on procurement and funding, the design and construction phase is expected to commence with a project completion date of December 31, 2020.

2. PROJECT BACKGROUND

1. PROJECT NEED

The existing Lions Gate Wastewater Treatment Plant serves the North Shore municipalities of West Vancouver, the City of North Vancouver and the District of North Vancouver as well as the Squamish Nation and Tsleil-Waututh Nation. The plant was commissioned in 1961 and has provided primary level treatment on the North Shore for the past 50 years. The existing plant will continue in full operation until the new Lions Gate Secondary Wastewater Treatment Plant (LGSWWTP) is commissioned and operating. The existing treatment plant is one of five treatment plants owned and operated by Metro Vancouver in the region.

As identified in Metro Vancouver's Integrated Liquid Waste and Resource Management Plan approved by the BC Ministry of Environment in May, 2011, this project is part of the secondary upgrading program of the two remaining primary WWTP in the region. The Lions Gate Wastewater Treatment Plant must be upgraded to secondary treatment by December 31, 2020.



The Lions Gate Secondary WWTP will be the fourth secondary treatment plant

2. DEVELOPMENT OF ALTERNATIVES

Three build scenarios were considered and focused on enhancing different characteristics and potentials of the indicative design: resource, community, and sustainability.

RESOURCE BUILD SCENARIO A

Resources from Waste



BUILD SCENARIO A RESOURCE

Resources from Waste



COMMUNITY BUILD SCENARIO B

Strengthening Partnerships



BUILD SCENARIO B COMMUNITY

Strengthening Partnerships



NATURAL BUILD SCENARIO C

Brownfield to Greenfield



BUILD SCENARIO C NATURAL

Brownfield to Greenfield



3. DEVELOPMENT OF INDICATIVE DESIGN CONCEPT

As projects become more complex and require teams composed of professionals across many different disciplines, the necessity for a strong design process becomes evident. In order to ensure that this type of necessary cross disciplinary collaboration is delivered, leading projects now use the Integrative Design Process (IDP) which allows members of the interdisciplinary design team to collectively assess opportunities at a high level to discover interdependent benefits otherwise undiscovered by traditional project methodologies.

The design process for the LGSWWTP has utilized the IDP methodology in order to explore potential synergies between the technical and community aspects of the project. This process has been elaborated through seven Integrative workshops and several collaboration meetings were held throughout the Project Definition phase. These workshops have brought the interdisciplinary team together to collaboratively explore the project's potential and had substantial impact on the form, character and deployment of technologies for the project.

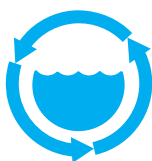
3. PROJECT OBJECTIVES

Grounding all IDP exchanges have been four project goals established prior to the project commencement by Metro Vancouver. These are: Robust Secondary Wastewater Treatment; the Use and Demonstration of Sustainable Design Principles; the implementation of Integrated Resource Recovery Strategies, and strong Community Integration.

1. SECONDARY WASTEWATER TREATMENT

IDP:

The Integrative Design Process allows a team with a wide range of knowledge and expertise to come together to address the four project objectives as an, interrelated whole rather than as individual components considered in isolation.



The key objective for wastewater treatment will be to meet the requirements for secondary level treatment as defined in the new Government of Canada Wastewater System Effluent Regulations and specified by the BC Ministry of Environment in a new Operational Certificate in accordance with the Integrated Liquid Waste and Resource management Plan

2. SUSTAINABILITY



DISTRICT ENERGY
SITE STORMWATER MANAGEMENT
DAYLIGHTING
EFFLUENT-SOURCE HEAT
PASSIVE VENTILATION

The project will optimize the generation and capture of valuable materials to be repurposed for fuel, water, fertilizer and heat, helping Metro Vancouver in reducing its energy costs, carbon footprint, potable water use and environmental impact. Metro Vancouver has an opportunity through this project to demonstrate its commitment to sustainability, to provide leadership, and to build a model facility, while fulfilling its mandate of providing of a core service. In working to achieve this goal, business cases were developed in line with the following objectives:

- Minimize energy use and maximize energy recovery from plant operations
- Minimize the generation of waste and maximize reuse and recycling of waste during construction, operation, and deconstruction/decommissioning.
- Minimize the region's contribution to climate change.
- Minimize off-site impacts of stormwater and effluent discharge.
- Provide a facility that is an asset to the community.
- Develop and apply decision-making processes that are transparent, inclusive, and respectful of the interests of all affected parties.
- Demonstrate Metro Vancouver's values and commitment to sustainability through the creation of a model facility for others to emulate.
- Provide a facility that is financially sustainable and provides value for money for Metro Vancouver rate payers.

3. INTEGRATED RESOURCE RECOVERY



The wastewater treatment process has the potential to generate a number of valuable materials, including fuel (digester gas or biogas), water (treated effluent), fertilizer or fuel (biosolids), and heat.

- Maximize generation and capture of digester gas (biogas)
- Maximize recovery of energy through co-management with solid waste organics
- Maximize recovery of heat from effluent
- Harness cooling potential
- Maximize use of reclaimed water
- Generate high quality biosolids for beneficial use
- Maximize recovery of nutrients from wastewater

4. COMMUNITY INTEGRATION



The site is between active commercial, industrial, and residential zones, and thus its character and urban integration are crucial. By exploring community partnerships, mutual interests, education opportunities and public engagement positions, Metro Vancouver aims to provide a positive influence to the urban character rather than only minimizing the community impact. Working with residents, businesses and interested parties allowed for the exploration of potential community assets.

4. KEY DESIGN CRITERIA

1. DESIGN HORIZON

The design horizon for the LGSWWTP site extends to 2101 and major infrastructure, including tanks such as the digesters and primary and secondary treatment tanks have been sized to accommodate projected population growth on the North Shore.

2. SERVICE POPULATION AND WASTEWATER FLOWS AND LOADS

UTILIZING THE TREATMENT TANKS WITH EFFICIENCY IMPROVEMENTS WILL ALLOW THE PLANT TO ACCOMMODATE THE PROJECTED POPULATION GROWTH BETWEEN 2051 AND 2101

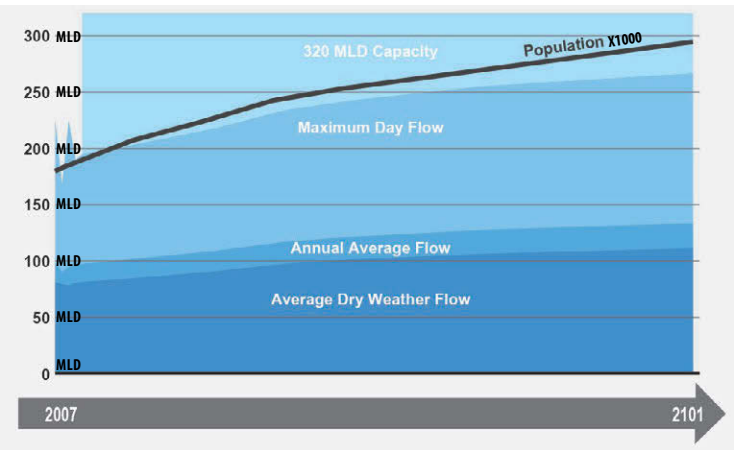
The population on the North Shore is projected to reach 294,000 at the beginning of the next century.

Year	Project Population
2011	184,875
2021	206,600
2031	224,900
2051	254,000
2101	294,000

The estimated wastewater flows and organic loads that will be treated by LGSWWTP, based on the projected population of 254,000 in year 2051 is summarized below:

Wastewater Flows & Loads	Year 2051
Population	254,000
Flow	
Average Dry Weather (ADWF), ML/d	102
Average Annual (AAF), ML/d	120
Maximum Day Flow (MDF), ML/d	245
Peak Wet Weather (PWWF), ML/d	320
Average Annual Loads	
BOD, kg/d	19,050
TSS, kg/d	21,590

The new plant's capacity of 320 ML per day will accommodate peak flows associated with wet weather flow.



3. TREATED EFFLUENT REQUIREMENTS

There are two primary regulations that govern the quality of treated effluent discharged from LGSWWTP to the Burrard Inlet:

- Environment Canada (2012). **Fisheries Act, Wastewater Systems Effluent Regulations SOR/2012-139.**
- BC Ministry of Environment (2012). **Environmental Management Act, Metro Vancouver's Integrated Liquid Waste and Resource Management Plan**

Metro Vancouver's existing Operational Certificate for the Lions Gate Wastewater Treatment Plant will be amended to reflect the requirements of the regulations.

The treated effluent from LGSWWTP must be equivalent to or better than

- 5-day Carbonaceous Biochemical Oxygen Demand: Monthly average < 25 mg/L
- Total Suspended Solids: Monthly average < 25 mg/L
- Unionized Ammonia: Maximum < 1.25 mg/L

The requirement for disinfection is seasonal between May 1 and September 30. Also, treated effluent from LGSWWTP must not be acutely toxic to aquatic organisms.

4. COMMUNITY INTEGRATION CRITERIA

Throughout the project definition phase, Metro Vancouver has consulted with a wide variety of stakeholders in order to determine the most effective community integration possibilities. These included providing:

1. Odour mitigation to address community concerns
2. Spaces to support outreach and educational opportunities
3. Public amenities along 1st St., the foot of Pemberton Avenue and the treatment plant roof

5. SITE CHARACTERIZATION

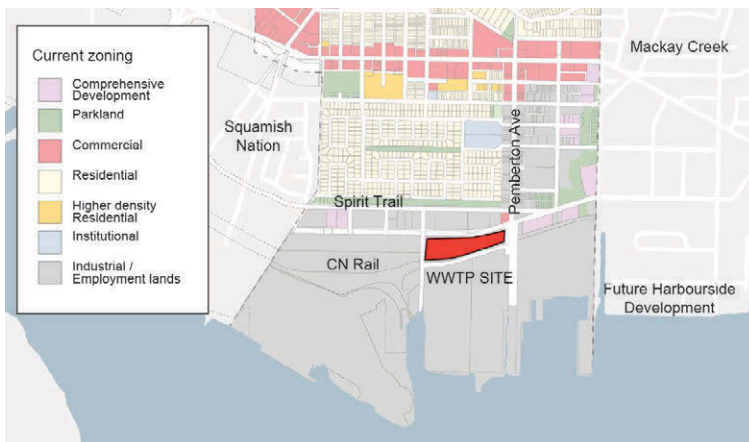
I. PROPOSED SITE

The Lions Gate Secondary Wastewater Treatment Plant site is approximately 2kms east of the Lions Gate Bridge and the existing Lions Gate Wastewater Treatment Plant. The land uses immediately surrounding the project site and along Pemberton Avenue are classified as industrial under the District of North Vancouver current zoning bylaw, and are classified as “employment lands” under the 2011 Official Community Plan. The character of the neighbourhood beyond the site varies widely:

- Rail lines are located immediately to the south of the site.
- A new vehicle and pedestrian overpass is under development immediately to the west of the site on Philip Ave, and is to be completed during 2015.
- Light commercial businesses on the north side of 1st St.
- Norgate, a neighbourhood of single family homes is located to the north of the project
- The Spirit Trail, a recreation trail connecting the municipalities of the North Shore is located approximately 75m north of the site.
- Higher density residential development and commercial activities are located further north by approximately 2 kms along the Marine Drive corridor.
- Pemberton Avenue is characterized by low rise buildings with a variety of commercial uses and light industrial, and is of emerging importance in defining the urban character of the neighbourhood.
- A variety of commercial and light industrial uses are located to the east, and south of the site along McKeen Avenue.
- A number of heavy industrial uses including Kinder Morgan, FibreCo and Seaspan are located to the south of the project site.

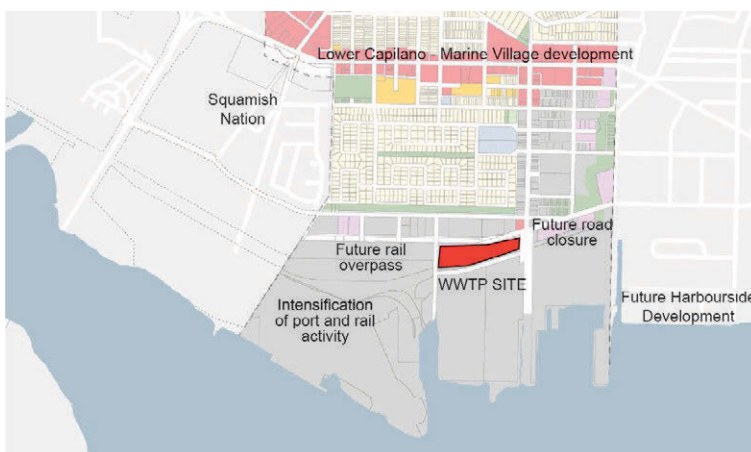


Communities and industries adjacent to the project site



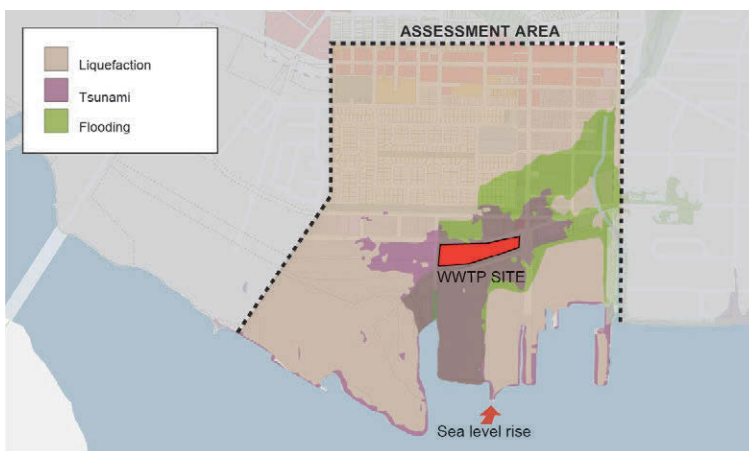
LAND USE AND ZONING

- Site is on the edge between heavy industry to the south and light industry to the north.
- Site borders CN rail line to the south.
- Site is adjacent to Pemberton Ave business core and Norgate residential community.



FUTURE DEVELOPMENT

- Heavy industrial uses (port and rail) are expected to intensify.
- Harbourside waterfront redevelopment is planned to east of site.
- Seaspan will add 800 jobs in coming decade.
- Vehicular/pedestrian overpass being planned at Philip Ave just west of site, closing Pemberton Ave at grade.



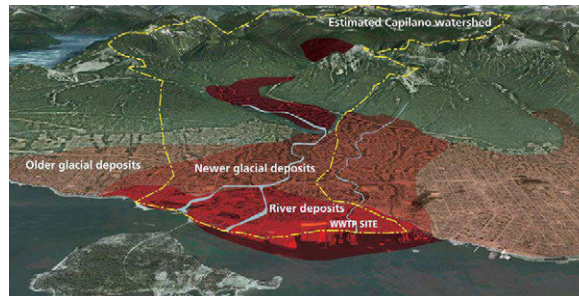
NATURAL HAZARDS

- The project site is in an area of overlapping natural hazards including: liquefaction, flooding, tsunami and sea level rise due to climate change.
- Plant design will mitigate these natural hazards, including locating all critical equipment and functions at elevation of +6.0m above sea level to address projected 100 year sea level rise.

2. GEOTECHNICAL CONSIDERATIONS

SOIL LIQUEFACTION DESCRIBES A PHENOMENON WHEREBY A SATURATED OR PARTIALLY SATURATED SOIL SUBSTANTIALLY LOSES STRENGTH AND STIFFNESS IN RESPONSE TO AN APPLIED STRESS, USUALLY EARTHQUAKE SHAKING OR OTHER SUDDEN CHANGE IN STRESS CONDITION, CAUSING IT TO BEHAVE LIKE A LIQUID

Geotechnical considerations are an important element of this project given that the underlying native soil is known to be prone to liquefaction during an earthquake. The upper several metres of soil beneath the site is fill material that was placed in the early part of the 20th century when the intertidal area was developed for industrial use. The fill material is underlain by a layer of coarse granular sediments to a depth of 15 metres, typical of Capilano River Sediment deposits on the North Shore. The soil below this material is silty/sand in the upper layers and gravel/sand with interbedded fine material at lower elevations from glacial deposits. Groundwater is known to be close to the surface, while bedrock is more than 100 metres deep.



The site occupies land that was formed as a result of glacial deposits and sediment deposits from the Capilano River

3. ARCHAEOLOGICAL CONSIDERATIONS

The north shore of Burrard Inlet lies within the asserted traditional territories of the Tsleil Waututh, Musqueam, Squamish Nations as well as other Sto:lo First Nations. The shoreline of this inlet is known historically as the host of numerous village and seasonal camps sites utilized by First Nations people long before European contact. In addition to this history, significant archaeological sites within the Burrard Inlet have been registered with the British Columbia Archaeology Branch in compliance with British Columbia's Heritage Conservation Act. Given this context and to comply with jurisdictional requirements, Metro Vancouver has undertaken an archaeological investigation of the site. These studies have utilized soil core samples extracted for geotechnical investigations, and were reviewed in controlled conditions in the geotechnical engineer's facilities.

The likelihood of finding cultural material on the site is not high, based on the specific location of the project site, the extent of previous disturbance and the results of recent field tests. Further samples from across the site will be screened in order to determine if the area contains material of archaeological origin.



Convergence zones where salmon spawning grounds met dry land became abundant places where First Nations settlements could thrive

4. ECOLOGICAL CONTEXT AND SITE CONDITIONS

The Lions Gate Secondary Wastewater Treatment site is situated on the pre-development shoreline of the Burrard Inlet (circa early 1900s). At one time the site likely supported dense thickets of Pacific crabapple, cascara, hardhack, and willows, with moist conifer forests upslope and vast expanses of intertidal wetlands to the south.

A long history of industrial activity has led the present site to have low ecological value. Most of the site area is covered by unvegetated gravel or asphalt but lack of recent use has allowed some areas to become colonized by weedy species, including butterfly bush, black cottonwood and other early successional vegetation. No species at risk or ecological communities at risk are known to use the site. In addition, there are no watercourses or areas of standing water on the site at any time of year.



Existing site character

5. SITE CONTAMINATION

The BC Ministry of Environment (MOE) has issued a Certificate of Compliance (CoC) for the site, based on its past use for rail freight storage and as a passenger station. The eastern portion of the site near Pemberton Ave has been remediated with clean fill and a groundwater cut-off barrier on the south side of the property adjacent to the rail tracks. The remaining contamination has been fully characterized and includes hydrocarbons and metals, which will be managed during construction.

6. LIONS GATE SECONDARY WASTEWATER TREATMENT PLANT INDICATIVE DESIGN



(top) View of Operations and Maintenance building looking east on 1st St

The configuration of Lions Gate Secondary Wastewater Treatment Plant is a result of collaborative design efforts between design team disciplines to develop a compact, contextual addition to the diverse zoning in the neighbourhood. Given the visibility of the site to arterial traffic, the Spirit Trail and the cycle route bounding its northern perimeter great care has been taken with the project massing. A translucent “gallery” reduces the apparent height of the facility from the street level while extensive planting and site grading rise up from 1st St. to modulate the scale of the plant.

Intensive activities are focused at the west end of the site, with digesters, solids handling, headworks and dewatering clustered to facilitate the robust odour control system and efficient operations. Primary and secondary treatment occur mid block, with a transparent cantilevered Operations and Maintenance building at the corner of 1st St. and Pemberton Avenue. These treatment plant functions portray a clean, architectural form balanced against the industrial scale of neighbouring industries. Translucent and glazed walls at the west end also allow selected views from the street into the plant, making the invisible visible.

What emerges is a project characterized by a diverse range of urban experiences across the site, a pedestrian scaled public entrance and outdoor open space at the foot of Pemberton, a highly visible energy centre, and several other spaces indoors and out that support public education and outreach in water use and sustainable water infrastructure.

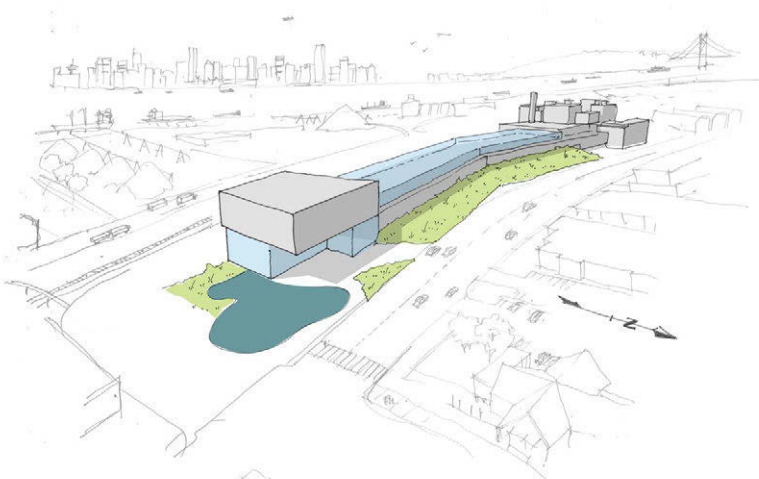


(top) View of Operations and Maintenance building from corner of Pemberton and 1st St
 (bottom left) View of Southwest end of plant from McKen Rd
 (bottom right) View of digesters and screening building from further west along 1st St



ENGAGE THE PUBLIC

- Develop civic building expression with public spaces at ground level
- Create public outdoor spaces at Pemberton Ave and along W First St



REDUCE APPARENT HEIGHT

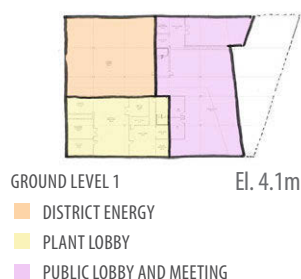
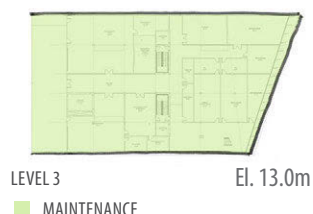
- Berm landscape against north wall
- Glaze operations level of plant to allow light through
- Set back wall of operations level



DEVELOP CLEAN, UNIFIED EXPRESSION

- Integrate design of main building and treatment plant
- Tighten up buildings and equipment at intensive end of site

I. OPERATIONS AND MAINTENANCE BUILDING



i. General

Given the constraints of a small site, the Operations and Maintenance building is located at the east end of the site in order to optimize the space available for plant processes and to support the project vision of utilizing the space at Pemberton Avenue.

ii. Operations Areas

The creation of a vertical facility on an urban site has defined the architectural parameters for this project. Given the design flood level based on flood elevation of 6m above sea level, critical equipment and access are limited at the first level of the O&M building (elevation 4.1m), and those which must remain are locally flood protected. The majority of this level contains the Energy Centre equipment, located on risers above flood levels, and a public lobby and multi-purpose room. The three levels above grade are comprised of level 2 (lab and lunch room), level 3 (maintenance and shops), and level 4 (operations offices). These top two stories are interconnected by a two storey atrium.

iii. Maintenance Areas

Full mechanical, electrical and instrumentation shops are located on level 3, with three remote maintenance areas and three lay down areas distributed throughout the plant. In addition to these work spaces, oversize freight elevators at the east and west ends of the plant provide vertical access to level 3. A continuous maintenance route for small service vehicles is also provided at level 3 with 5m clearances to allow for overhead crane operations.

iv. Public Spaces

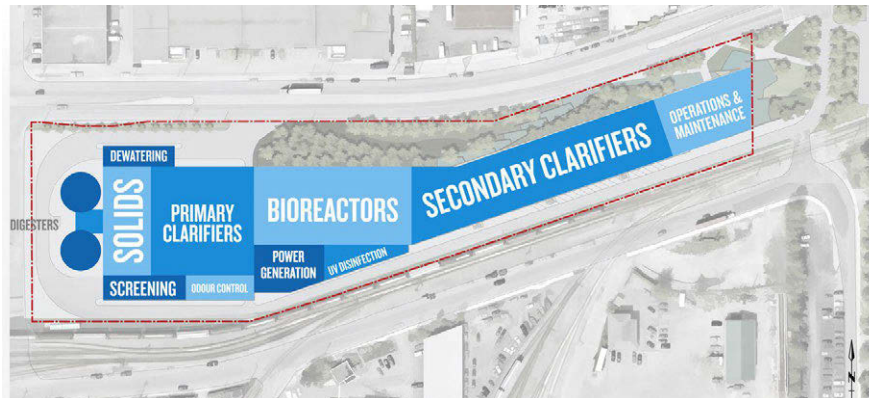
As identified above, it is proposed that indoor public space be provided at ground level, an area that is otherwise unusable for critical equipment and operations. It is proposed that this space contain a public lobby and gallery for fixed educational displays, and a multi-purpose room facing Pemberton Avenue. This space would be equipped with moveable seating and Audio Visual equipment to accommodate a variety of functions including lectures for public outreach, gathering for Metro Vancouver's school age education programs, and public meetings.

v. Energy Centre

Space has been allocated within the Operations and Maintenance Building for an Energy Centre to serve district energy systems in close proximity to LGSWWTP. The new Energy Centre will produce green energy by extracting low grade heat from treated effluent and upgrading the heat to a higher temperature using heat pump technology, then distributing the heat to district energy systems using an underground piping system. Once delivered to a district energy system, the heat will be transferred and used by residential and commercial customers for hydronic space heating and hot water.

The first phase of the Energy Centre is planned to include space for a 5 Megawatt heat pump capable of provide space heating and hot water for approximately 3,000 homes on the North Shore. The capacity of the Energy Centre may be expanded in the future near development nodes within the community, as opportunities present themselves.

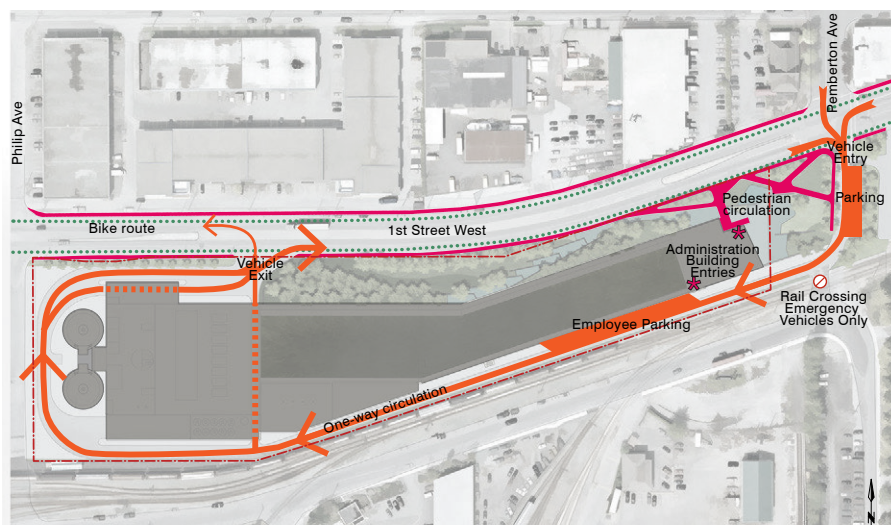
2. SITE DEVELOPMENT



i. General

The development is responsive to the linear procession of the treatment process. Intensive processes are focused at the west end, with linear, stacked clarifiers midblock concluding in the Operations and Maintenance building and public open space at Pemberton. The volume of the plant is held back from 1st St. to allow a 15m-25m deep buffer between the street edge and the wall of the plant, allowing for vegetation, landforms and water features to integrate the plant into the neighbouring context. The public enter the facility through the public lobby on the north side of the Operations and Maintenance building. Plant staff will enter the facility at the plant lobby on the south side of the Operations and Maintenance building.

Traffic will enter the facility along the east side of the facility via Pemberton, following a one way drive along the south property line and exit the plant midblock onto 1st St. Public parking will be provided at Pemberton, with plant staff parking inside the security gate along the south side of the plant. Trucks will exit the plant headed eastbound on 1st St. All internal roadways are elevated to 4.1m and separated from public right of way by security gates or perimeter fencing 2m above grade.



Plant circulation will be one-way with vehicles entering to the east at Pemberton Ave and exiting to the west onto 1st St

THE PROPERTY AT THE FOOT OF PEMBERTON AVENUE IS OWNED BY THE DISTRICT OF NORTH VANCOUVER. METRO VANCOUVER IS IN DISCUSSION WITH THE DISTRICT REGARDING THE INTEGRATION OF THIS PROPERTY

ii. Public Space(s)

The character of the public spaces is not intended to hide the industrial character of the site but to humanize it. Public open space is composed of two distinct zones stretching along 1st Street and a larger space at the east end terminating at Pemberton Avenue.

The zone along 1st St. is characterized by a landform that buries part of the north wall of the plant providing a more appealing edge facing the community. Midway along the north wall a water feature utilizing harvested stormwater and reclaimed water cascades through the landscape feeding the water area adjacent to the Operations and Maintenance building.

The public space at the foot of Pemberton Ave. is largely characterized by a water feature surrounding the Operations and Maintenance building with naturalized landscape edges. The public space in combination with the Operations and Maintenance building establishes an inviting presence within the community. Public functions within the Operations and Maintenance building are at grade and integrate with the activities in the public space. These include the water feature, an arrival plaza, public gathering space, education space and a visible district energy centre.

The water feature will display water in a variety of forms including: cascades, flowing water through channels and reflective water in pools. The planting throughout the site will reflect the character of the temperate rainforests of the north shore. Additionally, the development of a public art strategy and other site amenities can further support the creation of a meaningful public space at the foot of Pemberton and will inspire a dialog surrounding the importance of water. Such interpretive elements on the site illustrate the methods Metro Vancouver is implementing to conserve this important public resource.

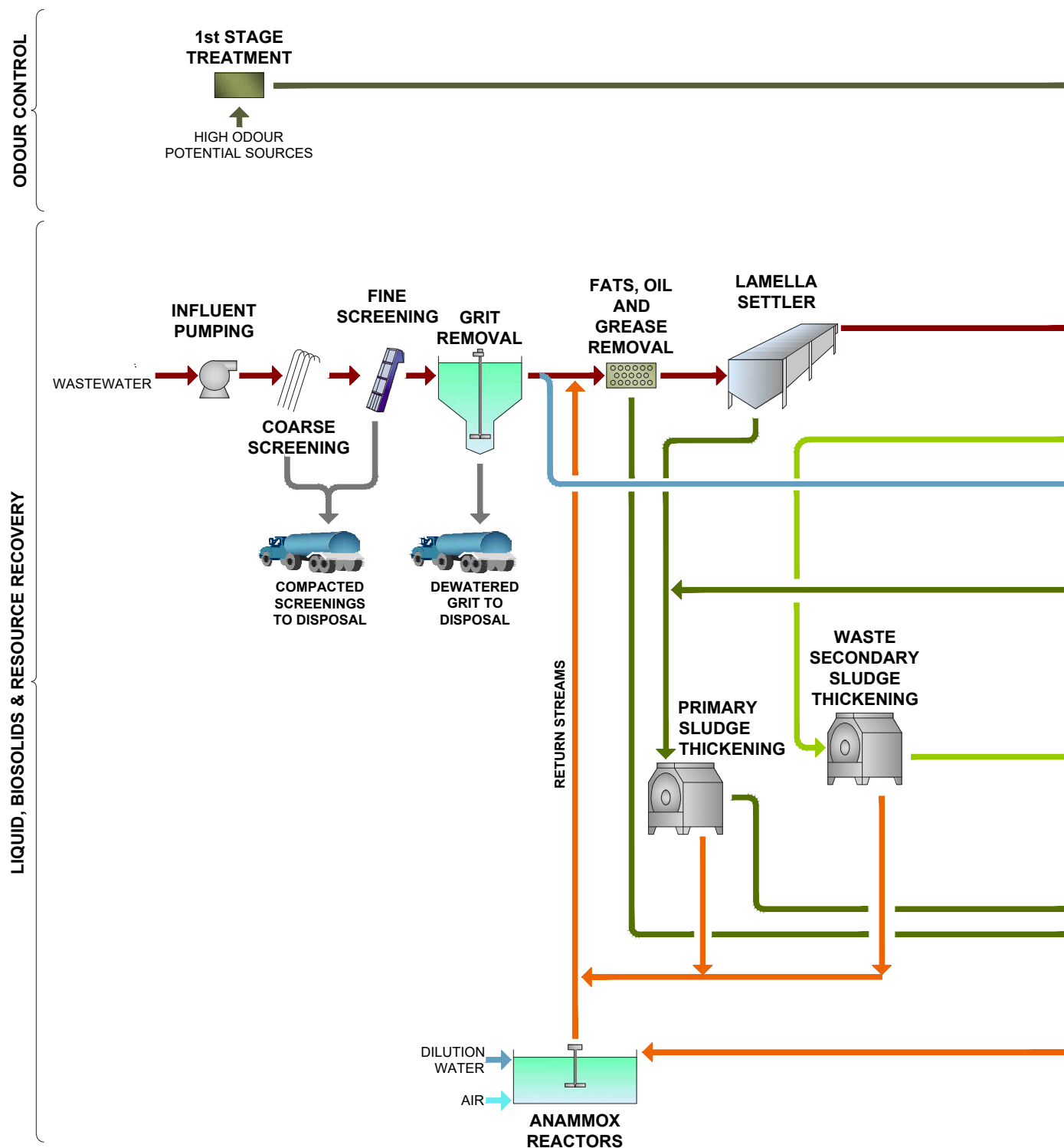
The area at the foot of Pemberton Avenue is the natural public face for the facility and provides the most opportunity to establish a positive identity for the facility within the community.

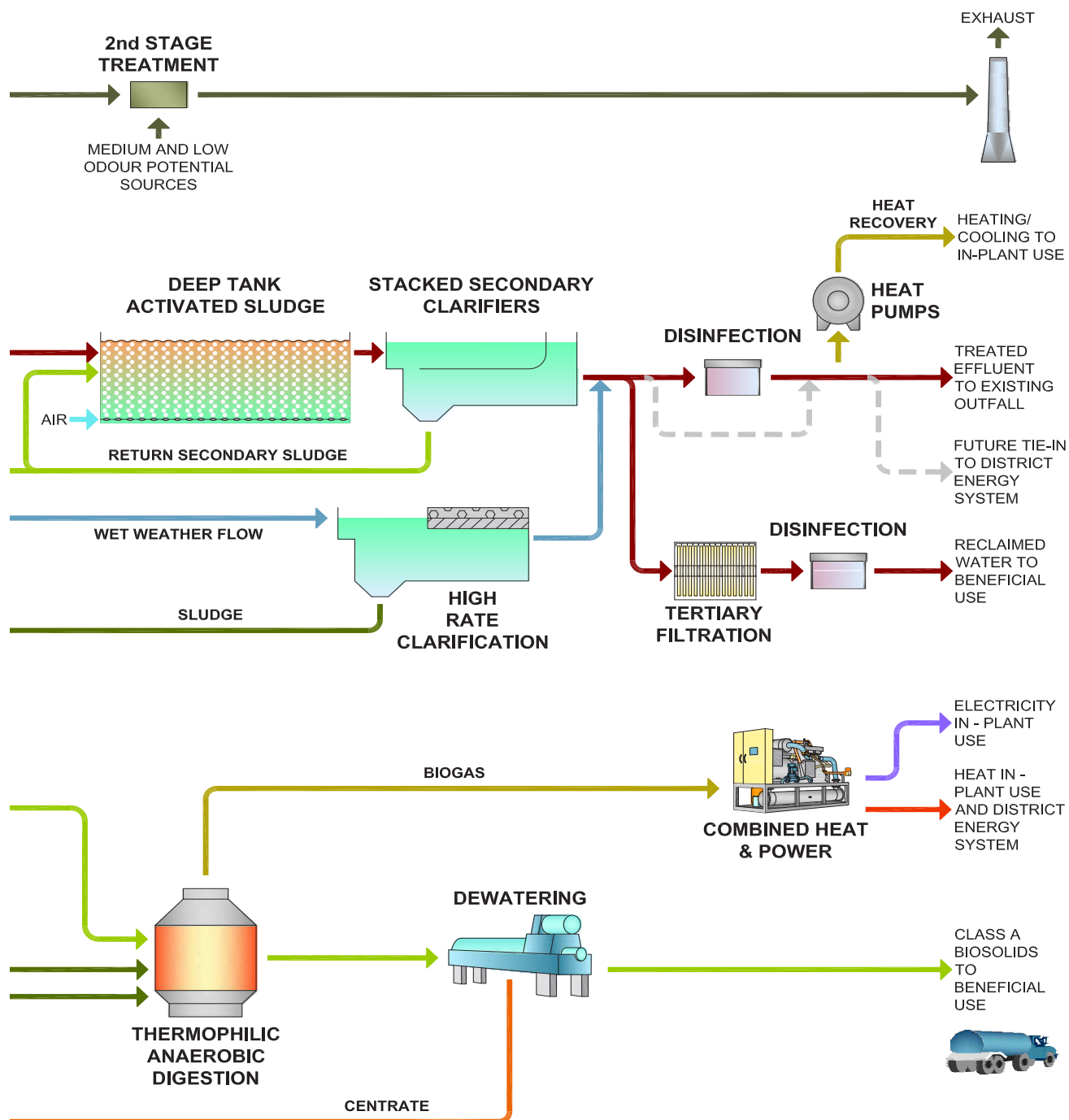


Vegetation and a water feature screen the north side of the plant and flow east into a public area at the foot of Pemberton Ave.

6 INDICATIVE DESIGN

A range of treatment technologies will be used at the LGSWTP to treat wastewater from the North Shore, manage various sludge streams generated on the site and treat odours, as depicted in the process flow schematic.





3. TREATMENT TECHNOLOGY

3A. LIQUID TREATMENT

The liquid treatment train includes the following six major components:

1. Influent pumping
2. Preliminary treatment
3. Primary treatment
4. Secondary treatment
5. High rate clarification
6. Disinfection

i. Influent Pumping

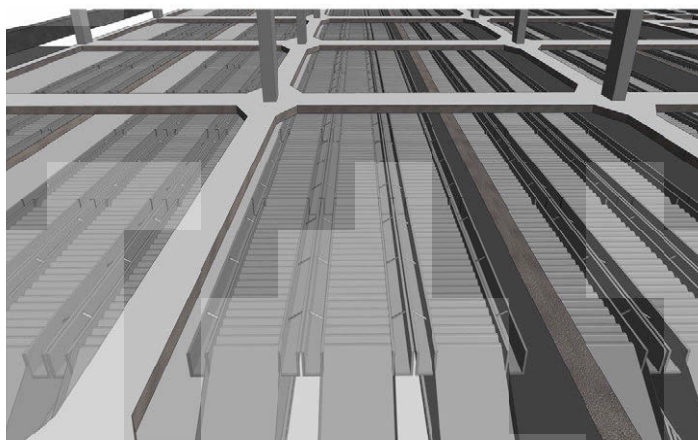
Wastewater will be conveyed to LGSWWTP in trunk sewers to the Influent Pump Station. The Influent Pump Station will pump the wastewater directly above to the preliminary treatment process. LGSWWTP has been designed to allow wastewater to flow through the entire liquid treatment train and outfall to Burrard Inlet by gravity without additional pumping.

ii. Preliminary Treatment

The role of preliminary treatment is to remove debris, such as plastics, rags, grit and fats, oils and grease (FOG), from the raw wastewater to prevent damage to downstream equipment, particularly high speed rotating equipment such as pumps. After the screenings and grit removal processes, wastewater will next enter a tank that is gently aerated with pressurized air to remove FOG that will coalesce and float to the surface of the tank. FOG is a high energy feedstock and it will be collected and pumped directly to the solids treatment train.

iii. Primary Treatment

The role of primary treatment is to remove suspended solids in the wastewater, as this material is a concentrated source of organic matter with high energy potential. The suspended solids settle by gravity in the lamella settlers and will be removed at the bottom of the tanks, conditioned and pumped to the digesters. The effluent collected from the surface of the lamella settlers is referred to as “primary effluent” and will flow in a channel to the downstream secondary treatment process.

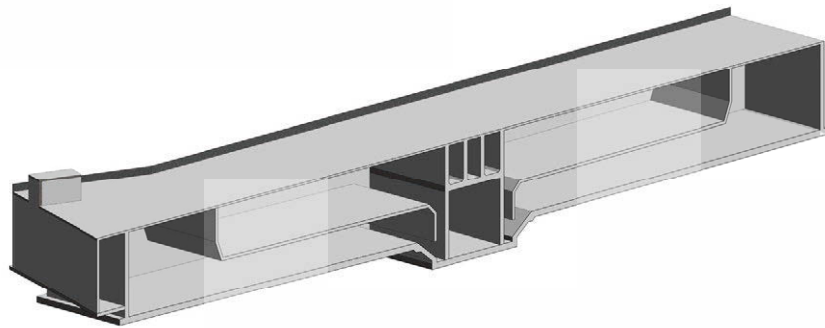


View of plate packs in lamella settlers

iv. Secondary Treatment

The role of secondary treatment is to remove materials that passes through the lamella settlers. The secondary treatment process will include deep tank activated sludge and stacked secondary clarifiers, which work together as an integrated system. Pressurized air is added to the deep tank activated sludge process to enable bacteria and other microorganisms in the tanks to grow and breakdown organic matter to produce carbon dioxide and water. The bacteria and other microorganisms are referred to as “activated sludge”.

Activated sludge will then flow to the stacked secondary clarifiers, which will be used to settle the activated sludge and produce a clear effluent (secondary effluent) that will flow to the disinfection process. Activated sludge settled in the bottom of the tanks will be returned to the deep tank activated sludge process and a small amount will be removed and pumped to the solids treatment train.



View of secondary clarifiers

Both deep tank activated sludge and stacked secondary clarifiers are small footprint technologies, as these tanks are twice as deep as conventional technologies and reduce space requirements for LGSWWTP.

v. High Rate Clarification

High rate clarification will be used to provide primary treatment to wet weather flows. High rate clarifiers have an extremely small footprint and are ideally suited for intermittent use in wet weather applications. Effluent from the high rate clarification process will be blended with secondary effluent and flow to the disinfection process.

vi. Disinfection

The requirement for disinfection is seasonal and when required, ultraviolet light will be used. Disinfected treated effluent will be conveyed to the existing outfall and discharged to Burrard Inlet.

3B. SOLIDS MANAGEMENT

The solids treatment train includes the following three major components:

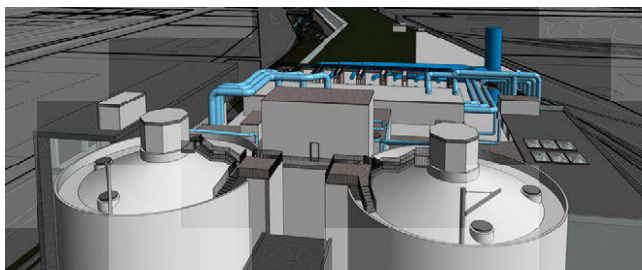
1. Thickening
2. Digestion
3. Dewatering and truck loading

i. Thickening

Mechanical thickening will be used to remove water from the primary and secondary sludge streams to reduce their volume and minimize the size and footprint of solids treatment processes. After thickening, the sludge streams will be blended, pre-heated and pumped to the digestion process.

ii. Digestion

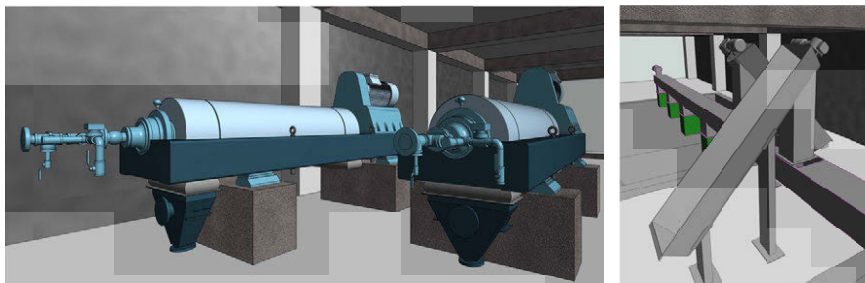
Thermophilic anaerobic digestion will be used for stabilizing FOG, primary and secondary sludge streams. The microorganisms in the digester tanks are able to degrade the FOG and sludge streams under anaerobic conditions (in the absence of oxygen) and high temperature (55°C) to stabilize the final product and produce a “biogas”, which will be collected at the top of the digester tanks. The biogas contains 50 to 60% methane, which will be recovered and used to produce electricity and heat for the digestion process and space heating within the plant.



View east, across digesters to solids management and odour control

iii. Dewatering and Truck Loading

The stabilized product from the digestion process will be in liquid form and it will be pumped to a dewatering process to remove excess water, which will significantly reduce the volume of the final product and give it the consistency of a solid material making it more amenable to land application. The final dewatered biosolids will be loaded to trucks and incorporated into Metro Vancouver biosolids beneficial reuse program.



(left) View of centrifuge in the Dewatering Building

(right) Inclined hopper below centrifuge to Truck Loading Room

3C. ODOUR CONTROL

PRINCIPLES OF ODOUR CONTROL:

1. **PREVENTION**
2. **CONTAINMENT**
3. **TREATMENT**
4. **DISPERSION**

STAGES OF TREATMENT:

1. **BIOTOWERS**
2. **ACTIVATED CARBON POLISHING**

ACTIVATED CARBON POLISHING HAS A DECADES LONG TRACK-RECORD FOR ODOUR TREATMENT AND IS PARTICULARLY ADEPT AT REMOVING ODOROUS COMPOUNDS.

Prevention

Provisions will be included in the design to minimize the release of odours from the water phase to gas phase, such as minimizing turbulence in channels, tanks and launders.

Good housekeeping practices, such as minimizing the accumulation of septic sludge in tanks will further help prevent the formation of odours.

Containment

All potential sources of odour will be contained by physical covers and the air within the containment barriers will be discharged to the odour treatment system. An additional level of secondary containment will be provided with enclosures around all components of LGSWWTP. The air within the secondary containment system will also be discharged to the odour treatment system.

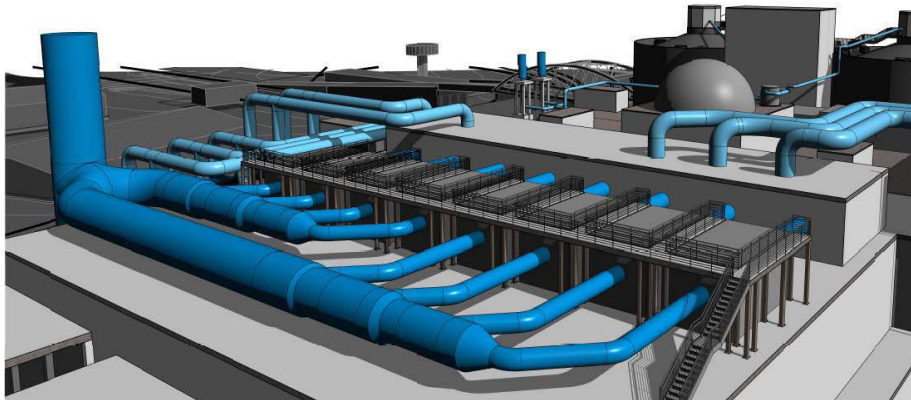
Treatment

LGSWWTP will be equipped with a two stage odour treatment system. High odour potential sources, including those within the preliminary treatment and primary treatment areas, as well as those within the solids treatment areas will be first treated in biotowers. Biotower treatment technology uses plastic media to provide surfaces for bacteria to grow and degrade odorous compounds. The towers utilize a countercurrent configuration in which foul air is introduced at the bottom and water at the top.

Contained air from low and medium odour potential sources together with air from all secondary enclosures will be treated directly in the activated carbon polishing units.

Dispersion

The treated air from the activated carbon polishing units will be discharged through a stack to disperse the treated air into the atmosphere.



The treated air at the top of the biotowers will be discharged to activated carbon units for final polishing.

3D. NOISE MANAGEMENT

All significant noise emission sources, including rotating equipment and motors will be located within buildings or enclosures and acoustically insulated, as required to attenuate noise emissions. All louvers for the ventilation system will be similarly treated to attenuate noise emissions. LGSWWTP will comply with the District of North Vancouver's Noise Bylaw.

3E. POWER RELIABILITY

LGSWWTP requires reliable sources of electricity to ensure that life safety systems and critical treatment processes are in operation to meet effluent discharge limits. The primary source of electricity will be provided from BC Hydro's electricity grid on the North Shore. A second source of electricity will be produced and utilized within the plant by a cogeneration facility. Standby power will also be provided with dedicated diesel generators, which will be used in the event of power outages.

The BC Building Code designates wastewater treatment plants as post-disaster facilities, which has important implications for the design of buildings and power reliability. The standby diesel generators will also be used to satisfy the requirements of a post-disaster facility. In the event of a disaster, such as an earth quake, priority will be given to provide electricity for the following:

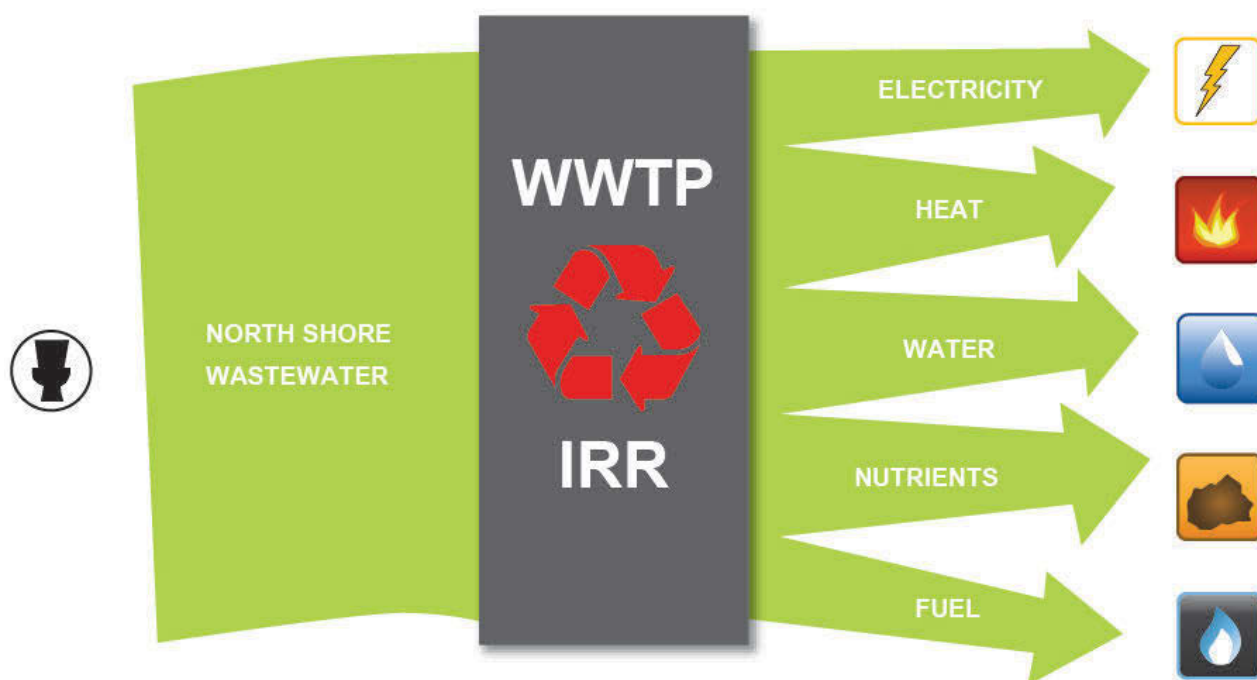
- Critical life safety systems
- Influent pumping
- Preliminary treatment
- Primary treatment
- Primary sludge pumping
- Disinfection

4. RESOURCE RECOVERY

The following three resource recovery options have been integrated into the design of the LGSWWTP:

1. Energy centre for heat recovery from the effluent
2. Biogas utilization for in-plant heating and electricity
3. Reclaimed water for in-plant use and space for external users
4. Beneficial use of biosolids for nutrient recovery

In addition, space has been allocated on the site for a struvite recovery system should market conditions change and the business case for this opportunity improves.



5. CONVEYANCE

The majority of wastewater generated on the North Shore will discharge to LGSWWTP via the North Vancouver Interceptor on West 1st Street. The North Vancouver Interceptor will be diverted to the Influent Pump Station when the new infrastructure is ready to be put into service. Infrastructure improvements will be required to convey wastewater from the District of West Vancouver, Squamish Nation and the District of North Vancouver to LGSWWTP. Also, a pipeline will be required to convey treated effluent to the existing outfall at First Narrows. The final siting and alignment of this infrastructure is to be determined.

6. FUTURE TREATMENT UPGRADES

The major technologies were selected for LGSWWTP based on their proven track record, robustness and ability to be upgraded in the future. Future upgrades could be triggered by either higher population growth beyond what is envisaged in the current Official Community Plan or regulatory changes. The deep tank activated sludge and stacked clarifier processes will develop the site in the initial build and provide a structural “shell” that is readily adapted to more mechanically intensive technologies in the future, including those that have not yet been invented.

Required Upgrade	Technology Migration Pathway
Primary Treatment Capacity Upgrade	<ul style="list-style-type: none"> High rate clarification processes
Secondary Treatment Capacity Upgrade	<ul style="list-style-type: none"> High rate clarification processes Biological contact processes for wet weather flows Chemically enhanced primary treatment Membrane treatment
Regulatory Changes	<ul style="list-style-type: none"> Integrated fixed film activated sludge Membranes Biological contact processes for wet weather treatment High rate clarification processes Biological nutrient removal Side stream treatment of centrate using emerging technologies, such as Anammox systems Bioaugmentation Main stream Anammox
Change in Metro Vancouver's Current Biosolids Beneficial Reuse Program	<ul style="list-style-type: none"> Anaerobic digestion is consistent with Metro Vancouver's Annacis Island, Iona Island and Lulu Island wastewater treatment plants and therefore readily adapted to whatever beneficial reuse opportunities may be pursued in the future
Biosolids Capacity Upgrade	<ul style="list-style-type: none"> Optimization of solids loading rates based on full-scale operational experience, recuperative thickening and enhanced volatile suspended solids destruction technologies

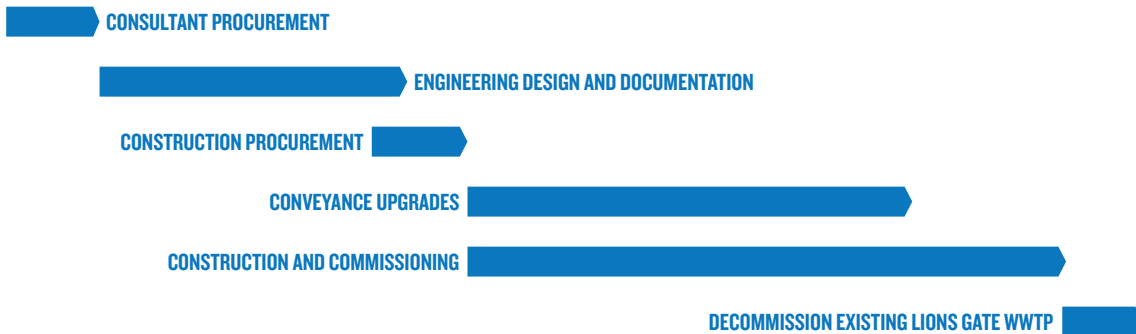
7. PROJECT IMPLEMENTATION SCHEDULE

1. SCHEDULE

The project definition work is scheduled for completion by December 2013. It will include a recommendation regarding project procurement that will allow the project to proceed to the detailed design and construction phase.

The plant is to be fully commissioned and operational by December 31, 2020.

Procurement for the design and construction phase should commence in 2014. Construction and commissioning is to take place between 2017 and the end of 2020. Once the plant is in operation, the existing Lions Gate primary treatment plant will be decommissioned and deconstructed.





Liquid Treatment Alternatives

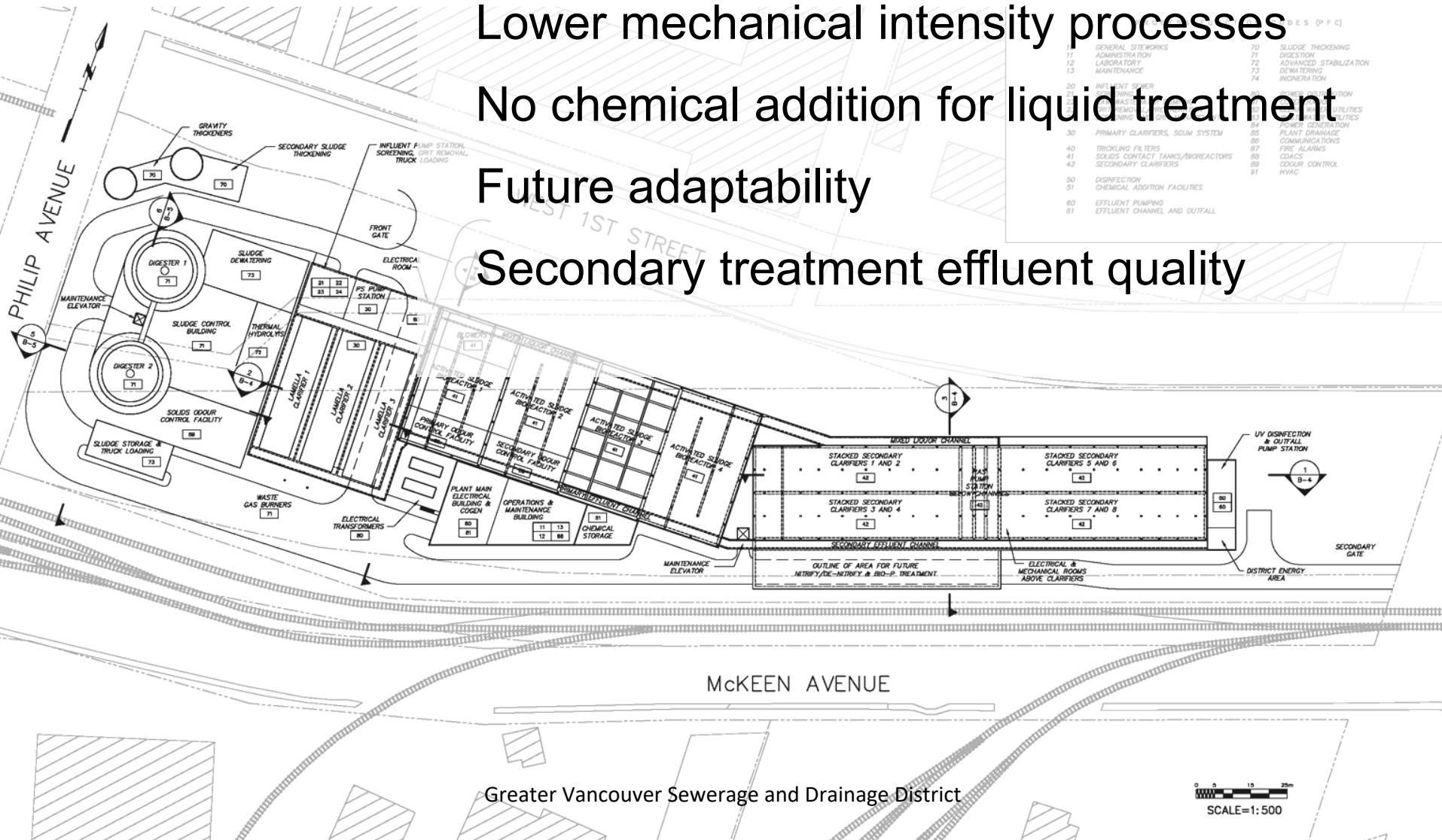
Scenario B - Community

Lower mechanical intensity processes

No chemical addition for liquid treatment

Future adaptability

Secondary treatment effluent quality



Liquid Treatment Alternatives

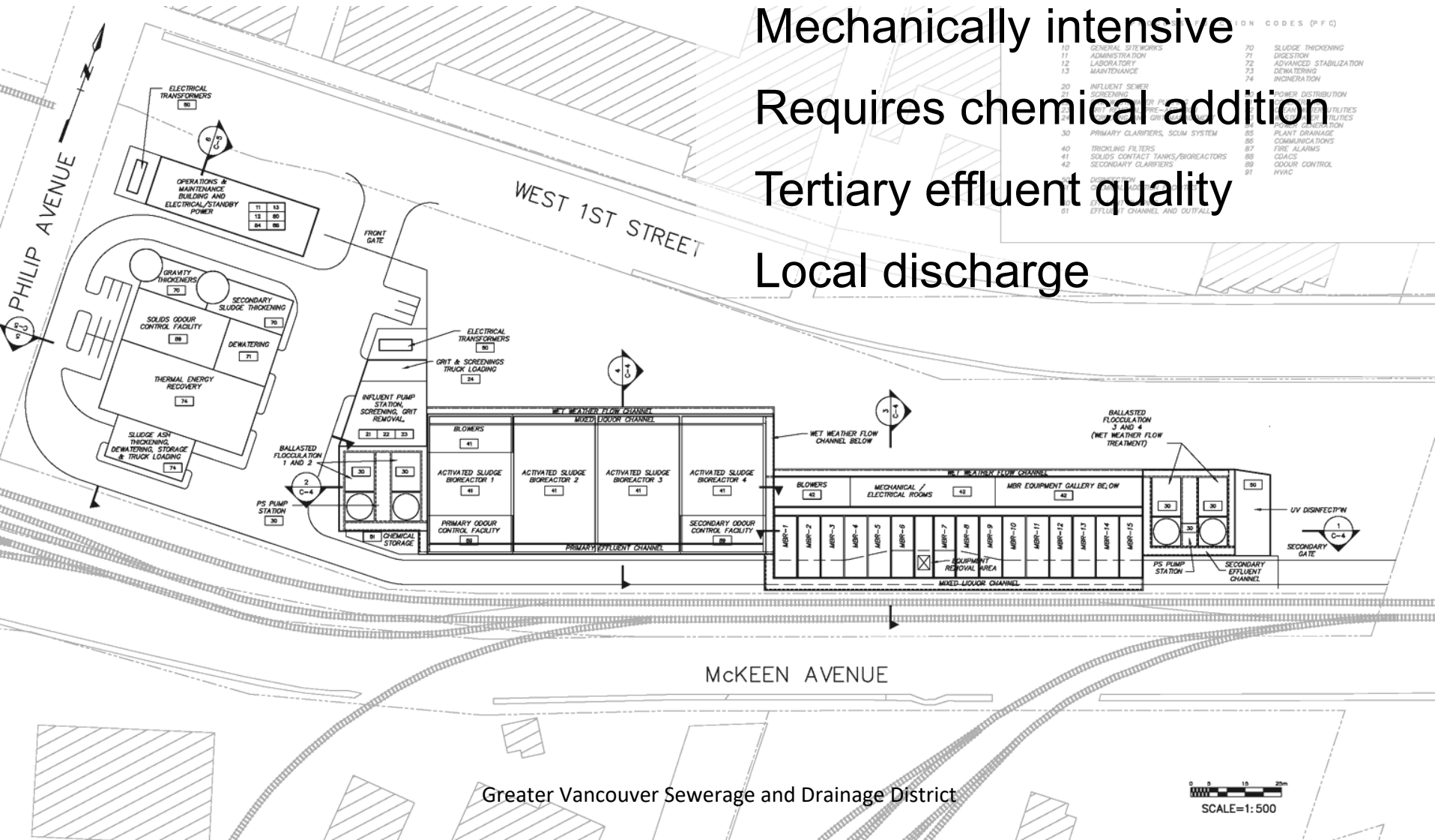
Scenario C - Natural

Mechanically intensive

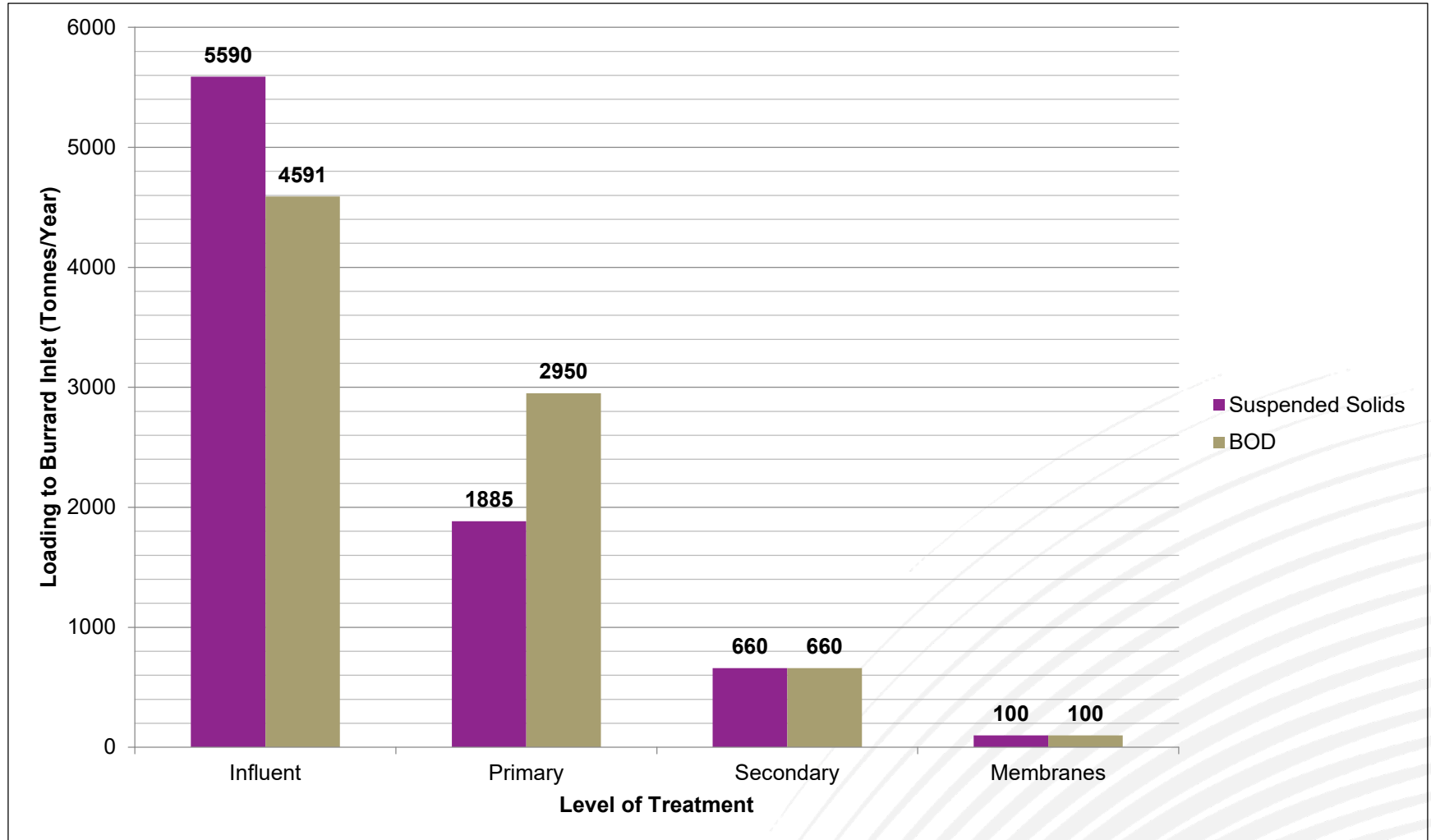
Requires chemical addition

Tertiary effluent quality

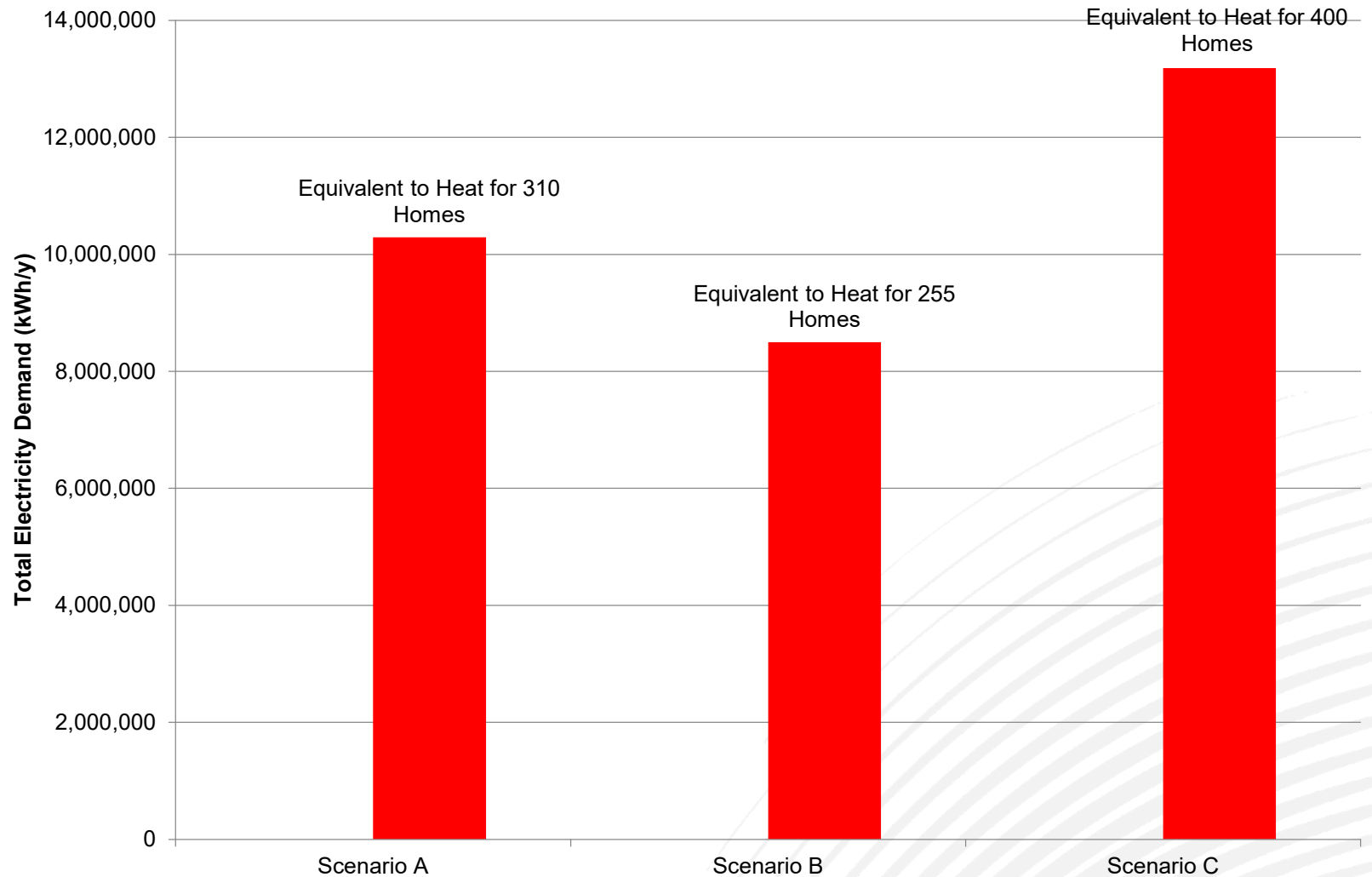
Local discharge



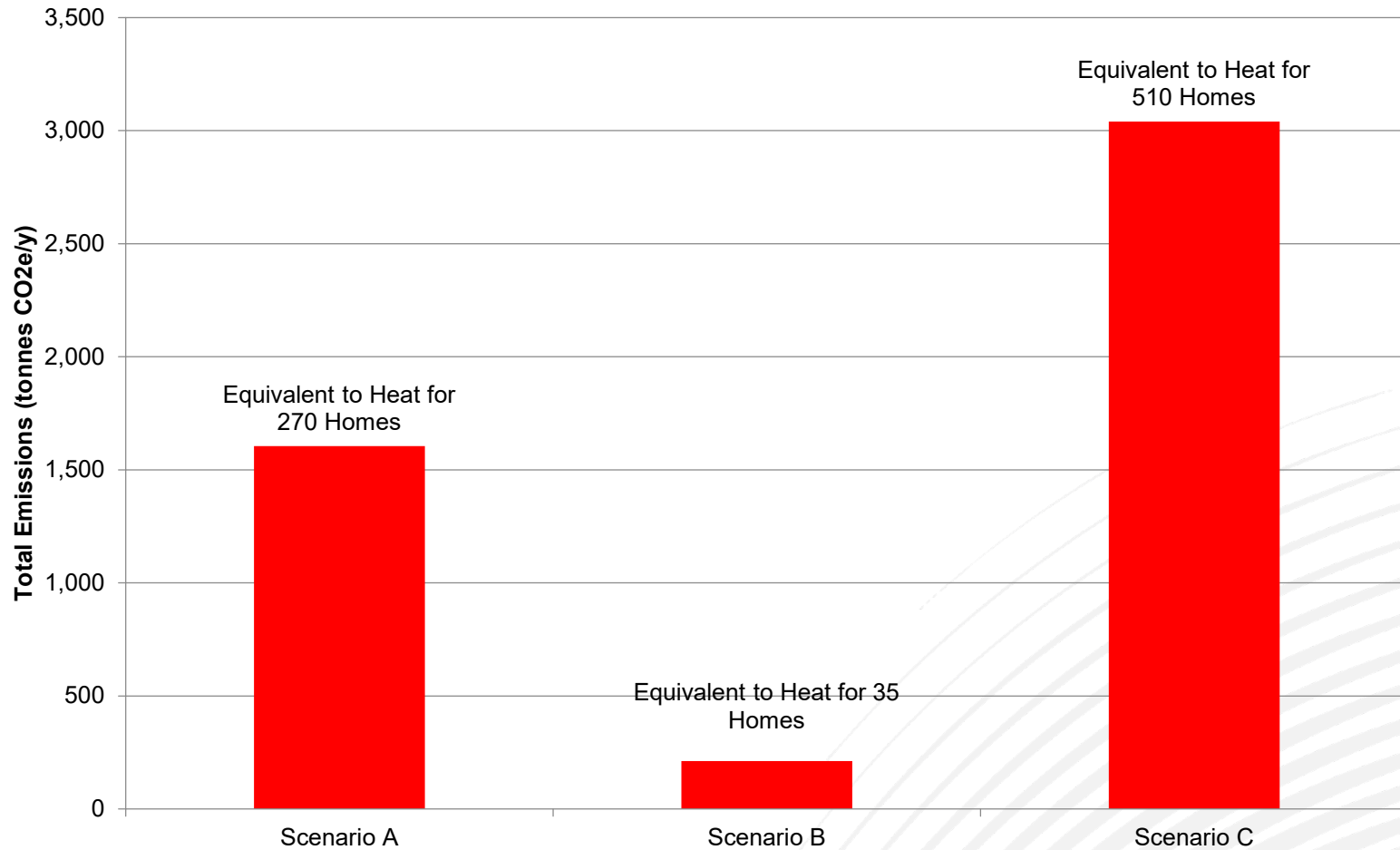
Reduction to Annual Solids and Organics Loading to Burrard Inlet



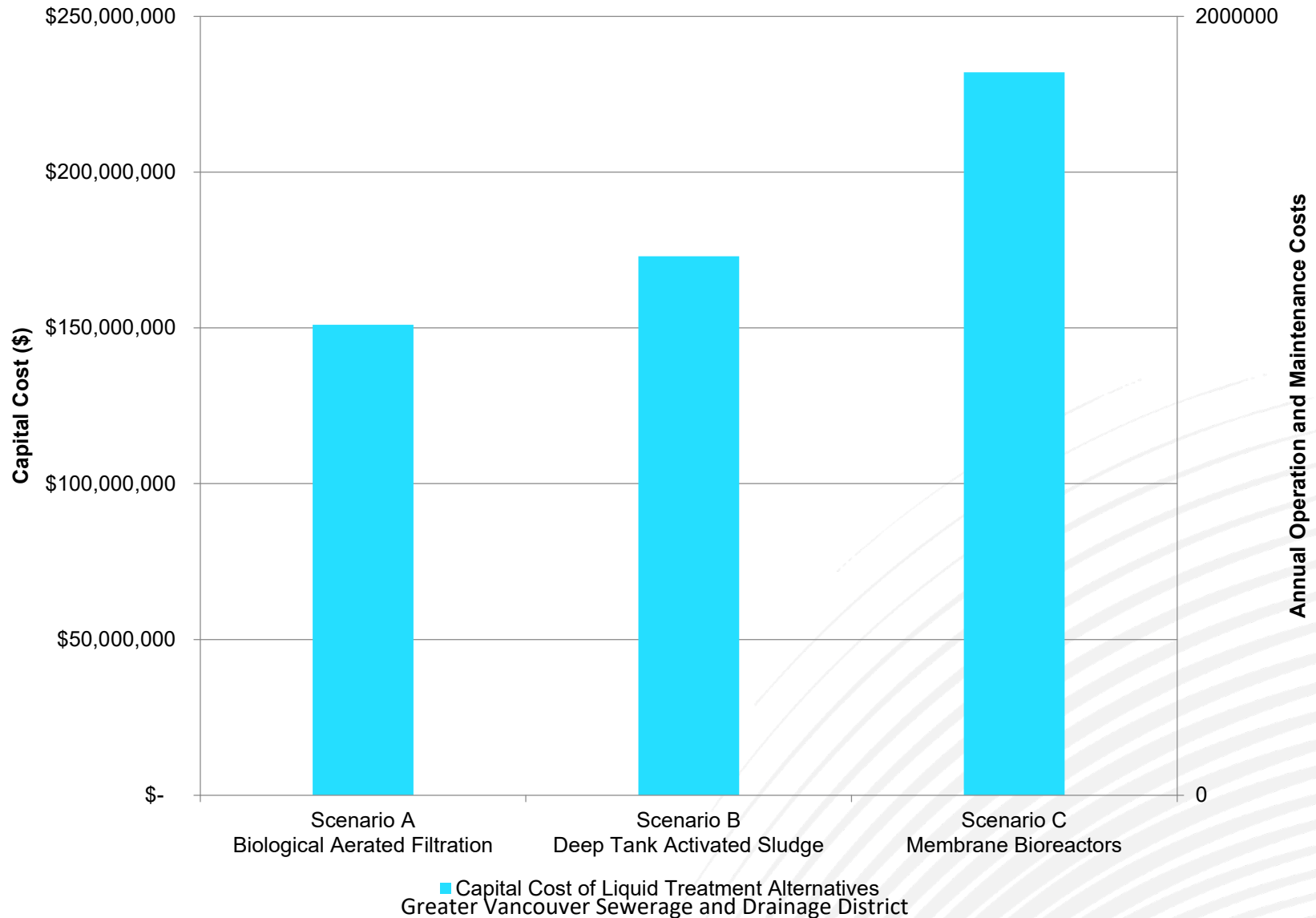
Electricity Demand for Liquid Treatment



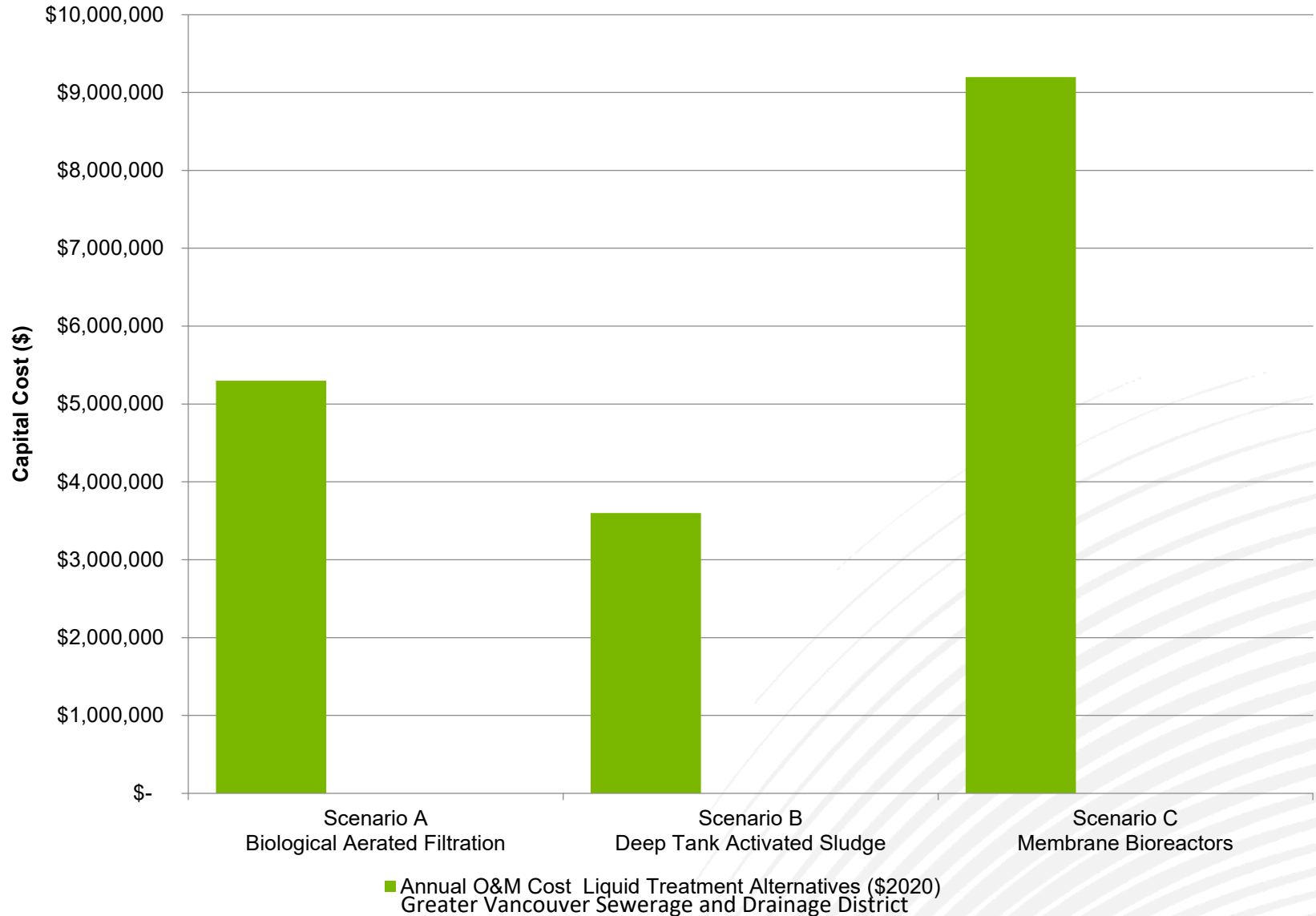
Total Greenhouse Gas Emissions from Liquid Treatment



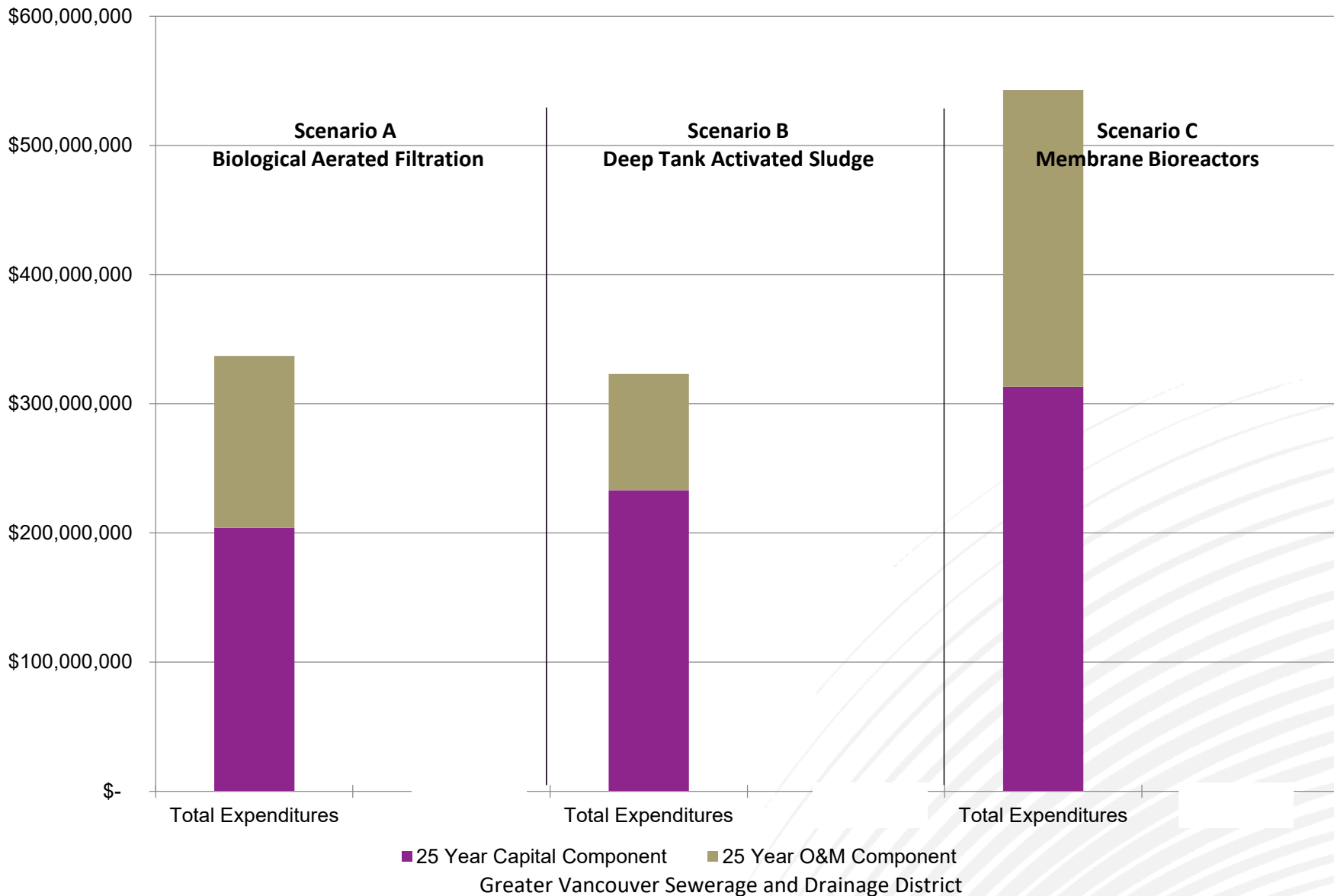
Liquid Treatment Alternatives - Capital Costs



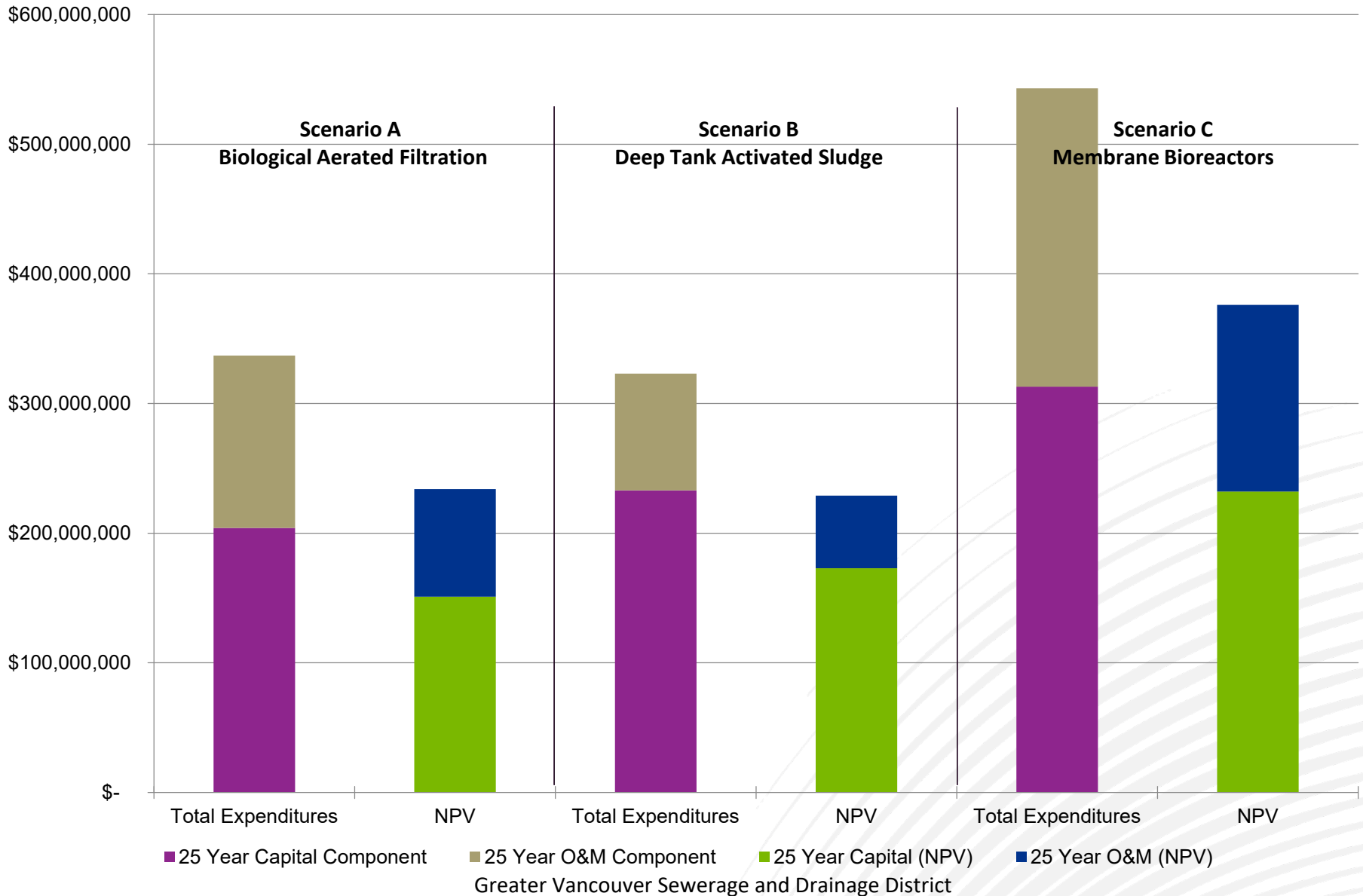
Liquid Treatment Alternatives – Annual Operating Costs



25 Year Life Cycle Costs Comparison of Liquid Treatment Alternatives



25 Year Life Cycle Costs Comparison of Liquid Treatment Alternatives



Liquid Treatment Tradeoffs

Objective	Scale	Scenario A Resource	Scenario B Community	Scenario C Natural
		Biological Aerated Filtration	Deep Tank Activated Sludge	Membrane Bioreactors
1F. Ability to adapt to future legal or regulatory changes such as nutrient and microconstituent removal	Best 5 Worst 1	2.0	3.0	5.0
3A. Ecological service provision (habitat potential)	Best 5 Worst 1	1.0	1.0	5.0
3B. BOD loading to Burrard Inlet	Tonnes/yr	660	660	100
3C. Greenhouse Gas Emissions	Tonnes/yr	1,600	200	3,000
4A. Net Energy Use (Electricity Only)	kWh/yr	10,300,000	8,500,000	13,200,000
5A. Expected ratepayer cost (net present value of 25 year revenue and expenses)	\$	234,000,000	229,000,000	375,000,000

Summary - Liquid Treatment Comparison

Scenario B meets the secondary treatment objective, with:

- Lowest electrical consumption
- Lowest greenhouse gas emissions
- No chemical addition
- Lowest capital and O&M costs
- Flexibility for future adaptation

Tradeoffs to provide tertiary quality effluent:

- Greater energy and chemical use, and associated greenhouse gases
- Greater capital and O&M costs

To: GVS&DD Board of Directors

From: Janis Knaupp, Legislative Services Coordinator, Board and Information Services
Genevieve Lanz, Legislative Services Coordinator, Board and Information Services

Date: March 14, 2019 Meeting Date: March 29, 2019

Subject: **Delegations Received at Committee March 2019**

RECOMMENDATION

That the GVS&DD Board receive for information the report, dated March 14, 2019, titled “Delegations Received at Committee March 2019” containing submissions received from the following delegates:

- a) Steve Bryan, Director, Waste Management Association of BC;
 - b) Ken Carrusca, Vice President, Environment and Marketing (Western Region), Cement Association of Canada; and
 - c) James Peters, ShowerPot
-

PURPOSE

The purpose of this report is to keep the Board informed of delegation activities at Committee in accordance with Board direction.

Attached are summaries of the delegates to the following committees:

Zero Waste Committee – March 7, 2019

- a) Steve Bryan, Director, Waste Management Association of BC

The Zero Waste Committee received the on-table executive summary and heard the delegation who spoke to Items 5.1, 5.2, 5.3 and 5.4 of the Committee’s agenda which are now before the Board as Items E1.1, E1.2, E1.3, and E1.4.

The delegation requested that the Zero Waste Committee defer consideration of the GVS&DD Board’s February 22, 2019 referral motion presented in Item E1.1, to allow more time to study environmental and economic impacts of the bylaws. The Committee took no action.

- b) Ken Carrusca, Vice President, Environment and Marketing (Western Region), Cement Association of Canada

The Zero Waste Committee received the on-table executive summary and heard the delegation who spoke to Item 5.4 of the Committee’s agenda which is now before the Board as Item E1.4. The Delegation requested that Metro Vancouver continue its collaborative efforts to work with the cement industry. The Committee took no action.

Liquid Waste Committee – March 14, 2019

c) James Peters, ShowerPot

The delegation spoke to members on water conservation and reuse, highlighting the use of the ShowerPot as a way to collect and reuse household water. The Committee took no action.

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WMABC Response to Metro Vancouver Zero Waste Committee March 7, 2019 Reports 5.1, 5.2, 5.3 & 5.4

The following is a WMABC summary on Metro's Vancouver's proposed Bylaw 307, a Hauler Licensing Bylaw and Bylaw 309, amendments to the existing Bylaw 181 that have been submitted to the Minister of Environment & Climate Change Strategy for the provincial government's decision.

The WMABC believes these bylaws should not be considered a waste diversion strategy but rather characterized as a revenue generating or tax strategy with significant and unintended economic and environmental consequences that will result in increased taxes and costs further impacting the lack of affordability within the Region.

Some of the cumulative environmental and economic Impacts of Bylaws 307 & 309 include:

- Metro Vancouver has failed to clarify how the proposed requirements of the industry within the Bylaws would be administered as some of them are technically and logistically impossible to implement;
- Metro Vancouver has failed to demonstrate how these actions will in fact increase diversion in the IC&I sector which is supposedly the intention of the bylaws;
- The Bylaws represent a new tax on each Metro Vancouver business with collection service, conservatively estimated to be more than \$2,400 per year. Collectively this is an annual tax of over \$133 million on the Region's businesses, further impacting the lack of affordability within the Region;
- These Bylaws threaten to push smaller waste hauling company's haulers out of business resulting in job losses and less choice for waste generators;
- The Bylaws place a significant barrier to new private sector waste investments in innovative diversion technologies due to Metro Vancouver's anti-competitive practices currently under review by the Competition Bureau Canada. This puts smaller waste haulers at a competitive disadvantage with larger waste haulers, which could push smaller waste haulers out of the market resulting in business failures and job losses and less choice for waste generators;
- Provides an exemption for recycling facilities that are processing municipal and commercial materials under contract with Recycle BC creating a competitive disadvantage for those companies outside of the Recycle BC program;
- Provides Metro Vancouver an additional revenue stream to fund the building of a second incinerator, and;
- Bylaws are contrary to the objectives and goals of the Integrated Solid Waste and Resource Management Plan not to impede private sector investment in the delivery of waste management services.

These proposed bylaws are opposed by BC's leading business and industry associations, letters which we have provided separately, that represent key industries within the Metro Vancouver Industrial, Commercial and Intuitional (IC&I) sector.

It should be noted that Competition Bureau Canada launched an investigation into Metro Vancouver's waste management practices. The WMABC believes that Metro Vancouver is using its authority to regulate solid waste disposal in the Region to advance its own private commercial interests at the expense of private waste processing facilities which we consider an abuse of power by Metro Vancouver under Section 79 of the Competition Act.

It is important to note there was no consultation by Metro Vancouver Waste Services with the WMABC, waste generators in the IC&I sector or the general public *during* the conceptual development of the proposed bylaws despite the WMABC hosting Metro Vancouver staff to present at the Association's numerous members meeting and annual conferences prior to the announcement of the three proposed Bylaws. Suffice to say, we believe the discussion of these Bylaws was not conducted in a transparent, inclusive and collaborative environment and as such will have a significant negative environmental and economic risks to Metro Vancouver businesses and taxpayers.

The WMABC has recommended to the Minister of Environment that Bylaws 307 and 309 be rejected. But we have also recommended the Minister bring together the private waste services industry, waste generators along with other stakeholders including Metro Vancouver and other regional districts to meet in a transparent, inclusive and collaborative environment to discuss the key issues/barriers and a process to develop a sustained approach to waste diversion in the IC&I sector in Metro Vancouver and across BC.

The WMABC is asking this Committee to defer approval of its February 22 motion and allow more study into the environmental and economic impacts of these Bylaws.

The WMABC stands ready and willing to work with Metro Vancouver to address the issue of a sustainable policy approach to waste diversion in Metro Vancouver's IC&I sector.

By way of background, the WMABC is comprised of over 70 independent private waste services businesses

& suppliers with over 3,000 employees that provide a majority of the waste and recycling services in Metro Vancouver and British Columbia. As an active participant in the waste management services sector in BC, we have and continue to provide a critical role in the delivery of efficient and cost-effective waste diversion, recycling and disposal services for the residential and the industrial, commercial and institutional sector. For over 30 years, it has acted as a conduit and representative voice for its members in connection with, among other things, local and provincial government policy and regulation.

For further information, please contact Noel Massey, President of WMABC at nmassey@wmabca.ca or Lori Bryan, Executive Director for the WMABC at lbryan@wmabc.com

Greenhouse Gas Reductions through a Transition to Alternative, Lower-Carbon Fuels

Metro Vancouver Zero Waste Committee

March 7, 2019

Good morning. My name is Ken Carrusca and I'm the Vice President of Environment and Marketing for the Cement Association of Canada.

In the gallery I'm joined by Stephanie Voysey, a Professional Engineer and Environment & Public Affairs Manager for Lafarge Canada; as well as Jasper van de Wetering, Alternative Fuels and Resources / CO₂ Manager for Lehigh Cement.

We're here to provide some additional context and to support Item 5.4 titled "Mixed Waste Processing Pilot."

Introduction and Background on the Local Cement Industry

The Cement Association works with cement producers across Canada. Here in the region, Lafarge Canada operates a cement kiln in Richmond and Lehigh operates a cement kiln in Delta.

Cement production is an energy-intensive process, and one of our key goals is to transition away from fossil fuels. In that respect, the industry has been attempting to work with Metro Vancouver for nearly ten years, by using municipal solid waste or biosolids as a replacement for coal and natural gas. We're therefore quite excited today for the opportunity to work with Metro Vancouver on this project.

Cement is used to make concrete that is part of virtually every capital project that might be presented to this Committee, or to you as a Mayor or Councillor in your community. Without concrete, we'd be lacking a figurative foundation for our society.

Reducing Greenhouse Gas (GHG) Emissions

One of our industry's prime objectives is to support the fight against climate change and our regional, provincial and national commitments to reduce GHGs. If we can reduce GHGs right here in our region by replacing fossil fuel and reducing landfill disposal, we'll be better able to reach the 40% target set by the provincial government. As we've all witnessed, this threat is real. Here in BC we're seeing the impacts of climate change with summers of forest wildfires.

There's no single solution to address climate change. The cement and concrete industry believe we can make a significant contribution towards reducing GHGs, but we need to partner with governments to make that happen. Working with Metro Vancouver on this pilot presents a great opportunity to help all of us transition away from fossil fuels, towards the use of non-recyclable municipal solid waste as a local, lower-carbon fuel.

Non-recyclable Wastes as Alternative, Lower-Carbon Fuels

Using non-recyclable wastes as alternative, lower-carbon fuels is one of the ways in which we can reduce GHGs. Why landfill, incinerate, or ship these wastes to far-away landfills in the United States when we can manage some of these wastes locally? In this way we can instead focus our efforts on additional waste reduction and recycling – true Zero Waste actions; move away from the status-quo of landfill disposal; while also reduce the use of fossil fuels.

Our industry is here to support the Committee and Metro Vancouver staff on this project. Using municipal waste as a fuel to replace coal or natural gas is common practice, especially in jurisdictions which have had carbon pricing and landfill restrictions. Our industry has experience in Europe and Britain where they have had carbon taxes, as well as landfill taxes for many years (e.g. next month the UK landfill tax will be £91.35 = CAN \$160 per tonne of waste).

Mixed Waste Processing Pilot

In the context of supporting Item 5.4, our specific ask to the Committee is to have Paul Henderson and his team continue to work in a transparent and collaborative manner with the cement industry. Our aim is to make use of existing expertise that can save public funds in the design of the pilot.

While it's always difficult to estimate the price of consultants, we're confident that by working together, the \$300,000 estimate can be brought down significantly. And hopefully the pilot will be a success and lead to a full-scale project.

Closing and Next Steps

In closing, I invite the Committee or any of you individually to tour the cement plants in the region; Lafarge and Lehigh would be happy to host a visit for you.

Thank you for your time and attention. We're happy to address any questions you may have.

Cement Association of Canada



Ken Carrusca, P.Eng.
Vice President, Environment and Marketing (Western Region)

DELEGATION EXECUTIVE SUMMARY

Name or Organization: James Peters, ShowerPot

Subject: *"A constant and elegant reminder to conserve"*

My Name is James Peters

The subject of my presentation is *"A constant and elegant reminder to conserve"*

I was born in Vancouver and grew up in Burnaby. For 8 years now, I have been passionately working on drinking water issues. A recent conversation with Deepak Chopra reminded me that wars are already fought over drinking water and its only getting more dire. Did you know, that as North Americans we are ***only 12% of the world's population however we squander 85% of the drinkable water*** and that every 20 seconds a child dies from either a lack of drinking water or sanitation. And that we use up 50,000,000,000 bottles of bottled water each year, use 17,000 barrels of oil to produce those bottles (same amount that is used to fuel 1,000,000 cars, for a year), that only 23% of those bottles make it to recycling, the balance are either 1/3 of our landfill or worse, floating in huge patches polluting our oceans and very recently, discovered littering our ocean floors without the ability to decompose! The USEPA project that by 2040, at present levels, there will be more plastic than fish in our oceans! The David Suzuki Foundation and ShowerPot.org (I'm the founder and Innovator) are obviously both passionate about these issues. I recently won the ***Thomas Edison Innovation Award***, for the entire world, along with the 3D cinematographers that did the movie Avitar, for a piece of functional art, priced as a giveaway, that ***teaches North Americans to change that***. I'm very proud to say that it does that brilliantly! My own personal water consumption is 1/3 of what it was (so much so that my own city/water provider is inquiring) and I've not been able to drink a bottle of bottled water in almost 4 years. I'd be grateful if you might take a peek at the website www.ShowerPot.org and the possibility of an opportunity to meet local mayors (I share the belief along with former NYC Mayor Bloomberg that "change will best be made on a city by city basis") or those who make the decisions, on how best we can change this and to discuss further, if we might align our efforts.

Thank you in advance for your time, help and your consideration.

James Peters
961 SW 15th street
Boca Raton, FL 33486
(561) 929-7773
www.ShowerPot.org



To: GVS&DD Board of Directors

From: Finance and Intergovernment Committee

Date: March 13, 2019 Meeting Date: March 29, 2019

Subject: **GVS&DD Freedom of Information Bylaw No. 324, 2019**

FINANCE AND INTERGOVERNMENT COMMITTEE RECOMMENDATION

That the GVS&DD Board:

- a) give first, second and third reading to *Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw. No. 324, 2019*; and
 - b) pass and finally adopt *Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw. No. 324, 2019*.
-

At its March 13, 2019 meeting, the Finance and Intergovernment Committee considered the attached report titled "Review of the Freedom of Information and Protection of Privacy Bylaws", dated February 15, 2019 (Attachment 2). The Committee subsequently directed staff to bring forward to the March 29, 2019 Board meeting the Freedom of Information and Protection of Privacy Bylaws or Resolution for consideration by each respective jurisdiction. The proposed GVS&DD Bylaw is provided in Attachment 1.

Attachment:

1. *Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw. No. 324, 2019*
2. "Review of the Freedom of Information and Protection of Privacy Bylaws", dated February 15, 2019

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GREATER VANCOUVER SEWERAGE AND DRAINAGE DISTRICT
BYLAW NO. 324, 2019
A Bylaw to govern the administration of the *Freedom of Information and*
Protection of Privacy Act

WHEREAS under section 77 of the *Freedom of Information and Protection of Privacy Act* (the “Act”), a local public body:

- (a) must designate a person or group of persons as the head of the local public body for the purposes of the *Freedom of Information and Protection of Privacy Act*; and
- (b) may set any fees the local public body requires to be paid under section 75 of the *Freedom of Information and Protection of Privacy Act*;

AND WHEREAS under section 66 of the *Act*, the Head may authorize any person to perform any duty or exercise any function under the *Freedom of Information and Protection of Privacy Act* of the person or group of persons designated as the head of the local public body;

AND WHEREAS Greater Vancouver Sewerage and Drainage District is a local public body for the purposes of the *Freedom of Information and Protection of Privacy Act*;

NOW THEREFORE the Greater Vancouver Sewerage and Drainage District Board of Directors enacts as follows:

Citation

- 1. The official citation of this bylaw is “Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw. No. 324, 2019”. This bylaw may be cited as “Sewerage and Drainage District Freedom of Information Bylaw”.

Repeal of Bylaw

- 2. “Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw No. 177, 1994” as amended is hereby repealed.

Definitions

- 3. In this bylaw:
 - “Act” means the *Freedom of Information and Protection of Privacy Act*, *RCBC 1996*, Chapter 165, as amended;
 - “Coordinator” means the person appointed as the Information and Privacy Coordinator under section 5 of this bylaw;
 - “Head” means the person designated as the Head under section 4 of this bylaw;
 - “Sewerage and Drainage District” means the Greater Vancouver Sewerage and Drainage District.

Administration

4. The Corporate Officer is designated as the Head for the purposes of the *Act*.
5. The Head may appoint a Coordinator and delegate any of the Head's duties under the *Act* to the Coordinator.
6. For the purposes of the *Act*, the Head and the Coordinator will act in their respective capacities for any boards, committees, commissions, panels, agencies or corporations created or owned by the Sewerage and Drainage District.

Fees

7. The fees set out in the schedule of Maximum Fees as established by British Columbia Regulation 155/2012, as amended from time to time, are the maximum fees to be charged by the Sewerage and Drainage District as permitted under the *Act*.

Read a first time this _____ day of _____, _____.

Read a second time this _____ day of _____, _____.

Read a third time this _____ day of _____, _____.

Passed and finally adopted this _____ day of _____, _____.

Sav Dhaliwal, Chair

Chris Plagnol, Corporate Officer

To: Finance and Intergovernment Committee

From: Klara Kutakova, Deputy Corporate Officer

Date: February 15, 2019 Meeting Date: March 13, 2019

Subject: **Review of the Freedom of Information and Protection of Privacy Bylaws**

RECOMMENDATION

That the Finance and Intergovernment Committee direct staff to bring forward to the March 29, 2019 Board meeting Freedom of Information Bylaws and Resolutions as described in the report dated February 15, 2019, titled "Review of the Freedom of Information and Protection of Privacy Bylaws", for consideration and adoption by the respective Board.

PURPOSE

To bring forward the results of a review of the three Freedom of Information Bylaws and MVHC Resolution that govern Metro Vancouver's four legal entities, and to propose revisions to those legal instruments for the Boards' consideration.

BACKGROUND

The MVRD, GVWD and GVS&DD Freedom of Information Bylaws, as well as the related MVHC Freedom of Information Resolution, were adopted in 1994, and have been subject to only minor housekeeping amendments during that 25-year period. For that reason, it was considered prudent to undertake a review of these legal instruments at this time to ensure they are still valid. That review has been identified as a priority in the Finance and Intergovernment Committee's 2019 Work Plan. This report brings forward the results of the review.

LEGISLATION REQUIREMENTS

The *Freedom of Information and Protection of Privacy Act* (the "Act") is the legislation governing access and privacy requirements for public bodies in British Columbia. Metro Vancouver's four legal entities fall within the category of "local government body" and, as such, each has a legal obligation to provide the public with a right of access to all records (unless exempted through a legislated exception) and an obligation to protect an individual's personal privacy.

The Act sets out only one requirement that must be established in a bylaw or other legal instrument. Pursuant to section 77, that requirement is that a local government body must appoint a Head for the purposes of the Act. The Head is ultimately responsible for any decisions or actions taken under the Act. To assist with the duties of the Act, the Head may delegate any duties, powers or functions to a Coordinator.

REVIEW OF THE EXISTING BYLAWS

The existing Bylaws were (i) reviewed against the provisions in the Act, (ii) reviewed against the *Local Government Management Association Freedom of Information and Protection of Privacy Act Tool Kit* (the “LGMA Manual”), and (iii) compared with member municipality Freedom of Information Bylaws.

The next section of the report outlines the findings of this review.

Review against the Act

As indicated above, under the Act, local government bodies must, by bylaw or a resolution, appoint a Head responsible for any decision or action taken under the Act. Optionally, a fee schedule may also be established by the same mechanism. There are no other requirements specified in the Act.

The existing Metro Vancouver’s Freedom of Information Bylaws appoint a Head and include a fee schedule. Those two legislative conditions are satisfied.

However, the review shows that the existing Bylaws contain more than what is required, as follows:

- The operational duties essentially repeat a number of clauses in the Act; some of which have been repealed or renumbered. Repeating the legislation in the bylaws is unnecessary.
- The Schedule of Fees is an excerpt from an outdated Regulation.

Review against the LGMA Manual

The Freedom of Information Bylaws were also reviewed against the LGMA Manual which is a comprehensive guide for freedom of information practitioners. That review confirmed two issues:

- The requirement to appoint a Head by a bylaw or other legal instrument by which the local public body acts. It states that the Act does not require a specific staff person be named as Head allowing each local government body to decide for itself on the appropriate designation. However, it indicates that the Officer responsible for Corporate Administration (the Corporate Officer or City Clerk) as defined under the *Local Government Act* and *Community Charter* is often appointed as Head. Metro Vancouver’s Freedom of Information Bylaws appointed the CAO/Commissioner as Head.
- The LGMA Manual includes a sample bylaw. The sample focuses on the elements outlined in the statute, and does not repeat entire sections of the Act as the current Metro Vancouver’s Bylaws do.

The LGMA Manual also recommends adding a general provision, by which the Regional District Head would also serve as the Head of any entities created or owned by the Regional District.

Survey of Member Municipality Bylaws

Staff surveyed the freedom of information Head appointments of Metro Vancouver’s member municipalities. That survey revealed the following:

- Most member municipalities (90%) have appointed the Corporate Officer, the Manager of Corporate Services or another position in the Clerks Department as the Head for the purposes of the Act.
- Most member municipal bylaws are concise, focused on the legislative requirements, as presented in the LGMA Manual sample bylaw.

PROPOSED BYLAW REVISIONS

Given the results of the bylaw review described above, the proposed changes to the three legal entities (MVRD, GVWD, GVS&DD) Freedom of Information Bylaws and the MVHC Board Resolutions are summarized below.

Appointment of the Corporate Officer as Head

The review showed that the Corporate Officer is most often appointed the Head for local government bodies. On that basis, it is recommended that the Bylaws be amended to replace the appointment of the CAO as the Head with the Corporate Officer. This is in line with the practices of municipal members and would work well with the administration of the Freedom of Information program at Metro Vancouver. Metro Vancouver's Corporate Officer has overseen the program since its inception, and is well aware of administrative and operational issues.

It is further recommended that the Bylaws be amended to indicate that the Act applies to all boards, committees, commissions, panels, agencies or corporations created or owned by the Regional District. The need to appoint the Head for each of these entities separately will be eliminated through this general provision.

Remove References to Operational Duties

As previously mentioned, the existing Bylaws repeat a number of clauses of the Act, from when it was written 25 years ago, related to operational duties which are now out of date and repeated unnecessarily. To make the Bylaws more concise and minimize the need for amendments in future, it is recommended that the sections related to the operational duties of the Act be removed from the Bylaws.

Those operational duties can simply be delegated by the Head. It is therefore recommended that the authority to delegate duties to a Coordinator be included in the Bylaws. Doing so will provide greater flexibility for the administration of the Act and will further strengthen the Bylaws/Resolution against the need for future amendments.

Reference Updated Fee Schedule

With respect to fees, as previously noted, the Bylaws unnecessarily repeat the provisions of the Act, and include an excerpt from an outdated B.C. Regulation 323/1993. On that basis, it is recommended that the fee schedule reference the current B.C. Regulation 155/2012, as amended.

Housekeeping Revisions

In addition to the revisions to the Bylaws proposed above, housekeeping revisions will be required to update the Whereas Clauses, the Definition Section, and the numbering of the provisions.

The proposed revisions will update the Bylaws to current standards, make them more readable, and eliminate the need for future amendments. Given the extent of the revisions, it is recommended that new Bylaws/Resolution be adopted. The proposed new Bylaws/Resolution for each Metro Vancouver's entity are provided in Attachments 1 to 4.

ALTERNATIVES

1. That the Finance and Intergovernment Committee direct staff to bring forward to the March 29, 2019 Board meeting Freedom of Information Bylaws and Resolutions as described in the report dated February 15, 2019, titled “Review of the Freedom of Information and Protection of Privacy Bylaws”, for consideration and adoption by the respective Board.
2. That the MVRD Board receive for information the report dated February 15, 2019, titled “Review of the Freedom of Information and Protection of Privacy Bylaws” and provide alternative direction to staff.

FINANCIAL IMPLICATIONS

The proposed revisions to the Freedom of Information Bylaws and Resolutions will have no direct financial implications to Metro Vancouver.

SUMMARY / CONCLUSION

Review of the Freedom of Information Bylaws was identified as the priority of the Finance and Intergovernment Committee in its 2019 Work Plan. The Bylaws were reviewed against the statutory requirements, against the LGMA Manual, and compared with bylaws in other member municipalities. In order to bring the Metro Vancouver Bylaws and MVHC Resolutions into compliance with the recent legislation and local government practices, to provide greater flexibility to the program and a more user-friendly bylaw for staff and the public, it is recommended that the Corporate Officer be appointed Head, and that outdated legislative references be removed or rewritten. It is recommended that staff be directed to bring forward Bylaws/MVHC Resolution, as proposed in Attachment 1 to 4, directly to the March 29, 2019 Board meeting for its consideration and adoption. On that basis, staff recommend Alternative 1.

28154446

Attachments

1. ~~Metro Vancouver Regional District Freedom of Information Bylaw No. 1284, 2019~~
2. ~~Greater Vancouver Water District Freedom of Information Bylaw No. 251, 2019~~
3. ~~Greater Vancouver Sewerage and Drainage District Freedom of Information Bylaw No. 324, 2019~~
4. ~~MVHC Board Freedom of Information Resolution~~