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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**

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**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.

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**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.

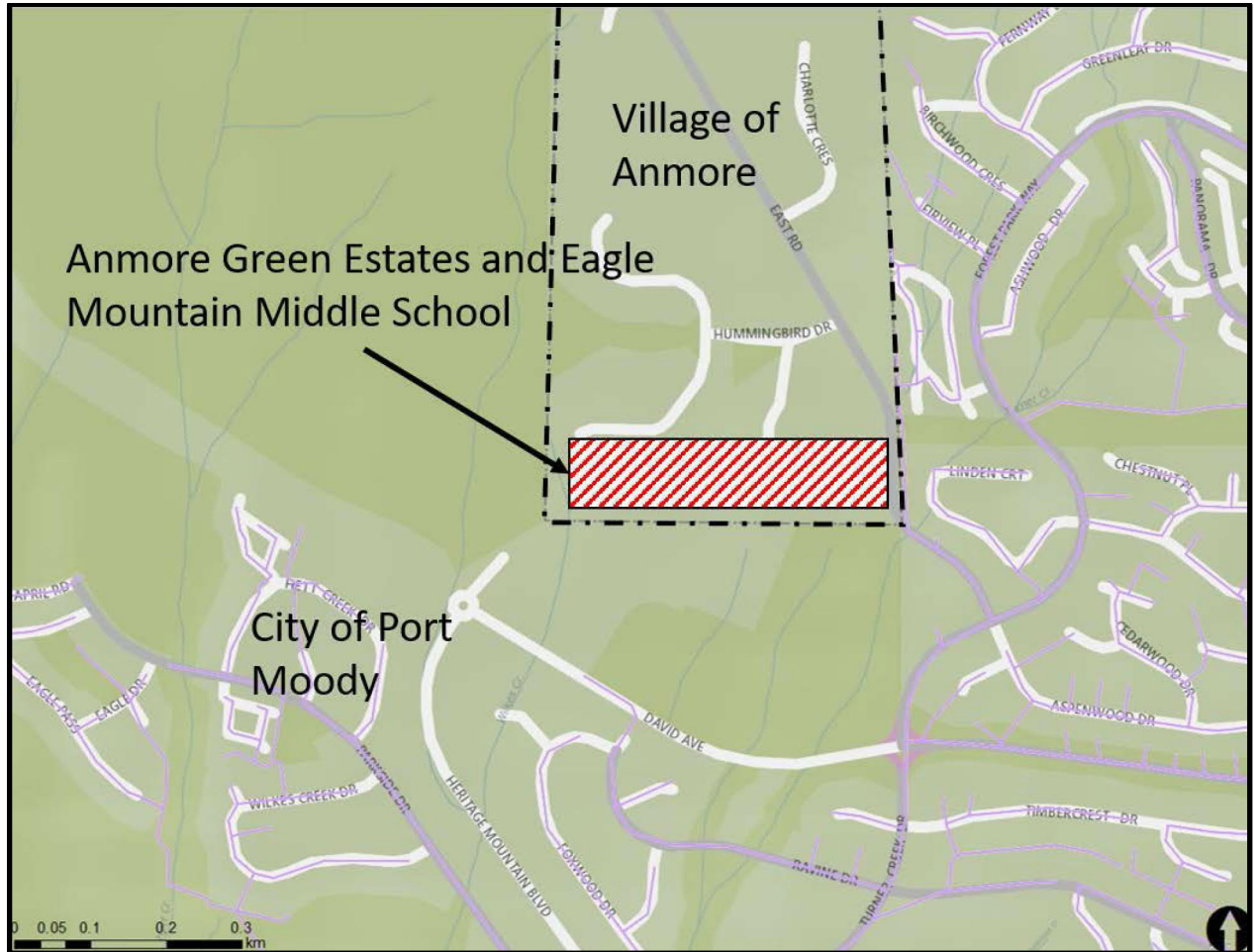
Staff recommend supporting the Village of Anmore's application to the Province for membership in the GVS&DD subject to the conditions outlined above for Anmore to receive sewerage services as presented under Alternative 1.

### **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"

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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**

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**RECOMMENDATION**

That the MVRD Board accept the Village of Anmore's amended Regional Context Statement as submitted to Metro Vancouver on January 11, 2019.

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**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

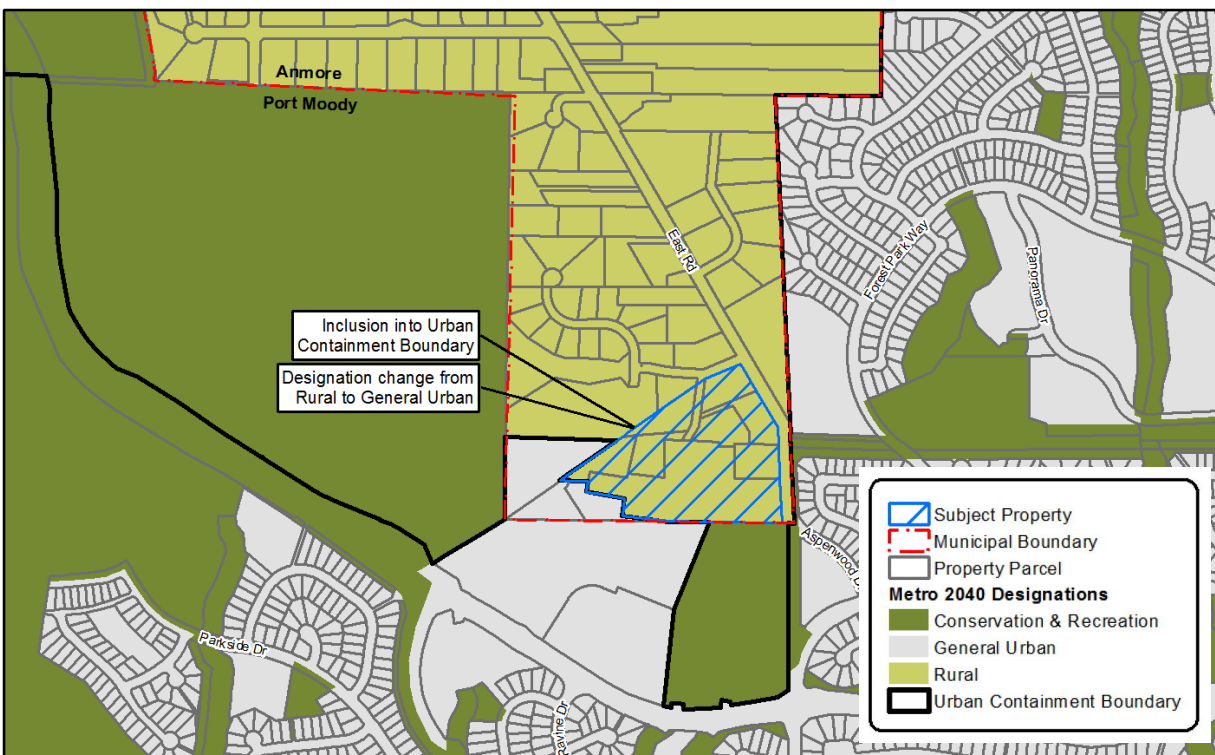
The Village of Anmore is a predominantly rural and semi-rural community in the north eastern portion of the region, outside of the Urban Containment Boundary. As a community, Anmore is not planned or expected to absorb a significant portion of regional growth or connect to urban servicing. The Village's 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 1<sup>st</sup> 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](mailto:jason.smith@anmore.com).

Sincerely,



Juli Halliwell  
Chief Administrative Officer  
T 604-469-9877  
[juli.halliwell@anmore.com](mailto: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

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### 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

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### 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.

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### 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-

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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.

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### 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.



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### 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.

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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 <sup>st</sup> Reading                         | Village of Anmore                       | January 8, 2019   | Refer amendment to neighbouring jurisdictions as outlined |
| OCP Amendment 2 <sup>nd</sup> Reading                         | Village of Anmore                       | March 5, 2019     | Set date for public hearing                               |
| Public Hearing, possible 4 <sup>th</sup> 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.

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## 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 1<sup>st</sup> 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.



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### 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

|  |
|--|
| <b>Prepared by:</b>  |
| <br>_____<br>Jason Smith<br>Manager of Development Services  |
| <b>Reviewed for Form and Content / Approved for Submission to Council:</b>   |
| <b>Chief Administrative Officer's Comment/Concurrence</b><br><br><br>_____<br>Chief Administrative Officer |

**VILLAGE OF ANMORE**

**BYLAW NO. 590-2019**

A bylaw to amend the Official Community Plan

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**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

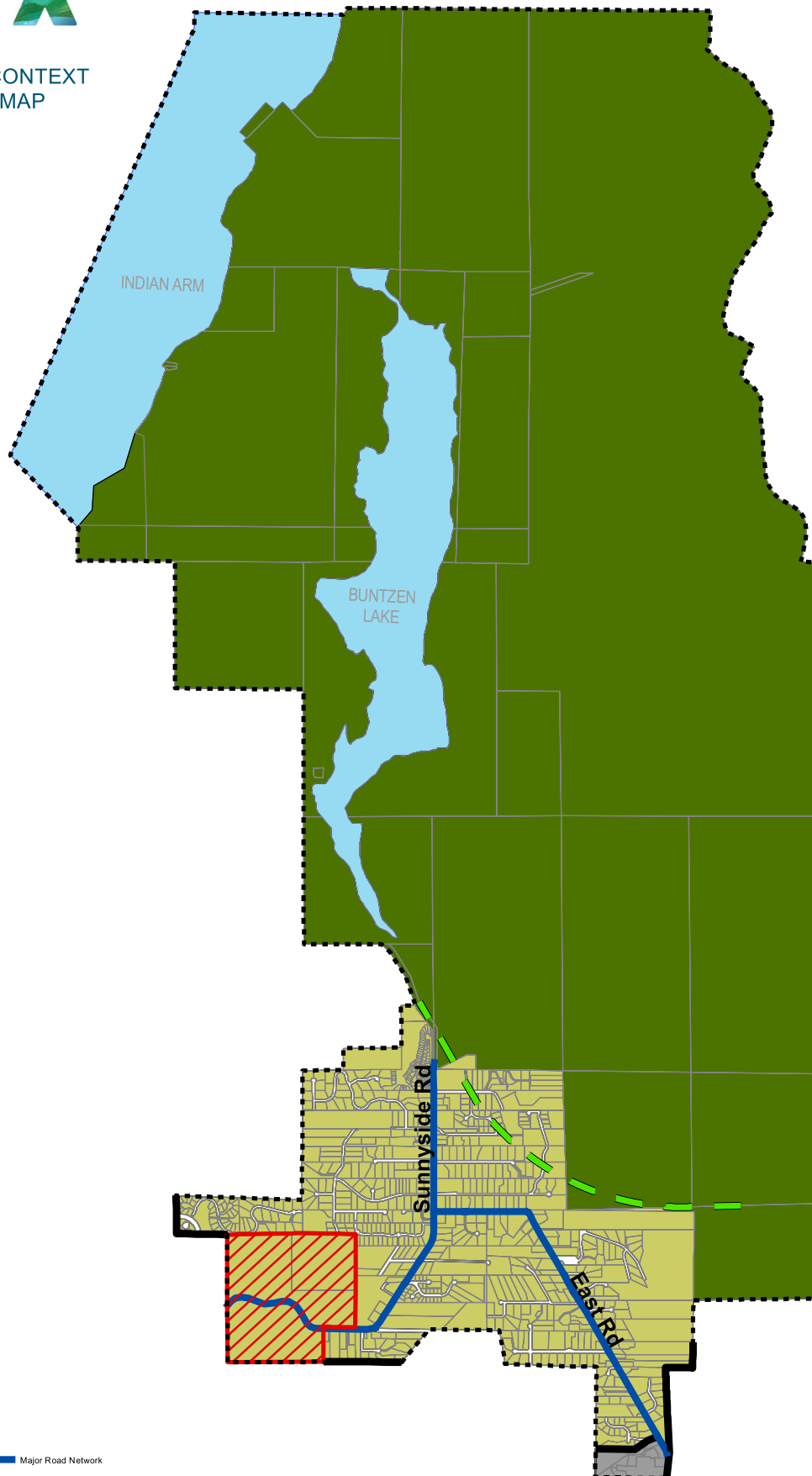
\_\_\_\_\_  
CORPORATE OFFICER

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].

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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         |

THE VILLAGE OF ANMORE DOES NOT ASSUME RESPONSIBILITY FOR THE CORRECTNESS OF THIS MAP AS IT IS INTENDED FOR GENERAL REFERENCE ONLY. LAST UPDATED DECEMBER 2018