
Subject: FW: Anmore joining the GVSDD

From: Jason Smith [<mailto:Jason.Smith@anmore.com>]
Sent: Monday, February 4, 2019 12:42 PM
To: Bings, Dan P ENV:EX
Subject: RE: Anmore joining the GVSDD

It takes Council approval, which is inherently time consuming and uncertain. We'd need two weeks lead time before taking it up to Council, for us the latest meeting we could hit would be April 2, so we would need to have the agreement finalized by mid-March. We have not begun any discussion with them but the devil is in the details. We don't know where the pipe will run yet, where the meter will be located and who will maintain and inspect meter/infrastructure, what is AGE's role, cost recovery, how will various infrastructure bylaws apply etc... I don't see us having that done in the next month and a half given that we don't have an MOU sorted with AGE.

By way of reference the recent renewal of our water agreement with Port Moody took 2 years. While I am hopeful that this won't take 2 years to sort out - it will take more than a month, which at this point is the amount of time we have left to hit the mid-April deadline and assuming (a big assumption at this point) that the we can have an MOU agreement with AGE in place by February 19 (the next Council meeting after our meeting with them next week, and even if everything went smoothly with the MOU negotiations it would more likely come to the March 5 Council meeting).

Jason

From: Bings, Dan P ENV:EX [<mailto:Dan.Bings@gov.bc.ca>]
Sent: February-04-19 12:29 PM
To: Jason Smith
Subject: RE: Anmore joining the GVSDD

What is the challenge with the PM pipe agreement? I'm not familiar with what is involved on that piece.

Regards,
Dan Bings
Operations Manager
Compliance Section

BC Pollution Free

More information about Environmental Compliance can be found [here](#).

From: Jason Smith [<mailto:Jason.Smith@anmore.com>]
Sent: Monday, February 4, 2019 11:42 AM
To: Bings, Dan P ENV:EX
Subject: FW: Anmore joining the GVSDD

Hi Dan,

Here is the correspondence that we have had with your colleagues at Municipal Affairs. Items 5-6 are very unlikely to be in place before mid-April. You can see in my email the reasons why we are questioning that requirement in consideration of membership in the GVS&DD.

Any help that you could provide on your end in shifting your colleagues position would be helpful in finding a more timely resolution to this. I don't think anyone wants to delay until next fall.

Don't hesitate to call me should you have any questions.

Cheers, Jason

Jason Smith, MCIP
Manager of Development Services

T 604 469 9877 | anmore.com
2697 Sunnyside Road, Anmore, BC V3H 5G9

From: MAH LG Governance MAH:EX [<mailto:LGgovernance@gov.bc.ca>]
Sent: February-04-19 9:33 AM
To: Jason Smith <Jason.Smith@anmore.com>
Cc: Juli Halliwell <Juli.Halliwell@anmore.com>
Subject: RE: Anmore joining the GVSDD

Hi Jason,

Apologies for the delay in responding. I think it is important to understand at this point that this process will likely exceed the timing required for a Cabinet submission before summer break. As I communicated with Juli, I would need all the documentation for a cabinet submission by mid-April to make that deadline and the negotiation between Anmore Green Estates (AGE) and the Village seem to be more difficult than was understood by myself and others in the Ministry. I would then suggest that a Cabinet submission in the fall is more realistic, however, I will continue to push for a June submission if the documentation and required changes are completed.

I think you listed most of the key pieces required for a Cabinet submission but I have listed them below for clarity. The following evidence would be required for me to prepare the necessary materials:

1. Changes to the OCP for Anmore to reflect a sewer connection to AGE;
2. Metro Board granting an exception to Metro 2040's urban containment zone to facilitate a connection to AGE;
3. GVSDD board resolution to support the application to include Anmore as a member of the GVSDD. Including any conditions, limits or requirements with respect to the membership (i.e. status of current sewers and drains, and proposal, etc.);
4. A resolution from the Anmore council supporting the application (including a copy of the staff report on which Council approves the resolution);
5. An agreement with Port Moody that would allow for a connection and use of their sewer infrastructure; and,
6. An agreement between AGE and Anmore on how costs will be divided between the AGE residents and the Village of Anmore (more details on this below).

The requirement for evidence of some sort of agreement between AGE and Anmore would give certainty to Cabinet when deciding on Anmore's inclusion in the GVSDD, especially since there is an ongoing BC Supreme Court case which may impact AGE's ability to fund the costs associated with membership. I am unable to process an incomplete Cabinet submission that has not contemplated how the significant costs of membership and connection will be apportioned. The costs associated with connection, yearly membership fees, a one-time development cost charge, flow charges and ongoing maintenance are a substantial cost that may be borne in part by residents of Anmore who have not been consulted or made aware (e.g. the resolution passed by the Anmore Council provided that the costs associated with membership would be the responsibility of AGE). To satisfy this requirement Anmore must:

- Anmore may either pass a local area service bylaw (and loan authorization bylaw) that includes residents of AGE through a petition that will be used to fund the project or pay the debt associated with the project; or
- Negotiate an MOU with AGE that outlines the apportionment of costs; or
- Consult and engage with Anmore residents who may be subject to paying the costs associated with membership if an agreement cannot be reached and provide evidence of community agreement. Anmore council would also be required to pass another resolution which clarifies that it will cover the costs associated with membership if an agreement with AGE cannot be reached.

I can understand that this may cause delay in a Cabinet submission but as I explained at the beginning of this process, the submission must be the last step in the process when everything else is completed. I would also encourage the Village of Anmore to work with the Ministry of Environment and Climate Change Strategy on an extension to the Pollution Abatement Order that requires a liquid waste management plan as I understand that to be the driver for the summer submission timeline.

Happy to discuss this further.

Scott Leitch | Governance Analyst
Governance and Structure Branch | Ministry of Municipal Affairs and Housing
778-698-1167

From: Jason Smith [<mailto:Jason.Smith@anmore.com>]
Sent: Friday, January 25, 2019 1:11 PM
To: MAH LG Governance MAH:EX
Cc: Juli Halliwell
Subject: RE: Anmore joining the GVSDD

Hi Scott,

We are starting to map out all the work that we need to do complete the connection of AGE to the GVS&DD system and want to clarify exactly what the Province will need documented in order for the request for membership in the GVS&DD to be passed on to Cabinet for a decision. You said you required evidence of the following:

1. The changes to the OCP for Anmore and the exception made in Metro 2040 to expand the urban containment zone.
 - These processes are underway and will be complete prior to mid-April.
2. GVSDD board resolution to support the application to include Anmore as a member of the GVSDD. Including any conditions, limits or requirements with respect to the membership (i.e. status of current sewers and drains, and proposal, etc.)

- This is underway and will be complete by mid-April.
3. A resolution from the Anmore council supporting the application- [including a copy of the staff report on which Council approves the resolution.]
- This will be forthcoming once we have secured an MOU with the AGE Strata.

We would like further clarification from you as to why the Province requires evidence of the following prior to approving the Village's membership in the GVS&DD:

1. Information on how all fees relating to the GVSDD (i.e. membership fees, annual estimate, etc.) will be apportioned between the municipality and the property.
2. Information on who will be responsible for the connection charges from the existing lines to the property.
3. Community outreach and support for the project from residents subject to the tax in Anmore.

We ask for this clarification because we do not understand why this would be relevant to the question of membership in the GVS&DD. Membership, we understand, is for the Village as a whole and the Village is responsible for paying the costs of membership as set out in the legislation. If the Village becomes a member of the GVS&DD, the Village will pay and has the capacity to pay the membership costs. Why do the details of how the Village will apportion those costs to its residents or who will pay the capital costs for a connection matter to the GVS&DD or the Province? We feel that this has no relevance to the Province's decision on membership.

The other reason we raise this issue is timing. The Village, like everyone involved, wants to resolve this issue as soon as possible. It is unlikely that the details of what the final costs are and how costs will be apportioned will be finalized by mid-April. It would be unfortunate to miss the ability to have the membership question resolved prior to the summer and delay the process for months until Cabinet sits again in the fall.

Please advise us as to what exactly you will need from the Village to consider the question of membership in the GVS&DD.

Regards, Jason

Jason Smith, MCIP
Manager of Development Services

T 604 469 9877 | anmore.com
2697 Sunnyside Road, Anmore, BC V3H 5G9

From: Jason Smith
Sent: January-15-19 2:29 PM
To: 'MAH LG Governance MAH:EX' <LGgovernance@gov.bc.ca>
Subject: RE: Anmore joining the GVSDD

Hi Scott,

We attended a Port Moody Council meeting to follow up on a letter we sent asking for them to renew their support for AGE to use their infrastructure. That was in a closed meeting but it is my understanding that a resolution was passed by Port Moody Council that they support the AGE connection. Our hope is that they will release that from closed Council.

The court case is outstanding and dropping it is one of the conditions that we will require as part of the MOU.

Details about financing and such all lie down the road and something that the Village would be open to exploring but we need agreement on the high level principles before we can get to that.

Cheers, Jason

From: MAH LG Governance MAH:EX [<mailto:LGgovernance@gov.bc.ca>]
Sent: January-15-19 2:22 PM
To: Jason Smith <Jason.Smith@anmore.com>
Subject: RE: Anmore joining the GVSDD

Hi Jason,

Thanks again for reaching out yesterday. Just a couple more questions:

1. Does Anmore have an agreement with Port Moody on outflow charges? We would need some sort of evidence that Port Moody is in favour of AGE using their infrastructure.
2. I see from the news that the BC Supreme Court case is still ongoing and a trial date has not been set. Is that still the case?

I understand that a draft MOU is being reviewed by AGE to cover the costs of GVSDD membership but has the Village considered a local area service and loan to cover the costs with the only participants being AGE? This may be done by petitioning the residents or through a counter petition. This would also have the benefit of utilizing MFA rates for the loan to cover the connection costs and alleviate potential concerns about cost apportionment and the court case. I am happy to discuss this more.

Thanks again for answering my questions. This seems to be a complex issue and I appreciate your help understanding the nuances.

Scott Leitch | Governance Analyst
Governance and Structure Branch | Ministry of Municipal Affairs and Housing
778-698-1167

From: Jason Smith [<mailto:Jason.Smith@anmore.com>]
Sent: Monday, January 14, 2019 3:28 PM
To: MAH LG Governance MAH:EX
Subject: FW: Anmore joining the GVSDD

Hi Scott,

Thanks for the phone call and a good conversation. Let me know what you hear back in terms of the detail you will need from us to move this forward.

Cheers, Jason

Jason Smith, MCIP
Manager of Development Services

T 604 469 9877 | anmore.com
2697 Sunnyside Road, Anmore, BC V3H 5G9

From: MAH LG Governance MAH:EX [<mailto:LGgovernance@gov.bc.ca>]
Sent: January-11-19 3:21 PM
To: Juli Halliwell <Juli.Halliwell@anmore.com>
Subject: RE: Anmore joining the GVSDD

Hi Juli,

Apologies for the delay in getting back to you. The answer was difficult to pin down.

I would suspect that Cabinet will sit sometime at the end of June (technically the dates are confidential so I cannot say for sure). For me to have completed the necessary documents to get on the agenda, I will need to have them completed for the middle of April. This would mean that all of the planning steps and cost agreements would have to be finalized before then. As I understand it, Anmore and Anmore Green Estates have yet to finalize an agreement to cover connection costs, GVSDD membership fees, etc. Is that still the case?

Best Regards,

Scott Leitch | Governance Analyst
Governance and Structure Branch | Ministry of Municipal Affairs and Housing
778-698-1167

From: Juli Halliwell [<mailto:Juli.Halliwell@anmore.com>]
Sent: Tuesday, December 11, 2018 2:28 PM
To: MAH LG Governance MAH:EX
Cc: 'Ed von Euw'; Heather McNell; Nicholls, Eric MAH:EX; Jason Smith
Subject: RE: Anmore joining the GVSDD

Good afternoon, Scott.

Thank you for your email. Just a couple of points of clarification (as noted below).

Also, if you could advise when the last possible date to submit our application is, in order for cabinet to consider the OIC prior to the summer closure of the legislature.

Thank you,
Juli

From: MAH LG Governance MAH:EX [<mailto:LGgovernance@gov.bc.ca>]
Sent: December-11-18 11:44 AM
To: Juli Halliwell <Juli.Halliwell@anmore.com>

Cc: 'Ed von Euw' <Ed.vonEuw@metrovanancouver.org>; Heather McNell <Heather.McNell@metrovanancouver.org>;
Nicholls, Eric MAH:EX <Eric.Nicholls@gov.bc.ca>
Subject: Anmore joining the GVSDD

Hi Juli,

I have been working on the required steps for Anmore to join the GVSSD and consulted with my colleagues about best practices. I have also CC'd Ed and Heather who have been in touch regarding required changes to the MVRD RGS and urban containment boundary. See my preliminary thoughts below.

For the Ministry to prepare a cabinet order in council (OIC), we will need to see that the urban containment zone has been amended to include the property in question. As I understand it from speaking with Heather and Eric, this would involve the MVRD advising the GVSSD board to consider a new connection on the basis of "preventing or alleviating a public health or environmental contamination risk". The Village may not be requesting the connection on this basis – however, I don't believe that this impacts your process below (as long as the urban containment boundary is expanded prior to us submitting our application). The result would be an extension of the GVS&DD Fraser Sewerage Area to include a building footprint boundary. This would then have to be consistent with the Anmore official community plan.

- Anmore would then request to become a member of the GVSSD in accordance with section 66 of the GVSDD Act.
- For us to begin to process the OIC process, we will need to have evidence of:
 - The changes to the OCP for Anmore and the exception made in Metro 2040 to expand the urban containment zone.
 - GVSSD board resolution to support the application to include Anmore as a member of the GVSSD. Including any conditions, limits or requirements with respect to the membership (i.e. status of current sewers and drains, and proposal, etc.)
 - A resolution from the Anmore council supporting the application- [including a copy of the staff report on which Council approves the resolution.]
 - Information on how all fees relating to the GVSSD (i.e. membership fees, annual estimate, etc.) will be apportioned between the municipality and the property.
 - Anmore may either pay the membership fee through a municipal wide tax or tax the specified area through a local area service.
 - Information on who will be responsible for the connection charges from the existing lines to the property.
 - Section 7(3) provides that member municipalities have the power to request the Corporation (who is the Corporation in this context? The Village initially intends to enter into an MOU with the Strata which would include cost recovery from the Strata for all costs associated with the sewer connection. The expectation is that the Strata will pay directly for all one-time construction costs associated with the connection, and ongoing membership and discharge costs would be collected via a local service area bylaw) to finance, design, and construct sewerage and drainage facilities in the whole or any specified area of the municipality for the municipality at the sole and exclusive cost of the municipality. This may only be done with a bylaw adopted with assent of the electors wherein the municipality may enter into an agreement with the GVSSD to finance any facility for a period under 30 years. The municipality may tax the entire municipality or the specified area to service the debt.
 - Community outreach and support for the project from residents subject to the tax in Anmore.
- If the submission is approved, Anmore can be added by OIC.

I am happy to assist in relation to the service or cost apportionment. Questions relating to planning would be better poised to my colleague Eric Nicholls: Eric.Nicholls@gov.bc.ca

Hopefully that is somewhat clear.

Scott Leitch | Governance Analyst
Governance and Structure Branch | Ministry of Municipal Affairs and Housing
778-698-1167

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