



# Alberni-Clayoquot Regional District

## ELECTORAL AREA DIRECTORS COMMITTEE MEETING

WEDNESDAY, SEPTEMBER 19, 2012, 1:30PM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

### AGENDA

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	PAGE #
<b>1. <u>CALL TO ORDER</u></b>	
<b>2. <u>APPROVAL OF AGENDA</u></b> <i>(motion to approve, including late items)</i>	
<b>3. <u>ADOPTION OF MINUTES</u></b>	1-3
a. Electoral Area Directors Committee Meeting –April 25, 2012 <i>(adoption)</i> <i>THAT the minutes of the Electoral Area Directors Committee Meeting –April 25, 2012 be adopted.</i>	
<b>4. <u>PETITIONS, DELEGATIONS &amp; PRESENTATIONS</u></b>	
<b>5. <u>CORRESPONDENCE FOR ACTION/INFORMATION</u></b>	
<b>6. <u>REQUEST FOR DECISIONS &amp; BYLAWS</u></b>	
a. <b>REQUEST FOR DECISION</b> Bylaw Enforcement Procedures	4-6
<i>THAT the Electoral Area Committee recommend to the Board the following:</i>	
1. <i>Direct current resources to new Zoning Bylaw infractions (less than 3 years unless follow up or additional complaints are received).</i>	
2. <i>Amend the Bylaw Enforcement procedures to allow staff to make contact with the owner/resident of a property in person prior to issuing a letter.</i>	
3. <i>Proceed with updating the Zoning Bylaw.</i>	
4. <i>Provide public information through a bylaw pamphlet.</i>	
5. <i>Seek public input regarding the new process and report back to the Board.</i>	
b. <b>REQUEST FOR DECISION</b> Management of Rural Development (Part 26) and Regional Planning Fees and Application Requirements	7-14

*THAT the Electoral Area Directors Committee consider the following options to*



9. **IN-CAMERA**

*Motion to close the meeting to discuss matters relating to litigation or potential litigation affecting the Regional District.*

10. **ADJOURN**



# Alberni-Clayoquot Regional District

## MINUTES OF THE ELECTORAL AREA DIRECTORS MEETING HELD ON WEDNESDAY, APRIL 25, 2012

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

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**DIRECTORS PRESENT:** Glenn Wong, Chairperson, Electoral Area "F" (Cherry Creek)  
Eric Geall, Electoral Area "A" (Bamfield)  
Mike Kokura, Electoral Area "B" (Beaufort)  
Tony Bennett, Electoral Area "C" (Long Beach)  
Penny Cote, Electoral Area "D" (Sproat Lake)  
John McNabb, Electoral Area "E" (Beaver Creek)

**STAFF PRESENT:** Carla Connolly, Planner  
Teri Fong, Manager of Finance  
Wendy Thomson, Manager of Administrative Services

### 1. CALL TO ORDER

The Chairperson called the meeting to order at 10:35 a.m.

### 2. APPROVAL OF AGENDA

*MOVED BY: Director McNabb*

*SECONDED: Director Cote*

*THAT the agenda be approved as circulated with the addition of the following late item from Director Cote: Alberni Valley Airport user request.*

**CARRIED**

### 3. ADOPTION OF MINUTES

a. Electoral Area Directors Meeting - February 1, 2012

*MOVED: Director Kokura*

*SECONDED: Director Geall*

*THAT the minutes of the Electoral Area Directors meeting held on February 1, 2012 be adopted.*

**CARRIED**

**4. PETITIONS, DELEGATIONS & PRESENTATIONS**

- a. Ted Onlyk, BC Hydro – Smart Meters

*MOVED: Director Kokura*  
*SECONDED: Director McNabb*

*THAT Mr. Ted Onlyk, BC Hydro be invited to address the Committee.*

**CARRIED**

Mr. Onlyk conducted a power point presentation on BC Hydro's Smart Metering Program. Benefits of the program include: improved operational efficiency, greater customer choice and control, improved worker and public safety, enhanced customer service, reduced electricity theft and modernize BC's electricity system. BC Hydro will advertise in local papers six weeks before installation as well as provide notification letters 4 weeks before installation.

Director Bennett entered the meeting at 10:46 a.m.

**5. CORRESPONDENCE FOR ACTION/INFORMATION**

**6. REQUEST FOR DECISIONS & BYLAWS**

- a. Memorandum regarding Cherry Creek Official Community Plan – Bylaw P1278

*MOVED: Director Wong*  
*SECONDED: Director McNabb*

*THAT the Electoral Area Directors receive the staff memo for information.*

**CARRIED**

**7. REPORTS**

- a. Vancouver Island Regional Library Service – Change of Apportionment.

The Manager of Administrative Services provided an update on the procedures required in order to amend the Library Service Establishment Bylaw changing the apportionment from land and improvements to 50% population and 50% land and improvements. Staff will draft an amending Bylaw for consideration by the ACRD Board of Directors in the fall of 2012.

*MOVED: Director Cote*  
*SECONDED: Director Bennett*

*THAT the Regional Board of Directors receive the verbal report on the VIRL Service – Change of Apportionment.*

**CARRIED**

**8. LATE ITEMS**

- a. Alberni Valley Flying Club - Request to host a “Fly in” Event.

Director Cote reported she received a request from the Alberni Valley Flying Club to hold a “fly in” event at the Alberni Valley Airport the third weekend in June 2012. This would be a good opportunity to promote the Airport and Alberni Valley area. Regional District staff will investigate any necessary approvals required as well as possible liability concerns and report back to the Committee.

**9. ADJOURN**

*MOVED: Director McNabb*  
*SECONDED: Director Kokura*

*THAT the meeting be adjourned at 11:50 a.m.*

**CARRIED**

Certified Correct:

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Glenn Wong,  
Chairperson

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Wendy Thomson,  
Manager of Administrative Services



## REQUEST FOR DECISION

**To:** Russell Dyson, CAO; and  
Board of Directors, Alberni-Clayoquot Regional District

**From:** Mike Irg, Manager of Planning and Development

**Date:** September 13, 2012

**Subject:** Bylaw Enforcement Procedures

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### **Recommendation:**

That the Electoral Area Committee recommend to the Board the following:

1. Direct current resources to new Zoning Bylaw infractions (less than 3 years unless follow up or additional complaints are received).
2. Amend the Bylaw Enforcement procedures to allow staff to make contact with the owner/resident of a property in person prior to issuing a letter.
3. Proceed with updating the Zoning Bylaw.
4. Provide public information through a bylaw pamphlet.
5. Seek public input regarding the new process and report back to the Board.

### **Desired Outcome:**

To improve the efficiency of the bylaw enforcement process and to insure a timely resolution to infractions.

### **Summary:**

There are several bylaws that are managed by the Bylaw Enforcement Officer:

- Zoning Bylaw (all Electoral Areas)
- Noise Bylaw (Electoral Areas D, E, and F)
- Soil Removal Bylaw (all Electoral Areas)
- Unsightly Premises Bylaw (all Electoral Areas)
- Dangerous Dog Bylaw (Electoral Areas D and E)
- Sign Bylaw (all Electoral Areas)

### **Background:**

Following a presentation by a resident who had filed a complaint against one of his neighbours, the Board has asked staff to consider options for reducing the time it takes to enforce bylaw infractions. It is important to differentiate complaints from infractions. When a complaint is received staff initially determine if a complaint is a legitimate bylaw infraction. If it is deemed a bylaw issue, staff then proceeds with enforcement action. Initial enforcement consists of sending a letter to and talking with the property owner to try and resolve the infraction. Concerns about the length of time it takes to enforce a bylaw usually come when the Regional District pursues a legal remedy.

While most complaints are dealt with and resolved without legal action, there have been a few files that

have taken a long time to resolve. Of particular concern is the time it takes to go through the entire legal process and ultimately getting a court date. There are also situations where our lawyers have advised that our bylaws are weak and potentially difficult to enforce, for instance the Noise Bylaws.

**Time Requirements – Staff & Elected Officials:**

A significant amount of time is involved for both staff and the Electoral Area Director who's area the complaint originates from. The current Bylaw Enforcement Officer is Bob Aston and he allocates two days per week for bylaw enforcement.

**Financial:**

Legal fees can be significant. While staff always tries to resolve the complaint/infraction without involving our lawyers, there are instances when a legal remedy is required. Most infractions are resolved without involving the Regional District lawyers and any decision to proceed with legal action on a specific file is authorized by the Board.

**Policy or Legislation:**

Regional District bylaws are adopted under the authority of the *Local Government Act*. The Board can set policies on how enforcement of various bylaws proceeds. With some bylaws, for example the Zoning Bylaw, the Board can choose to enforce or not enforce an infraction on a case by case basis.

The Boards current policy for Bylaw Enforcement procedures is attached as Appendix A.

**Options Considered:**

Municipal Ticketing is an option available to the Board. Currently, if a property owner will not comply with a Regional District bylaw, we must go to court to achieve resolution or issue any fines set out in the bylaw. Staff is not recommending that the Regional District adopt a Municipal Ticketing bylaw, unless additional resources are allocated to Bylaw Enforcement.

Update old regulatory bylaws. Some of the bylaws, such as the Unsightly Premises and Soil Removal Bylaws, are dated while other bylaws, such as the Noise Bylaws, are vague and difficult to enforce.

Increased resources both in terms of staff time allocation and budget.



Submitted by: \_\_\_\_\_  
Mike Irg, Manager of Planning and Development



\_\_\_\_\_  
Alex Dyer, Junior Planner / Bylaw Enforcement Officer



Approved by: \_\_\_\_\_  
Russell Dyson, Chief Administrative Officer



Steps for Responding to a Written Complaint:

Respond to written complaints;

1. The first step is to write a letter to the property owner, informing them the Regional District has received a complaint. The owner is asked to contact the Bylaw Enforcement Officer to discuss the complaint;
2. If we do not get a response, a second letter is sent by registered mail to the property owner. A second letter is also sent if there is an infraction and the owner is unwilling to resolve the problem;
3. At this point we begin building evidence and investigating the matter to determine what action is required;
4. Staff determines if there is a bylaw infraction. If there is an infraction we proceed with enforcement action. If the complaint is not furthered we inform the complainant;
5. At this point if there is still no response or compliance from the property owner a registered letter is sent stating the owner must cease and desist;
6. The majority of complaints are resolved by this time. However, if there is still no resolution we report to the Regional District Board and request formal approval to proceed with legal action. The file is then forwarded to the Regional District's legal counsel;
7. The Bylaw Enforcement Officer continues to work in conjunction with legal counsel until the issue is resolved or goes to court.

It should be noted that most cases are dealt with in house and do not require outside legal counsel but it is important to deal with each situation as if it will proceed to court.

## APPENDIX A



## REQUEST FOR DECISION

**To:** Russell Dyson, CAO  
and  
Electoral Area Directors Committee, Alberni-Clayoquot Regional District

**From:** Mike Irg, M.C.I.P.  
Manager of Planning and Development

**Date:** September 12, 2012

**Subject:** Management of Rural Development (Part 26) and Regional Planning Fees and Application Requirements

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### **Recommendation:**

That the Electoral Area Directors Committee consider the following options to improve the efficient review of planning applications:

- 1/ Carefully consider and limit the use of covenants in the rezoning process.
- 2/ Delegate the issuing of development permits to a staff member. This must be done by bylaw.
- 3/ Only refer ALR applications for subdivision and nonfarm use within the ALR to the Agricultural Advisory Committee. Current practice is to refer to both the Agricultural Advisory Committee and the area APC. The APC would review the application at the rezoning stage if required.
- 4/ Only refer applications to APCs once.
- 5/ Streamline and reduce the number of commercial zones when the zoning bylaw is updated.
- 6/ Staff respond directly to Crown lease Referrals.
- 7/ Update the development application procedures and prepare a handout that is available at the front counter for applicants and the public.
- 8/ Contact members of the development community and explain the application process. This can be done with the help of the Economic Development Officer.

### **Desired Outcome:**

Improve and insure the planning review process deals with planning application in an efficient and timely manner, while respecting overall public interest. As an organization it is important to balance efficient processing time, the public interest, opposing views, Board policies, *Local Government Act* requirements, current bylaws, agency responses, legal requirements, and administrative justice.

**Background:**

The Planning Department is responsible for three areas; Rural Planning (Part 26), Regional Planning (non Part 26), and Bylaw Enforcement (zoning, noise, dangerous dogs, unsightly premises, and soil removal bylaws). The purpose of this report is to review development application requirements and procedures. This does not include planning initiatives such as Official Community Plan reviews, updates and revision of the Zoning Bylaw, Agricultural Plans, or Regional Water Studies.

**Time Requirements – Staff & Elected Officials:**

Bylaw A1045 establishes the following six electoral area Advisory Planning Commissions:

Bamfield APC meets the Thursday (6 days) before the Board meeting;

Beaufort APC meets as needed, typically the Tuesday (1 day) before the Board meeting;

Long Beach APC meets the Monday (2 days) before the Board meeting;

Sproat Lake APC meets the third Monday of the month (either 2 or 9 days) before the Board meeting;

Beaver Creek APC meets the Tuesday (1 day) before the Board meeting; and

Cherry Creek APC meets the Monday (2 days) before the Board meeting.

In addition to time spent by a Planner to review, research, and prepare a planning report for each application received, time is spent preparing and forwarding (by mail and email) relevant information to each of the applicable Advisory Planning Commission (APC) members and, if required, members of the Agriculture Advisory Committee. These information packages are mailed and emailed seven days prior to the scheduled APC meeting.

The current practice of the Board is to delegate public hearings to the area Director as per *section 981 for the Local Government Act*. This allows for public hearings to be held in various locations and at different times rather than taking up time at the monthly Board meetings.

**Financial:**

This report focuses on the time requirements for planning applications.

**Policy or Legislation:**

The ACRD is required to accept and consider applications submitted under *Part 26 of the Local Government Act* as required in *Section 895*. These applications include rezoning, Official Community Plan amendments, development variance permits, development permits, and Board of Variance applications (which are considered by the Board of Variance).

The Board must also consider Agricultural Land Reserve applications, as required by the *Agricultural Land Commission Act*, as well as subdivision referrals, crown lease and various miscellaneous referral requests, although not all of these are legislative requirements.

**Options Considered:**

Options for the Board to consider are as follows:

1. While covenants can be a useful tool, careful consideration should be given before the board enters into a covenant. The conditions in the covenant should be something the Board can regulate, for example, additional height restrictions, setbacks, maximum number of lots in a subdivision. Registering covenants take some time as they must be prepared by a notary or lawyer and registered with the Land Titles Office.
2. The issuing of development permits can be delegated to staff. Current practice is for the Board to issue the development permit. If the Board wishes to delegate development permits to a staff member, it must be done by bylaw.
3. Since the creation of the Agricultural Advisory Committee (AAC), both the APC and the AAC review Agricultural Land Reserve applications. The majority of Agricultural Land Reserve applications are for subdivision within the ALR or for nonfarm use which do not require a zoning change, the proposed subdivision or use complies with the existing zoning. In these instances the Board could choose to only refer the application to the AAC.
4. The Board could develop a policy to only refer planning applications to the local APC once and then the Board proceeds with considering the particular application. While this is the normal procedure, there are instances when the APC does not have quorum or requests a second meeting. This often causes delays in processing application.
5. Updating the zoning bylaw will be a benefit to the Board, residents, and property owners. Specifically, streamlining and reducing the number of commercial zones will be a benefit to both current a future commercial properties.
6. Crown lease referrals do not require a Board resolution. However, it has been the ACRD's practice for planning staff to prepare a report, forward the report and relevant information to the applicable APC for their input, the Board then makes a recommendation based on the staff report and APC input. The Board recommendation is then forwarded to the Ministry by planning staff. The Board could amend the current policy to have staff forward a report to Front Counter BC and the applicant with a copy to the Area Director.
7. Staff are not recommending this option but want the Board to be aware that there are limited circumstances, when the requirement to hold a public hearing can be waived. Section 890 (4) of the *Local Government Act* states: "A Local Government may waive the holding of a public hearing on a proposed bylaw if;
  - a. an official community plan is in effect for the area that is subject to a proposed zoning bylaw,  
and
  - b. the proposed bylaw is consistent with the plan."

Current practice at the Regional District is to always hold a public hearing whenever there is an application to amend the Zoning Bylaw and/or an Official Community Plan. If the Board was to consider waiving a public hearing, staff would only recommend doing so for rezoning applications that fit the following criteria:

- are for residential or rural use;
- comply with the Official Community Plan;
- potential new lots created being less than three; and
- the area being rezoned is four hectares (10 acres) or less.



Submitted by: \_\_\_\_\_

Mike Irg, M.C.I.P.  
Manager of Planning and Development



Approved by: \_\_\_\_\_

Russell Dyson, Chief Administrative Officer

## REZONING PROCEDURE

The procedure for dealing with rezoning applications is specified in the *Local Government Act*. Before a Zoning Bylaw can be adopted, it must go through all steps outlined below. Applicants are notified of the progress of their application each time it is reviewed by the Board.

### 1. Application Submitted

- The property owner or authorized agent fills out a rezoning application form and pays the appropriate fees.

### 2. Planning Report

- The Planning Department analyses the application, and its implications for the area, and prepares a report. This report is forwarded to the Advisory Planning Commission, the Area Director, and to the Regional Board.

### 3. Advisory Planning Commission

- The APC reviews the proposal. The applicant, and any member of the public that has concerns about the application, has the right to attend the APC meeting. The applicant is given the opportunity to make a presentation at the meeting. The APC makes recommendations to their Director and to the Regional Board.

(NOTE: The APC may request additional information from the applicant or other government agencies.)

**4. Bylaw – First Reading**

- The Regional Board reviews recommendations from the APC and the Planning Department. If they agree to further the application, the rezoning bylaw receives first reading.
- NOTE: If either the Planning Department or the APC recommend against an application, the Board has adopted a policy of deferring a decision for one month, advising the applicant of the recommendations and asking if they wish to make a presentation to the full Board at the next Board meeting before a final decision is made.

**5. Other Government Agencies**

- The Ministry of Community Sport and Cultural Development requires that Provincial interests be taken into account when considering rezoning applications. Accordingly, bylaws are referred to government agencies whose interests may be affected (i.e. Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Ministry of Environment, Department of Fisheries and Oceans, etc.). Where applicable, applications may also be referred to local agencies including the waterworks districts, City of Port Alberni, District of Tofino, District of Ucluelet, First Nations, and Fire Departments.

**6. Public Hearing**

- A public hearing is held before third reading. All those who feel their property would be affected by the proposal have the opportunity to comment on it. Before a public hearing is held, it is advertised twice in the newspaper and all the property owners and tenants within 200 feet are notified by mail and sometimes by hand delivery. The applicant must also post a notice of rezoning on the subject property at a location visible and accessible to the public. All referral agencies' comments are brought forward at the public hearing together with any written submissions from the public. Normally the public hearing is delegated to the electoral area director for that specific area.

**7. Bylaw – Second and Third Readings**

- The Regional Board reviews the public hearing minutes. If they agree to further the application, the bylaw receives second and third readings.

**8. Bylaw Adoption**

- After approval from the Minister of Community, Sport and Cultural Development is received (if required) and all requirements of the Regional Board are met, the bylaw receives fourth reading and adoption from the Regional Board.
- NOTE: Procedures for amendments to Official Community Plans are the same as those for rezoning applications. On occasion, an application will involve both a plan amendment and rezoning. In those circumstances, the two bylaws are dealt with concurrently.

## **AGRICULTURAL LAND RESERVE APPLICATIONS**

The Agricultural Land Reserve (ALR) was established by the provincial government in 1973 to preserve land with good agricultural potential. Approximately 7,704 hectares (19,130 acres) of land in the Alberni Valley is within the ALR.

The Agricultural Land Commission Act takes precedence over Regional District zoning and community plans. Subdivision or “non-farm” uses of land within the ALR must therefore be approved by the BC Agricultural Land Commission even if a proposal conforms to Regional District regulations.

In assessing applications, the Agricultural Land Commission takes into account recommendations from the Advisory Planning Commission, the Agriculture Advisory Committee, and the Regional Board. The Agriculture Advisory Committee is made up of representatives from the local farming community.

The Regional District is responsible for the initial processing of ALR applications and putting together a package consisting of the application form, a planning report, background information, and copies of all local recommendations.

ALR applications are normally one of four basic types:

1. Application under Section 22 (1) of the Land Commission Act to subdivide property.
2. Application under Section 22 (1) of the Land Commission Act to use property for non-farm purposes. (Construction of a second dwelling on a parcel of ALR land would fall into this category, unless it is required by a full time farm worker.)
3. Application under Section 22 (1) of the Land Commission Act for Home Site Severance. (This section applies to a retiring farmer who owned property prior to December 1972 when the ALR came into effect and who wishes to subdivide off his home and sell the balance of the farm.)

NOTE: In points 1, 2, and 3 above, the land itself would remain within the Agricultural Land Reserve.

4. Application under Section 15 (1) of the Land Commission Act to have property excluded from the Agricultural Land Reserve. (This is generally more difficult to do than either 1, 2, or 3.)

### **Procedure for Agricultural Land Reserve Applications:**

1. The applicant fills out an application form and returns it to the Regional District office with along with the application fee.

2. The Planning Department reviews the proposal and forwards a report to the Advisory Planning Commission, the Agriculture Advisory Committee, and Area Director.
3. The Advisory Planning Commission and Agricultural Advisory Committee have the option to meet with the applicant when reviewing the report and before making a recommendation.
4. The Regional Board reviews the planning report and recommendations from the Advisory Planning Commission and Agriculture Advisory Committee and makes their own recommendation based on all of the above.
5. If the Board supports the application, the Regional District forwards the entire application, complete with background documentation and all recommendations, to the Agricultural Land Commission.
6. The Land Commission corresponds directly with the applicant from this point on with copies of all correspondence to the Regional District.
7. If the Board denies the application it is not furthered to the Land Commission.

NOTE: As there is no ALR land on the West Coast, ALR applications only occur in Beaufort, Sproat Lake, Beaver Creek, and Cherry Creek electoral areas.

### **Development Variance Procedures**

The majority of variance applications are to vary an aspect of the Zoning Bylaw, typically building setbacks or height requirements. The Regional District cannot vary use or density.

The procedures for reviewing a development variance application are:

1. The property owner applies.
2. Staff prepares a report with recommendations.
3. The variance application is reviewed and recommendations are made by the applicable APC (the applicant/owner is invited and encourage to attend the APC meeting).
4. The Regional Board reviews the variance application and decides whether to further the application.
5. if supported, staff would then notify neighbouring property owners and tenants to afford them the opportunity to make written or verbal submissions to the Board at a subsequent meeting.
6. Staff reports to the Regional Board following the public notification and the Board votes on the variance application.

Property owners have the right to apply for a variance and then the Regional District reviews the application and a decision is made.

## **Development Permit Requirements**

Where required in an Official Community Plan, a development permit must be issued prior to any development within a Development Permit Area.

1. Development Permit applications are subject to Development Permit Guidelines established in the Official Community Plan.
2. Applications will be in writing.
3. Applications will include intended use, building plans, landscaping plans, colour scheme, parking spaces, and highway access permits (all plans to a reasonable and appropriate scale).
4. After an application is received a report is prepared by staff. The application and report are forwarded to the Advisory Planning Commission (APC). The APC reviews the application and makes a recommendation to the Area Director.
5. The Regional Board votes on the Development Permit application.
6. If approved, staff registers the permit at the Land Titles Office.
7. After registration, the applicant is issued the permit.

## **CROWN LEASE REFERRAL PROCEDURES**

All vacant provincial Crown land and Crown foreshore comes under the jurisdiction of the Ministry of Forest, Lands and Natural Resource Operations (FLNRO). They make the final decision on all applications to lease or purchase Crown land and/or foreshore, taking into consideration recommendations from other government agencies, including the Regional District.

Following are the steps followed by the Regional District staff with regards to Crown Lease referrals:

1. The referral is received from FLNRO and a fee request is sent to the applicant.
2. Upon remittance of the fee, planning staff reviews the referral and prepares a report.
3. The report is forwarded to the APC and Area Director.
4. The APC recommendations, along with the report, are forwarded to the Regional Board.
5. The report is reviewed by the Board of Directors at the monthly board meeting and APC recommendations are considered.
6. A recommendation is made by the Board of Directors and is forwarded to FLNRO. When the lease has been issued, FLNRO notifies the Regional District by letter.



## MEMORANDUM

**TO:** Russell Dyson, CAO  
and  
Electoral Area Directors Committee

**FROM:** Mike Irg, Manager of Planning and Development

**DATE:** September 12, 2012

**SUBJECT:** Modern Building Regulatory System: Provincial White Paper

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### **Recommendation**

That the Electoral Area Committee receives this report.

### **Background**

As Building Inspection is an Electoral Areas service, a staff report on the Provincial White Paper on A Modern Building Regulatory System has been prepared for the Electoral Area Directors Committee. A report from the City of Burnaby was on the June Board Agenda and staff was asked to provide a report on the potential implications for the ACRD.

After reviewing the background reports with the ACRD Building Inspectors, staff areas with the recommendations in the Burnaby report and support the concept of a uniform standard across the Province. However, regional variations need to be taken into account when applying the Building Code and Building Bylaw.

The Province is proposing certification for Building Inspectors. The ACRD Building Inspectors have their BOABC level 1 certification and will be working towards level 2 certification. Under the Provincial proposal, building inspectors would have to be certified based on the type of construction they are inspecting.

Level 2 certification would cover off the majority of construction in the ACRD, this includes primarily single family dwellings which fall under Part 9 of the BCBC, however commercial and light industrial do exist in the region which typically fall under Part 3 of the BCBC. These buildings typically require a registered professional, who in turn, certify components of the building comply with the BCBC. Ultimately the building inspectors confirm the buildings readiness for occupancy and use.

The ACRD Building Bylaw follows the BC Building Code and does not apply additional construction standards. The concept of a uniform building code is that one standard would apply throughout the Province.



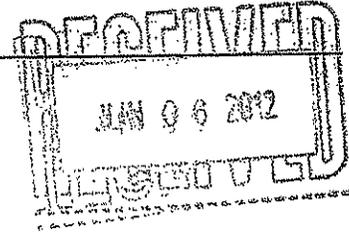
Submitted by: \_\_\_\_\_  
Mike Irg, Manager of Planning and Development



Reviewed by: \_\_\_\_\_  
Russell Dyson, Chief Administrative Officer



CITY OF BURNABY  
OFFICE OF THE MAYOR  
DEREK R. CORRIGAN  
MAYOR



2012 May 23

File: 41500 - 01

Chair and Board of Directors  
Alberni-Clayoquot Regional District  
3008 - 5th Avenue  
Port Alberni, BC V9Y 2E3

Dear Chair and Board of Directors:

**Subject: Provincial White Papers on a Modern Building Regulatory System and Certification of Building Officials**

Burnaby City Council, at its Open meeting held on 2012 May 14, received a report from the Director Planning and Building regarding provincial White Papers on the modern building regulatory system and certification of building officials and adopted the following recommendations **AS AMENDED**:

1. "THAT Council endorse the comments contained in this report as the City's response to the subject White Papers issued by the Building and Safety Standards Branch.
2. THAT Council request the Provincial Government, through the Minister of Energy and Mines, and Minister Responsible for Housing, Honourable Rich Coleman, to respond to the comments received from local governments and all other building regulatory system participants through the release of 'revised' White Papers by the Building and Safety Standards Branch, prior to advancing any specific legislative changes to implement finalized proposals.
3. THAT a copy of this report be sent to Trudy Rotgans, MAIBC, Executive Director, Building and Safety Standards Branch, Office of Housing and Construction Standards, Ministry of Energy and Mines and Minister Responsible for Housing, PO Box 9844 Stn Prov Govt, Victoria, B.C. V8W 9T2, and members of the Union of BC Municipalities.



Item .....01  
Meeting ..... 2012 May 14

COUNCIL REPORT

**TO:** CITY MANAGER **DATE:** 2012 May 09  
**FROM:** DIRECTOR PLANNING AND BUILDING  
**SUBJECT:** PROVINCIAL WHITE PAPERS ON A MODERN BUILDING REGULATORY SYSTEM AND CERTIFICATION OF BUILDING OFFICIALS  
**PURPOSE:** To provide comment on proposals contained within the White Papers issued by the Building and Safety Standards Branch.

**RECOMMENDATIONS:**

1. **THAT** Council endorse the comments contained in this report as the City's response to the subject White Papers issued by the Building and Safety Standards Branch.
2. **THAT** Council request the Provincial Government, through the Minister of Energy and Mines, and Minister Responsible for Housing, Honourable Rich Coleman, to respond to the comments received from local governments and all other building regulatory system participants through the release of 'revised' White Papers by the Building and Safety Standards Branch, prior to advancing any specific legislative changes to implement finalized proposals.
3. **THAT** a copy of this report be sent to Trudy Rotgans, MAIBC, Executive Director, Building and Safety Standards Branch, Office of Housing and Construction Standards, Ministry of Energy and Mines and Minister Responsible for Housing, PO Box 9844 Stn Prov Govt, Victoria, B.C. V8W 9T2.

**REPORT**

**1.0 BACKGROUND**

In 2012 February, the Building and Safety Standards Branch (the Branch) of the Ministry of Mine and Energy issued two White Papers entitled: "*A Modern Building Regulatory System*" and "*Certification for Local Government Building Officials*". The purpose of the White Papers is to present proposals for potential regulatory changes to the building regulatory system for comments from local governments, building officials, professional engineers and architects, the building industry and other participants in building regulatory system.

The White Paper on "*A Modern Building Regulatory System*" presents proposals to strengthen the Provincial role as the sole authority to adopt and provide interpretations for a uniform Building Code across the Province. The White Paper on "*Certification for Local Government Building Officials*" proposes a system for mandatory certification of building officials including continuing professional development.

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 2

The Province has sought comments on the proposals across the building regulatory system through a variety of means including meetings with building officials, an online survey and other direct consultations. On 2012 March 27, the Branch hosted a consultation meeting in Burnaby which was attended by Councillor Sav Dhaliwal and the City's Chief Building Inspector, Patrick Shek. Staff have participated in the consultation process, and have provided comments on the White Paper proposals, as generally outlined in this report.

At this point in the consultation process, the Building and Safety Standards Branch has advised that the subject or revised proposals may be advanced to government for introduction of legislative changes; however, specifics of potential changes and the timing of changes remain to be determined.

The purpose of this report is to provide Council with the information on the proposals in the White Papers and to seek Council endorsement of the response from the City for submission to the Minister and the Building and Safety Standards Branch. This report recommends that the Province be requested to respond to the comments received from local governments and all other building regulatory system participants through the release of 'revised' White Papers by the Branch, prior to advancing any specific legislative changes to implement finalized proposals.

## 2.0 MODERN BUILDING REGULATORY SYSTEM

Over the last 25 years, the Province had undertaken a number of different reviews on the building regulatory system, with incremental changes pursued through each. In 2004, a modernization strategy was established but was not implemented, as government priorities shifted to focus on 'greening' of the Building Code and mid-rise (6 storey) wood-frame construction provisions. In 2011, the Province started a further round of consultation with participants in the building regulatory system, which contributed to the development of the subject White Papers.

In 2012 February, the Province issued the White Paper entitled "*A Modern Building Regulatory System*". The following summarizes the proposals in this White Paper and presents staff comments provided to the Building and Safety Standards Branch for endorsement by Council.

### 2.1 *Uniform Building Code Proposal*

For many years, the Province has been responsible to develop and maintain the B.C. Building Code (the Code), which sets the standards for the Province's building regulatory system. Local governments are able to adopt the Building Code through their bylaws and are responsible to administer, interpret and enforce the Code. For a number of years, the Province has also been moving towards a more uniform Building Code system, which would ensure more consistent application of standards and requirements across all jurisdictions in B.C.

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 3

For example, prior to the establishment of the provisions in the Community Charter in 2003, local governments had the ability to pass bylaw provisions and standards to regulate building construction requirements that were over and above the provisions in the Building Code. An example of such provisions would be the setting of supplementary fire sprinkler system requirements which are in place in about 30 communities across B.C. Many other additional provisions are also in place across B.C. For example, Burnaby has a requirement for submission of a review of the building envelope details by a building envelope professional engineer for multiple family dwelling permit applications. This requirement was established to ensure proper design of building envelopes, which also reduces the City liability exposure.

Under the Community Charter, the Concurrent Authority provision now requires local governments to obtain Provincial approval if local governments want to establish bylaws that regulate building construction issues and items that are not in the Code. At this time, all bylaws that existed prior to the Charter are exempt from this requirement to obtain Provincial approval.

In 2008, this change to a more uniform code continued as the Community Charter was amended to allow the Province to issue binding interpretations of the Building Code. To date, however, the Province has yet to use this authority.

The Uniform Building Code proposal of the most recent White Paper continues this effort, as noted below.

#### 2.1.1 *The Proposal*

To ensure consistency throughout B.C., the White Paper proposes that the Province be the sole authority to adopt building standards and issue binding code interpretations. Under the proposal, existing local bylaws that regulate building standards would be phased out. The Province proposes to work with local jurisdictions to find solutions to address local needs where local regulations are phased out.

#### *Department Comment*

Staff would have concern with the Province being the sole authority for the issuance of binding code interpretations, primarily as it would relate to the timeliness of interpretations needed to address permits and/or construction that was in progress.

While establishing a source of approved interpretations at the Provincial level would be of assistance to all jurisdictions in BC, provision should also be made to allow local jurisdictions to provide for interpretations, where necessary, to allow for advancement and prevent unnecessary delay of permit issuance and construction that is in progress.

Overtime, the Provincial collection of interpretations would provide a resource to also facilitate permit issuance and resolution of construction issues, however, in the short term, and in relation to active permit requests and construction, the sole reliance on

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 4

seeking Provincial code interpretations could prove time consuming and could cause delay of construction, and as such, would not meet the day-to-day needs of the industry.

As a proposed approach, it is suggested that local jurisdiction should be allowed to continue to make interpretations, where necessary, to facilitate the permit and inspection process; with a source of approved interpretations being maintained at a Provincial level as a Province wide resource and to promote consistency throughout B.C.

Staff are also concerned with the proposal to phase out all local building regulatory bylaws, as proposed in the White Paper. Many local jurisdictions have pursued local bylaws to address specific community needs, as well as to respond to important issues where the Provincial government was unable to find a solution that could be applied uniformly across the Province. As noted, supplementary fire sprinklers are important to many jurisdictions, and were developed locally to address needs, without the necessity of having requirements forced on all other areas that do not have the same needs or objectives. This local approach, also allows for a response to an issue that may not be a current or future Provincial priority.

## 2.2 *Alternative Solution and Product Evaluations Proposal*

Compliance of the Building Code can be achieved by either following the prescriptive requirements in the Code, or by proposing alternate solutions that meet the intent the Building Code. Specific building products and assemblies that are developed to meet the intent of the Building Code are required to be tested and listed by a recognized testing/certification agency, such as Underwriter Laboratory of Canada (ULC) or Canadian Construction Materials Centre (CCMC), in accordance with certain standards, such as those published by Canadian Standards Association (CSA). This process ensures building safety while allowing for the development and application of technologies that can decrease costs and allow for the introduction of alternate solutions to meet Building Code requirements. However, currently, each local jurisdiction must consider and determine whether to accept an alternate solution, which requires some level of expertise and multiple similar evaluations across jurisdictions.

### 2.2.1 *The Proposal*

The White Paper is proposing that the Province establish a body to evaluate alternative solutions and new products in order to eliminate the need for multiple reviews across jurisdictions of the same alternate solutions. The decisions and approvals of the Province would be registered and made available to all industry participants.

#### *Department Comment*

Staff are supportive of this proposal. It would create a body in the Province to evaluate alternate solutions and new building products, and would establish a registry of approved alternate solutions that would assist local jurisdictions and builders. It would remove the requirement to review alternate solutions at a local level and the need for repetitive

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 5

reviews of similar solutions across projects and jurisdictions, and enable alternate solutions to be shared or transferred between jurisdictions. This would also assist in the common review of new building products and assemblies that cover a very wide spectrum, and reduce the resources needed to complete the review, and avoid the transfer of some liability to a local jurisdiction that may have accepted new products for evaluation at a local level.

For Burnaby, the City has the available staff expertise to review and approve alternative solutions that are submitted by a Code Consultant for consideration by the City. This is a regular part of the City's Building Permit process, and results in comparable and improved responses to the prescriptive requirements of the Building Code where an alternate solution would provide for a better response. The City is less able to review and accept new building products and assemblies that are developed to meet the intent of the Building Code, particularly where the required testing and acceptance by a recognized testing/certification agency, such as Underwriter Laboratory of Canada (ULC) or Canadian Construction Materials Centre (CCMC), in accordance with certain standards, has not been achieved. This is a role that the Province could provide. Provincial review and acceptance of new building products and assemblies would reduce the time and costs for the industry in achieving certification through testing/certification agencies, it would reduce demands on City resources for this work, and further protect the City from any arising liability concerns.

### 2.3 *Third Party Random Audits*

In the summer of 2011, the Province conducted a survey on the level of Code compliance on large projects. As a follow-up on the survey, the White Paper proposal is for the Province to obtain ongoing data on Code compliance through third party random audits. The results of the audit process would be used to determine if further changes are required to Code administration, training, inspections and standards to improve or ensure a proper level of code compliance.

#### 2.3.1 *The Proposal*

The Province is proposing in the White Paper to conduct 60 audits on building projects that involved complex building design and construction. The audit process would be designed to include a review of the role of local government officials and registered professionals in the administration of Code processes.

#### *Department Comment*

Staff generally object to the Provincial proposal for an audit process. The associations for registered professionals (architects and engineers) have also expressed a broad range of concerns to the proposal. From a local government viewpoint, the implementation of code administration and compliance processes is under the sole discretion of local governments. The level of detail and involvement of local governments is set by each jurisdiction. As such, there is not a basis for a Provincial audit in relation to a fixed

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 6

standard by the Province. The ability of local governments to determine the level of involvement in code administration process is necessary to allow for each area to respond to code administration requirements in relation to local need, resources, and interests.

## 2.4 Levy on Construction

In order to fund the Provincial role in this proposed Modern Building Regulatory System, a Provincial levy to be collected on behalf of the Province by local building departments is proposed in the White Paper. The estimated total amount of the Provincial levy is \$3.55 Million per year.

### 2.4.1 The Proposal

The levy on construction is proposed in the White Paper to be collected by building departments at the time of permit issuance. The levy could either be a percentage of the cost of construction or a flat rate.

#### *Department Comment*

Staff do not support the proposal for local governments to collect a levy on behalf of the Provincial government. The responsibility for funding the necessary Provincial role in the building regulatory system should come from Provincial sources rather than transferred only to the building industry for collection at a local level.

This process is an inefficient means to fund senior government responsibilities, and would transfer revenue collection responsibilities of the Provincial government to the local level. The proposed approach would increase the cost of construction and require duplication of revenue collection processes across all local governments, draw on the resources of local governments to collect and transfer funds to support a required Provincial responsibility, and add more layers to the necessary audit and accounting processes required for the collection and remittance of the levy.

We would suggest that the Province should fund its own role in the building regulatory system directly from Provincial sources.

## 3.0 CERTIFICATION FOR LOCAL GOVERNMENT BUILDING OFFICIALS

The qualification of all participants in the building industry is an issue of critical importance that has arisen in all Provincial consultations. It is an issue that includes participants at all levels and in all segments of the industry, whether they are designers, contractors, trades and/or building officials. In 2012 February, the Province issued a White Paper on "Certification for Local Government Building Officials", that included the following proposals.

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 7

### 3.1 The Proposal

The White Paper proposes that a system for mandatory certification for building officials be established, that would also include requirements for continuing professional development. Specifics of the proposal include:

- Defining a 'building official' as any individual who administers or enforces the BC Building Code, and to include plan checkers, building inspectors and plumbing inspectors.
- Requiring all local government building officials to be a member of the Building Officials Association of BC (BOABC), and to meet qualifications of and obtain certification from BOABC.
- Limiting local governments to only employ certified individuals as building officials.
- Limiting the functions that building officials could perform in relation to their level of certification.
- Allowing newly hired building officials to obtain "intern status", while requiring interns to be supervised by other certified building officials until they have obtained the necessary certification.
- Requiring all existing building officials to obtain the required certification within four years.

Three levels of certification are proposed:

- Level 1 - one and two family dwellings.
- Level 2 - small buildings regulated under Part 9 of the Code with footprint not more than 600 m<sup>2</sup> and not more than 3 storeys.
- Level 3 - larger and more complex buildings regulated under Part 3 of the Code.

#### Department Comment

Generally, in broad terms, staff would support proposals for the establishment of mandatory certification requirements for building officials. In terms of consistency for the qualification of building officials, the development of a common qualifications and training standards, and overall benefit to the regulatory system to address public safety, this proposal has merit and would generally result in the longer term improvement of the regulatory system.

In Burnaby, the City seeks to hire employees that have the certification, and those with training that would support achieving certification following on the job experience. However, in terms of implementation of a new certification requirement, staff has identified a number of issues and concerns that have yet to be addressed by the Province or in the White Paper, that would impact on City operations, individual employees, and the continuity of the current service provision for the building industry in the Province. These would be of significant concern should a certification process not be appropriately implemented and supported by the Province with the necessary resources to achieve the desired outcome.

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 8

Key concerns include:

- *Status of Existing staff*

The proposal, as presented, would require building staff in specific roles to obtain the necessary certification. The proposal outlines that existing staff would need to obtain certification within 4 years. However, the proposal does not make any allowances for current staff working in the profession who do not obtain the necessary certification. For example, where certification was not achieved, the current proposal would suggest that the staff would not be allowed to carry on in their current role in building departments. This raises a number of employment and contract issues across all jurisdictions that the Province would need to investigate and determine a successful approach to address these issues.

- *Job Specifications*

Should the proposed 3 levels of certification requirements be established, there would be a corresponding need for local governments to reflect the certification levels within the job specifications used for positions at the local government level. For example, in Burnaby, the job specification for Building Inspectors has only one level – Level 3 Certification. Also, while in Burnaby, job specifications currently have certification requirements, this may not be the case in other local jurisdictions. As such, there could be a need in future to have job specifications and certification requirements adjusted by local governments across the Province to match all three levels of certification that would be available for an inspector/building official under the Provincial system.

- *Impact on Recruitment*

The proposal for certification would impact the ability of all local jurisdictions to find and recruit certified staff to meet the demands of the construction industry for service. The requirements for certification would result in the reduction of the pool of potential employees that would be available in any jurisdiction to provide service. For example, mandatory certification would hinder the ability of local governments to hire part-time plan checkers and inspectors to provide coverage during peak work load periods or to provide coverage in response to retirements, sick, vacation or other work availability issues. Particularly, it would prevent hiring of well experienced building officials who may be retired or otherwise available to work part-time, but would not necessarily have current BOABC certification.

- *New Training and Certification Costs*

The White Paper proposals do not provide for any government assistance to address training and certification costs. These are stated as being covered by local

To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 9

governments, and/or individuals in the profession, which is currently accommodated in Burnaby, but may not be covered in other jurisdictions. Costs associated with the certification process are approximately \$500 to obtain each of the Level 1 and Level 2, and \$2,100 for Level 3; \$448 for annual membership with BOABC per year. Other costs are also associated with initial training and preparation through courses, such as those offered at BCIT, and on-going professional development. Assistance from the Provincial government would be beneficial to support implementation of the certification system, and to offset new costs, at the local government and individual level, arising from application of the certification proposal.

#### • *Certification for Other Participants*

While the importance of proper qualification for all participants in the construction industry is well recognized, the White Paper proposals did not address this issue in a broad manner, but focussed primarily at the local government building official level. While trades, such as electricians, plumbers and carpenters are licensed, many other trades involved in building construction are not licensed and require no certification or qualifications to work in the industry – these trades include roofing, building envelop, drywalling, and insulating.

In the White Paper, the Province mentioned that they will require qualification for new residential builders of 4 units or less, but the existing builders are grandfathered. The White Paper also stated that the need for code knowledge or skill qualifications of other system participants would be determined through the proposed third-party audit program, without providing any further details.

In recognition of the need for proper qualifications across all segments of the industry, it is suggested that the Province should expand the proposals to include all residential builders in a system of certification, as it is important to also qualify those that are directly involved in the design and construction of buildings.

#### 4.0 CONCLUSION

As noted in the introduction of this report, the Building and Safety Standards Branch is not able to advise directly which of these proposals will advance to legislative proposals. At this point, the subject or revised proposals may be advanced to government for introduction of legislative changes, however, specifics of potential changes and the timing of changes remains to be determined.

Based on past processes involving the Building Code, staff would note that there have been five similar reviews undertaken since 1994, with very few proposals advancing to the implementation stage. Staff currently expects that there may be a similar level of government response and follow through on the current White Paper proposals.

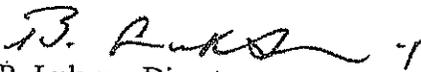
To: City Manager  
From: Director Planning and Building  
Re: A Modern Building Regulatory System and  
Certification of Local Government Building Officials  
2012 May 09.....Page 10

Nevertheless, staff continue to support the revisiting of some of the old initiatives, such as promoting uniformity and consistency in the application; interpretation and enforcement of the Building Code; centralizing new product approval; and pursuing careful and supported development of certification proposals that should also be extended to all design and construction industry participants.

The comments of this report do not support the establishment of a Provincial levy for issuance of local building permits to fund the Province role in the building regulatory system. As well, concerns are raised with regard to significant issues that would arise, should a certification process not be appropriately implemented and supported by the Province with the necessary resources to achieve the desired outcome. We are also concerned that certification for other participants of the building industry, such as contractors and trades, was not addressed in the White Paper proposals.

It is recommended that Council endorse the comments contained in this report as the City's response to the subject White Papers, with a copy of the report to be sent to the Building and Safety Standards Branch.

It is also recommended that Council request the Provincial government, through the Building and Safety Standards Branch, to respond to the comments received from local governments and all other building regulatory system participants through the release of 'revised' White Papers, prior to advancing any specific legislative changes to the implementation of the finalized proposals.



B. Luksun, Director  
PLANNING AND BUILDING

PS/LP:tn/ap

cc: Deputy City Managers  
Fire Chief  
Chief Licence Inspector  
Chief Building Inspector  
City Solicitor

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## MEMORANDUM

To: Electoral Area Directors

From: Teri Fong, Manager of Finance

Date: September 14, 2012

**RE: Gas Tax Funds**

The Gas Tax funding is a tri-partied agreement between the federal government, the province and UBCM in which federal funding is transferred to local governments for sustainable infrastructure and capacity building projects.

The original Gas Tax Agreement was created in the fall of 2005 for a five year period but the funding has since been extended into 2014. The Gas Tax is annually calculated, by the Province, as a base amount of \$50,000 for each Electoral Area plus an amount per capita. Based on this formula and the estimated \$3.5 million that the Regional District will receive each area would be allocated the following amounts if the funding were to be divided up:

<b>Estimates Based on \$3.5 Million</b>		
Area A	Bamfield	\$192,000
Area B	Beaufort	\$259,000
Area C	Long Beach	\$230,000
Area D	Sproat Lake	\$856,000
Area E	Beaver Creek	\$1,163,000
Area F	Cherry Creek	\$800,000
<b>Total</b>		<b>\$3,500,000</b>

The Electoral Area Directors were originally looking for one large project, preferably one that would generate revenue moving forward, but it has been determined that this is not feasible given the time constraints of the funding.

A number of project ideas were presented to the Electoral Area directors by the Chief Administrative Officer in 2011 and the Directors narrowed the focus to community water systems and the implementation of the Solid Waste Management Plan initiatives.

In the fall of 2011 the Board committed \$800,000 of the Gas Tax Funding to the Beaver Creek Water System and these improvements have recently started with the Kitsuksis Reservoir project. To date, this is the only commitment that has been made for the Gas Tax Funding.

All Gas Tax projects need to be completed by March 31, 2015.

Submitted by:   
\_\_\_\_\_  
Teri Fong, CGA, Manager of Finance

Approved by:   
\_\_\_\_\_  
Russell Dyson, Chief Administrative Officer



## **REQUEST FOR DECISION**

**To:** Electoral Area Directors Committee

**From:** John Thomas

**Meeting Date:** September 19, 2012

**Subject:** Gas Tax Funding for Bamfield Water Chlorination

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### **Recommendation:**

That the Electoral Area Directors recommend to the Board of Directors that \$36,500 of Gas Tax funding be allocated to the Bamfield Water System Chlorination project.

### **Summary:**

The Bamfield Water System is experiencing chronic issues regarding its disinfection ability. A recent Boil Water Advisory event brought to light the need for automatic controls and alarms. These controls are required for the pumphouse and reservoirs to maintain disinfection levels of chlorine. The water intake at Sugsaw Lake requires a new dock to access the point of intake as the current wooden structure is rotten. The Bamfield Water System is owned and operated by the ACRD. The repairs are essential for the appropriate management of the water quality to provide potable drinking water.

The following works are proposed:

1. Water Intake repairs \$10,000
2. Pump house controls and alarms for loss of disinfection \$8,500
3. Re-chlorination of reservoirs \$18,000

### **Background:**

November 2011 the Bamfield Water System hired a new Water Operator to operate and maintain the water system. Soon after starting he discovered discrepancies in the chlorine levels throughout Bamfield. A thorough search was started in order to discover what was happening in regards to the chlorine addition and remaining chlorine residual. The source water for the Bamfield Water System is from Sugsaw Lake.

While working on the chlorine pumps it was discovered that the chlorine injection valve was malfunctioning. The valve is buried four feet under the ground and is attached to the water transmission main. On August 16th a manhole was installed to access the chlorine injectors. This was a significant upgrade to the water system as it allows the operator to maintain and service the chlorine injectors. Previously, the injectors had to be excavated to enable the operator to evaluate the operational status.

A reservoir cleaning program was started in hopes of maintaining chlorine residuals, as any foreign

material in the reservoir would consume chlorine. The start of regular testing of the water entering and leaving the reservoirs indicated fluctuating levels of chlorine. During low flows the water supply pumps would only run for a short period during the day, requiring high doses of chlorine to reach and maintain the reservoirs. This method of disinfection would create taste and odour issues, primarily along the main line from the pumphouse to the reservoir. It was determined that the manual addition of chlorine directly into the reservoirs maintained chlorine residuals, without taste and odour issues in the water main. This manual method creates safety and reliability issues due to the requirement of the operator climbing up to the top of the reservoirs.

To eliminate the need for the Operator to climb the reservoirs and to ensure proper disinfection levels a secondary chlorination is being planned. Secondary chlorination at the reservoirs with automatic controls is required to take the guess work out of chlorine addition and to have uniform water quality.

On May 29, 2012, at approximately 9 PM the Bamfield Water Operator noticed the chlorine pumps were not working while the water distribution pumps were on. The water pumps were estimated to be running for one hour without the addition of chlorine. This event was fortunately noticed due to the operator being in the area at this unexpected time and a Boil Water Advisory was put into place. On June 7, VIHA gave permission to end the Boil Water Advisory. This Boil Water Advisory event meant the people of Bamfield had to endure 9 days without potable water.

An instrumentation company located in Port Alberni was asked if the water pumping system could be retrofitted with an automatic shutdown if the chlorine levels are too low. A quote was provided for \$8,500 for the controls and alarm reporting. This project will eliminate any unsafe water due to lack of disinfection from entering the water system and prevent a Boil Water Advisory like the May 29<sup>th</sup> episode.

The Bamfield Water System is faced with significant costs for necessary capital upgrades. There is currently a Request for Proposals out for an engineering consultant to update the previous Water Study done by McGill & Associates Engineering Ltd in 2004. Once a revised capital plan has been developed a further proposal for gas tax funding will be presented to the Electoral Area Directors as this project is just the first stage of the overall water system upgrades that are required to meet VIHA's 4-3-2-1 standards.

The costs required to upgrade the Bamfield Water System are well beyond the means of the local taxpayers and therefore the use of Gas Tax funds for these improvements is recommended by staff.

Submitted by: \_\_\_\_\_  
John Thomas, Environmental Services Technician

Approved by:  \_\_\_\_\_  
Russell Dyson, Chief Administrative Officer