



# TOWN OF LAKE COWICHAN

**Public Works and Environmental Services Committee**  
**Tuesday, September 6<sup>th</sup>, 2016 at 5:00 p.m. – Council Chambers**

## AGENDA

1. **CALL TO ORDER** **Page #**  
**INTRODUCTION OF LATE ITEMS** (if applicable)
2. **APPROVAL OF AGENDA**
3. **BUSINESS ARISING AND UNFINISHED BUSINESS**
  - (a) (i) Timelines for upgrade of Town's water treatment system and current status. **P2**
  - (ii) In-vessel composting and Town's plans on same.
  - (iii) Water Conservation Plan.

(b) **Ongoing Items Still Being Addressed:**

  - (i) Sidewalks and Walking Trail for North Shore Road – Update.
4. **DELEGATIONS AND REPRESENTATIONS**
5. **CORRESPONDENCE**
  - (a) Jason Fisher, Associate Deputy Minister, Ministry of Forest, Lands and Natural Resource Operations re: Rural Dividend Grant Agreement. **P3**
6. **REPORTS**

None.
7. **NEW BUSINESS**
  - (a) Request for absence from committee meetings of September 6<sup>th</sup>, 2016 Councillor Bob Day.
  - (b) Directional Signage for Town of Lake Cowichan on Youbou Road.
  - (c) On Street Parking Regulations for the Lake Cowichan Business District. **P6**
  - (d) Request for crosswalk at the intersection of Lake Park and Cowichan Lake Roads.
  - (e) Supplying British Columbia's Drinking Water. **P8**
  - (f) Capital Works Financial Planning for 2017 and beyond - process.
8. **NOTICES OF MOTION**
9. **PUBLIC RELATIONS ITEMS**
10. **MEDIA/PUBLIC QUESTION PERIOD**
11. **ADJOURNMENT**

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April 22, 2016

Alison Gardner, CPHI(C)  
Environmental Health Officer  
Island Health  
4th Floor - 238 Government Street  
Duncan, BC V9L 1A5

**Re: Notice of proposed Changes to Terms and Conditions of Operating Permit**

Thank you for your letter dated March 16, 2016 regarding the proposed Terms and Conditions to the Town of Lake Cowichan operating permit. The letter was on the Agenda of the Public Works and Environmental Services Committee meeting (see attachment) and was discussed during that meeting on April 5<sup>th</sup>, 2016.

Regarding the Water Treatment Plant funding, the committee is optimistic about the Town's application for a grant funding for upgrades to the water system. However, the awarding of the grant is not expected to be announced before mid-May of this year.

For that reason we are requesting that you allow us sometime to hear back from the granting agency and be better prepared to meet to the permit final terms and conditions.

We respectfully request your approval to revise the proposed Terms and Conditions by extending the following deadlines:

1. - Project completion budget with **and** without grant funding "from May 31, 2016 to July 31, 2016";
  - Engineered detail design completion "from December 31, 2016 to February 28, 2017".
2. Monthly reports submission beginning "from April 30, 2016 to June 30, 2016"
3. Construction Permit Application from "December 31, 2016 to February 28, 2017"
4. Construction and commission of proposed works "remains at December 31, 2017"

We believe we can still meet the deadline of December 2017 to commissioning the plant and we look forward to your approval of the requested extensions.

Yours sincerely,

Nagi Rizk, P.Eng.  
Superintendent, Public Works and Engineering Services



August 30, 2016

Dear Joseph Anthony Fernandez,

The BC Rural Dividend Program (the "Program") assists rural communities in diversifying their economies and building and retaining their workforce. Projects will help to meet the unique vision and needs of each individual community and will support the development of strong future applications to the Program.

On behalf of the Province of British Columbia (the "Province", "we", "us", or "our", as applicable), the Ministry of Forest Lands and Natural Resource Operations is pleased to confirm a grant of a one-time only lump sum of \$10,000 (the "Financial Contribution") to Town of Lake Cowichan (the "Recipient", "you" or "your" as applicable).

The Financial Contribution payment will be made once the Province has received an unaltered copy of this funding agreement (the "Agreement"), signed by you. These funds must be applied to the Town of Lake Cowichan Economic Readiness Assessment (the "Project") and used to complete the Project as per the Recipient's Application and the attached Schedule A. The Recipient will advise the Province immediately of any substantial events that could impact the Project timeline and must provide an accounting for the use of the funds upon written request by the Province.

At the sole option of the Province, any portion of the funds provided to the Recipient under this Agreement and not expended by the Project End Date as identified in Schedule A:

- (a) Must be returned by the Recipient to the Minister of Finance; or
- (b) May be retained by the Recipient as supplemental funding upon written confirmation from the Province; or
- (c) May be deducted by the Province from any future funding requests submitted by the Recipient and approved by the Province.

An amount paid by the Province to the Recipient or which is treated as such pursuant to the terms of this Agreement, and to which the Recipient is not entitled according to the terms of this Agreement is repayable to the Province and until repaid constitutes a debt due to the Province.

No later than the Project End Date as identified in Schedule A please complete and submit to the Province, a final project report which includes confirmation that the funds were spent according to Schedule A and a description of Project successes, lessons learned and outcomes achieved. The template for the final report is included with this Agreement.

In addition, please submit to the Province a copy of any report or materials produced under the Project no later than the Project End Date as identified in Schedule A.

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Ministry of Forests, Lands and  
Natural Resource Operations

Mailing Address:  
Box 9352 Stn Prov Govt  
Victoria BC V8W 9M1

Website: [www.gov.bc.ca](http://www.gov.bc.ca)

The Province reserves that right to undertake site visits and/or conduct audits during the term of the Agreement, or up to three years after distribution of funding.

Note that this Agreement requires that the Province of British Columbia and the Ministry of Forests, Lands and Natural Resource Operations be acknowledged in all Project communications, events, and signage. The Province also reserves the right to announce the results of the Rural Dividend Program and requests that the details of this Agreement are kept confidential.

In addition, by signing the Agreement, the Recipient gives their consent to the Province to publish information or materials of a non-sensitive nature (i.e. financial statements, budgets, business information) submitted to the Program for the purpose of promotional and reporting activities.

Please indicate your acceptance of the terms outlined above by signing and returning a copy of this Agreement within 60 days of receipt of this Agreement to the Rural Dividend Program Office via email to:

[ruraldividend@gov.bc.ca](mailto:ruraldividend@gov.bc.ca)

If this Agreement is not signed and received within 60 days of receipt, we may in our sole discretion render the funding offer null and void.

We wish you success in your efforts to strengthen your community. Please contact the Program Office at 250-356-7950 if you have any questions or concerns.

Yours truly,



Jason Fisher  
Associate Deputy Minister

Attachment (2): Schedule A  
Final Report Template

pc: David Borth  
Executive Director, Rural Development  
Rural Secretariat  
Ministry of Forest, Lands and Natural Resource Operations

SIGNED AND DELIVERED on behalf of Town of Lake Cowichan

\_\_\_\_\_  
Signature of Signing Authority

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title of Signing Authority

## **SCHEDULE A**

### **1. THE PROJECT**

As described in the Recipient's Application, the Project encompasses the following:

The Economic Readiness Assessment is the initial step to support and provide direction to the Town to be proactive to economic changes and improve conditions for local business, assisting in their retention and expansion. It's the intention to build on local business success to attract new investments and diversify the economy. Major activities will be contracting a consultant to perform the Assessment. The consultant will work in partnership with key Town staff to: conduct consultations with stakeholders and the public, additional asset mapping, and a new competitive analysis. Additionally will be a review of the 2001 commissioned report-Action Plan for Economic Development to determine strategies and ideas originally identified for inclusion in the updated economic planning. This work will result in an economic readiness report for new strategies and address barriers that can be the basis for a long term Economic Development Plan.

Benefits of the Assessment:

- Identify and nurture economic & social partnerships with neighbouring First Nations, community associations, local & regional governments, and private business investments
- Identify tools to attract economic investment and collaborate with other communities
- Provide the Town reliable information to dedicate resources
- Assist in prioritization of expenditures in economic activities in the short and mid-term

Outcomes for the Assessment:

- Coordinated baseline data and information to develop a more comprehensive Economic Development Plan
- Recommendations of specific partnerships that can be leveraged for additional funding and shared costs
- Specify MOU's or agreements that have positive economic outcomes
- Identify specific projects that increase the Town's exposure to targeted business investors
- Determine and articulate the Town's competitive advantages
- Build capacity in Town staff to respond and take a leadership role in proposed economic investments
- An economic vision for the citizens, that contribute to a communities vibrancy and confidence
- \* Advance community development goals as expressed in the Official Community Plan
- \* Productive relationships with partner groups

### **2. PROJECT END DATE**

The Project duration as included in the Recipient's Application is:  
4 months

The Project Start Date is the date when the Agreement is signed.

The Project End Date is 4 months from the Project Start Date.

### **3. REPORTING**

The Recipient will submit a final project report in the report template provided to the Province by the Project End Date and will include:

- (a) Confirmation that the funds were spent according to the Project defined in "THE PROJECT"; and
- (b) A description of project successes, lessons learned, and outcomes achieved.

# Excerpt from City of Nanaimo Parking Guidelines

## On-Street Parking

The City of Nanaimo has 924 on street parking stalls available for public use. These stalls consist of unmetered, metered and disabled stalls.

Non-metered stalls	619 stalls
Metered Stalls	285 stalls
Disabled Stalls	20 stalls

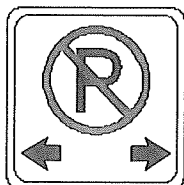
## 2 hour Zones

2 hour parking zones are designated and marked with 2 hour parking signage. There are no exemption periods for 2 hour zones. They are enforceable 7 days a week, 24 hours per day except on statutory holidays.

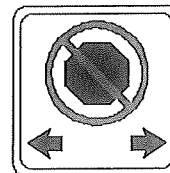
(Enforcement in Lake Cowichan can also be complaint driven).

It is not practical or desirable to install signs indicating parking regulations in every case. Signs are only installed where the Engineering Department has determined that it is necessary to extend the "No Stopping" or "No Parking" zone, or in exceptional circumstances where the situation may not be obvious to motorists.

### **NO PARKING vs. NO STOPPING**



Where "No Parking" applies on a Surrey street, a motorist may stop their vehicle while actively loading and unloading property or passengers, provided it is safe to do so. However a "No Stopping" regulation prohibits stopping a vehicle except to avoid collision, obey a traffic control device or follow instructions of a traffic control person.



### **PARKING ON RESIDENTIAL STREETS**

Some residential streets serve an arterial or collector road function. On these roads, it may be necessary to prohibit parking to ensure safety and adequate traffic capacity. On-street parking is generally permitted on local residential streets where driveway spacing and road width permit.

In some neighbourhoods, local residents support parking regulation changes such as prohibiting parking at any time, limiting parking to 2 hours, or prohibiting parking overnight. The Engineering Department can often change regulations on local roads to suit local demand. In order to proceed with such a change, staff first confirm that:

- the regulation change applies to a full block
- 67% of property owners in the block support the change
- there are no negative impacts on traffic safety

To request a change in parking regulations on your local residential street, send a letter indicating the details and signed by 67% or more of the property owners, to the Engineering Department. Please call 591-4225 for more information.

The City of Surrey believes that public roads are meant for use by all of the public and restrictions ought to apply to everyone. Therefore, Surrey does not operate a 'Resident Only Parking' Program at this time.

### **ENFORCEMENT OF PARKING REGULATIONS**

Enforcement of parking regulations in the City of Surrey is available 7 days a week. Parking Enforcement Officers follow a regular program of parking enforcement, and in addition respond to citizens' requests for enforcement.

Contact our By-law Enforcement Call Centre at 591-4370 to request enforcement.

# Supplying British Columbia's Drinking Water

In British Columbia, most people live in areas where water is provided by a local government. However, many people receive their water either from private wells or from non-governmental entities (to name a few: corporations, societies, water users' communities,<sup>1</sup> individuals, and partnerships).<sup>2</sup> If a person undertakes to provide drinking water to others, they typically become a "water supplier" and take on an onerous and highly-regulated task. This article explores some of the questions commonly asked by persons providing drinking water in B.C.

## Am I a water supplier?

*If you provide water for domestic purposes to more than one household, you are likely a water supplier and should consider your statutory obligations.*

Under B.C.'s *Drinking Water Protection Act* (DWPA), a person who operates a water supply system is a water supplier.<sup>3</sup> A "water supply system" is a system by which water is provided or offered for domestic purposes (such as drinking and cooking) to more than one single family residence.

This fundamental concept may be difficult to apply. For example, the term "single family residence" is not defined in the DWPA. A land owner who runs a bed and breakfast likely does not consider themselves to be a water supplier. The B.C. Ministry of Health may think otherwise. In the Ministry's view, the term "single family residence" is restricted to a place where a single family resides. Operating a bed and breakfast falls outside such use.<sup>4</sup>

## Do I need a license or a permit to operate a water supply system?

*As a water supplier, you need a license to divert water, as well as a construction permit and an operating permit in respect of the system.<sup>5</sup>*

All persons (including local governments) diverting surface and ground water in B.C. require a license under the *Water Sustainability Act* (WSA).<sup>6</sup> In particular, the WSA contemplates that supplying water for the use of one or more persons requires a license for "waterworks purposes."

To construct and operate a water supply system, a water supplier must obtain a construction permit and an operating permit pursuant to the DWPA. These permits are issued by a drinking water officer (DWO) – a statutory officer appointed to administer the drinking water regime. Both a construction permit and an operating permit may set standards and requirements that are

more stringent than those established by regulation.

## Do I need to be qualified to operate a water supply system?

*Unless you are operating a small system, you must be qualified to operate a water supply system.*

Water supply system operators must be certified by the Environmental Operators Certification Program (EOCP). EOCP – operated by the Environmental Operators Certification Program Society – establishes various classes of certification and directs persons to the required training.<sup>7</sup> Small systems (serving up to 500 individuals) are not subject to this requirement, unless expressed in an operating permit.

## What quality of water must I provide?

*As a water supplier, you must provide water that is potable and meets the requirements of applicable regulations and the operating permit.*

Pursuant to the DWPA, water suppliers must provide "potable water." The term "potable water" means water that: (a) meets the standards prescribed

1 Under B.C.'s *Water Users' Communities Act*, R.S.B.C. 1996, c. 483, six or more water licence holders can be incorporated into a water users' community, with specified powers related to such licenses.

2 "Fit to Drink: Challenges in Providing Safe Drinking Water in British Columbia," B.C. Ombudsperson, Special Report No. 32, June 2008.

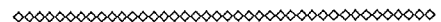
3 S.B.C. 2001, c. 9.

4 "Drinking Water Officers' Guide," Ministry of Health, September 2014, p. 17.

5 This is not an exhaustive list of permits that may be required to construct and operate a water supply system. Each system should be considered in light of its operator (which may be considered a public utility), structural components, location, and capacity.

6 S.B.C. 2014, c. 15.

7 <<http://eocp.ca>>.



**OLGA RIVKIN** is a local government and regulatory lawyer at Bull, Houser in Vancouver, B.C. She has advised municipal, provincial, and federal levels of government, as well as private entities, on subdivision, land development, environmental, and other matters, including the

regulation of water resources. She can be reached at <[olr@bht.com](mailto:olr@bht.com)>.

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## In the absence of an order, a water supplier is only obligated under the DWPA to issue a public notice if there is a drinking water health hazard and the DWO cannot be immediately notified.

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by regulation; and (b) is safe to drink and fit for domestic purposes without further treatment. Determining whether water is potable is a results-based process.

The *Drinking Water Protection Regulation* (DWPR),<sup>8</sup> adopted pursuant to the DWPA, prescribes standards for fecal coliform bacteria, *E. coli*, and total coliform bacteria. The DWPR also requires that, if the drinking water originates from surface water or groundwater that is at risk of containing pathogens, such water must be disinfected.

Except for the foregoing, there are no prescribed standards. To determine water safety, a water supplier is guided by various policies and guidelines, including the *Guidelines for Canadian Drinking Water Quality* (Guidelines).<sup>9</sup> Such policies and guidelines are not prescriptive, unless incorporated into the operating permit.

### When do I have to issue a public notice?

*Despite its extreme importance, the public notification regime in B.C. is not clear.*

Water suppliers and testing labs have an obligation to notify the DWO of non-compliance with regulatory standards or a threat to drinking water. When notified, the DWO may request or order a water supplier to give public notice in a manner approved by the DWO.

In the absence of an order, a water supplier is only obligated under the DWPA to issue a public notice if there is a drinking water health hazard and the DWO cannot be immediately notified.

On the one hand, this system affords flexibility to DWOs about when and how to notify the public. On the other hand, the water supplier's role is unclear. For example, could a DWO require the supplier to decide whether a notice should be issued? Should a supplier issue a notice if the DWO does not order one? In such instances, who is responsible for the ultimate decision – the DWO or the supplier?

### How do I identify hazards and threats?

*Determining if a drinking water health hazard or a threat exists is a results-based process, similar to determining whether water is safe.*

Water suppliers must be able to identify “threats” to drinking water and “drinking water health hazards.” The term “threat” under the DWPA means a condition or thing that may result in drinking water not being potable. The term “drinking water health hazard” is broader and means a condition or thing that endangers (or is likely to endanger) the public health or prevents/hinders the prevention or suppression of disease.

Water suppliers can rely on the DWPR and the various federal and provincial guidelines when determining if

a threat or a hazard exists. Notably, the DWPR only requires water suppliers to monitor water for *E. coli* and total coliform bacteria, at a specified frequency (which increases relative to the population served by the supplier).<sup>10</sup> Water suppliers may carry out broader (and more frequent) sampling at their discretion (or as ordered by the DWO).

### How can I protect the water source?

*Water suppliers in B.C. have limited authority to protect the water source.*

Drinking water sources face numerous pressures. People could be using the water source for recreation, industry, fishing, navigation, and drinking. Areas around the water source could be developed, mined, or logged.<sup>11</sup>

Water suppliers have limited ability to protect their water source. Some water suppliers acquire properties in the watershed. Others rely on the DWO to prevent persons from doing things which result in a drinking water health hazard.

The province has the ability to be more proactive. For instance, the WSA enables the province to adopt regulatory objectives which would be binding on various decision makers. Also, the WSA and the DWPA enable the province to require water sustainability plans. Such plans, if approved, are implemented by regulation and could require various decision makers to consider watershed-related issues. Neither tool has yet been fully utilized.

In conclusion, supplying water is a highly-regulated and onerous task. However, being knowledgeable about your responsibilities as a water supplier and understanding the legislation and regulations that apply will provide you with an important foundation for protecting public health. MW

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8 B.C. Reg. 200/2003.

9 Additional guidelines in British Columbia include *Drinking Water Treatment Objectives (Microbiological) for Surface Water Supplies in British Columbia* and the *Drinking Water Treatment Objectives (Microbiological) for Ground Water Supplies in British Columbia*. These can be found on the B.C. Ministry of Health website.

10 In 2008, B.C.'s Ombudsperson raised some concerns about this approach, suggesting that the flexibility that it afforded had not been used to its full potential. See “Fit to Drink: Challenges in Providing Safe Drinking Water in British Columbia,” Ombudsperson, Special Report No. 32, June 2008.

11 Harmonization among government agencies was identified as one of the outstanding issues in the 2015 “Progress on Action Plan for Safe Drinking Water in BC,” published by the Ministry of Health.