THIS IS A CONSOLIDATION, FOR REFERENCE PURPOSES, OF:

- “Greater Vancouver Sewerage and Drainage District Cost Apportionment Bylaw No. 283, 2014” (Adopted March 28, 2014)

- “Greater Vancouver Sewerage and Drainage District Cost Apportionment Amending Bylaw No. 301, 2016” (Adopted October 28, 2016)

- “Greater Vancouver Sewerage and Drainage District Cost Apportionment Amending Bylaw No. 328, 2019” (Adopted July 26, 2019) (Effective January 1, 2020)

- “Greater Vancouver Sewerage and Drainage District Cost Apportionment Amending Bylaw No. 331, 2019” (Adopted November 1, 2019)

As of November 1, 2019

COPIES OF THE ORIGINAL BYLAWS MAY BE INSPECTED AT
BOARD AND INFORMATION SERVICES
WHEREAS:

A. Section 55(2) of the Greater Vancouver Sewerage and Drainage District Act (the “Act”) provides that the amount for annual expenditures of a sewerage area that is entirely within a municipality shall be apportioned to that municipality, unless a bylaw under section 55(4) applies;

B. Section 55(3) of the Act provides that the amount for annual expenditures of a sewerage area that includes two or more municipalities shall be apportioned among them on the basis of the converted value of land and improvements, unless a bylaw under section 55(4) applies;

C. Section 55(4) of the Act authorizes the Administration Board by bylaw to establish a different method of apportionment of costs among the member municipalities;

D. This bylaw sets out the Greater Vancouver Sewerage and Drainage District’s method of apportioning annual sewerage and drainage expenditures among the member municipalities, as permitted by section 55(4) of the Act;

E. Section 6(5) of the Act provides that the Corporation and the University of British Columbia may enter into agreements for the carrying-out of the objects of the Corporation within the university site;

F. Section 6(6) of the Act authorizes that if, by January 31 of any year there is no agreement under subsection (5) in force with respect to that year, the Corporation may apportion sums to the University of British Columbia under the Act as if the university were a member municipality of the Corporation and as if the university site were the area of a member municipality of the Corporation; and

G. Section 6(7) of the Act provides that the University of British Columbia must pay to the Corporation those sums apportioned to it under section 6(6) as if the university were a member municipality of the Corporation.

NOW THEREFORE the Administration Board of the Greater Vancouver Sewerage and Drainage District in open meeting assembled of which and for the purpose of which due notice was given, enacts as follows:

1. **Definitions**

In this bylaw:

“Assessed Value” as applied in any calendar year in respect of any particular area, means the aggregate ‘converted value of land and improvements’ (as that term is defined in the Community Charter) within such area for the immediately preceding calendar year, as
provided by the assessment commissioner of the British Columbia Assessment Authority pursuant to section 804.2 of the *Local Government Act*;

*Added by Bylaw 331, 2019*

“*Carbonaceous Biochemical Oxygen Demanding Matter*” or “*CBOD*” means carbonaceous matter that consumes, by biochemical oxidation, oxygen dissolved in water;

“*Community Benefit*” means any aspect of any of the Corporation’s wastewater treatment plants that is unrelated to the Corporation’s activities;

“*Corporation*” means the Greater Vancouver Sewerage and Drainage District;

“*Dry Weather Flow*” in respect of any 12 month period means:

(i) for a Sewerage Area, the 25th percentile of the average daily flows of sewage and wastewater, as determined by the Corporation, measured at whichever (one or more) of the Corporation’s five wastewater treatment plants (being Annacis Island, Iona, Lions Gate, Lulu Island and North-West Langley) providing service to that Sewerage Area;

(ii) for a member municipality of the Fraser Sewerage Area for the purposes of sections 3.1 and 7.4, the 25th percentile of the average daily flows of sewage and wastewater discharged from that member municipality as measured at the flow metering stations for that member municipality, or where there is insufficient data from flow metering stations, as determined by the Corporation, based on (A) discharge rates applicable to land use, land area and population data based on the design criteria for wastewater discharges in the Rawn Report of September 1953, as updated by the Corporation from time to time, (B) temporary flow monitoring from mobile meters, (C) data from pump stations or, (D) such other data deemed appropriate by the Corporation for making such determination;

*Added by Bylaw 331, 2019*

“*Effluent*” means wastewater that is deposited from a wastewater system;

“*Growth Component*” means, together, the Tier I Growth Component and the Tier II Growth Component;

“*Industrial Assessed Value*” in respect of any particular area, means the aggregate of the Assessed Values attributed by the Corporation to all lands and improvements within such area which are the subject of an Industrial Permit or Industrial Permits;

“*Industrial Flows*” in respect of any 12 month period, for a Sewerage Area or any member municipality thereof, means the average daily flows of sewage and wastewater discharged within the Sewerage Area or member municipality during such 12 month period under an Industrial Permit or Industrial Permits, as determined by the Corporation;

“*Industrial Treatment Costs*” means the costs as determined by the Corporation to treat and dispose of sewage and wastewater discharged pursuant to an Industrial Permit;
“Industrial Permit” means a permit issued by the Corporation under Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No.299, 2007, as amended or replaced from time to time, and “Industrial Permittee” means a person holding a valid Industrial Permit;

“Operation and Maintenance Costs” means the costs of operating and maintaining the Corporation’s sewerage infrastructure;

Revised by Bylaws 331, 2019 and 328, 2019

“Regional Share” means 70% of Tier II Non-Growth Component and 100% of Tier III Component;

“Sewerage Area” means any of the Fraser Sewerage Area, the Lulu Island West Sewerage Area, the North Shore Sewerage Area and the Vancouver Sewerage Area, being respectively the sewerage areas established by the Corporation under the Act;

Revised by Bylaw 328, 2019

“Sewerage Area Share” means 30% of Tier II Non-Growth Component;

Added by Bylaw 331, 2019

“Suspended Solids” means any solid matter contained in effluent that is retained on a filter of 2.0 micrometre or smaller pore size;

Added by Bylaw 331, 2019

“Tertiary Treatment” for the purposes of this bylaw only means treatment of wastewater by filtration that produces the following quality of effluent:

(i) the average carbonaceous biochemical oxygen demand (BOD) due to the quantity of CBOD matter in the effluent, determined in accordance with a five-day biochemical oxygen demand test with nitrification inhibition and averaging periods as set out in the federal Wastewater Systems Effluent Regulations SOR/2012-139, as amended from time to time, does not exceed 10 mg/L; and

(ii) the average concentration of suspended solids in the effluent, determined in accordance with a total suspended solids (TSS) test, does not exceed 10 mg/L;

Revised by Bylaw 328, 2019

“Tier I Growth Component” means all of the capital expenditures, net of revenue, incurred by the Corporation for Tier I Projects that are primarily “growth” projects, as provided for in the applicable annual budgets of the Corporation or in the supporting documentation to such annual budgets;

Revised by Bylaw 328, 2019

“Tier I Non-Growth Component” for any 12-month period, means the aggregate of those capital expenditures, net of revenue, for Tier I Projects not constituting the Tier I Growth Component;

Revised by Bylaw 331, 2019

“Tier I Project” means any capital project provided for in an annual budget of the Corporation or in the supporting documentation to any such annual budget, other than a Tier II Project or a Tier III Project;
“Tier II Growth Component” means all of the capital expenditures, net of revenue, incurred by the Corporation for Tier II Projects that are primarily “growth” projects, as provided for in the applicable annual budgets of the Corporation or in the supporting documentation to such annual budgets;

“Tier II Non-Growth Component” for any 12-month period, means the aggregate of those capital expenditures, net of revenue, for Tier II Projects not constituting the Tier II Growth Component;

“Tier II Project” means a capital infrastructure project at any of the Corporation’s wastewater treatment plants, other than:

(i) any portion of a project that is a Community Benefit;
(ii) any portion of the upgraded Lions Gate wastewater treatment plant and the upgraded Iona wastewater treatment plant that is primary treatment infrastructure equivalent to primary treatment infrastructure that was in place at Annacis wastewater treatment plant and Lulu Island wastewater treatment plant prior to those plants being upgraded to secondary treatment, namely the primary treatment tanks; or
(iii) any portion of the project that is a Tier III Project;

“Tier III Component” for any 12-month period, means the aggregate of all capital expenditures, net of revenue, for Tier III Projects;

“Tier III Project” means a capital infrastructure project at any of the Corporation’s wastewater treatment plants that upgrades the plant to Tertiary Treatment;

“Total Dry Weather Flows” means the aggregate of the Dry Weather Flows for all of the Corporation’s Sewerage Areas;

“UBC Dry Weather Flow” in respect of any 12 month period means the 25th percentile of the average daily flows of sewage and wastewater discharged from the university site, as determined by the Corporation, and based upon:

(i) flow monitoring meters for the University of British Columbia, and
(ii) such other data deemed relevant by the Corporation for making such determination;

“UEL Dry Weather Flow” in respect of any 12 month period means the 25th percentile of the average daily flows of sewage and wastewater discharged from the University Endowment Lands, as determined by the Corporation, and based upon:

(i) temporary flow monitoring by mobile flow meters for the University Endowment Lands, and
such other data deemed relevant by the Corporation for making such determination;

*Revised by Bylaw 328, 2019*

“*University Endowment Lands*” means the area of the University Endowment Lands (as referred to in section 5(2) of the Act); and

*Added by Bylaw 328, 2019*

“*University Site*” means the area of the University of British Columbia (as referred to in section 6(11) of the Act).

2. **DELETED by Bylaw 301. 2016**

3. **DELETED by Bylaw 301, 2016**

*Revised by Bylaw 328, 2019*

4. **Apportionment of Growth Costs**

4.1 The Corporation will raise sufficient monies to pay the Growth Component in each year, as capital expenditures are incurred.

4.2 The Corporation will apportion to each Sewerage Area:

(a) 100% of the Tier I Growth Component that is attributable to that Sewerage Area; and

(b) 30% of the Tier II Growth Component that is attributable to that Sewerage Area.

4.3 The Corporation will apportion among the Sewerage Areas the total costs incurred in respect of 70% of Tier II Growth Component on the basis of the following formula:

\[
\frac{\text{Sewerage Area Population Growth}}{\text{District Population Growth}} \times \text{The total costs incurred in respect of 70% of Tier II Growth Component}
\]

4.4 The Corporation will apply the development cost charge monies (the “*DCC Monies*”) received under Greater Vancouver Sewerage and Drainage District Development Cost Charge Bylaw No. 254, 2010 (as amended or replaced from time to time) in any year and apportioned to a particular Sewerage Area to pay up to 99% of the sum of the Tier I Growth Component and Tier II Growth Component apportioned to that Sewerage Area pursuant to sections 4.2 and 4.3.

4.5 The Corporation will further apportion among the member municipalities within each Sewerage Area (including, in the case of the Vancouver Sewerage Area, the University Endowment Lands) the total of:

(a) 1% of the sum of the amounts apportioned to the Sewerage Area pursuant to sections 4.2 and 4.3; and
(b) the amount by which the DCC Monies are insufficient to pay 99% of the sum of the amounts apportioned to the Sewerage Area pursuant to sections 4.2 and 4.3;

on the basis of the following formula:

\[
\frac{\text{Member Population Growth}}{\text{Sewerage Area Population Growth}} \times (a) \text{ and } (b)
\]

4.6 For the purposes of the formulae set out in sections 4.3 and 4.5, the Member Population Growth, the Sewerage Area Population Growth and the District Population Growth will be the applicable (rolling) average annual population growth (as published in the most recent edition, as determined by the Corporation, of British Columbia Municipal and Regional District Population Estimates of BC Stats, of the Government of the Province of British Columbia) in each respective area for the five-year period that precedes and ends on December 31 of the calendar year that is two years prior to December 31 of the calendar year in respect of which the calculation is made. Despite the foregoing, the Member Population Growth for the University Endowment Lands will be deemed to be equal to 0.9% of the Member Population Growth for the City of Vancouver.

4.7 Special Apportionment for the Vancouver Sewerage Area

(a) If by January 31 of any year there is no agreement under subsection 6(5) of the Act in force with respect to that year, and for the purpose of further apportioning costs apportioned to the Vancouver Sewerage Area under sections 4.2 and 4.3, the Corporation will further apportion to the University of British Columbia an amount equal to:

\[
A \times \left[\frac{(B + C)}{D}\right], \text{ where:}
\]

\[
A = 90\% \text{ of the sums of the amounts apportioned to the Vancouver Sewerage Area as calculated in Sections 4.5 (a) and (b)}
\]

\[
B = \text{University of British Columbia residential population (the population as published in the most recent edition, as determined by the Corporation, of British Columbia Municipal and Regional District Population Estimates of BC Stats, of the Government of the Province of British Columbia)}
\]

\[
C = \text{University of British Columbia student population (the total student enrolment for the Vancouver campus, reported/published annually by the University’s Provost and Vice-President Academic)}
\]

\[
D = \text{Vancouver Sewerage Area total population (the total member population for that Area’s member municipalities as published in the most recent edition, as determined by the Corporation, of British}
\]
Columbia Municipal and Regional District Population Estimates of BC Stats, of the Government of the Province of British Columbia, and where the member population for the University Endowment Lands will be deemed to be equal to 0.9% of the member population for the City of Vancouver).

This sum of money to be paid by the University of British Columbia will be due and payable on the fifteenth day of August in such year, with any sum of money apportioned but not paid by such due date bearing interest pursuant to section 6(8) of the Act.

(b) Despite section 4.4, for the Vancouver Sewerage Area, the Corporation will apply, to pay up to 99% of the Tier I Growth Component and Tier II Growth Component apportioned to the Vancouver Sewerage Area pursuant to sections 4.2 and 4.3:

(1) Monies received from the University of British Columbia pursuant to section 4.7(a); and

(2) DCC Monies received under Greater Vancouver Sewerage and Drainage District Development Cost Charge Bylaw No. 254, 2010 (as amended or replaced from time to time) in any year and apportioned to the Vancouver Sewerage Area.

5. **Industrial Treatment Costs**

5.1 The Corporation will charge its Industrial Treatment Costs directly to Industrial Permittees and Industrial Treatment Costs will not be apportioned to the Sewerage Areas or member municipalities pursuant to this Bylaw.

5.2 For the purpose of section 7.1, all Assessed Values will be reduced by an amount equal to the Industrial Assessed Value within each relevant area for Industrial Permits (Permittees).

6. **Apportionment of Non-Growth Costs**

6.1 Except as otherwise provided in this bylaw, the Regional Share will be apportioned among the Sewerage Areas in the same proportion that the Dry Weather Flow for each Sewerage Area during the twelve month period ending June 30 of the immediately preceding year bears to the Total Dry Weather Flows during that same period.

*Revised by Bylaw 328, 2019*

6.2 The Sewerage Area Share will be apportioned to those Sewerage Areas for which the Corporation has incurred Tier II Non-Growth Component, in the proportion that Tier II Non-Growth Component incurred for services within a Sewerage Area bears to 100% of Tier II Non-Growth Component.

*Revised by Bylaw 328, 2019*
6.3 The Tier I Non-Growth Component will be apportioned to the Sewerage Area for which the costs were incurred.

7. **Apportionment of Non-Growth Costs Among Member Municipalities**

*Revised by Bylaw 328, 2019*

7.1 Except as otherwise provided in this bylaw, the total of:

(a) the portion of the Regional Share apportioned to the Vancouver Sewerage Area under section 6.1;

(b) the Sewerage Area Share apportioned to the Vancouver Sewerage Area under section 6.2;

(c) the Tier I Non-Growth Component apportioned to the Vancouver Sewerage Area under section 6.3; and

(d) all other costs apportioned to the Vancouver Sewerage Area pursuant to section 9,

will, except for the amount apportioned under section 8.1, be further apportioned among the member municipalities within the Vancouver Sewerage Area in the same proportion that the Assessed Value (as adjusted in accordance with section 5.2) of the lands of each member municipality within the Vancouver Sewerage Area bears to the Assessed Value (as adjusted in accordance with section 5.2) of all lands within the Vancouver Sewerage Area.

*Revised by Bylaw 328, 2019*

7.2 Except as otherwise provided in this bylaw, the total of:

(a) the portion of the Regional Share apportioned to the Lulu Island West Sewerage Area under section 6.1;

(b) the Sewerage Area Share apportioned to the Lulu Island West Sewerage Area under section 6.2;

(c) the Tier I Non-Growth Component apportioned to the Lulu Island West Sewerage Area under section 6.3; and

(d) all other costs apportioned to the Lulu Island West Sewerage Area pursuant to section 9,

will be further apportioned entirely to the City of Richmond, being the sole member municipality within that Sewerage Area.

*Revised by Bylaw 328, 2019*

7.3 Except as otherwise provided in this bylaw, the total of:
(a) the portion of the Regional Share apportioned to the North Shore Sewerage Area under section 6.1;

(b) the Sewerage Area Share apportioned to the North Shore Sewerage Area under section 6.2;

(c) the Tier I Non-Growth Component apportioned to the North Shore Sewerage Area under section 6.3; and

(d) all other costs apportioned to the North Shore Sewerage Area pursuant to section 9,

will be further apportioned among the member municipalities within the North Shore Sewerage Area as follows:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Corporation of the District of West Vancouver</td>
<td>30%</td>
</tr>
<tr>
<td>The Corporation of the District of North Vancouver</td>
<td>45%</td>
</tr>
<tr>
<td>City of North Vancouver</td>
<td>25%</td>
</tr>
</tbody>
</table>

Revised by Bylaw 328, 2019

7.4 Except as otherwise provided in this bylaw, the total of:

(a) the portion of the Regional Share apportioned to the Fraser Sewerage Area under section 6.1;

(b) the Sewerage Area Share apportioned to the Fraser Sewerage Area under section 6.2;

(c) the Tier I Non-Growth Component apportioned to the Fraser Sewerage Area under section 6.3; and

(d) all other costs apportioned to the Fraser Sewerage Area pursuant to section 9,

will be apportioned among the member municipalities of the Fraser Sewerage Area in the proportion that 100% of the Dry Weather Flow for each member municipality during the five year period ending June 30 of the previous year, less 100% of the Industrial Flows for each such member during the same period, bears to 100% of the Dry Weather Flow for the entire Fraser Sewerage Area, less 100% of the Industrial Flows for the entire Fraser Sewerage Area, during the same period.

8. Special Apportionment for Vancouver Sewerage Area

8.1 For the purpose of further apportioning costs apportioned to the Vancouver Sewerage Area, under section 7.1:

(a) the amount to be apportioned to the University Endowment Lands in respect of the University Endowment Lands will be equal to that portion of the costs apportioned to the Vancouver Sewerage Area that the UEL Dry Weather Flow bears to 100% of the Dry Weather Flow for the Vancouver Sewerage Area less 100% of the Industrial
Flows for the Vancouver Sewerage Area, during the 12 month period ending June 30 of the immediately preceding year; and

(b) the amount to be apportioned to the University of British Columbia in respect of the university site will be equal to that portion of the costs apportioned to the Vancouver Sewerage Area that the UBC Dry Weather Flow bears to 100% of the Dry Weather Flow for the Vancouver Sewerage Area less 100% of the Industrial Flows for the Vancouver Sewerage Area, during the 12 month period ending June 30 of the immediately preceding year.

9. **Apportionment of Operation and Maintenance Costs and Previously Unapportioned Capital Costs**

9.1 Operation and Maintenance Costs attributable to a particular Sewerage Area will be apportioned to the Sewerage Area for which such costs will be incurred, and will be further apportioned within each Sewerage Area on the basis set out in sections 7 and 8.

9.2 Operation and Maintenance Costs that are not attributable to a particular Sewerage Area and relate to region wide programs will be apportioned among the Sewerage Areas in the same proportion that the Dry Weather Flow for each Sewerage Area during the twelve month period ending June 30 of the immediately preceding year bears to the Total Dry Weather Flows during that same period, and will be further apportioned within each Sewerage Area on the basis set out in sections 7 and 8.

9.3 Operation and Maintenance Costs that are not attributable to a particular Sewerage Area and comprise administration and corporate service costs will be apportioned among the Sewerage Areas in the same proportion that the Operation and Maintenance Costs apportioned to each Sewerage Area for the previous year bears to the total Operation and Maintenance Costs for the same period, and will be further apportioned within each Sewerage Area on the basis set out in sections 7 and 8.

9.4 All principal, interest and other financing costs (excluding costs referred to in section 10.1) arising out of capital expenditures which have not already been apportioned pursuant to any other section of this bylaw and can equitably be apportioned (in the sole discretion of the Corporation) to a single Sewerage Area will be apportioned entirely to that Sewerage Area and further apportioned within that Sewerage Area on the basis set out in sections 7 and 8. If any principal, interest and other financing costs (excluding costs referred to in section 10.1) arising out of capital expenditures which have not already been apportioned pursuant to any other section of this bylaw cannot equitably be attributed to a single Sewerage Area, such costs will be apportioned among the Sewerage Areas on the basis set out in section 6.1 and further apportioned within each Sewerage Area on the basis set out in sections 7 and 8.

10. **Apportionment of Drainage Area Costs**

10.1 Despite any other section of this bylaw, all costs relating to the three drainage areas of the Corporation, being the Still Creek/Brunette River Drainage Area, the Port Moody/Coquitlam Drainage Area, and University Drainage Area, will be apportioned among the member
municipalities in the same proportion that the Assessed Value within each member municipality bears to the total Assessed Value within all member municipalities.

11. **Severability**

11.1 If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid or unenforceable by a decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions of the Bylaw.

*Renumbered by Bylaw 328, 2019*

12. **Citation**

12.1 This bylaw shall be cited for all purposes as “Greater Vancouver Sewerage and Drainage District Cost Apportionment Bylaw No. 283, 2014”.

*Renumbered by Bylaw 328, 2019*

13. **Effective Date**

13.1 This bylaw shall take effect on the 28 of March 2014.