

**METRO VANCOUVER REGIONAL DISTRICT  
FINANCE COMMITTEE**

**REGULAR MEETING**

**Thursday, September 8, 2022**

**1:00 pm**

**Meeting conducted electronically/in-person pursuant to the Procedure Bylaw**

**28<sup>th</sup> Floor Boardroom, 4515 Central Boulevard, Burnaby, British Columbia**

**Webstream available at <http://www.metrovancouver.org>**

**REVISED AGENDA<sup>1</sup>**

**1. ADOPTION OF THE AGENDA**

**1.1 September 8, 2022 Regular Meeting Agenda**

That the Finance Committee adopt the agenda for its regular meeting scheduled for September 8, 2022 as circulated.

**2. ADOPTION OF THE MINUTES**

**2.1 July 14, 2022 Regular Meeting Minutes**

That the Finance Committee adopt the minutes of its regular meeting held July 14, 2022 as circulated.

*pg. 4*

**3. DELEGATIONS**

**4. INVITED PRESENTATIONS**

**5. REPORTS FROM COMMITTEE OR STAFF**

**5.1 TransLink's Response to the MVRD Board's Request for Additional Information**

That the MVRD Board receive for information the report dated August 22, 2022, titled "TransLink's Response to the MVRD Board's Request for Additional Information".

*pg. 9*

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<sup>1</sup> Note: Recommendation is shown under each item, where applicable.

**Added 5.2 GVS&DD and GVWD Request for Bylaw Notice Authority**

pg. 14

That the GVS&DD Board direct staff to work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the Local Government Bylaw Notice Enforcement Act, applying the Act to the Greater Vancouver Sewerage and Drainage District.

That the GVWD Board direct staff to work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the Local Government Bylaw Notice Enforcement Act, applying the Act to the Greater Vancouver Water District.

**5.3 Manager's Report**

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That the Finance Committee receive for information the report dated July 25, 2022 titled "Manager's Report."

**6. INFORMATION ITEMS**

**7. OTHER BUSINESS**

**8. BUSINESS ARISING FROM DELEGATIONS**

**9. RESOLUTION TO CLOSE MEETING**

*Note: The Committee must state by resolution the basis under section 90 of the Community Charter on which the meeting is being closed. If a member wishes to add an item, the basis must be included below.*

That the Finance Committee close its regular meeting scheduled for September 8, 2022 pursuant to the *Community Charter* provisions, Section 90 (1) (c) as follows:

"90 (1) A part of the meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:  
(c) labour relations or other employee relations."

**10. ADJOURNMENT/CONCLUSION**

That the Finance Committee adjourn/conclude its regular meeting of September 8, 2022.

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Membership:

Dhaliwal, Sav (C) – Burnaby  
Buchanan, Linda (VC) – North Vancouver City  
Baird, Ken – Tsawwassen First Nation  
Booth, Mary-Ann – West Vancouver  
Brodie, Malcolm – Richmond  
Carr, Adriane – Vancouver

Coté, Jonathan – New Westminster  
Dingwall, Bill – Pitt Meadows  
Froese, Jack – Langley Township  
Harvie, George – Delta  
Hurley, Mike – Burnaby  
McCallum, Doug – Surrey  
McCutcheon, Jen – Electoral Area A  
McEwen, John – Anmore  
Stewart, Richard – Coquitlam  
West, Brad – Port Coquitlam

**METRO VANCOUVER REGIONAL DISTRICT  
FINANCE COMMITTEE**

Minutes of the Regular Meeting of the Metro Vancouver Regional District (MVRD) Finance Committee held at 1:00 p.m. on Thursday, July 14, 2022 in the 28<sup>th</sup> Floor Boardroom, 4515 Central Boulevard, Burnaby, British Columbia.

**MEMBERS PRESENT:**

Chair, Councillor Sav Dhaliwal, Burnaby  
 Vice Chair, Mayor Linda Buchanan\*, North Vancouver City  
 Mayor Mary-Ann Booth\*, West Vancouver  
 Mayor Malcolm Brodie\*, Richmond  
 Councillor Adriane Carr\*, Vancouver (arrived at 1:02 p.m.)  
 Mayor Jonathan Côté\*, New Westminster  
 Mayor Bill Dingwall\*, Pitt Meadows  
 Mayor Jack Froese\*, Langley Township  
 Mayor George Harvie\*, Delta  
 Mayor Mike Hurley\*, Burnaby  
 Mayor Doug McCallum\*, Surrey  
 Director Jen McCutcheon\*, Electoral Area A  
 Mayor John McEwen\*, Anmore  
 Mayor Richard Stewart\*, Coquitlam (arrived at 1:03 p.m.)  
 Mayor Brad West\*, Port Coquitlam

**MEMBERS ABSENT:**

Chief Ken Baird, Tsawwassen

**STAFF PRESENT:**

Jerry W. Dobrovolny, Chief Administrative Officer  
 Natalia Melnikov, Legislative Services Coordinator, Board and Information Services

**1. ADOPTION OF THE AGENDA**

**1.1 July 14, 2022 Regular Meeting Agenda**

**It was MOVED and SECONDED**

That the Finance Committee:

- a) amend the agenda for its regular meeting scheduled for July 14, 2022, by adding Item 3.1 Late Delegation – Nathan Davidowicz; and
- b) adopt the agenda as amended.

**CARRIED**

\*denotes electronic meeting participation as authorized by Section 3.6.2 of the *Procedure Bylaw*

## **2. ADOPTION OF THE MINUTES**

### **2.1 May 12, 2022 Regular Meeting Minutes**

#### **It was MOVED and SECONDED**

That the Finance Committee adopt the minutes of its regular meeting held May 12, 2022 as circulated.

**CARRIED**

1:02 p.m. Councillor Carr arrived at the meeting.

1:03 p.m. Mayor Stewart arrived at the meeting.

## **3. DELEGATIONS**

### **3.1 Nathan Davidowicz**

Nathan Davidowicz spoke to the Finance Committee regarding TransLink's Regional Fund application, highlighting the need for more electric buses and affordable transportation options, and asked the Committee to request accurate statistics from TransLink and CleanBC outlining the 2030 targets set by CleanBC.

## **4. INVITED PRESENTATIONS**

### **4.1 Olga Kuznetsova, Vice President, Finance; Kelly Wheeler, Director, Corporate Treasury, Capital Assets and Government Funding; and Tilan Kiriwaththuduwa, Manager, Capital Assets and Government Funding, TransLink**

Olga Kuznetsova, Vice President, Finance, Kelly Wheeler, Director, Corporate Treasury, Capital Assets and Government Funding, and Tilan Kiriwaththuduwa, Manager, Capital Assets and Government Funding, TransLink, spoke to the Finance Committee regarding the Federal Gas Tax Funding received through the Greater Vancouver Regional Fund, providing the active projects summary, including the procurement of buses, community shuttles and HandyDART vehicles. They also provided an overview of the long-term funding usage, outlining the project delivery components and application scope amendments.

In response to questions, members were informed about the cost constraints and the shortage of charger station infrastructure for the electric buses.

Presentation material titled "Report of Federal Gas Tax Funding Received from Greater Vancouver Regional Fund" is retained with the July 14, 2022 Finance Committee agenda.

## **5. REPORTS FROM COMMITTEE OR STAFF**

### **5.1 Greater Vancouver Regional Fund – 2021 Annual Report and Application for Scope Change to Previously Approved Projects**

Report dated June 17, 2022, from Mark Seinen, Senior Planner, Regional Planning and Housing Services, providing the Finance Committee with an update on the

2021 annual report on active projects funded through the Greater Vancouver Regional Fund (GVRF) and requesting for a scope change to the 2020 GVRF application for TransLink approved by the MVRD Board on November 1, 2019.

Members commented on the need to explore other available environmentally sustainable options besides the hybrid diesel-run engines.

**It was MOVED and SECONDED**

That the MVRD Board approve the proposed scope change to TransLink's 2020 Greater Vancouver Regional Fund application as identified in the report dated June 17, 2022, titled "Greater Vancouver Regional Fund – 2021 Annual Report and Application for Scope Change to Previously Approved Projects" and request that TransLink investigate if the previously approved bus purchases can be specified as hybrid renewable natural gas.

**CARRIED**

**5.2 MVRD Temporary Borrowing Bylaw No. 1357, 2022**

Report dated June 27, 2022, from Linda Sabatini, Acting Director, Financial Operations, seeking the MVRD Board's approval for temporary borrowing through the *Metro Vancouver Regional District* and the *Municipal Finance Authority of British Columbia* for anticipated capital infrastructure activities, for an amount or amounts in the aggregate, not exceeding \$268 million dollars, the remaining amount of the *Greater Vancouver Water District Borrowing Bylaw No. 248, 2015*, and the maximum borrowing authorized.

Members were provided a presentation on the MVRD borrowing bylaws, outlining both long-term and short-term borrowing process, and highlighting additional investment returns, increased efficiencies and flexibility for cash management.

Presentation material titled "Metro Vancouver Temporary Borrowing Opportunity" is retained with the July 14, 2022 Finance Committee agenda.

**It was MOVED and SECONDED**

That the MVRD Board:

- a) authorize to temporary borrow on behalf of *Greater Vancouver Water District ("GVWD")* an amount, or amounts in aggregate, not exceeding \$268 million dollars the remaining amount of the *Greater Vancouver Water District Borrowing Bylaw No. 248, 2015*, and the maximum borrowing authorized.
- b) give first, second and third readings to "*Metro Vancouver Regional District Temporary Borrowing Bylaw Number 1357, 2022*".

**CARRIED**

**5.3 GVWD Temporary Borrowing Bylaw No. 258, 2022**

Report dated June 27, 2022, from Linda Sabatini, Acting Director, Financial Operations, seeking the GVWD Board's approval for temporary borrowing through the *Metro Vancouver Regional District (MVRD)* and the *Municipal Finance*

Authority of British Columbia (MFA), for anticipated capital infrastructure activities, for an amount, or amounts in the aggregate, not exceeding \$268 million dollars, the remaining amount of the Greater Vancouver Water District Borrowing Bylaw No. 248, 2015, and the maximum borrowing authorized.

**It was MOVED and SECONDED**

That the GVWD Board:

- a) authorize Metro Vancouver Regional District (“MVRD”) to temporary borrow on behalf of GVWD an amount, or amounts in aggregate, not exceeding \$268 million dollars, the remaining amount of the *Greater Vancouver Water District Borrowing Bylaw No. 248, 2015*, and the maximum borrowing authorized.
- b) give first, second and third readings to “*Greater Vancouver Water District Temporary Borrowing Bylaw Number 258, 2022*” and forward to the Inspector of Municipalities for statutory approval.

**CARRIED**

**5.4 MVRD Temporary Borrowing Bylaw No. 1356, 2022**

Report dated June 27, 2022, from Linda Sabatini, Acting Director, Financial Operations, seeking the MVRD Board’s approval for temporary borrowing through the *Municipal Finance Authority of British Columbia* on behalf of the GVS&DD, for anticipated capital infrastructure activities, for an amount, or amounts in the aggregate, not exceeding \$1.42 billion dollars, the remaining amount of the *Greater Vancouver Sewerage & Drainage District Borrowing Bylaw No. 321, 2018*, and the maximum borrowing authorized.

**It was MOVED and SECONDED**

That the MVRD Board:

- a) authorize to temporary borrow on behalf of the *Greater Vancouver Sewerage & Drainage District (“GVS&DD”)* an amount, or amounts in aggregate, not exceeding \$1.42 billion dollars, the remaining amount of the *Greater Vancouver Sewerage & Drainage District Borrowing Bylaw No. 321, 2018*, and the maximum borrowing authorized.
- b) give first, second and third readings to “*Metro Vancouver Regional District Temporary Borrowing Bylaw No. 1356, 2022*”.

**CARRIED**

**5.5 GVS&DD Temporary Borrowing Bylaw No. 358, 2022**

Report dated June 27, 2022, from Linda Sabatini, Acting Director, Financial Operations, seeking the GVS&DD Board’s approval for temporary borrowing through the Metro Vancouver Regional District (“MVRD”) and the Municipal Finance Authority of British Columbia (“MFA”), for the anticipated capital infrastructure activities, for an amount, or amounts in the aggregate, not exceeding \$1.42 billion dollars, the remaining amount of the Greater Vancouver Sewerage & Drainage District Borrowing Bylaw No. 321, 2018, and the maximum borrowing authorized.

**It was MOVED and SECONDED**

That the GVS&DD Board:

- a) authorize Metro Vancouver Regional District ("MVRD") to temporary borrow on behalf of GVS&DD an amount, or amounts in aggregate, not exceeding \$1.42 billion dollars, the remaining amount of the *Greater Vancouver Sewerage & Drainage District Borrowing Bylaw No. 321, 2018*, and the maximum borrowing authorized.
- b) give first, second and third readings to "*Greater Vancouver Sewerage & Drainage District Temporary Borrowing Bylaw Number 358, 2022*" and forward to the Inspector of Municipalities for statutory approval.

**CARRIED**

**5.6 Manager's Report**

Report dated June 24, 2022, from Jerry W. Dobrovolny, Commissioner/Chief Administrative Officer, providing the Finance Committee with an update on the 2022 Finance Committee Work Plan.

**It was MOVED and SECONDED**

That the Finance Committee receive for information the report dated June 24, 2022 titled "Manager's Report."

**CARRIED**

**6. INFORMATION ITEMS**

No items presented.

**7. OTHER BUSINESS**

No items presented.

**8. BUSINESS ARISING FROM DELEGATIONS**

No items presented.

**9. RESOLUTION TO CLOSE MEETING**

**It was MOVED and SECONDED**

That the Finance Committee close its regular meeting scheduled for July 14, 2022 pursuant to the *Community Charter* provisions, Section 90 (1) (g) as follows:

"90 (1) A part of the meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (g) litigation or potential litigation affecting the regional district."

**CARRIED**

**10. ADJOURNMENT/CONCLUSION**

**It was MOVED and SECONDED**

That the Finance Committee adjourn its regular meeting of July 14, 2022.

**CARRIED**

(Time: 1:46 p.m.)

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Natalia Melnikov,  
Legislative Services Coordinator

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Sav Dhaliwal, Chair

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To: Finance Committee

From: Mark Seinen, Senior Planner, Regional Planning and Housing Services

Date: August 22, 2022 Meeting Date: September 8, 2022

Subject: TransLink's Response to the MVRD Board's Request for Additional Information

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**RECOMMENDATION**

That the MVRD Board receive for information the report dated August 22, 2022, titled "TransLink's Response to the MVRD Board's Request for Additional Information".

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**EXECUTIVE SUMMARY**

At its July 29, 2022 meeting, the MVRD Board approved TransLink's request for a scope reduction to its previously-approved 2020 Greater Vancouver Regional Fund (GVRF) projects.<sup>1</sup> The MVRD Board's approval included a request that TransLink investigate whether the remaining bus procurement projects still scheduled for purchase as part of the 2020 application could be specified with carbon-neutral propulsion technology. In response, TransLink has provided a letter that explains that it is not currently feasible to procure these buses as battery-electric or renewable natural gas (RNG) for reasons of safety, reliability and capacity. However, this should be the last GVRF funding request for hybrid conventional (i.e. 40- and 60-foot) buses, as TransLink has committed that all future GVRF applications for conventional buses will be for battery-electric or RNG vehicles only.

**PURPOSE**

This report forwards TransLink's response for additional information to the Finance Committee and MVRD Board, in response to the Board's July 29, 2022 request (Attachment).

**BACKGROUND**

In June 2022, Metro Vancouver received TransLink's 2021 Annual Report on active projects funded through the GVRF, along with an application from TransLink for an amendment to its previously-approved 2020 GVRF application (Reference 1). The amendment proposed to return \$70.4 million to the GVRF by reducing the purchase of expansion buses (both conventional and Community Shuttle) and decreasing the number of Mark I SkyTrain cars to be refurbished. The amendment was necessitated by lower-than-expected transit ridership during the COVID-19 pandemic.

On July 29, 2022, the MVRD Board passed the following resolution:

*That the MVRD Board approve the proposed scope change to TransLink's 2020 Greater Vancouver Regional Fund application as identified in the report dated June 17, 2022, titled "Greater Vancouver Regional Fund – 2021 Annual Report and Application for Scope Change to Previously Approved Projects" and request that*

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<sup>1</sup> TransLink's 2020 GVRF application was approved by the MVRD Board on November 1, 2019 (Reference 1).

*TransLink investigate if the previously approved bus purchases can be specified as hybrid renewable natural gas.*

The resolution included a request from the Finance Committee, from its July 14, 2022 meeting, that TransLink investigate whether the remaining bus procurement projects as part of the 2020 application could be procured with carbon-neutral propulsion (Reference 2). At the Finance Committee meeting, some concern was expressed that previously-approved bus purchases (i.e. those not affected by the reduction in project scope) were planned to proceed with hybrid technology, rather than battery-electric or RNG.

### **TRANSLINK'S RESPONSE**

Provided in response to the MVRD's request, TransLink's letter dated August 17, 2022 (Attachment) explains that the remaining conventional<sup>2</sup> bus projects as part of the previous GVRF approval – i.e. 16 60-foot hybrids – cannot be procured with renewable natural gas or battery-electric propulsion at this time because:

- Available RNG engines are undersized and underpowered, particularly for 60-foot buses;
- There are safety concerns about high pressure fuel lines running through articulation joints on 60-foot buses;
- TransLink lacks fuelling / recharging capacity for both renewable natural gas and battery-electric buses; additional charging infrastructure must be in place before these vehicle types can be procured.

For these reasons, TransLink intends to proceed with purchasing 16 diesel-electric hybrid buses, as originally approved.

### **ALTERNATIVES**

This is an information report. No alternatives are presented.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report. As approved in July 2022, TransLink will proceed with an amended (reduced) scope for projects originally approved for GVRF funding as part of the 2020 GVRF application (Reference 1). This will result in \$70.4 million in previously-awarded funding being returned to the GVRF.

### **CONCLUSION**

TransLink is proceeding with the purchase of 16 hybrid buses originally approved for GVRF funding as part of the 2020 GVRF application. This should be the last time that GVRF funding is used for conventional (i.e. 40- and 60-foot) buses, as TransLink has committed that “going forward, TransLink will only be requesting GVRF funds for the purchase of electric or renewable natural gas vehicles as part of TransLink's Low Carbon Fleet Strategy” (Reference 2).

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<sup>2</sup> TransLink has previously conveyed to the Finance Committee that carbon-neutral propulsion is not yet feasible for Community Shuttle and HandyDart vehicles.

## References

1. Finance and Intergovernment Committee report dated October 8, 2019, titled "[TransLink Application for Federal Gas Tax Funding for 2021 Fleet Expansion and Modernization](#)"
2. Finance Committee report dated June 17, 2022, titled "[Greater Vancouver Regional Fund – 2021 Annual Report and Application for Scope Change to Previously Approved Projects](#)"

## Attachment

Letter from TransLink dated August 22, 2022, titled "Propulsion Options for the Amended 2021 Conventional Bus Expansion Project"

54522972



**TransLink**  
400 - 287 Nelson's Court  
New Westminster, BC V3L 0E7  
Canada  
Tel 778.375.7500  
translink.ca

South Coast British Columbia  
Transportation Authority

August 17, 2022

Metro Vancouver Regional District Finance Committee  
Attn: Jerry Dobrovolny, Chief Administrative Officer  
Metrotower III- 4515 Central Boulevard  
Burnaby, BC  
V5H 0C6

Dear Mr. Dobrovolny,

**SUBJECT: Propulsion Options for the Amended 2021 Conventional Bus Expansion Project**

**PURPOSE:**

To provide a response to Metro Vancouver Finance Committee whether the remaining expansion buses out of the 2021 Conventional Expansion Bus Project could be procured with carbon neutral propulsion technology (RNG or BEB).

**BACKGROUND:**

On July 14, 2022 TransLink submitted an application amendment to reduce the 2021 Conventional bus expansion project as follows

- 2021 Conventional Fleet Expansion – reduced the number of 40-Foot hybrid buses from 39 to 0 and the number of **60-foot articulated buses from 30 to 16**.

Prior to approving the above amendment, the MV FC asked whether the remaining **16** 60-foot articulated buses could be acquired with either BEB or RNG propulsion technology.

**RESPONSE:**

TransLink's articulated 60' bus fleet consists of 74 trolleys, 16 diesel and 246 hybrid buses, a total of 336 artics. TransLink has made a deliberate decision not to procure RNG artics because available RNG engine is undersized and underpowered. resulting in reliability issues under higher stresses, especially those brought on by a 60' bus. TransLink Maintenance and Operations staff also have raised safety concerns with the high pressure (3600 psi) fuel lines in RNG buses as they move and flex through the articulation joint so close to the passenger area.

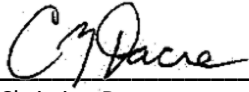
Additionally, TransLink only has RNG fueling capacity at Hamilton, Surrey and Port Coquitlam transit centers, and these transit centers are at capacity in terms of being able to service RNG Vehicles. Additional infrastructure investments would be needed to support further additions to the RNG Fleet.

TransLink also isn't able to pursue an BEB option as we currently do not have the charging infrastructure in place to support BEB charging. Earliest availability would be 2025 upon completion of the Marpole Transit Centre.

**CONCLUSION:**

Given the above safety, reliability and capacity risks identified, TransLink made the decision to stay the course procuring 16 diesel-electric hybrid buses for this project. TransLink will operate these buses using renewable diesel fuel to minimize the GHG impacts on the region.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Dacre", written over a horizontal line.

Christine Dacre  
TransLink  
Chief Financial Officer

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To: Finance Committee

From: Jerry W. Dobrovolny, Commissioner/Chief Administrative Officer

Date: September 6, 2022 Meeting Date: September 8, 2022

Subject: **GVS&DD and GVWD Request for Bylaw Notice Authority**

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**RECOMMENDATION**

That the GVS&DD Board direct staff to work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*, applying the Act to the Greater Vancouver Sewerage and Drainage District.

That the GVWD Board direct staff to work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*, applying the Act to the Greater Vancouver Water District.

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**EXECUTIVE SUMMARY**

The Greater Vancouver Sewerage and Drainage District (GVS&DD) and Greater Vancouver Water District (GVWD) have neither Bylaw Notice nor Municipal Ticketing authority. Bylaw Notice authority would assist GVS&DD and GVWD in encouraging compliance with Liquid Waste, Water, and Solid Waste bylaws. Bylaw Notice authority is available to municipalities and regional districts across the province including almost all of Metro Vancouver's member municipalities. Board resolutions are required for provincial consideration of the GVS&DD and GVWD requests for Bylaw Notice authority. The availability of effective bylaw enforcement tools has significant financial implications across all three utilities both for enforcement efficiency and also for the protection of Metro Vancouver assets.

If Bylaw Notice authority is provided to GVS&DD and GVWD, where appropriate, staff would undertake public, stakeholder and First Nations engagement as part of developing Bylaw Notice bylaws for the Boards' consideration. To ensure a consistent approach, as part of the process to establish the bylaws, the implementation of a Bylaw Notice financial policy would be investigated.

**PURPOSE**

This report seeks GVS&DD and GVWD Board direction for staff to work with Ministry of Attorney General staff to request Bylaw Notice authority.

**BACKGROUND**

GVS&DD and GVWD have neither Bylaw Notice nor Municipal Ticketing authority. Both of these tools are available to municipalities and regional districts across the province. Metro Vancouver has written the Province on various occasions requesting this authority for GVS&DD, and more recently for GVWD as well. Both Municipal Ticketing and Bylaw Notice are available for enforcement of MVRD services such as parks and air quality. A board resolution is required for consideration of the request for Bylaw

Notice authority. This report recommends the GVWD and GVS&DD Boards direct staff to work with Ministry of Attorney General staff to request that GVS&DD and GVWD be provided Bylaw Notice authority.

### **BYLAW NOTICE AUTHORITY**

Under the *Local Government Bylaw Notice Enforcement Act*, local governments can be provided Bylaw Notice authority. Authorized local governments are included in the *Bylaw Notice Enforcement Regulation* through a list of prescribed bodies in a schedule to the regulation. The *Bylaw Notice Enforcement Regulation* is updated on a regular basis with the addition of local government entities. As of now, 19 of Metro Vancouver's 21 municipal members are listed in the *Bylaw Notice Enforcement Regulation*.

Under the *Local Government Bylaw Notice Enforcement Act*, prescribed bodies enact bylaws that specify penalties up to \$500 per bylaw contravention.

### **GVS&DD and GVWD Application of Bylaw Notice Authority**

Bylaw Notice authority would assist GVS&DD in enforcing existing GVS&DD Bylaws including the *Sewer Use Bylaw No. 299, 2007*; *Food Sector Grease Interceptor Bylaw 268, 2012*; *Fermentation Operations Bylaw 294, 2015*; *Trucked Liquid Waste Bylaw 345, 2021*; *Sani-dump Bylaw 346, 2021*; and *Hospital Pollution Prevention Bylaw 319, 2018*; along with solid waste bylaws such as *Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*, and the *Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 306, 2017 as amended*. Currently Metro Vancouver's only enforcement option for these bylaws is through the courts.

GVWD would similarly benefit from Bylaw Notice authority, particularly related to protecting Metro Vancouver's Water Supply Areas from activities such as unauthorized entry, failing to follow conditions of authorized entry, starting fires and damaging the environment. Restricting public access to the Water Supply Areas is a fundamental component of Metro Vancouver's multi-barrier protection approach and the *Drinking Water Management Plan*. Bylaw Notice authority would also permit enforcement in relation to public conduct in the Lower Seymour Conservation Reserve impacting fire prevention, public safety and the prevention of damage to the environment. GVWD staff are preparing a Bylaw for future Board consideration to support existing policies and enhance enforcement action in these important areas.

### **Municipal Ticketing Authority**

An additional regulatory tool available to local governments around the province is Municipal Ticketing Authority. A key differences between Municipal Ticketing authority and Bylaw Notice authority is that a Municipal Ticket alleges an offence, whereas a Bylaw Notice alleges a bylaw violation and engages an administrative adjudication process only, if challenged. In contrast, if a Municipal Ticket is challenged, the matter is adjudicated in the Provincial Court. Municipal Tickets allow for fines of up to \$1,000 per offence, as compared to a Bylaw Notice's maximum penalty of \$500 per bylaw violation.

Over the long term, the addition of Municipal Ticketing authority for GVWD and GVS&DD would be useful. Legislative updates to the GVS&DD and GVWD acts or other provincial acts would be required

to access Municipal Ticketing authority. The Province has provided no indication that legislative updates would be considered at this time.

### **Establishment of Bylaw Violation Enforcement and Dispute Adjudication Bylaws**

If GVS&DD and GVWD are provided Bylaw Notice authority, to implement the authority, bylaw notice enforcement and dispute adjudication bylaws would subsequently be brought forward for consideration by the GVS&DD and GVWD Boards. These bylaw violation enforcement and dispute adjudication bylaws would establish enforcement processes, penalty amounts for specific bylaw violations as well as dispute adjudication processes. MVRD has such a bylaw in place currently for enforcement of parks and air quality bylaws. Where appropriate, public, stakeholder and First Nations engagement on the specifics of the bylaw violation enforcement and dispute adjudication bylaws would occur as part of the development of those bylaws.

### **ALTERNATIVES**

1. That the GVS&DD Board direct staff to work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*, applying the Act to the Greater Vancouver Sewerage and Drainage District.

That the GVWD Board direct staff to work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*, applying the Act to the Greater Vancouver Water District.

2. That the Finance Committee receive for information the report dated September 6, 2022 titled "GVS&DD and GVWD Request for Bylaw Notice Authority" and provide alternate direction to staff.

### **FINANCIAL IMPLICATIONS**

If the GVS&DD and GVWD Boards approve Alternative 1, staff will work with the Ministry of the Attorney General to request that the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*.

Effective enforcement tools are important in each of the Water, Liquid Waste and Solid Waste functions from an enforcement efficiency perspective. The ability to levy financial penalties in an efficient manner encourages bylaw compliance. Effective bylaw enforcement protects Metro Vancouver and municipal infrastructure. The impacts of grease build-up in the region's liquid waste system costs at least \$2.7 million per year including infrastructure maintenance and spill management. The actual revenues from Bylaw Notice penalties are expected to be small given the expectation of high levels of compliance with Metro Vancouver's bylaws.

If Bylaw Notice authority is provided to GVS&DD and GVWD, as part of the process to develop bylaw violation enforcement and dispute adjudication bylaws, the development of a Bylaw Notice financial policy will be investigated. The benefit of an overall organizational policy for these bylaws will be that



a consistent approach for establishing penalties as well as enforcement and adjudication processes can be developed that will help guide the individual bylaw development.

If the GVS&DD and GVWD Boards do not direct staff to work with provincial staff to enact a Regulation under Section 29 of the *Local Government Bylaw Notice Enforcement Act*, GVS&DD and GVWD will not have access to Bylaw Notice authority, an important tool in ensuring compliance with GVS&DD and GVWD bylaws.

## **CONCLUSION**

Bylaw Notice authority is a regulatory tool available to municipalities and regional districts across the province. For GVS&DD and GVWD to be granted Bylaw Notice authority they must be added to the *Bylaw Notice Enforcement Regulation*. Bylaw Notice authority would assist GVS&DD and GVWD in ensuring compliance with Liquid Waste, Water and Solid Waste bylaws. This report seeks direction from the GVS&DD and GVWD Boards for staff to work with provincial staff to seek Bylaw Notice authority.

55023315

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To: Finance Committee

From: Jerry W. Dobrovolny, Commissioner/Chief Administrative Officer

Date: July 25, 2022

Meeting Date: September 8, 2022

Subject: **Manager's Report**

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#### **RECOMMENDATION**

That the Finance Committee receive for information the report dated July 25, 2022 titled "Manager's Report."

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#### **Finance Committee Work Plan**

Attachment 2 to this report sets out the Committee's Work Plan for 2022. The status of the Committee's key priorities is shown as pending, in progress, or complete together with the quarter that is expected to be considered by the Committee.

#### **Attachment**

2022 Finance Committee Work Plan

## Finance Committee 2022 Work Plan

Report Date: July 25, 2022

## Priorities

<b>1<sup>st</sup> Quarter</b>	<b>Status</b>
Authorization to Attend 2022 International Events	Complete
Authorization to Attend 2022 Standing Committee Events	Complete
External Agency Appointment Policy	Complete
Electronic Meeting Participation Policy	Complete
Compensation for Public Advisory Committee Members	Pending
Long Term Financial Plan	Complete
TransLink Federal Gas Tax Application	Pending
Sponsorship Policy	Complete
Development Cost Charge Update	Pending
<b>2<sup>nd</sup> Quarter</b>	
2021 Statement of Financial Information	Complete
Wet Weather Pricing	Complete
Procurement and Real Property Contracting Authority	Pending
Long Term Financial Plan	Pending
Status of Reserves	Pending
Budget Workshop Review	Pending
<b>3<sup>rd</sup> Quarter</b>	
Procedure Amendment Bylaw	Pending
Long Term Financial Plan	Pending
TransLink Federal Gas Tax Report	Pending
Environmental, Social, and Governance (ESG) and Socially Responsible Investment (SRI) Strategy Update	Pending
<b>4<sup>th</sup> Quarter</b>	
Annual Budget and Five Year Financial Plan – Regional District Service Areas and Corporate Support	Pending
Long Term Financial Plan	Pending