

## **FOR IMMEDIATE RELEASE – Village of Anmore takes action to resolve Anmore Green Estates sewerage issues**

There has been considerable discussion and concern expressed with regards to the current and future state of sewage treatment and the septic facilities servicing the 51 homes known as “Anmore Green Estates”. This includes 39 homes on smaller lots that were converted from mobile homes as well as 12 larger lot single family and duplex homes.

### Village Cooperation

The Village has fully cooperated in discussions and provided all information requested by the Ministry of Environment & Climate Change Strategy (MOE) and Anmore Green Estates Strata (AGE) and their consultants. Unfortunately, requests for information and further explanation of report results from the MOE have not been provided and instead representatives have questioned Council’s motives and professionalism.

The Village takes health and safety concerns relating to the public, particularly school children, very seriously and has a keen interest in finding a permanent solution to more than a decade of issues relating to the current on-site septic treatment system at Anmore Green Estates.

Since the order was issued, the Village has indicated that it is not interested in connecting to the regional sewer system through Port Moody, but that if no other solutions were feasible that it would be considered. We have communicated that a regional sewer connection will require an amendment to our Official Community Plan. This requires broad community consultation and input. As a result, the Village would like to have all of the facts before undertaking that process.

### Lack of Information and Cooperation from MOE and AGE

One of the facts that has gone unexplained by the MOE is why an upgraded, on-site septic treatment system is not viable or not the preferred option by the engineers that were hired by AGE. Without this information, it is difficult for Anmore Council to explain to all residents of Anmore (who will be affected by a connection to Port Moody’s sewer system) why it is necessary to connect to sewer. The Village requested this information on July 18, 2018 of the MOE and received a non-answer response on October 31, 2018.

What has also gone unexplained by the MOE and AGE in their communications is the fact that there are other parties who must agree to a sewer connection. This decision does not solely rest on the shoulders of the Village.

Another barrier to resolving the situation and developing a cooperative relationship is the decision by AGE to commence legal action against the Village. It appears disingenuous for the AGE Strata to come before the Village Council and ask to enter into a productive relationship while at the same time making baseless accusations and belittling the Village’s perspective in

court submissions. If AGE is serious about resolving this amicably then it should withdraw its court action.

### Requirements for Connecting to Regional Sewer

There are numerous requirements necessary to join the regional sewer system. The first requirement is getting approval from the Greater Vancouver Sewerage & Drainage District (GVS&DD) for all of Anmore to become a member of the district. This requires approval from the Metro Vancouver Regional District (MVRD) Board. The MVRD Board would also need to approve an amendment to the Regional Growth Strategy to include Anmore Green Estates within the Urban Containment Boundary and designate it Urban.

If approval is granted, the City of Port Moody will have to agree to the connection, as the Village will need to use Port Moody infrastructure to connect to the GVS&DD infrastructure, and the Village and City will have to enter into an agreement for the one-time construction and ongoing discharge of effluent and the costs associated with that service.

The Village is only supportive of connecting the existing 51 homes to the regional sewer system if there is no other on-site solution that is feasible. The Village will not support the connection of any additional units beyond the existing 51 homes to the regional sewer system. The Village has been developed on the basis that residents are responsible for the provision of their own sewerage treatment – this will not change for AGE.

### Costs of Connection

If a connection to the regional sewer system were to proceed for Anmore Green Estates, all costs associated with the connection and the membership in the GVS&DD will be passed on to AGE – as AGE will be the only beneficiary of the membership. This is consistent with the numerous occasions that AGE communicated that they will be 100% responsible for ALL costs associated with connection to the regional sewer system. Below are some of the preliminary cost estimates for the connection and ongoing fees. Those costs include:

- Developing a Liquid Waste Management Plan \$5,000
- Annual Reporting on the Liquid Waste Management Plan \$2,000/year
- One-time development cost charge of \$5,428 per household
- Annual cost of GVS&DD membership \$27,000 rising to \$64,000 in 5 years
- Cost of negotiating Servicing agreement with Port Moody (TBD)
- Annual discharge fee charged by Port Moody (TBD)
- The capital costs of constructing the sewer connection, which a preliminary estimate was made in September 2016 for \$200,000.

Based on this information if you were to apportion the costs evenly for each 51 homes served by the current system this would result in one-time costs of \$9,450 per household and annual costs of \$570 rising to \$1,295 per household within 5 years. These estimates do not include

the ongoing discharge fees that will be charged by Port Moody or one-time costs of negotiating the servicing agreement with Port Moody or the on-going servicing costs of the infrastructure on AGE property.

It is important to note that while a cost of \$10,000+ is not a small sum for many residents, that the cost to replace an individual septic system is between \$25,000-\$50,000, which all other residents in Anmore are expected to pay for without assistance from the Village. The Village was surprised to learn at the October 16, 2018 Regular Council meeting that the residents of Anmore Green Estates were concerned about the future development of the on-site septic field and the state of the subdivision application as it related to paying the costs of the sewer connection. The only concern that had been raised previously by AGE was that of the health and safety of the children attending the adjacent schools.

A letter to the Village from AGE dated October 30, 2018 claims that residents of Anmore Green Estates cannot afford to pay the connection costs themselves; however, this is not a case of hardship. If AGE is depending on development to pay for capital costs associated with the treatment and discharge of their sewage, they have not done their due diligence in setting aside the appropriate funds. The Village cannot be held responsible for the failure of the AGE Strata to consider contingencies to fund a solution to their long standing septic issues – issues that they have claimed in court which go back to 2006. We find it puzzling that AGE did not anticipate the possibility that their own engineering consultants would advise that an on-site solution in the form of a modern treatment system was viable. How would this have been paid for had that conclusion been made?

AGE, in its October 30, 2018 letter, raised the notion of a municipal boundary adjustment as a means to resolve this issue. The Village of Anmore has absolutely no interest in pursuing a boundary adjustment and will instead focus its energies on a permanent resolution.

The steps required to arrive at a permanent resolution will not happen overnight. It will likely take months of required consultation, approvals and construction – regardless of the agreed to solution. The hope of all members of Council is that this matter be finally resolved as soon as possible and we are committed to continuing our cooperative relationship with all parties involved.

### Development History

Two Councils ago, the Village's Official Community Plan (OCP) was adopted in the fall of 2014. In the OCP were specific policies that were relevant to development at Anmore Green Estates. The first being that there would be no further expansion of manufactured home parks in Anmore and secondly that there would be no contemplation of a municipal wide sewer system. During the extensive OCP consultative process, there was no opposition to either of these policies. After the adoption of the OCP work began on the revising the zoning bylaw, as it must be consistent with the OCP. During this review it was identified that the RCH-2 zone for

Anmore Green Estates, as it existed in the 2004 zoning bylaw, was inconsistent with the OCP. Therefore Council chose to change it to ensure that it was consistent with OCP and the Village's vision for growth. Council was completely transparent about this change and members of the AGE Strata were in attendance at a public meeting held in May of 2017, 6 months before the zoning bylaw was adopted, as well as the required public hearing in September 2017. These meetings were held in the lead up to the adoption of the new zoning bylaw in October 2017.

### Moving Forward

Despite the legal action taken by AGE, the absence of any further assistance or information from the MOE and limited jurisdiction to regulate sewage treatment, the Village of Anmore Council has chosen to take positive action to ensure that public health and the environment are protected by directing staff to begin the process of connecting Anmore Green Estates to the regional sewer system.

The Village is going about this in a manner that is consistent with the Village's value of financial sustainability and in a manner that is consistent with its vision for growth. The Village continues to welcome and hope that the AGE Strata and MOE will join the Village in its efforts to find a lasting solution.

### **Timeline for Zoning Bylaw adoption:**

Proposed changes to the RCH-2 Zoning were introduced in the Spring of 2017. AGE Strata members attended a public meeting on the proposed new zoning bylaw on May 10, 2017 and the public hearing that was held on September 18, 2017. The new zoning bylaw was adopted on October 17, 2017.

### **Timeline of Correspondence**

September 18, 2017 – Subdivision application received in person

September 28, 2017 – Email from Robert Boies with a letter pertaining to the subdivision application

November 15, 2017 – Email from Greg Dureault, lawyer for AGE, requesting a meeting to discuss subdivision

November 20, 2017 – Response from Jason Smith to Greg

November 22, 2017 – Email from Ewen Stewart requesting to meet without lawyers present

November 30, 2017 – Letter from Approving Officer stating that until servicing issues resolved that no further work will take place on the subdivision

December 3, 2017 – Response, via email, to November 30 letter from Ewen Stewart

December 5, 2017 – Response from Jason Smith to Ewen with an offer to meet

December 7, 2017 -- Meeting with Ewen Stewart, Juli Halliwell and Jason Smith to discuss servicing for the subdivision proposal.

December 8, 2017 – Follow-up email to Ewen Stewart from Approving Officer providing opportunity to amend proposed subdivision

January 22, 2018 – Email to Juli Halliwell from Fawn Ross conveying Action Plan and intent to arrange meeting with the Village

February 23, 2018 – Email from Ewen Stewart requesting a meeting with the Village

February 28, 2018 – Response to Ewen Stewart stating that the Village will meet when MOE has made a determination

February 28, 2018 – Follow-up email from Ewen offering to send any information that might be useful

February 28, 2018 – Response from Jason Smith to Ewen stating that if they had any additional information that they could share it

March 2, 2018 – Email from Fawn Ross requesting a meeting to discuss technical issues and threatening Ministerial Order if the Village does not oblige

March 7, 2018 – Response to Fawn from Jason Smith declining request to meet.

March 12 – Email from Ewen Stewart requesting to meet to discuss connection without GVS&DD membership

March 12 – Response to Ewen Stewart declining meeting and attached June 1 2017 letter to lawyer addressing GVS&DD membership question

March 13 – Letter from Eagle Ridge PAC to Minister requesting action

April 4, 2018 – Information Release from Village on its position

April 9, 2018 – Abatement Order report from AGE Strata consultant Fawn Ross

April 9 – MOE response to Abatement Order response indicating additional report and peer review will be required.

April 11 – Letter to MOE from Village on position regarding connection to sewer and requesting independent peer reviewer

April 30 – Email from Ewen Stewart to Juli Haliwell regarding history of site and requesting Village consultants information about possible on site solutions.

May 10 – Email from MOE advising that CTQ Engineering has been hired to write second report and that Oland Engineering has been hired to conduct peer review.

May 14 – Letter from Metro Vancouver to Village outlining potential costs of connection

May 25, 2018 – Email from MOE with CTQ report and Oland peer review

June 7, 2018 – Closed Council meeting with MOE ADM David Morel

June 8, 2018 – Letter from Juli Haliwell to David Morel outlining June 7 meeting notes.

June 20 – Letter from David Morel to Village regarding June 7 meeting

June 26, 2018 – Eagle Ridge PAC meeting with MOE and some Village Councillors in attendance.

July 4, 2018 – Draft ministerial order provided to Village

July 18, 2018 Letter to MOE/David Morel requesting additional analysis of on site solutions.

July 31, 2018 – Email from Ewen Stewart requesting to meet

August 1 – Response to Ewen Stewart declining to meet.

August 17 – Ministerial Order issued

August 23 – Email from Ewen Stewart requesting to meet and Village response declining to meet

September 4, -- Letter from resident Colleen Hackinen to MOE re AGE

September 6 – Letter from Village to MOE re Ministerial Order

September 13 – Meeting with Minister to discuss AGE at UBCM

September 17 – Mayor`s press release

September 20 – Email from Ewen Stewart requesting to meet

September 25 – Village response to Ewen Stewart agreeing to meet

September 27 – Meeting with Ewen Stewart and Fawn Ross to discuss subdivision

October 3, 2018 – Follow-up with MOE regarding response to July 18 request for more information

October 12, 2018 – Village served with legal action by AGE Strata

October 19, 2018 – Village motion regarding request to rescind order and taking action to consider connection released.

October 31, 2018 – MOE email containing Engineer`s response to July 18 request for more information

November 5, 2018 – Letter from AGE Strata requesting a solution