

**REPORT TO SAANICH PENINSULA WASTEWATER COMMISSION  
MEETING OF THURSDAY, JANUARY 17, 2019**

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**SUBJECT**     **Saanich Peninsula Stormwater Source Control Bylaw No. 4168 – Amendment**

**ISSUE**

The Saanich Peninsula Stormwater Source Control Bylaw requires an amendment to update the document with respect to changes to the BC *Building Code* (BCBC).

**BACKGROUND**

The Capital Regional District (CRD) Board adopted Bylaw No. 4168 “A Bylaw to Regulate Stormwater Discharges to the Municipal Drainage System of the District of Central Saanich, District of North Saanich and the Town of Sidney” (Stormwater Source Control Bylaw - Appendix A) on July 14, 2017. Since then, staff have been working on the supporting administrative components to facilitate the implementation and enforcement of this bylaw, as well as engagement with businesses.

Recent changes to the BCBC have implications for the stormwater bylaw. Staff met with representatives from the Ministry of Municipal Affairs and Housing and learned that the sections in Bylaw No. 4168 dealing with the installation of stormwater rehabilitation units (SRU – units such as catch basins and oil-water separators) were in conflict with the BCBC requirements for stormwater drainage.

Staff also identified some required administrative updates to the Stormwater Source Control Bylaw. These need to be addressed for successful outreach, education and inspection to occur. The required amendments include:

1. updating the preamble to be a consistent style with other CRD bylaws and to indicate the connection with the service establishing bylaw
2. replacing “[Date of Adoption of Bylaw]” placeholders with a date and selecting that date to give businesses time to prepare for compliance
3. indicating the citation for the bylaw
4. some minor definition and wording changes for clarity and consistency

The attached amending Bylaw No. 4229 (Appendix B) addresses these issues and a blacklined Bylaw No. 4168 (Appendix C) shows the location of changes.

**ALTERNATIVES**

That the Saanich Peninsula Wastewater Commission recommend to the Capital Regional District Board:

*Alternative 1*

1. That Bylaw No. 4229, cited as “A Bylaw to Regulate Stormwater Discharges to the Municipal Drainage System of the District of Central Saanich, District of North Saanich and the Town of Sidney, Amendment Bylaw No. 1, 2019”, be introduced and read a first, second and a third time; and

2. That Bylaw No. 4229 be adopted.

*Alternative 2*

That the Saanich Peninsula Wastewater Commission direct staff to revise the bylaw for reconsideration.

**ENVIRONMENTAL IMPLICATIONS**

Contaminants in stormwater that are discharged to the municipal drainage system ultimately deposit in streams or the shoreline and may include chemicals, sediment and bacteria. Through the source control program, staff work with businesses, institutions and residents to identify and stop contamination before it enters the stormwater system.

The amendments in Bylaw No. 4229 do not significantly weaken the ability of the bylaw to protect the environment. Removing the requirements for businesses to install SRU does not affect the ultimate bylaw power of regulating contaminants at the point of discharge to the municipal drainage system. Staff will continue to work with businesses to resolve contamination issues and suggest strategies to address exceedances and achieve compliance with the bylaw to avoid escalating enforcement action.

**FINANCIAL IMPLICATIONS**

This work is budgeted within the Saanich Peninsula Stormwater Source Control Service. There is no financial implication associated with this amendment.

**REGULATORY IMPLICATIONS**

Changes to the BCBC mean that local governments have no authority to regulate building standards where they are the subject of the BCBC or any other provincial enactment. As a result, the Province is removing certain powers from local governments. These changes are necessary because local governments that impose requirements different from the Province create confusion among industry and property owners.

The administrative amendments to Bylaw No. 4168 are intended to correct some omissions and errors and to make compliance easier for businesses.

For ease of interpretation, a consolidated Stormwater Source Control Bylaw will be placed on the CRD website incorporating the changes from Bylaw No. 4229.

**CONCLUSIONS**

During early stages of the implementation and enforcement of Bylaw No. 4168 “A Bylaw to Regulate Stormwater Discharges to the Municipal Drainage System of the District of Central Saanich, District of North Saanich and the Town of Sidney”, the Province of BC introduced changes to the Building Code that affected sections of the bylaw; requiring amendments to ensure compliance with the provincial regulatory framework. Concurrently, staff identified some administrative updates to improve the bylaw for business compliance.

Bylaw No. 4229 addresses these issues and, once adopted, staff will be able to effectively implement and enforce the Stormwater Source Control Bylaw on the Saanich Peninsula.

### **RECOMMENDATIONS**

That the Saanich Peninsula Wastewater Commission recommend to the Capital Regional District Board:

1. That Bylaw No. 4229, “A Bylaw to Regulate Stormwater Discharges to the Municipal Drainage System of the District of Central Saanich, District of North Saanich and the Town of Sidney, Amendment Bylaw No. 1, 2019”, be introduced and read a first, second and third time.
2. That Bylaw No. 4229 be adopted.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

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Attachments: Appendix A – Bylaw No. 4168 - A Bylaw to Regulate Stormwater Discharges to the Municipal Drainage System of the District of Central Saanich, District of North Saanich and the Town of Sidney  
Appendix B – Bylaw No. 4229 – A Bylaw to Regulate Stormwater Discharges to the Municipal Drainage System of the District of Central Saanich, District of North Saanich and the Town of Sidney, Amendment Bylaw No. 1, 2019  
Appendix C – Blackline version of Bylaw No. 4168