

## Thomson, Lia CSCD:EX

---

**From:** Mueller, Brent CSCD:EX  
**Sent:** Tuesday, May 31, 2016 10:34 AM  
**To:** Porter, Dianna CSCD:EX  
**Subject:** RE: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Right. Thanks for the reminder I forgot I received a message from your generic inbox! Thanks for staying on top of this.

**From:** Porter, Dianna CSCD:EX  
**Sent:** Tuesday, May 31, 2016 9:36 AM  
**To:** Mueller, Brent CSCD:EX  
**Subject:** FW: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Brent did you get the update I sent you below? I sent it from our generic inbox vs. my personal so perhaps it didn't stand out? That's my most recent update. s.13,s.16

s.13,s.16

So yes, according to Kevin, he'll be taking a revised 264 to the board June 15/16.

Cheers,  
Dianna

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, May 26, 2016 4:37 PM  
**To:** Dann, Michelle CSCD:EX; Mueller, Brent CSCD:EX  
**Cc:** LeBlanc, Cathy CSCD:EX; Bickford, Cathy CSCD:EX  
**Subject:** FW: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Michelle and Brent,

As briefly discussed with Michelle I had a short phone conversation with Kevin today about bylaw 264. s.13,s.16  
s.13,s.16

s.13,s.16

Once UBID's revision of the bylaw is completed, UBID will look into having a summary legal opinion of the bylaw done.


They plan to take the revised 264 as well as their revised, lawyer vetted, meeting procedure bylaw to their June 15 regular board meeting. s.13,s.16  
s.13,s.16

Also a big thanks again to the "Cathys" for their help with my review.

Cheers,  
**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**  
Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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**From:** UBID Admin [mailto:[admin@union-bay.ca](mailto:admin@union-bay.ca)]  
**Sent:** Thursday, May 26, 2016 3:50 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Good Afternoon Dianna.

In follow-up to our telephone conversation earlier this afternoon, please see below my comments / responses to the questions and recommendations you provided on May 19<sup>th</sup> in regards to our Bylaw No. 264 – Subdivision Water Regulation Bylaw 2016.

If you need any further information or clarification at all, or if you have any other questions, please feel free to contact me.

I appreciate the feedback and will notify you as soon as the UBID Trustees reconsider and adopt an amended version of this bylaw, as well as Meeting Procedures Bylaw No. 263, at our next scheduled Regular Board meeting on June 15<sup>th</sup>.

Thanks.

Kevin.

**Union Bay**  
  
Kevin Downie, B. Comm  
Administrator  
Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Improvement District**  
Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0  
Location: S579B, South Island Highway, Union Bay

**From:** CSCD LG Governance CSCD:EX [mailto:[LGgovernance@gov.bc.ca](mailto:LGgovernance@gov.bc.ca)]  
**Sent:** May 19, 2016 10:21 AM  
**To:** 'admin@union-bay.ca'  
**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Kevin,

First off it was great to meet you s.22  
people that are behind all the hard work!

I always appreciate the opportunity to meet the

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

Page 003 to/à Page 004

Withheld pursuant to/removed as

s.16;s.13

I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)


<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

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Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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## Thomson, Lia CSCD:EX

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**From:** Mueller, Brent CSCD:EX  
**Sent:** Wednesday, March 22, 2017 2:41 PM  
**To:** Porter, Dianna CSCD:EX  
**Subject:** RE: Bylaw 264 Subdivision Regulation

**Follow Up Flag:** Follow up  
**Due By:** Friday, March 24, 2017 2:30 PM  
**Flag Status:** Completed

From my perspective (Michelle's call) s.13,s.16

Cheers ~ Brent

---

**From:** Porter, Dianna CSCD:EX  
**Sent:** Wednesday, March 22, 2017 2:31 PM  
**To:** Mueller, Brent CSCD:EX  
**Subject:** RE: Bylaw 264 Subdivision Regulation

Hi Brent,  
s.13,s.16

-----  
Cheers,  
Dianna

---

**From:** Mueller, Brent CSCD:EX  
**Sent:** Wednesday, March 22, 2017 2:24 PM  
**To:** Porter, Dianna CSCD:EX  
**Subject:** RE: Bylaw 264 Subdivision Regulation

Hi Dianna – thanks. s.13,s.16  
s.13,s.16

Cheers ~ Brent

---

**From:** Porter, Dianna CSCD:EX  
**Sent:** Wednesday, March 22, 2017 12:19 PM  
**To:** Mueller, Brent CSCD:EX  
**Subject:** Bylaw 264 Subdivision Regulation

Hi Brent,

Here is the bylaw that remains unregistered with the inspector.  
s.13,s.16

Thank-you,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

**My direct line is now 778-698-3213**

<http://www.cscd.gov.bc.ca/lgd/>



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**Thomson, Lia CSCD:EX**

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**From:** Porter, Dianna CSCD:EX  
**Sent:** Wednesday, April 13, 2016 3:01 PM  
**To:** Storzer, Mary CSCD:EX  
**Cc:** Paget, Gary CSCD:EX; Dann, Michelle CSCD:EX; Mueller, Brent CSCD:EX; Porter, Dianna CSCD:EX; Van den Brink, Grace CSCD:EX  
**Subject:** RE: FYI: UBID

Hi Mary,

s.13,s.16

3

Thank-you,  
**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979  
<http://www.cscd.gov.bc.ca/lgd/>

 Please consider the environment before printing this email

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**From:** Porter, Dianna CSCD:EX  
**Sent:** Monday, April 4, 2016 2:15 PM  
**To:** Mueller, Brent CSCD:EX; Van den Brink, Grace CSCD:EX; Storzer, Mary CSCD:EX  
**Cc:** Paget, Gary CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** RE: FYI: UBID

Hi All,

A final note, both these bylaws requires inspector registration before becoming into effect, hence, my review process of both.

Thank-you,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979

<http://www.cscd.gov.bc.ca/lgd/>



Please consider the environment before printing this email

**Thomson, Lia CSCD:EX**

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**From:** LeBlanc, Cathy CSCD:EX  
**Sent:** Thursday, April 28, 2016 9:27 AM  
**To:** Porter, Dianna CSCD:EX  
**Subject:** RE: UBID Bylaw 264

Working on it now- sorry got delayed by a couple of rushes... C

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**From:** Porter, Dianna CSCD:EX  
**Sent:** Monday, April 25, 2016 5:06 PM  
**To:** LeBlanc, Cathy CSCD:EX  
**Subject:** UBID Bylaw 264

Here is what I have so far as a propose response:

s.13,s.16

Thank-you,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979

<http://www.cscd.gov.bc.ca/lgd/>

 Please consider the environment before printing this email

Page 013 to/à Page 016

Withheld pursuant to/removed as

s.16;s.13

**From:** CSCD LG Governance CSCD:EX  
**To:** "admin@union-bay.ca"  
**Bcc:** Mueller, Brent CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID  
**Date:** Thursday, May 19, 2016 10:21:00 AM

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Hi Kevin,

First off it was great to meet you <sup>s.22</sup>

I always appreciate the

opportunity to meet the people that are behind all the hard work!

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

s.13,s.16

Page 018

Withheld pursuant to/removed as

s.16;s.13

I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

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Page 020 to/à Page 089

Withheld pursuant to/removed as

s.16;s.13

## Thomson, Lia CSCD:EX

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**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, June 23, 2016 12:17 PM  
**To:** Mueller, Brent CSCD:EX; Van den Brink, Grace CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** Union Bay Bylaws


Hi All,

s.13,s.16

s.22 so likely will not get to reviewing them<sup>s.22</sup>, please let me know if you have any questions, concerns or comments.

Cheers,  
**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
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PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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## Thomson, Lia CSCD:EX

---

**From:** Mueller, Brent CSCD:EX  
**Sent:** Tuesday, May 31, 2016 9:18 AM  
**To:** Porter, Dianna CSCD:EX  
**Subject:** Update? Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Dianna – thanks again for keeping me in the loop. MO is asking again about status so let me know if there is anything new please. Also – s.13,s.16

Cheers ~ Brent

---

**From:** Porter, Dianna CSCD:EX  
**Sent:** Thursday, May 19, 2016 11:05 AM  
**To:** Mueller, Brent CSCD:EX  
**Subject:** FW: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Brent,

s.13,s.16

Cheers,  
Dianna

---

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, May 19, 2016 10:21 AM  
**To:** 'admin@union-bay.ca'  
**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Kevin,

First off it was great to meet you s.22  
people that are behind all the hard work!

I always appreciate the opportunity to meet the

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

s.13,s.16

Page 092

Withheld pursuant to/removed as

s.16;s.13

I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development

Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1



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## Thomson, Lia CSCD:EX

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**From:** Mueller, Brent CSCD:EX  
**Sent:** Tuesday, March 29, 2016 11:53 AM  
**To:** Paget, Gary CSCD:EX  
**Cc:** Porter, Dianna CSCD:EX  
**Subject:** UPDATE: UBID Bylaw

Hi Gary – Dianna and I met this morning to catch up on the situation and she confirmed that bylaw 264 is now with us. It does need to be "registered" by the Inspector before it comes into force.

She is starting her due-diligence analysis and will require some technical assistance from Cathy Bickford<sup>s.13,s.16</sup>  
s.13,s.16

While that work is underway, if we are asked by an external party about the status of the bylaw we could say:

- Yes the Ministry has received bylaw 264.
- It needs to be registered by the Inspector before it comes into force.
- We are currently undertaking our due diligence review.

Cheers ~ Brent

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**From:** Mueller, Brent CSCD:EX  
**Sent:** Thursday, March 24, 2016 3:46 PM  
**To:** Paget, Gary CSCD:EX  
**Cc:** Porter, Dianna CSCD:EX  
**Subject:** UBID Bylaw

Hi Gary – s.13,s.16  
s.13,s.16

s.13,s.16

Cheers ~ Brent

**Brent Mueller, MA**  
*Acting Director, Intergovernmental Relations*  
*Intergovernmental Relations and Planning Branch*  
*Ministry of Community, Sport and Cultural Development*  
*Province of British Columbia*  
*(250) 387-2540*

## Thomson, Lia CSCD:EX

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**From:** Porter, Dianna CSCD:EX  
**Sent:** Wednesday, October 26, 2016 10:14 AM  
**To:** Mueller, Brent CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** FW: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264  
**Attachments:** 16Sep29 CVRD Review of UBID Subdivision Standard and Servicing Bylaw 264.pdf; 16Sep30 MOTI Review of UBID Subdivision Standard and Servicing Bylaw 264.pdf  
**Importance:** High

Hi Brent and Michelle,

s.13,s.16

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**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Wednesday, October 26, 2016 9:38 AM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264  
**Importance:** High

Good Morning Dianna.

As promised during our telephone conversation yesterday afternoon, please find attached for your information copies of the e-mails I received from the Comox Valley Regional District and from the Courtenay office of the BC Ministry of Transportation & Infrastructure with respect to their individual reviews of our Bylaw No. 264.

Hopefully the completion of these reviews will support the Inspector of Municipalities' approval of this bylaw as it has now been over 4 months since this bylaw was last submitted to your office for the Inspector's consideration and sign-off.

If you need anything further from me at all on this, please let me know as soon as possible.

Thanks so much.

Kevin Douville  
UBID Administrator

**Union Bay**  
  
Kevin Douville, B. Comm  
Administrator  
Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Improvement District**

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

**From:** CSCD LG Governance CSCD:EX [mailto:LgGovernance@gov.bc.ca]

**Sent:** October 7, 2016 10:32 AM

**To:** 'UBID Admin'

**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Hi Kevin,

Thanks for the additional information. The bylaw is still under review.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development

Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1



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**From:** UBID Admin [mailto:admin@union-bay.ca]

**Sent:** Thursday, October 6, 2016 2:46 PM

**To:** CSCD LG Governance CSCD:EX

**Subject:** Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

**Attention:** Dianna Porter, Advisory Officer

Good Afternoon Dianna.

I just wanted to quickly touch base with you and advise that I have now heard back from both the Comox Valley Regional District and the local Ministry of Transportation & Infrastructure office after each completed a review of our new Development and Subdivision Regulation and Standards Bylaw No. 264.

While both had some minor questions which I have since responded to, neither had any objections or concerns to the bylaw as approved by our Board of Trustees back on June 15<sup>th</sup>. Hopefully this will provide the Inspector of Municipalities with sufficient support to now sign off on the bylaw so I can officially put it into effect.

Please let me know if you need any further supporting documentation and/or evidence, such as my contacts with each organization, or if you have any other questions.

Thanks Dianna.

Kevin Douville

UBID Administrator



Kern Douville, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Improvement District**

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 55798. South Island Highway, Union Bay

## UBID Admin

---

**From:** UBID Admin [admin@union-bay.ca]  
**Sent:** September 30, 2016 11:53 AM  
**To:** 'Kelly, Brendan TRAN:EX'  
**Subject:** RE: Union Bay Improvement District - Meeting Request

Thanks Brendan for getting back to me on this.

In addition to the provision of potable water and fire protection / first responder services for this community, UBID also has street lighting as one of its core mandated services. As such, we have had street lighting regulations in place since at least 1994 which until this newest development and subdivision servicing bylaw were contained within a separate bylaw drafted at that time 22 years ago. As part of our efforts to streamline and consolidate our former subdivision regulation bylaws and subsequent amendments, we decided to incorporate street lighting into the new bylaw as has been done in a few other Improvement District jurisdictions. While UBID does not retain ownership, we are responsible for ensuring the ongoing operation and maintenance of all 137 street lighting structures presently throughout our community in conjunction with BC Hydro.

In regards to any potential recourse for applicants in the event a subdivision application is not approved, UBID would not of course accept any application for subdivision servicing until the subdivision approving officer (i.e. MOTI) confirms that a development has received his/her approval. However as the bylaw states, our required application fees are non-refundable therefore there would be no recourse on that front unless your question was inquiring as to any potential appeal process.

Hopefully this provides some further clarity. Please just give me a call if you have any other questions or feedback at all.

Thanks again Brendan.

Kevin.



Kevin Downie, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Improvement District**

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

---

**From:** Kelly, Brendan TRAN:EX [<mailto:Brendan.Kelly@gov.bc.ca>]  
**Sent:** September 27, 2016 10:45 AM  
**To:** 'UBID Admin'  
**Subject:** RE: Union Bay Improvement District - Meeting Request

Hello Kevin,

In review of the proposed UBID Development and Subdivision Servicing Bylaw it appears the UBID may require street lighting for new subdivisions. Does the UBID own and maintain street lighting within their service area?

In terms of water service, it appears application fees for new water service will be required at time of subdivision application. Is there any recourse for applicants in the event a subdivision application is not approved?

Regards,

Brendan Kelly  
Development Technician  
Ministry of Transportation and Infrastructure  
Vancouver Island District  
250-334-6967

---

**From:** UBID Admin [mailto:admin@union-bay.ca]  
**Sent:** Tuesday, August 23, 2016 1:49 PM  
**To:** Kelly, Brendan TRAN:EX  
**Subject:** Union Bay Improvement District - Meeting Request

Good Afternoon Brendan.

I am wondering if you have some time available on Thursday morning (August 25<sup>th</sup>) when I could stop by and speak with you regarding a new Development and Subdivision Servicing Bylaw our organization approved a couple of months ago? Our local government advisor with the Ministry of Community, Sport and Cultural Development has encouraged me to have someone from your office review and comment on the bylaw so as to ensure MOTI does not have any issues and/or concerns with it prior to the Inspector of Municipalities being able to sign off on the bylaw.

Ahead of a possible meeting, I have attached a copy of the pending bylaw and its existing appendices for your information. As I actually already have a 9:30 am meeting scheduled with Ann MacDonald at the CVRD to go through this and other items with her, I am more than happy to sit down with you either prior to or after that meeting depending on which timing works better for you.

Please don't hesitate to give me a call if you have any questions at all otherwise I will await confirmation as to your availability.

Thanks so much Brendan and I look forward to hearing back from you soon.

Kevin.

**Union Bay**  
  
Improvement District

Kevin Douville, B. Comm.  
Administrator  
Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: admin@union-bay.ca  
Website: www.union-bay.ca

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0  
Location: 5578B, South Island Highway, Union Bay

## Thomson, Lia CSCD:EX

---

**From:** Porter, Dianna CSCD:EX  
**Sent:** Wednesday, March 22, 2017 12:19 PM  
**To:** Mueller, Brent CSCD:EX  
**Subject:** Bylaw 264 Subdivision Regulation  
**Attachments:** UBID bylaw 264.pdf; RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Hi Brent,

Here is the bylaw that remains unregistered with the inspector.

Attached is also the Schedule C to the bylaw, which was the "sample water service agreement" referred to in our conversation with Martin today.

Additionally our last correspondence on this bylaw I advised the following:

In order to support the package moving forward it is helpful to know the current board's position with respect to this bylaw.

I recommend bringing the bylaw/schedules forward at a future board meeting for the newly re-configured board to consider. A resolution passed in support of bylaw 264 moving forward in its current form, will provide the Inspector with an updated decision from the current Board of Trustees, and can be sent to my attention at this email address.

To my knowledge nothing has progressed since then <sup>s.13,s.16</sup>  
initial thoughts are leave this as is until post UBID AGM/election.

let me know if this changes. My

Thank-you,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

My direct line is now **778-698-3213**

<http://www.cscd.gov.bc.ca/lgd/>

 Please consider the environment before printing this email

Page 101 to/à Page 112

Withheld pursuant to/removed as

s.16;s.13

## Thomson, Lia CSCD:EX

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**From:** UBID Admin <admin@union-bay.ca>  
**Sent:** Tuesday, November 1, 2016 1:27 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264  
**Attachments:** Bylaw No. 264, Schedule C - UBID Sample Water Service Agreement, June 2016 Version.pdf

Good Afternoon Dianna.

As requested, please find attached a copy of the sample Works and Services Agreement that is to be included as Schedule C to UBID Bylaw No. 264.

This draft agreement, which was developed as part of our ongoing efforts with respect to the Kensington Island Properties development, was considered and approved by UBID Trustees on March 16, 2016 as the **template** to use as part of any future subdivision applications when and where deemed appropriate. As the original draft agreement was created in August 2015, the Local Government Act references have been updated in the attached document to reflect the Act's January 2016 reorganization. I do stress that it is indeed a sample and would of course be reviewed and very likely modified on a case-by-case basis however it would provide any future developers with a sense of what may be expected as part of a subdivision servicing application.

If you need any further information or clarification on this matter, please just let me know.

Thanks.

Kevin Douville  
UBID Administrator

**Union Bay**  
Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: admin@union-bay.ca  
Website: www.union-bay.ca

**Improvement District**  
Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0  
Location: 5579B, South Island Highway, Union Bay

---

**From:** CSCD LG Governance CSCD:EX [mailto:LGgovernance@gov.bc.ca]  
**Sent:** October 31, 2016 1:06 PM  
**To:** 'UBID Admin'  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Thanks Kevin.

Could you also please provide a copy of Schedule C [draft works and services agreement] of bylaw 264?


The Inspector cannot register the bylaw until it's received in its entirety.

Cheers,

**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

 Please consider the environment before printing this email

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**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Wednesday, October 26, 2016 9:38 AM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264  
**Importance:** High

Good Morning Dianna.


As promised during our telephone conversation yesterday afternoon, please find attached for your information copies of the e-mails I received from the Comox Valley Regional District and from the Courtenay office of the BC Ministry of Transportation & Infrastructure with respect to their individual reviews of our Bylaw No. 264.

Hopefully the completion of these reviews will support the Inspector of Municipalities' approval of this bylaw as it has now been over 4 months since this bylaw was last submitted to your office for the Inspector's consideration and sign-off.

If you need anything further from me at all on this, please let me know as soon as possible.

Thanks so much.

Kevin Douville  
UBID Administrator

**Union Bay**  
  
Kevin Douville, B. Comm  
Administrator  
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E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
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**Improvement District**  
Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0  
Location: 55798, South Island Highway, Union Bay

---

**From:** CSCD LG Governance CSCD:EX [<mailto:LGgovernance@gov.bc.ca>]  
**Sent:** October 7, 2016 10:32 AM  
**To:** 'UBID Admin'  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Hi Kevin,

Thanks for the additional information. The bylaw is still under review.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

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Please consider the environment before printing this email

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**From:** UBID Admin [<mailto:admin@union-bay.ca>]

**Sent:** Thursday, October 6, 2016 2:46 PM

**To:** CSCD LG Governance CSCD:EX

**Subject:** Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

**Attention:** Dianna Porter, Advisory Officer

Good Afternoon Dianna.

I just wanted to quickly touch base with you and advise that I have now heard back from both the Comox Valley Regional District and the local Ministry of Transportation & Infrastructure office after each completed a review of our new Development and Subdivision Regulation and Standards Bylaw No. 264.

While both had some minor questions which I have since responded to, neither had any objections or concerns to the bylaw as approved by our Board of Trustees back on June 15<sup>th</sup>. Hopefully this will provide the Inspector of Municipalities with sufficient support to now sign off on the bylaw so I can officially put it into effect.

Please let me know if you need any further supporting documentation and/or evidence, such as my contacts with each organization, or if you have any other questions.

Thanks Dianna.

Kevin Douville

UBID Administrator



Kevin Douville, B. Comm  
Administrator

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Location: 5579B, South Island Highway, Union Bay

Page 116 to/à Page 129

Withheld pursuant to/removed as

s.16;s.13

## UBID Admin

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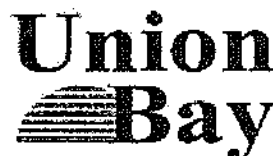
**From:** UBID Admin [admin@union-bay.ca]  
**Sent:** September 29, 2016 10:31 AM  
**To:** 'Ann MacDonald'  
**Subject:** RE: follow up from our meeting

No worries Ann.<sup>s.22</sup>

I did update all of the Local Government Act section references in this bylaw to coincide with the reconsolidation and renumbering that took place first of the year. I will advise the province accordingly that the CVRD has no issues with the bylaw.

Thanks also for looking into the option of additional iMAP information for me and I will certainly give some thought as to what other layers of details would be helpful for us to access.

Kevin.



Kevin Douville, B. Comm  
Administrator

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---

**From:** Ann MacDonald [mailto:amacdonald@comoxvalleyrd.ca]  
**Sent:** September 29, 2016 9:08 AM  
**To:** 'UBID Admin'  
**Subject:** RE: follow up from our meeting

Hi Kevin

Sorry for the delay on getting back to you on this.<sup>s.22</sup>

s.22

At any rate, thank you again for the opportunity to review the proposed UBID Development and Subdivision Servicing bylaw. The bylaw was reviewed by myself and Alana, manager of planning. We did not see any areas of concern with respect to any of the CVRD bylaws or processes. I did want to ask if you had reviewed the bylaw in light of the recent reconsolidation and renumbering of the Local Government Act? The section numbers quoted from the LGA looked like they might be from the previous act, before it was renumbered in 2016.

Also, I also checked in with Brian Pearson to see if the CVRD has provided the iMAP fabric to UBID in past, and could do so again, and it seems that we have. That sounds like your best bet! I suggest that if you wish to pursue this that you send a brief overview of what you are wishing to obtain to Debra Oakman, and she will likely forward it to James Warren, who is the general manager that oversees the work that Brian Pearson does.

Please let me know if you need any further information or assistance on this. I can probably scout out the actual techie wording of what you should be asking Debra to facilitate if you want! Thanks, Ann

Ann MacDonald  
General manager of planning and development services

Comox Valley Regional District  
250-334-6077

**From:** UBID Admin [mailto:admin@union-bay.ca]  
**Sent:** September-26-16 10:38 AM  
**To:** Ann MacDonald <amacdonald@comoxvalleyrd.ca>  
**Subject:** RE: follow up from our meeting


Good Morning Ann.

Just wanted to quickly touch base to inquire as to the status of your staff's review of our new Development and Subdivision Servicing Bylaw.

It would be great if you could provide any update you can when you have a moment.

Thanks so much.

Kevin.

**Union Bay**  
  
Improvement District

Kevin Douville, B. Comm  
Administrator  
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Website: www.union-bay.ca

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Post Office Box 70  
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Location: 55798, South Island Highway, Union Bay

---

**From:** Ann MacDonald [mailto:amacdonald@comoxvalleyrd.ca]  
**Sent:** August 25, 2016 4:14 PM  
**To:** UBID Admin  
**Cc:** Sylvia Stephens  
**Subject:** follow up from our meeting

Kevin,

Thank you for the opportunity to catch up this morning and to discuss going forward on the new UBID Bylaw 264, (*A Bylaw to Establish Water System and Street Lighting Standard and To Regulate the Subdivision and Servicing of Land Being Proposed for Connection to the Improvement District's Water Service*). As discussed, our staff will review this new 2016 bylaw in light of our subdivision review and referral process to ensure we are aligned. I will ensure we provide feedback to you by the week of September 19<sup>th</sup> so that you can provide this update to the Ministry, as requested.

As discussed, the CVRD is required to commence a local area plan for the Union Bay settlement node, as defined in the regional growth strategy. That plan can address a number of land use and planning interests including heritage conservation and development permit areas, emergency planning, future land use and commercial revitalization. When we completed the OCP review in 2013-2014 the community was highly engaged in the many public meetings, and we anticipate this area planning process to be highly consultative as well. No firm dates yet on when that work

will commence but hopefully we will get going in 2017. We will bring this item forward, as well, to the next UBIC-CVRD meetings with elected officials, per the protocol.

As well, and to summarize our next steps going forward, I will follow up on how we can assist you in the land titles information you require as a taxation authority, and respond shortly with some options and follow up on that. I look forward to learning what information you are able to obtain from Assessment Link BC as well in that regard.

Finally, with respect to required zoning for the proposed new UBID fire hall, please note that the Comox Valley Zoning Bylaw, Bylaw No. 2781, includes section 301, *Uses Permitted In All Zones* which states that in addition to the uses specifically permitted in particular zones, the Utility Uses and Utility service building are uses are permitted in all zones.

These uses are further defined in section 200 as follows:


**Utility, service building** means a building or structure providing for utility facilities for water, sewer, electrical, natural gas, communications, information and similar services.

**Utility use** means the use of land for the establishment of utility facilities and associated appurtenances for the provision of water, sewer, electrical, natural gas, communication, fire protection and transportation; where such use is established by a local, provincial or federal government, an improvement district, a Crown corporation or by a company or person regulated by a government agency or commission; or the use of land for such facilities where they are regulated by a government act or regulation. This definition of "utility use" specifically excludes sewage lagoons, power generating plants including grid connected wind turbines (wind farms) and power distribution stations

That will cover off your needs with no requirement to amend the zoning bylaw for the purposes of a fire hall. As far as any meetings or use of space for office you will also be fine though please note that the CVRD is in the process of reviewing and revising the Comox Valley zoning bylaw and expect to be completed that work by the Fall of 2017. We will keep you apprised of that work, as part of the review will include whether or not we need to include some provisions for public assembly in the uses provided for in utility uses and utility service buildings definition. If so, that will be part of our work in the broader zoning bylaw revisions. We will also include an update of this work at the next UBIC-CVRD meetings with elected officials, as per the protocol.

Thanks again for the updates on these matters, and have a relaxing and well deserved holiday.

Regards, Ann

Ann MacDonald, MCIP, RPP  
General Manager of Planning and Development Services Branch  
Comox Valley Regional District  
600 Comox Road, Courtenay, BC V9N 3P6  
Tel: 250-334-6077; Fax: 250-334-4358  
Toll Free: 1-800-331-6007  


## Thomson, Lia CSCD:EX

---

**From:** UBID Admin <admin@union-bay.ca>  
**Sent:** Thursday, June 2, 2016 2:06 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** \*dp\*RE: Bylaw 264 - Subdivision Regulation Bylaw - Union Bay ID  
**Attachments:** 264 Subdivision Regulation and Standards Bylaw 2016 - May 30 Draft with track changes.pdf; UBID Subdivision Application Form - May 27, 2016 Draft.pdf

**Importance:** High

Hello Dianna.

In follow-up to our telephone conversation a few minutes ago, please find attached for your review and feedback copies of our revised Bylaw No. 264 – Development and Subdivision Regulation and Standards Bylaw 2016, with track changes, and our revised Subdivision Application Form. I've made the changes we discussed previously in both of these documents, along with the single reference change in our engineering standards, and therefore it would be much appreciated if you could get back to me as soon as you can early next week on whether these amendments will be satisfactory.

If you have any questions at all, please just let me know.

Thank you.

Kevin Douville  
UBID Administrator

**Union Bay**  
Improvement District

Kevin Douville, B. Comm  
Administrator

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Website: [www.union-bay.ca](http://www.union-bay.ca)

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Union Bay, BC V0R 3B0

Location: 55798. South Island Highway, Union Bay

---

**From:** UBID Admin [mailto:[admin@union-bay.ca](mailto:admin@union-bay.ca)]  
**Sent:** May 26, 2016 3:50 PM  
**To:** 'CSCD LG Governance CSCD:EX'  
**Subject:** RE: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Good Afternoon Dianna.

In follow-up to our telephone conversation earlier this afternoon, please see below my comments / responses to the questions and recommendations you provided on May 19<sup>th</sup> in regards to our Bylaw No. 264 – Subdivision Water Regulation Bylaw 2016.

If you need any further information or clarification at all, or if you have any other questions, please feel free to contact me.

I appreciate the feedback and will notify you as soon as the UBID Trustees reconsider and adopt an amended version of this bylaw, as well as Meeting Procedures Bylaw No. 263, at our next scheduled Regular Board meeting on June 15<sup>th</sup>.

Thanks.

Kevin.



Kevin Douville, B. Comm  
Administrator

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Improvement District

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Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

**From:** CSCD LG Governance CSCD:EX [<mailto:LGgovernance@gov.bc.ca>]

**Sent:** May 19, 2016 10:21 AM

**To:** 'admin@union-bay.ca'

**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Kevin,

First off it was great to meet you s.22  
people that are behind all the hard work!

I always appreciate the opportunity to meet the

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

s.13,s.16

Page 135

Withheld pursuant to/removed as

s.16;s.13


I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
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PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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Page 137 to/à Page 153

Withheld pursuant to/removed as

s.16;s.13

## Thomson, Lia CSCD:EX

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**From:** UBID Admin <admin@union-bay.ca>  
**Sent:** Thursday, May 26, 2016 3:50 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** \*dp\*RE: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID  
**Attachments:** Planning\_DarkSkyPolicy.pdf; NCID Bylaw 401 - Service Standards for Subdivision and Development of Land.pdf; GEID Bylaw 146 - Subdivision Servicing Bylaw.pdf

Good Afternoon Dianna.

In follow-up to our telephone conversation earlier this afternoon, please see below my comments / responses to the questions and recommendations you provided on May 19<sup>th</sup> in regards to our Bylaw No. 264 – Subdivision Water Regulation Bylaw 2016.

If you need any further information or clarification at all, or if you have any other questions, please feel free to contact me.

I appreciate the feedback and will notify you as soon as the UBID Trustees reconsider and adopt an amended version of this bylaw, as well as Meeting Procedures Bylaw No. 263, at our next scheduled Regular Board meeting on June 15<sup>th</sup>.

Thanks.

Kevin.

**Union Bay**  
Improvement District

Kevin Douville, B. Comm  
Administrator

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Union Bay, BC V0R 3B0

Location: 55796, South Island Highway, Union Bay

---

**From:** CSCD LG Governance CSCD:EX [mailto:LGgovernance@gov.bc.ca]  
**Sent:** May 19, 2016 10:21 AM  
**To:** 'admin@union-bay.ca'  
**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

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s.13,s.16

Page 156

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I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

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**Subject:** DarkSky

**Category:** Community Planning Services

**Policy Reference:** 3010-00

### **Purpose**

1. To include a set of guidelines to be considered regarding exterior lighting for commercial, industrial, and multi-family residential unit development. These regulations include an interpretation section to define the various terms, standardize how light systems are designed, constructed and installed, and to reduce glare, light trespass and obtrusive light while conserving energy and resources. Safety, security and productivity shall be maintained and encouraged while reducing the degradation of the nighttime visual environment.

### **Scope**

2. The scope of this policy includes the various electoral area official community plans that have a form and character development permit area for commercial, industrial or multi-unit family residential development.

### **Guiding Principle**

3. To guide commercial, industrial and multi-family residential development to have exterior lighting that does not negatively impact the quality of life for adjacent neighbours nor create any light pollution.

### **Interpretation**

4. The following are definitions relating to this DarkSky policy:
  - a) **Abandonment:** The relinquishment of a property, or the cessation of a use or activity by the owner or tenant for a period of six months, excluding temporary or short term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility. A use shall be deemed abandoned when such use is suspended as evidenced by the cessation of activities or conditions that constitute the principle use of the property.
  - b) **Development project:** Any multi-family residential, commercial, industrial or mixed use subdivision plan or development plan which is submitted to the regional district for approval.
  - c) **Direct illumination:** Illumination resulting from light emitted directly from a lamp or luminaire, not light diffused through translucent signs or reflected/bounced from other surfaces such as the ground or building faces.
  - d) **Filtered light:** Light from a light source that is covered by a glass, acrylic or other cover that restricts the amount of non-visible radiation (infrared, ultraviolet) emitted by the light fixture.
  - e) **Fully shielded fixture:** An outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal as certified by the manufacturer.

- f) Glare: Harsh, uncomfortable bright light emitting from a luminaire causing reduced vision or momentary blindness when shining into one's cone of vision.
- g) Installed lighting: Attached, or fixed in place, whether or not connected to a power source.
- h) Light trespass: Exterior light fixtures shining light beyond one's property line.
- i) Multi-unit family residential: properties zoned and utilized for multi-unit family residential use.
- j) Outdoor light fixture: Outdoor electricity powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and flood lights for buildings and structures; recreational areas; parking lot lighting; landscaping and architectural lighting; billboards and other signs (advertising or other); street lighting; product display area lighting.
- k) Outdoor recreation facility: A facility used and equipped for the conduct of sports, leisure and/or entertainment.
- l) Partially shielded light fixture: An outdoor light fixture shielded in such a manner that more than zero but less than ten percent of the light emitted directly from the lamp or indirectly from the fixture is projected at angles above the horizontal, as certified by the manufacturer.
- m) Sign: Any object, device, display, structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to any object, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colours, illumination or projected image.
- n) Sign, indirectly lit: Any sign facing that reflects light from a source intentionally directed upon it.
- o) Sign, internally lit: Any sign that has the source of light entirely enclosed within the sign and not directly visible to the eye.
- p) Temporary lighting: Lighting which does not conform to the provisions of the DarkSky policy and will not be used for more than one thirty day period within a calendar year may be permitted, subject to approval from the regional district, with a possible one, thirty day extension. Temporary lighting is intended for uses that by their nature are limited in duration; example: holiday decorations, civic events or construction projects.
- q) Up light: Any light from a luminaire that shines above the horizontal plane causing illumination of the sky.

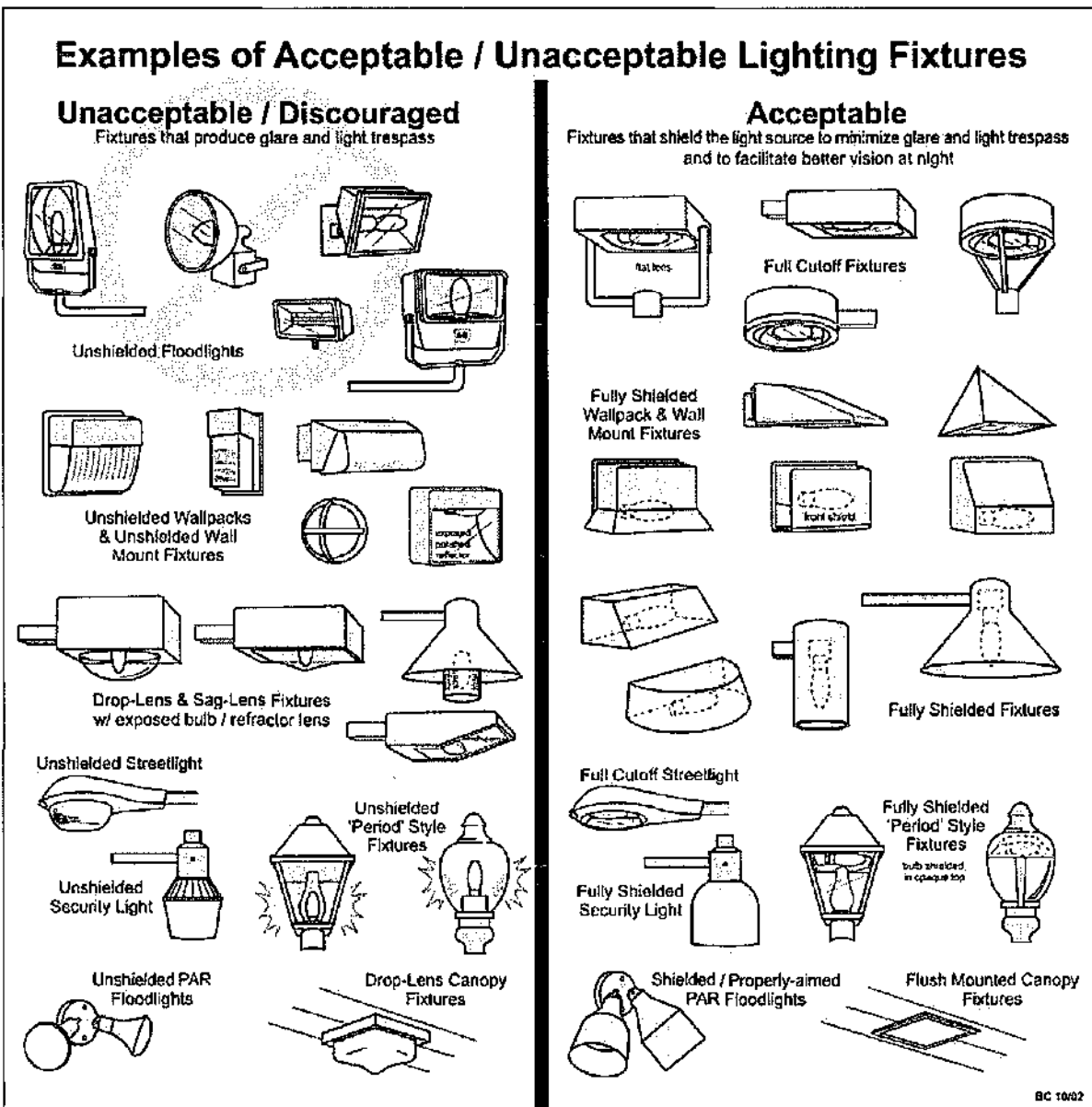


Figure One: Sample of light fixtures that are discouraged and recommended as part of the DarkSky policy.

### Policy Statements

5. Shielding of outdoor light fixtures
  - a) All outdoor lighting fixtures shall be shielded to minimize up-light. Mounted incandescent type fixtures shall be shielded. Lighting is encouraged to be activated by motion sensors versus being on all the time.
  - b) Outdoor floodlighting shall be shielded in such a manner that the lighting system will not produce light trespass.

6. Limiting trespassing of light beyond property lines
  - a) All light fixtures shall be located, aimed and or shielded so as no direct light trespasses beyond the property line on which the light is mounted.
7. Non-conforming light fixtures
  - a) In addition to other exemptions provided in the regional district DarkSky policy, an outdoor lighting fixture not meeting these provisions shall be allowed if the fixture is extinguished by an automatic shutoff device between sundown and sunrise.
  - b) No outdoor recreational facility, whether public or private, shall be illuminated after sundown except when the facility is in use. Outdoor lighting is encouraged to be on only when the field is in use, such as by a user pass activation system.
  - c) The use of searchlight, laser light, or any similar high intensity light for outdoor advertising or entertainment, except in emergencies by police and fire personnel is prohibited. Temporary exemption to this may be granted if approved by the General Manager of Community Planning Services.
8. Effective Date
  - a) The development permit must conform to the DarkSky policy that exists at the time of application. When existing lighting fixtures are considered inoperable, all replacements are subject to all the provisions of the DarkSky policy. The light will be considered inoperable when the housing of the fixture requires replacement or when the lens, lamp, and ballast need to be replaced.
9. New Construction
  - a) All exterior lighting installed shall be approved by the International DarkSky Association (IDA) and must be installed correctly.
10. Exemptions
  - a) The following are exempt from the requirements of the DarkSky policy:
    - i. Single-family development (less than or equal to three dwelling units on one property and zoned residential). Note: the regional district does encourage single-family development to seriously consider the installation of IDA approved lighting.
    - ii. Outdoor lighting fixtures existing and legally installed prior to the implementation of the DarkSky policy.
    - iii. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with lighter coloured lettering or symbols are preferred to minimize detrimental effects.
    - iv. Navigational and general life safety lighting systems required at airports and other transportation installations.

#### Approval History

Policy adopted:	December 13, 2007
Policy amended:	

# NORTH CEDAR IMPROVEMENT DISTRICT

## BYLAW NO. 401

---

To Establish Water System and Ornamental Street Lighting Standards  
for the Subdivision and Development of Land Bylaw 401

WHEREAS improvement districts are authorized under sections 746, 747.1 and 747.2 of the *Local Government Act* to establish servicing standards and require property owners subdividing or developing their lands to follow them;

AND WHEREAS under section 746 of the *Local Government Act*, an improvement district may establish penalties for non-compliance with District regulations and bylaws;

AND WHEREAS the Board of Trustees of the North Cedar Improvement District wishes to establish requirements and standards for water distribution systems, fire hydrants and ornamental street lighting on lands to be subdivided or developed, and on roads adjacent to those lands and to establish penalties for non-compliance;

NOW THEREFORE the Board of Trustees of the North Cedar Improvement District, in open meeting assembled, enacts as follows:

### 1. PURPOSE

This bylaw sets-out:

- (a) the application process;
- (b) servicing requirements; and
- (c) design and construction standards

to be followed by land owners applying for water or ornamental street lighting services as part of a proposal to subdivide or develop their land.

### 2. DEFINITIONS

In this bylaw:

“applicant” means a land owner, or the authorized agent of that owner, who has submitted an application for water or ornamental street lighting services in relation to the proposed subdivision of land;

“approving officer” means the provincial subdivision approving officer under section 77.2 of the *Land Title Act*;

“build-out” means the ultimate development of all parcels in a proposed subdivision;

“district” means the North Cedar Improvement District and its Board of Trustees;

“enactment” means an Act or a regulation or a portion of an Act or regulation;

“excess or extended services” means a portion of the water system that will serve property other than the property being subdivided or developed. Excess services are works that exceed the servicing needs of the subject property, but are required by the District to accommodate anticipated growth. Extended services are extensions made to the water system in order to provide services to a property physically located outside the water service area;

“frontage” means that length of a parcel boundary which abuts a highway;

**“highway”** includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but specifically excludes private rights of way on private property;

**“include”** means as an example of, but not limited to;

**“parcel”** means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

**“regional district”** means the Regional District of Nanaimo;

**“requested service”** means a request for water or ornamental street lighting services;

**“regulation”** includes a bylaw enacted by the District or Regional District;

**“road”** means the same as highway;

**“standards”** means design and construction standards for the District's water system and ornamental street lighting system as set-out in Schedules 'B' and 'C' of this bylaw;

**“subdivision”** means a subdivision as defined in the *Land Title Act* or the *Strata Property Act*;

**“such as”** means the same as include.

**“water service area”** means any property located within the area serviced by the District's water system and that pays a water parcel tax;

**“water system”** means the system of waterworks owned, operated and maintained by the District;

**“waterworks”** means any structures, including pipes, and all attachments, fitting and facilitates for the production, storage, conveyance, treatment and distribution of water;

**“works”** means ornamental street lighting and/or waterworks, as the case may be and context determines;

### **3. GENERAL PROHIBITION AND PENALTIES**

- (1) Land that is connected to the District's water system, or proposed for connection, must not be subdivided contrary to the provisions of this bylaw.
- (2) A person who:
  - (a) does or suffers any act or permits any act to be done in contravention of this bylaw; or
  - (b) neglects to do or refrains from doing any act or thing required by this bylawcommits an offense.
- (3) A person who commits an offence under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act*.

### **4. INSPECTION AND RIGHT OF ACCESS**

- (1) An officer, employee, agent or representative of the District may enter at all reasonable times upon land subject to this bylaw to ascertain whether the provisions of the bylaw are being obeyed, provided that:
  - (a) consent to inspect the land is obtained from the owner or occupier; or
  - (b) where such consent has been refused, written notice of the intent to inspect is given to the owner or occupier no less than 24 hours prior to the time of inspection.

- (2) No person shall obstruct or prevent a person referred to in subsection (1) from carrying out any of the provisions of this bylaw.

## **5. OTHER ENACTEMENTS**

Nothing contained in this bylaw relieves any person of the responsibility of seeking out and complying with other enactments applicable to their undertaking.

## **6. APPROVALS**

### **(1) Subdivision of Land**

- (a) Under section 81 of the *Land Title Act*, the subdivision approving officer must notify the District when a subdivision plan has been received;
- (b) Under section 87 of the *Land Title Act*, the subdivision approving officer may refuse to approve a subdivision plan if the services do not meet the standards set by the District in any bylaw regulating or requiring the provision of works or services in relation to the subdivision of land;
- (c) In accordance with the provisions of this bylaw and the *Local Government Act*, the District will review an applicant's request for service and advise the subdivision approving officer on whether the proposed subdivision should be approved or denied;
- (d) In making a determination under subsection 1 (c), the District will consider and advise the approving officer on:
  - i. the District's capacity to provide the requested service;
  - ii. whether the application complies with the servicing requirements and standards established by the District, in accordance with this bylaw; and
  - iii. whether the applicant has satisfied, or has agreed to satisfy, all such requirements.

### **(2) Issuance of Building Permits**

Under section 747.1 of the *Local Government Act*, the District may enter into an agreement with the Regional District of Nanaimo whereby the Regional District may refuse to issue a building permit if services on the site being developed, or on that portion of the road immediately adjacent, have not been provided to the standard required by District.

## **7. MEANING OF SUBDIVISION APPROVAL AND PERIOD OF VALIDITY**

- (1) Subject to changes in an enactment which may affect the subdivision of land, the District's approval of a subdivision under this bylaw shall be valid for a period of 12 months.
- (2) An approval of subdivision by the District under this bylaw must not be interpreted as limiting the function or authority of the subdivision approving officer under section 87 of the *Land Title Act*.

## **8. APPLICATION FOR WATER SERVICES**

- (1) Land owners proposing to subdivide their land who wish to connect the lots created to the District's water system must first apply for water services by submitting:
  - (a) a completed application in the form prescribed in Schedule A and signed by the registered owner of the land, or by an agent authorized to act on the owner's behalf;
  - (b) all plans and other information specified in Schedule A; and
  - (c) a non-refundable service application fee as specified in Schedule D.

- (2) An application for water services under subsection 1 may be preceded by a preliminary proposal submitted at the applicant's expense in accordance with District policy, including the cost of examination by the District's engineer and/or the District's legal representative:
  - (a) Where work is done "at cost", the cost shall include the amount expended by the District for gross wages, and salaries, employee benefits, materials, equipment rentals at rates paid by the District or set by the District for its own equipment, or any other expenditures incurred in doing the work, plus administration charges;
  - (b) The District shall provide cost estimates that will serve as the amount of down payments required from the applicant before any work is to begin, the District is cost neutral;
  - (c) Where the "at cost" value differs from the estimates, any surplus shall be refunded.
- (3) In accordance with Schedule B (*standards for water systems*), every water service application under subsection 1 must include:
  - (a) a calculation of the peak hourly water demand and pressure requirements at build-out; and
  - (b) sufficient information, plans and drawings for the District to determine whether the proposed works comply with District standards and any other requirements under this bylaw.
- (4) Applications for service connections shall be submitted under the *Water Distribution and Use Regulation Bylaw No. 400*.

## 9. APPLICATION FOR ORNAMENTAL STREET LIGHTINGS SERVICES

- (1) Land owners proposing to subdivide their land who wish to install ornamental street lighting within the proposed subdivision must meet the minimum service requirements established by District policy;
- (2) Land owners meeting the requirements in subsection (1), must apply to the District by submitting:
  - (a) a completed application in the form prescribed and signed by the registered owner of the land, or by an agent authorized to act on the owner's behalf;
  - (b) all plans and other information that the District may reasonably require to determine whether the proposed works comply with District standards and any other requirements under this bylaw; and
  - (c) a non-refundable application fee as specified in schedule "D".

## 10. GENERAL APPLICATION PROVISIONS

- (1) Subject to section 13 (*requirement to provide extended or excess services*), all work required by the District in connection with a service request, including all costs ancillary to the design and installation of works such as permits, the registration of interests on title, professional fees and any other related costs, shall be carried out at the sole expense of the applicant and to the satisfaction of the District.
- (2) The trustees may refuse to approve a proposed subdivision where:
  - (a) the services do not comply with the provisions of this bylaw or any other applicable bylaw; or
  - (b) there is insufficient capacity in the water system to provide the water service requested, including insufficient source supply, storage, conveyance, distribution or treatment capacity.
- (3) For the purposes of subsection 2 (b), the demand placed on the water system by the proposed subdivision will be calculated with reference to the peak hourly water demand and pressure requirement at build-out as provided under section 8 (3) (a) (*application for water services*).
- (4) Despite subsection 2, an application for water service may be approved where the applicant provides the District with an acceptable proposal for increasing the water system's capacity so that it is capable of providing the service requested. Such proposals shall be at the expense of the applicant, including any costs for the examination of the proposal by the District engineer.

- (5) As a precondition to subdivision approval under section 7 (*subdivision approval meaning and period*), an applicant may be required to enter into an agreement with the District that will ensure:
  - (a) the installation and connection of a water distribution system, at no cost to the District, that is of a capacity satisfactory to the District engineer and in accordance with District standards;
  - (b) the installation of street lights, at no cost to the District, in accordance with District standards, as applicable;
  - (c) that ownership of the water distribution system or ornamental street lighting system is transferred to the District; and
  - (d) that any and all costs for improvements to the District's water system that are necessary to meet the servicing requirements of the proposed subdivision, are to be borne by the applicant.

## **11. SERVICING REQUIREMENTS AND STANDARDS WITHIN SUBDIVISIONS**

### **(1) Water Services**

- (a) Subject to subsection 747.1 (3) of the Local Government Act, an applicant proposing to subdivide land must provide, locate and construct within the subdivision:
  - i. a water distribution system; and
  - ii. a fire hydrant system
 in accordance with District standards.
- (b) The new water distribution and hydrant systems provided under subsection (1) (a) must be connected to the District's water system in accordance with schedule "B", District standards.
- (c) All costs associated with providing, locating and constructing the works under subsection (1) (a), including the cost of connecting to the District's water system, shall be borne solely by the applicant.
- (d) The costs referred to in subsection (1) (c) include the cost of all permits, inspections, agreements, right-of-ways, engineering costs and any other costs related to the proposed subdivision.

### **(2) Street Lighting Services**

Provision for street lights is to be included in the subdivision, and incorporated into the electrical layout. If ornamental street lighting is proposed for a subdivision, approval will be subject to the creation of a benefiting area for the collection of operating and maintenance costs. Ornamental lighting standards and specifications are to be in accordance with IES.

- (a) An applicant proposing to subdivide land must provide utility pole mounted street lights and ornamental street lights within the subdivision, where feasible, as follows:
  - i. on every second utility pole;
  - ii. at street corners; and
  - iii. within 6 m of fire hydrants.
- (b) Application for utility pole mounted street lights will be made by the District, with all costs to be borne by the applicant.

## **12. SERVICING REQUIREMENTS AND STANDARDS ON ADJACENT HIGHWAYS**

- (1) Subject to subsection 747.1 (6) of the *Local Government Act*, the District may require an applicant to provide works and services in accordance with the standards, on that portion of the road immediately adjacent to the site being subdivided or developed, as a condition of subdivision approval or the issuance of a building permit, if the District has an agreement under section 6 (*approvals*) with the Regional District.

- (2) All costs associated with providing the works and services under subsection (1) shall be borne by the applicant and include the cost of all permits, inspections, agreements, right-of-ways, engineering costs and other costs related to the proposed subdivision or development.

### **13. REQUIREMENT AND STANDARDS FOR EXCESS OR EXTENDED WATER SERVICES**

- (1) Under section 747.2 of the *Local Government Act*, the District may require an applicant to provide excess or extended services in accordance with the standards.
- (2) If a requirement is made under subsection (1), the District will determine the portion of such service costs to be borne by the applicant in accordance with the *Local Government Act* and any policy regarding latecomer charges.

### **14. ABILITY TO EXTEND WORKS AND SERVICES**

- (1) All works required to be installed under subsection 11 (*servicing requirements and standards within subdivisions*) or 13 (*requirement to provide extended water services*) must be installed along the full frontage of the land being subdivided or developed unless the lands beyond are incapable of further subdivision or development, as determined by the District.
- (2) For the purposes of subsection (1), lands are not incapable of further subdivision or development by reason only that an amendment to an enactment of the Regional District of Nanaimo or the District is necessary to permit further subdivision or development.

### **15. SERVICING REQUIREMENTS AND STANDARDS ON DEVELOPMENT SITES**

Refer to Bylaw #400, Water Distribution and Use Regulation Bylaw.

### **16. STATUORY RIGHT OF WAYS AND TRANSFER & GUARANTEE OF WORKS**

- (1) An applicant who has installed works under this bylaw must:
  - (a) transfer the works to the District; and
  - (b) where any part of the works are located on lands within a highway or on lands owned by any person other than the District, provide a statutory right away agreement in a form acceptable to the District, naming the District as transferee with priority over any financial encumbrances registered against the title.
- (2) An applicant who transfers works to the District must:
  - (a) remedy all defects in the works for one year following the date of transfer; and
  - (b) as security for meeting the obligations under subsection (a), deposit with the District a Irrevocable Letter of Credit or cash deposit in an amount not less than twenty (20) percent of the cost of the works.

### **17. COPIES OF PERMITS**

An applicant required to install works under this bylaw must provide the District with a copy of the construction permit issued in accordance with Schedules B and C of this bylaw.

### **18. CONNECTION, CAPITAL EXPENDITURE AND OTHER CHARGES**

No person may connect any parcel of land to the District's water system without paying all applicable charges in accordance with District bylaws.

### **19. SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this bylaw is, for any reason, held to be invalid by the decision of any court, such decision will not affect the validity of the remaining portions of this bylaw.

## **20. SCHEDULES**

The following schedules are attached to and form part of this bylaw:

Schedule A	Application for Water Services
Schedule B	Standards for Water System
Schedule C	Standards for Ornamental Street Lighting
Schedule D	Fees & Charges

## **21. REPEAL**

Bylaw No. 349 is repealed.

## **22. CITATION**

This bylaw may be cited as the "Bylaw No. 401 - Service Standards for Subdivision and Development of Land"

**INTRODUCED** and given first reading by the Trustees on the 12 day of July, 2012.

**RECONSIDERED** and finally passed by the Trustees on the 12 day of July, 2012.

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Chairperson of the Board of Trustees

I hereby certify under the seal of the North Cedar Improvement District that this a true copy of Bylaw No. 401.

---

Administrator to the Board of Trustees

Schedule A

**WATER SERVICE APPLICATION**  
(Proposed Subdivision)

Property Address (es): \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address (Correspondence/calls to be directed to): \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ email: \_\_\_\_\_

The following information must accompany the application:

1. Copy of indefeasible title (s) dated within 30 days of the date of application
2. A letter of authorization if the applicant is not the registered owner of the property
3. The plan of subdivision with the dimensions clearly illustrating lot layout, roads and other features to a scale of not less than 1:2000. Four copies are required.
4. The layout plan, in metric, must be prepared by a consulting engineer, planner or land surveyor and show the following:
  - (a) the full legal description of the parcel (s) to be subdivided
  - (b) the dimensions and area of all lots to be created by subdivision.
  - (c) the arrangement of lots and streets to be created by subdivision including the widths of the proposed streets and alteration of lot lines or subdivision of any existing parcels
  - (d) the location of all existing buildings and structures on the property.
  - (e) existing property lines and highways to be eliminated on subdivision
  - (f) the location of all natural features and watercourses
  - (g) the relationship of the development to the neighbouring parcels and highways
  - (h) intended use of each lot to be created on subdivision
  - (i) topographic information where land is steep, irregular, or otherwise difficult to appraise in terms of the proposed development
  - (j) a plan of the water system to service the subdivision designed in accordance with District standards.
5. An application fee of \$\_\_\_\_\_.
6. Evidence of approval or authorization from other agencies involved in the subdivision process.

**Please note the following:**

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement of District bylaws related to subdivision. Personal information or business information submitted on this form is not considered to be supplied in confidence.

The District, or their duly appointed representative, are authorized to enter the property for inspection purposes.

Property owner (s) signature (s): \_\_\_\_\_

OR

Authorized agent's signature: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Schedule B**

**WATER SYSTEM STANDARDS**

**Insert water system standards here**

Schedule C

ORNAMENTAL STREET LIGHTING STANDARDS

Insert ornamental street lighting standards here

Schedule D

FEES & CHARGES

- a) Subdivision Application Fees
- |                    |                                                                                                                                                  |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Serviced Lots -    | \$150.00 for each additional lot created<br>\$ 75.00 for each unit in an additional multi-unit<br>or mobile home pad created on an existing lot. |
| Un-Serviced Lots - | \$50.00 for each additional lot created<br>\$25.00 for each unit in an additional multi-unit<br>or mobile home pad rented on an existing lot.    |
- b) Street Lighting Application Fee -
- |  |                                                                                           |
|--|-------------------------------------------------------------------------------------------|
|  | \$300.00 per electrical overhead light fixture.<br>\$400.00 per ornamental light fixture. |
|--|-------------------------------------------------------------------------------------------|

# **GLENMORE-ELLISON IMPROVEMENT DISTRICT**

## **BYLAW #146**

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### **A BYLAW REGULATING THE SUBDIVISION AND SERVICING OF LAND THAT IS BEING PROPOSED FOR CONNECTION TO THE IMPROVEMENT DISTRICT'S WATER SYSTEM.**

The Trustees of the Glenmore-Ellison Improvement District, in open meeting assembled, **ENACT AS FOLLOWS:**

#### **PART I: DEFINITIONS AND INTERPRETATIONS**

##### **1.1 In this bylaw:**

"Applicant" means the owner of property, or the authorized agent of the owner, who has submitted a completed application for the subdivision of land to which water may be supplied by the District.

"District" means the Glenmore-Ellison Improvement District (GEID) and its duly appointed representatives.

"District's system" means the water distribution system owned and operated by the District.

"Owner" means any person who is a registered owner of real property as recorded at the Land Titles Office.

"Parcel" means any lot, block or other area in which land is held or into which land is subdivided.

"Property" means any parcel contained within the boundaries of the District's water system service area.

"Standards" means the District's water system construction and design standards attached as Schedule "B" and "C" to this bylaw.

"Subdivision" means subdivision as defined in the *Land Title Act* or the *Strata Property Act*.

"Trustees" means the Board of Trustees of the Glenmore-Ellison Improvement District or their duly authorized representatives.

"Works" means all infrastructure of the Glenmore-Ellison Improvement District and includes every part of the system owned, operated and maintained by the District.

- 1.2 The schedules to this bylaw, Schedules "A", "B" and "C" are integral parts of this bylaw.

## **PART 2: OTHER ENACTMENTS**

- 2.1 Nothing contained in this bylaw shall relieve any person from responsibility for seeking out and complying with other enactments applicable to their undertaking.

## **PART 3: GENERAL PROHIBITION**

- 3.1 Land that is connected to the District's system, or is proposed for connection to the District's system, must not be subdivided contrary to this bylaw.

## **PART 4: APPLICATION**

- 4.1 An owner of land who proposes to subdivide land and will connect one or more parcels to be created by the subdivision to the District's system must deliver to the District:
- a) the application form, proposal, plans, drawings and other information as specified in Schedules "A", "B" and "C";
  - b) a Development Application Fee as stipulated in the Miscellaneous Charge Bylaw;
- 4.2 Every application for subdivision of land that will create a parcel to be connected to the District's system must include a calculation of the peak hourly water demand and pressure requirement for the ultimate development of the parcels, and sufficient information, reports, plans and drawings for the District to determine whether the proposed works comply with this bylaw.
- 4.3 Notwithstanding Section 4.2, the District may require the owner or owners of the proposed subdivision to provide a detailed Engineering Study, including any Fire Flow modeling, to determine the infrastructure requirements for the proposed works. The Study must be prepared by the District's Consulting Engineer with all associated costs to be borne by the owner(s).

## **PART 5: BONDING**

- 5.1 A Performance Bond is to be provided as a guarantee that a water system will be installed therein. The Performance Bond may be in the form of an irrevocable standby Letter of Credit and must be in the amount of 125% of the estimated construction cost of the water system, which shall include engineering, inspection and testing, as verified by the District or a Qualified Engineer. Such Letter of Credit will be released upon substantial completion of work to the satisfaction of the District.

- 5.2 A Maintenance Bond in the amount of 50% of the estimated construction costs, or a minimum of \$5,000, will be provided to the District upon substantial completion of work. This bond or irrevocable Letter of Credit will be held by the District for a minimum period of one (1) year commencing after the date of substantial completion. The bond or irrevocable Letter of Credit must automatically renew and will be released upon satisfactory final inspection, submission of final documentation as required by the District and completion of the bonding period.
- 5.3 An Engineering/Inspection Fee is payable, valued at three percent (3%) of the estimated construction cost, or a minimum of \$500.00 (whichever is greater) as verified by the District or a Qualified Engineer, for the ongoing review, monitoring and inspection of the engineering details and construction work, for the duration of the construction period for the proposed works and servicing.
- 5.4 Works to be completed by District crews and those works with an estimated construction cost valued under \$10,000 will not require Bonding or payment of Engineering/Inspection Fees.

#### **PART 6: GENERAL PROVISION**

- 6.1 The Trustees may refuse to supply water to the proposed subdivision where:
- a) the proposed subdivision does not comply with the provisions of this and other applicable bylaws of the District;
  - b) all applicable fees and charges have not been paid;
  - c) one or more parcels to be created by the subdivision are to be connected to the District's system and the District has an insufficient water supply to provide such parcels with a supply of water.
- 6.2 Despite subsection 6.1(c), an application may be approved where the owner of the land provides to the District a reasonable proposal to increase the supply capacity of the District's system so that it is capable of providing the parcels to be created by the subdivision with a sufficient supply of water.

#### **PART 7: CONSTRUCTION OF WORKS WITHIN SUBDIVISION**

- 7.1 An owner of land who proposes to subdivide the land must:
- a) provide, locate and construct a water distribution system within the subdivision; and
  - b) connect the water distribution system to the District's system; and
  - c) complete all works in accordance with the Standards prescribed in Schedules "B" and "C".

- 7.2 The cost of providing, locating and constructing the water distribution system and connecting the water distribution system to the District's system must be paid completely by the owner of land providing the works.
- 7.3 The costs referred to in Section 7.2 includes the cost of all permits, inspections, engineering costs and other costs related to the proposed works.

#### **PART 8: CONSTRUCTION OF WORKS IN ADJACENT HIGHWAYS**

- 8.1 In addition to the requirements of Part 7, the Board of Trustees of the District may also, by resolution, and in accordance with the *Local Government Act*, require that an owner of land provide other works and services in accordance with all District bylaws and standards, on that portion of a highway immediately adjacent to the site being subdivided or developed.

#### **PART 9: CONSTRUCTION OF EXTENDED SERVICES**

- 9.1 Where the Board of Trustees requires that an owner of land provide excess or extended services, the District will determine the proportion of the cost of the extended or excess service which will be borne by the applicant in accordance with the *Local Government Act* and any policy regarding latecomer charges approved by the Board of Trustees.

#### **PART 10: EXTENSION OF WORKS AND SERVICES**

- 10.1 All works required to be installed under Part 7 must be installed along the full frontage of the land being subdivided or developed unless the lands beyond the land being subdivided or developed are incapable of further subdivision or development, as determined by the District.
- 10.2 For the purpose of Section 10.1, lands are not incapable of further subdivision or development by reason only that an amendment to an enactment of a local government or the District would be necessary to permit further subdivision or development.

#### **PART 11: TRANSFER OF WORKS**

- 11.1 An owner of land who has installed works must:
- a) Upon request, transfer the works to the District, and
  - b) where any part of the works transferred to the District are located on lands owned by any person other than the District or within a highway, provide a statutory right of way agreement for the works in a form acceptable to the District, naming the District as transferee with priority over any financial encumbrances registered against the title to the land.

- 11.2 An owner who transfers works to the District must remedy all defects in the works for one year following the date of the transfer;
- 11.3 Upon completion of the works, the owner is required to provide to the District one set of project drawings marked "As Constructed", duly signed by a professional engineer, in paper format, and in standard and AutoCad digital formats. One set of service cards in digital format must be provided.

#### **PART 12: COPIES OF PERMITS**

- 12.1 The owner required to install works under this bylaw, and prior to commencement of the works, must provide to the District a copy of the construction permit for the works, issued by the Ministry of Health.

#### **PART 13: CONNECTION CHARGES**

- 13.1 No person may connect any parcel or works to the District's system without paying all applicable charges in accordance with the District's bylaws and fee schedules.

#### **PART 14: APPROVAL PERIOD**

- 14.1 Subject to changes in an enactment which may affect a subdivision, approval of design drawings under this bylaw will be valid for a period of six months.
- 14.2 An approval under this bylaw must not be interpreted as limiting the function or authority of the Approving Officer under the *Land Title Act*.

#### **PART 15: VIOLATION**

- 15.1 A person who does any act or suffers or permits any act to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which is required to be done by this bylaw, commits an offence.

#### **PART 16: PENALTY**

- 16.1 A person who commits an offence under this bylaw is liable on summary conviction to a penalty in accordance with the *Offence Act*.

#### **PART 17: SEVERABILITY**

- 17.1 If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court, such section, subsection, sentence, clause or phrase may be severed from the remaining portion of this bylaw with the remaining portions of the bylaw remaining valid and of full force and effect.

## PART 18: INSPECTION AND RIGHT OF ACCESS

18.1 The Trustees, or an officer or employee of the District may enter at all reasonable times upon the land subject to this bylaw, to ascertain whether the provisions of the bylaw are being obeyed, provided that:

- (a) consent to inspect the land is obtained from the owner or occupier of the land, or;
- (b) where such consent has been refused, written notice of the intent to inspect is given to the owner or occupier no less than 24 hours prior to the time of inspection.

18.2 No person shall obstruct or prevent a person referred to in section 18.1 from carrying out any of the provisions of this bylaw.

## PART 19: REPEAL

19.1 Subdivision Servicing Bylaw No. 133 is repealed.

## PART 20: CITATION


20.1 This bylaw may be cited as the "Subdivision Servicing Bylaw No. 146."

**INTRODUCED** and given first reading by the Trustees on the 29<sup>th</sup> day of May, 2013.

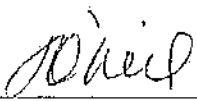
**RECONSIDERED** and finally passed by the Trustees on the 14<sup>th</sup> day of November, 2013.

  
Bob Fugger - Chair of the Trustees

  
Linda O'Neil - Administrative Treasurer

A true copy of By-Law No.  
registered in the office of the Inspector  
of Municipalities this 22<sup>ND</sup> day of  
NOVEMBER 20 13  
  
Deputy Inspector of Municipalities

I hereby certify under the seal of the Glenmore-Ellison Improvement District that this is a true copy of the **Bylaw No. 146** of the Glenmore-Ellison Improvement District passed by the Trustees on the 14<sup>th</sup> day of November, 2013.

  
Linda O'Neil - Administrative Treasurer

**Thomson, Lia CSCD:EX**

---

**From:** Dann, Michelle CSCD:EX  
**Sent:** Tuesday, July 19, 2016 4:22 PM  
**To:** CSCD LG Governance CSCD:EX  
**Cc:** Guetta, Arielle CSCD:EX  
**Subject:** \*md\*RE: Union Bay Improvement District - Request for Status Update on our Bylaw No. 264

Yes

---


**From:** CSCD LG Governance CSCD:EX  
**Sent:** Tuesday, July 19, 2016 4:21 PM  
**To:** Dann, Michelle CSCD:EX  
**Cc:** Guetta, Arielle CSCD:EX  
**Subject:** FW: Union Bay Improvement District - Request for Status Update on our Bylaw No. 264  
**Importance:** High

Michelle can you handle a response to this in my absence.<sup>s.22</sup>

Cheers,

**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**  
Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

 Please consider the environment before printing this email

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**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Tuesday, July 19, 2016 2:25 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** Union Bay Improvement District - Request for Status Update on our Bylaw No. 264  
**Importance:** High

Good Afternoon Dianna.

Just a quick check-in to inquire as to the status of the sign-off by the Inspector of Municipalities on our Bylaw No. 264 – Development and Subdivision Regulation and Standards Bylaw 2016.

Please send me a brief reply at your earliest opportunity with any update you are able to provide.

Thanks so much.

Kevin Douville  
UBID Administrator



Kevin Douville, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Improvement District**

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: S579B, South Island Highway, Union Bay

**Thomson, Lia CSCD:EX**

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**From:** Mueller, Brent CSCD:EX  
**Sent:** Thursday, June 15, 2017 4:53 PM  
**To:** Porter, Dianna CSCD:EX  
**Subject:** Call from UBID

Hi Dianna – Peter Jacques called to discuss bylaw 264, <sup>s.13,s.16</sup>  
<sup>s.13,s.16</sup>

I called him back and explained that we would prefer if communication could come through the Administrator. He understood but it sounded like he still might give you a call.

Cheers ~ Brent

## Thomson, Lia CSCD:EX

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**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, June 2, 2016 2:39 PM  
**To:** Mueller, Brent CSCD:EX; Bickford, Cathy; LeBlanc, Cathy CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** FW: Bylaw 264 - Subdivision Regulation Bylaw - Union Bay ID  
**Attachments:** 264 Subdivision Regulation and Standards Bylaw 2016 - May 30 Draft with track changes.pdf; UBID Subdivision Application Form - May 27, 2016 Draft.pdf

**Importance:** High

Hi Brent, Michelle, Cathy, and Cathy,

Kevin has made some of the suggested changes to the UBID subdivision regulation bylaw (attached here) and would like me to get back to him early next week on whether I think these amendments will be satisfactory.

He seems to want to get the Ministry 'ok' before taking it to a lawyer to vet, but says that 'if we require it' he can go to a lawyer.

He'd like to take the revised bylaw to the board June 15<sup>th</sup>.


If you could provide me any feedback you have on the revised attached that would be great, and then I can advise Kevin whether or not I would recommend the bylaw for inspector approval.

As an aside, June 18<sup>th</sup> electors in the same region will be asked in a referendum about establishing south sewer services and borrowing in relation to these.

Cheers,

**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**  
Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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---

**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Thursday, June 2, 2016 2:06 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Bylaw 264 - Subdivision Regulation Bylaw - Union Bay ID  
**Importance:** High

Hello Dianna.

In follow-up to our telephone conversation a few minutes ago, please find attached for your review and feedback copies of our revised Bylaw No. 264 – Development and Subdivision Regulation and Standards Bylaw 2016, with track changes, and our revised Subdivision Application Form. I've made the changes we discussed previously in both of these documents, along with the single reference change in our engineering standards, and therefore it would be much appreciated if you could get back to me as soon as you can early next week on whether these amendments will be satisfactory.

If you have any questions at all, please just let me know.

Thank you.

Kevin Douville  
UBID Administrator

**Union Bay**  
Improvement District

Kevin Douville, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

---

**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** May 26, 2016 3:50 PM  
**To:** 'CSCD LG Governance CSCD:EX'  
**Subject:** RE: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Good Afternoon Dianna.

In follow-up to our telephone conversation earlier this afternoon, please see below my comments / responses to the questions and recommendations you provided on May 19<sup>th</sup> in regards to our Bylaw No. 264 – Subdivision Water Regulation Bylaw 2016.

If you need any further information or clarification at all, or if you have any other questions, please feel free to contact me.

I appreciate the feedback and will notify you as soon as the UBID Trustees reconsider and adopt an amended version of this bylaw, as well as Meeting Procedures Bylaw No. 263, at our next scheduled Regular Board meeting on June 15<sup>th</sup>.

Thanks.

Kevin.

**Union Bay**  
Improvement District

Kevin Douville, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

**From:** CSCD LG Governance CSCD:EX [<mailto:LGgovernance@gov.bc.ca>]  
**Sent:** May 19, 2016 10:21 AM  
**To:** 'admin@union-bay.ca'  
**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Kevin,

First off it was great to meet you s.22  
people that are behind all the hard work!

I always appreciate the opportunity to meet the

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

s.13,s.16

Page 186

Withheld pursuant to/removed as

s.16;s.13

I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development

Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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Page 188 to/à Page 204

Withheld pursuant to/removed as

s.16;s.13

## Thomson, Lia CSCD:EX

---

**From:** Porter, Dianna CSCD:EX  
**Sent:** Thursday, May 19, 2016 11:05 AM  
**To:** Mueller, Brent CSCD:EX  
**Subject:** FW: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Brent,

s.13,s.16

Cheers,  
Dianna

---

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, May 19, 2016 10:21 AM  
**To:** 'admin@union-bay.ca'  
**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Kevin,

First off it was great to meet you s.22  
people that are behind all the hard work!

I always appreciate the opportunity to meet the

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

s.13,s.16

Page 206

Withheld pursuant to/removed as

s.16;s.13

I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

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Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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## **Thomson, Lia CSCD:EX**

---

**From:** Dann, Michelle CSCD:EX  
**Sent:** Monday, May 16, 2016 11:30 AM  
**To:** Porter, Dianna CSCD:EX  
**Cc:** Mueller, Brent CSCD:EX  
**Subject:** FW: UBID Bylaw

Hi Dianna – can you check in with Brent about where the discussions are at with UBID

Thanks

---

**From:** Faganello, Tara CSCD:EX  
**Sent:** Monday, May 16, 2016 11:21 AM  
**To:** Mueller, Brent CSCD:EX  
**Cc:** Paget, Gary CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** RE: UBID Bylaw

Hi Brent,

Can I get an update on our review of the bylaw? Process and timelines? Also, did you hear anything from Jim , per below?

Thanks

T

---

**From:** Mueller, Brent CSCD:EX  
**Sent:** Monday, May 2, 2016 4:16 PM  
**To:** Faganello, Tara CSCD:EX  
**Cc:** Paget, Gary CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** RE: UBID Bylaw

Actually thanks for the reminder, s.13,s.16  
s.13,s.16

---

**From:** Faganello, Tara CSCD:EX  
**Sent:** Monday, May 2, 2016 4:13 PM  
**To:** Mueller, Brent CSCD:EX  
**Cc:** Paget, Gary CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** RE: UBID Bylaw

Thanks, do we know which section(s) KIP is most concerned with? Or could we ask Jim?

---

**From:** Mueller, Brent CSCD:EX  
**Sent:** Monday, May 2, 2016 4:03 PM  
**To:** Faganello, Tara CSCD:EX  
**Cc:** Paget, Gary CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** UBID Bylaw

Hi Tara – quick update on UBID bylaw 264 that is under review.

Attached is a copy, Riley at MO had asked for it but I think you should make the call to provide to him. He asked for it verbally but hasn't followed-up with me. There are also detailed schedules that go along with it I have not forwarded.

Review of the bylaw is in progress, as you know. Here is a bit more detail from staff:

- Ministry has received "Bylaw No. 264, Development and Subdivision Water Regulation and Standards Bylaw 2016."
- Bylaw 264 needs to be registered by the Inspector before it comes into force.
- Ministry staff is currently undertaking our due diligence review.
- Currently Union Bay Improvement District has Bylaw No. 176, 2004 (and its amendments) as a Subdivision Water Regulation Bylaw and Bylaw No. 125, 1994 as a Street Lighting Regulation Bylaw
- Bylaw 264 appears to be fairly consistent with these existing bylaws, but does deviate from the existing bylaws in some sections.
  - Ministry review is still ongoing and it is expected that Ministry staff will be asking some following up questions pertaining to the changes
- Many parts of Bylaw 264 appear consistent with the authority provided under the Local Government Act
  - s.13, s.16
- As part of the review process, staff are assembling a series of questions for UBID which will be provided in email.

Cheers ~ Brent

## Thomson, Lia CSCD:EX

---

**From:** Dann, Michelle CSCD:EX  
**Sent:** Wednesday, April 27, 2016 10:14 AM  
**To:** Mueller, Brent CSCD:EX  
**Cc:** Porter, Dianna CSCD:EX  
**Subject:** FW: UBID/KFN Meeting Questions

Hi Brent – Dianna has drafted some bullets to respond to the request. I think this is all we can say at this point. Thanks Dianna.

Cheers Michelle

---

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Wednesday, April 27, 2016 9:36 AM  
**To:** Dann, Michelle CSCD:EX  
**Subject:** FW: UBID/KFN Meeting Questions

Hi Michelle,

Please see some bullets below to address the first question; not sure if Brent has anything different to add/say?

- Ministry has a received "Bylaw No. 264, Development and Subdivision Water Regulation and Standards Bylaw 2016"
- Bylaw 264 needs to be registered by the Inspector before it comes into force
- Ministry staff is currently undertaking our due diligence review
- Currently Union Bay Improvement District has Bylaw No. 176, 2004 (and it's amendments) as a Subdivision Water Regulation Bylaw and Bylaw No. 125, 1994 as a Street Lighting Regulation Bylaw
- Bylaw 264 appears to be fairly consistent with these existing bylaws, but does deviate from the existing bylaws in some sections
- Ministry review is still ongoing and it is expected that Ministry staff will be asking some following up questions pertaining to the changes
- Many parts of Bylaw 264 appear consistent with the authority provided under the *Local Government Act*  
s.13,s.16


I cannot provide any bullets on the below question as I'm unaware.

s.13,s.16

Cheers,  
**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**  
Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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**From:** Dann, Michelle CSCD:EX  
**Sent:** Wednesday, April 27, 2016 8:51 AM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** \*dp\*FW: UBID/KFN Meeting Questions  
**Importance:** High

---

**From:** Paget, Gary CSCD:EX  
**Sent:** Tuesday, April 26, 2016 5:34 PM  
**To:** Mueller, Brent CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** FW: UBID/KFN Meeting Questions  
**Importance:** High

Brent could you work with Michelle and pull this together by end of day tomorrow.

Thanks

Gary

---

**From:** Whitelock, Riley CSCD:EX  
**Sent:** Tuesday, April 26, 2016 5:21 PM  
**To:** Faganello, Tara CSCD:EX  
**Cc:** Paget, Gary CSCD:EX  
**Subject:** UBID/KFN Meeting Questions  
**Importance:** High

Hi Tara & Gary,

I have a few questions from MLA McRae in regards to Thursday's meeting with the KFN.

- 1) s.13,s.16
- 2)

If we could have more info on the bylaw question by end of day tomorrow that'd be great. Would like to update MLA McRae before Thursday's meeting. Thank you, -Riley.

**Riley Whitelock**  
Executive Assistant to the Honourable Peter Fassbender  
Minister of Community, Sport and Cultural Development  
Minister Responsible for TransLink  
Tel: (250) 387-2283

## Thomson, Lia CSCD:EX

---

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, May 4, 2017 4:37 PM  
**To:** 'UBID Admin'  
**Cc:** Mueller, Brent CSCD:EX  
**Subject:** FW: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Hi Martin / Gordon,

I appreciated speaking to Gordon over the phone today. I will, hopefully, by mid next week provide a high-level overview on improvement district bylaws etc. to Gordon by email. However, given my current workload it's unlikely to come before then. In the meantime, please follow-up if there is anything you need immediately.

Below is the correspondence I was referring to. In addition to the discussion on a resolution, I also recommended in an earlier email on this bylaw the following:<sup>s.13,s.16</sup>

s.13,s.16

To my knowledge this was not done, but it is still recommended. If it was done, is done, or won't be done, could you please provide that update as well.

Cheers,

**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(P): 778-698-3213  
(E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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---

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Tuesday, November 1, 2016 2:44 PM  
**To:** 'UBID Admin'  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Hi Kevin,

Thanks for the quick response and supporting background information. In order to support the package moving forward it is helpful to know the current board's position with respect to this bylaw.

I recommend bringing the bylaw/schedules forward at a future board meeting for the newly re-configured board to consider. A resolution passed in support of bylaw 264 moving forward in its current form, will provide the Inspector with an updated decision from the current Board of Trustees, and can be sent to my attention at this email address.

Many thanks,  
**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**  
Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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---

**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Tuesday, November 1, 2016 1:27 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Good Afternoon Dianna.


As requested, please find attached a copy of the sample Works and Services Agreement that is to be included as Schedule C to UBID Bylaw No. 264.

This draft agreement, which was developed as part of our ongoing efforts with respect to the Kensington Island Properties development, was considered and approved by UBID Trustees on March 16, 2016 as the **template** to use as part of any future subdivision applications when and where deemed appropriate. As the original draft agreement was created in August 2015, the Local Government Act references have been updated in the attached document to reflect the Act's January 2016 reorganization. I do stress that it is indeed a sample and would of course be reviewed and very likely modified on a case-by-case basis however it would provide any future developers with a sense of what may be expected as part of a subdivision servicing application.

If you need any further information or clarification on this matter, please just let me know.

Thanks.

Kevin Douville  
UBID Administrator

**Union Bay**  
  
**Improvement District**

Kevin Douville, B. Comm  
Administrator  
Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Mailing Address:**  
Post Office Box 70  
Union Bay, BC V0R 3R0  
  
Location: 5579B, South Island Highway, Union Bay

---

**From:** CSCD LG Governance CSCD:EX [<mailto:LGgovernance@gov.bc.ca>]  
**Sent:** October 31, 2016 1:06 PM  
**To:** 'UBID Admin'  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Thanks Kevin.

Could you also please provide a copy of Schedule C [draft works and services agreement] of bylaw 264?

The Inspector cannot register the bylaw until it's received in its entirety.

Cheers,

**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Wednesday, October 26, 2016 9:38 AM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264  
**Importance:** High

Good Morning Dianna.

As promised during our telephone conversation yesterday afternoon, please find attached for your information copies of the e-mails I received from the Comox Valley Regional District and from the Courtenay office of the BC Ministry of Transportation & Infrastructure with respect to their individual reviews of our Bylaw No. 264.

Hopefully the completion of these reviews will support the Inspector of Municipalities' approval of this bylaw as it has now been over 4 months since this bylaw was last submitted to your office for the Inspector's consideration and sign-off.

If you need anything further from me at all on this, please let me know as soon as possible.

Thanks so much.

Kevin Douville  
UBID Administrator

**Union Bay**  
  
Kevin Douville, B. Comm  
Administrator  
Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

**Improvement District**

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

**From:** CSCD LG Governance CSCD:EX [mailto:LGgovernance@gov.bc.ca]

**Sent:** October 7, 2016 10:32 AM

**To:** 'UBID Admin'

**Subject:** RE: Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

Hi Kevin,

Thanks for the additional information. The bylaw is still under review.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)

<http://www.cscd.gov.bc.ca/igd/>

**Mailing Address:**

Ministry of Community, Sports and Cultural Development

Advisory Services – Governance & Structure Branch

PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1



Please consider the environment before printing this email

**From:** UBID Admin [mailto:admin@union-bay.ca]

**Sent:** Thursday, October 6, 2016 2:46 PM

**To:** CSCD LG Governance CSCD:EX

**Subject:** Union Bay Improvement District - Update on Regional District and MOTI Review of our Bylaw No. 264

**Attention:** Dianna Porter, Advisory Officer

Good Afternoon Dianna.

I just wanted to quickly touch base with you and advise that I have now heard back from both the Comox Valley Regional District and the local Ministry of Transportation & Infrastructure office after each completed a review of our new Development and Subdivision Regulation and Standards Bylaw No. 264.

While both had some minor questions which I have since responded to, neither had any objections or concerns to the bylaw as approved by our Board of Trustees back on June 15<sup>th</sup>. Hopefully this will provide the Inspector of Municipalities with sufficient support to now sign off on the bylaw so I can officially put it into effect.

Please let me know if you need any further supporting documentation and/or evidence, such as my contacts with each organization, or if you have any other questions.

Thanks Dianna.

Kevin Douville

UBID Administrator



Kevin Douville, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

#### Improvement District

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

## Thomson, Lia CSCD:EX

---

**From:** Mueller, Brent CSCD:EX  
**Sent:** Thursday, June 2, 2016 2:44 PM  
**To:** CSCD LG Governance CSCD:EX; Bickford, Cathy; LeBlanc, Cathy CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** RE: Bylaw 264 - Subdivision Regulation Bylaw - Union Bay ID

Hi Dianna – would it be possible to have a short meeting tomorrow, with Gary. Cheers - Brent

---

**From:** CSCD LG Governance CSCD:EX  
**Sent:** Thursday, June 2, 2016 2:39 PM  
**To:** Mueller, Brent CSCD:EX; Bickford, Cathy CSCD:EX; LeBlanc, Cathy CSCD:EX; Dann, Michelle CSCD:EX  
**Subject:** FW: Bylaw 264 - Subdivision Regulation Bylaw - Union Bay ID  
**Importance:** High

Hi Brent, Michelle, Cathy, and Cathy,

Kevin has made some of the suggested changes to the UBID subdivision regulation bylaw (attached here) and would like me to get back to him early next week on whether I think these amendments will be satisfactory.

He seems to want to get the Ministry 'ok' before taking it to a lawyer to vet, but says that 'if we require it' he can go to a lawyer.

He'd like to take the revised bylaw to the board June 15<sup>th</sup>.

If you could provide me any feedback you have on the revised attached that would be great, and then I can advise Kevin whether or not I would recommend the bylaw for inspector approval.

As an aside, June 18<sup>th</sup> electors in the same region will be asked in a referendum about establishing south sewer services and borrowing in relation to these.

Cheers,  
**Dianna Porter** | Advisory Officer  
Governance and Structure | Local Government Division  
Ministry of Community, Sport and Cultural Development  
(T): 250-356-9979 (E): [lggovernance@gov.bc.ca](mailto:lggovernance@gov.bc.ca)  
<http://www.cscd.gov.bc.ca/lgd/>

**Mailing Address:**  
Ministry of Community, Sports and Cultural Development  
Advisory Services – Governance & Structure Branch  
PO Box 9839 Stn Prov Govt, Victoria BC, V8W 9T1

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**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** Thursday, June 2, 2016 2:06 PM  
**To:** CSCD LG Governance CSCD:EX  
**Subject:** RE: Bylaw 264 - Subdivision Regulation Bylaw - Union Bay ID  
**Importance:** High

Hello Dianna.

In follow-up to our telephone conversation a few minutes ago, please find attached for your review and feedback copies of our revised Bylaw No. 264 – Development and Subdivision Regulation and Standards Bylaw 2016, with track changes, and our revised Subdivision Application Form. I've made the changes we discussed previously in both of these documents, along with the single reference change in our engineering standards, and therefore it would be much appreciated if you could get back to me as soon as you can early next week on whether these amendments will be satisfactory.

If you have any questions at all, please just let me know.

Thank you.

Kevin Douville  
UBID Administrator

**Union Bay**  
Improvement District

Kevin Douville, B. Comm  
Administrator

Telephone: (250) 335-2511  
Facsimile: (250) 335-1178  
E-mail: [admin@union-bay.ca](mailto:admin@union-bay.ca)  
Website: [www.union-bay.ca](http://www.union-bay.ca)

Mailing Address:  
Post Office Box 70  
Union Bay, BC V0R 3B0

Location: 5579B, South Island Highway, Union Bay

---

**From:** UBID Admin [<mailto:admin@union-bay.ca>]  
**Sent:** May 26, 2016 3:50 PM  
**To:** 'CSCD LG Governance CSCD:EX'  
**Subject:** RE: Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Good Afternoon Dianna.

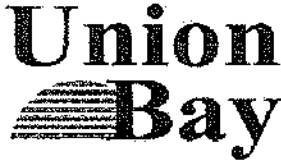
In follow-up to our telephone conversation earlier this afternoon, please see below my comments / responses to the questions and recommendations you provided on May 19<sup>th</sup> in regards to our Bylaw No. 264 – Subdivision Water Regulation Bylaw 2016.

If you need any further information or clarification at all, or if you have any other questions, please feel free to contact me.

I appreciate the feedback and will notify you as soon as the UBID Trustees reconsider and adopt an amended version of this bylaw, as well as Meeting Procedures Bylaw No. 263, at our next scheduled Regular Board meeting on June 15<sup>th</sup>.

Thanks.

Kevin.



Kevin Downie, B. Comm  
Administrator

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**From:** CSCD LG Governance CSCD:EX [<mailto:LGgovernance@gov.bc.ca>]

**Sent:** May 19, 2016 10:21 AM

**To:** 'admin@union-bay.ca'

**Subject:** Bylaw 264 - Subdivision Water Regulation Bylaw - Union Bay ID

Hi Kevin,

First off it was great to meet you <sup>s.22</sup>  
people that are behind all the hard work!

I always appreciate the opportunity to meet the

As a reminder, I have placed meeting procedure bylaw #263 on hold, in order for the improvement district to decide whether it will re-read final reading with changes, prior to moving it forward to the inspector. We do caution in general that any bylaw can be subject to challenge in court, hence our recommendations to vet bylaws through legal counsel if they go beyond the typical scope seen in ID bylaws.

I have been reviewing your new Subdivision Water Regulation Bylaw #264 and I have a few questions and recommendations before moving it forward to the Inspector for registration.

s.13,s.16

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Withheld pursuant to/removed as

s.16;s.13

I'm happy to review a draft revision of this bylaw before taking it to the board again, and if I can support any further please feel free to phone me.

Cheers,

**Dianna Porter** | Advisory Officer

Governance and Structure | Local Government Division

Ministry of Community, Sport and Cultural Development

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