

**DATE:** February 19, 2019**FILE:** 3900-02 / 5360-02**TO:** Chair and Directors  
Electoral Areas Services Committee**FROM:** Russell Dyson  
Chief Administrative OfficerSupported by Russell Dyson  
Chief Administrative Officer**R. Dyson****RE: Royston Garbage Collection Service – Boundary Expansion****Purpose**

The purpose of this report is to bring forward community interest received to expand the boundary of the Royston Garbage Collection Service and to receive direction regarding the process for the proposed boundary amendment.

**Recommendation from the Chief Administrative Officer:**

THAT staff be directed to proceed with a petition process for those property owners within Electoral Area A that fall within the proposed extension of the Royston Garbage Collection Service as outlined on Schedule "A" attached to the staff report dated February 19, 2019;

AND FURTHER THAT if a sufficient and valid petition is received pursuant to the *Local Government Act* and the *Regional District Establishing Bylaw Approval Exemption Regulation*, staff be directed to bring forward an amendment to Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010” to advance the boundary extension proposal;

AND FINALLY THAT subject to sufficient and valid petition being received, the Director for Electoral Area A, being the service participant, consent to the amendment of Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010” in writing.

**Executive Summary**

- The Royston Garbage Collection Service:
  - o Provides weekly garbage and bi-weekly recycling pick-up to approximately 910 properties.
  - o Is delivered under contract by Environmental; and
  - o Includes most printed and packaged materials.
- A number of residents within the Kilmarnock Drive area, south of Spindrift Road, have expressed interest to be included in the Royston Garbage Collection Service
- The proposed boundary extension (Appendix A) contains approximately 174 parcels, is immediately adjacent to the existing service area and contains no physical or operational impediments to extending the service to this area.
- Two waste disposal contractors operate within the area and have likely been contracted by individual property owners.
- The “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010” must be amended to expand the service and a petition process is proposed to obtain elector approval, which requires half the properties owners who represent at least half of the assessed values to submit petition forms.

Prepared by:

***J. Martens***

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Jake Martens  
Manager of Legislative  
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Concurrence:

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### **Background/Current Situation**

The Royston Garbage Collection Service provides weekly garbage pick-up and bi-weekly recycling pick-up to approximately 910 properties in the service area at an annual cost of \$115.80 per household. The current contractor is Emterra Environmental. Most printed and packaged materials, with the exception of glass containers, film plastic and foam packaging (Styrofoam), are accepted by the contractor and transported to recycling facilities run by Recycle BC.

In the summer of 2018 a resident in the Kilmarnock Drive area approached Comox Valley Regional District (CVRD) staff about joining the service area and outlined that other nearby property owners were similarly interested. Staff provided relevant service information to the local resident and informal canvassing of the area was conducted by the individual. With the subsequent receipt of further interest of area residents, staff are now bringing forward this report to the Electoral Areas Services Committee to consider undertaking a formal process to extend the service area boundary.

The subject area is directly adjacent to the existing service area and is a residential neighbourhood with similar density and other characteristics. Staff have confirmed with the current contractor, Emterra Environmental, that the proposed area can be easily serviced without any operational challenges or impacts to the existing customers.

It is noted that the proposed area was previously considered for inclusion in a roadside garbage collection service through the CVRD Electoral Area roadside collection referendum which was held on November 16, 2013. This initiative proposed the provision of weekly pick up of garbage and recycling in the CVRD Electoral Areas A, B and C, excluding Denman Island, Hornby Island, the Royston garbage collection area and the Mount Washington resort community.

The costs of the new service, if approved, would have been shared amongst the owners of the properties receiving it with the initial service cost estimated at approximately \$150 per household, per year. The referendum failed to receive elector approval as 73 per cent of the 4,292 ballot casts opposed the adoption of the service establishment bylaw.

The current proposed extension of the Royston Garbage Collection Service area boundary would support the diversion principles contained in the Comox Strathcona Waste Management Solid Waste Management Plan (SWMP). A coordinated approach to municipal solid waste and recycling collection would assist with the SWMP goal to achieve the targeted 70 per cent diversion rate or 350 kg/capita.

### **Policy Analysis**

Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010” was adopted August 31, 2010 in order to regulate the collection of residential refuse and other types of solid waste within the specified local service area as specified in the bylaw.

Under section 337 of the *Local Government Act* and under the Regional Districts Establishing Bylaw Approval Exemption Regulation, amendments to the service establishment bylaw are permitted to add or remove parcels to the service area upon submission of a petition to the regional district to change the boundaries of the service area and with the consent of at least 2/3 of the participants to the amendment. Under section 347 of the *Local Government Act* an Electoral Area Director can provide participating area approval by consenting in writing to adoption of the service establishment bylaw amendment.

To advance the service boundary extension would require:

1. That the petition be signed by the owners of at least 50 per cent of the parcels liable to be charged for the proposed service; and
2. The persons signing must be the owners of parcels that in total represent 50 per cent of the net taxable value of all land and improvements within the proposed service area.
3. That the Director for Electoral Area A consent in writing to adoption of the service establishment bylaw amendment.

Three previous amendments to Bylaw No. 118 have been adopted for the following purposes:

1. To remove a property from the service area after incorrectly being included prior to Royston Improvement District;
2. To remove Kensington Island Properties land from Royston service area.
3. To added a small number of properties to the service area along Minto Road.

### Options

The committee has the following options:

1. Direct staff to proceed with the petition process for the service area extension as described.
2. Direct staff to provide information regarding an alternative service boundary extension.
3. Receive this staff report and take no further action.

Option 1 is being recommended.

### Financial Factors

Aside from the nominal costs associated with the creation and distribution of the petition form and associated information materials, there are no significant financial implications with the proposed boundary service extension.

### Legal Factors

The process to amend the service establishment bylaw to include the subject properties is being done in accordance with the *Local Government Act* (RSBC, 2015, C. 1) and under the Regional District Establishing Bylaw Approval Exemption Regulation. The amending bylaw may be adopted without inspector approval if the electoral area director for the service area consents to the bylaw amendment and if the approval threshold is met for petitions to the Regional District to change the boundaries of the service area. No further approvals are required.

### Regional Growth Strategy Implications

Extending the service area boundary will expand the curbside collection of solid waste and recycling. This is deemed to assist in delivering on the following Comox Valley Regional Growth Strategy goals:

- Goal 5: Infrastructure, Objective 5-E: Reduce regional solid waste and improve landfill performance.
- Goal 8: Climate Change, Objective 8-C: Reduce GHG emissions in the solid waste sector.

**Intergovernmental Factors**

None.

**Interdepartmental Involvement**

Corporate Services and Engineering Services are working collaboratively on this initiative.

**Citizen/Public Relations**

If the recommendation contained within this staff report is supported, staff would be tasked with compiling the list of property owners and mailing a petition form to the affected property owners that would describe:

- the service proposed
- the boundaries of the proposed service area
- the terms proposed for recovering costs; and
- any other relevant information.

It is proposed that a one-month opportunity be provided to property owners to respond following distribution of the notice and petition form. Petition forms not returned by the established deadline will be deemed to be a ‘no’, indicating property owners do not support the boundary extension.

Following the deadline, a report would be provided to the board confirming the results of the petition process and, if the required support from property owners is met, providing the associated amending bylaw for readings. Following adoption of the bylaw, property owners would then be advised via letter that they will be added to the service and staff will contact the service provider to have the properties added to the service and billing established, which would be pro-rated.

Appendix A – “Royston Solid Waste Service Area Proposed Expansion”

## Appendix A

