



COWICHAN VALLEY REGIONAL DISTRICT
CVRD Bylaw No. 2570 – *Waste Stream Management Licensing Bylaw*

Licence Application Guide
for Minor Amendments

This guide is provided to assist applicants in preparing a minor amendment to their existing licence under CVRD Bylaw No. 2570 – [Waste Stream Management Licensing Bylaw](#). This guide is not a substitute for Bylaw No. 2570. All applicants should review the Bylaw prior to applying. Any questions regarding the Bylaw or the application process may be directed to the CVRD Engineering Services Department at (250) 746-2530 or es@cvrld.bc.ca.

What is a Minor Amendment?

The definition of a minor amendment is set out under Bylaw section 9.2 b. A minor amendment includes, but it not limited to the following: changes of ownership, name, legal address, mailing address, hours of operation, a decrease in the amount of waste and recyclable material managed by the facility, a 10% (or less) increase in the waste and recyclable material managed, a change in the requirement to report and submit information, a change to the works, equipment, etc.

1. Application Document Checklist

All applications should be accompanied by the following items:

- Application fee
- Application (Form A)
- Title search and written statement from property owner (if applicable)
- Zoning confirmation
- Business licence (if applicable)
- Draft operating plan, closure plan, etc. (This is applicable if there are changes to the operation).
- Site plan (This is applicable if there are changes to the site plan).
- Security (Form B). (This is applicable if there are changes to the quantities of materials managed)

The CVRD may also request additional documents.

Each of the above items is described in further detail in the following pages.

Incomplete applications will not be processed.

2. Application Fee

All applications must be accompanied by an application fee. Please see Schedule 'C' of Bylaw No. 2570 for a description of applicable fees. All fees must be made payable to the Cowichan Valley Regional District.

3. Application Form (Form A)

Ensure that all lines are completed in Form A.

4. Title Search (Site Ownership)

In order to verify ownership, the applicant is required to supply a title search of the property on which the facility is located. The title search must be performed by the applicant no more than 30 days prior to the date of application. Title searches can be done at any BC Access or BC Assessment office.

If the ownership has changed and the property is not owned by the applicant, the title search must be accompanied by a written statement from the owner of the property. This statement must acknowledge and approve the proposed use of the property and include current contact information for the property owner.

5. Zoning Confirmation

The application must be accompanied by a written statement from the senior manager of the land use planning department in whose jurisdiction the facility is located. The statement must verify that the proposed use is permitted by local zoning regulations. If the facility is located within a CVRD Electoral Area, the CVRD Landuse Services may be contacted for a statement, at 250.746.2500.

6. Business Licence

Applicants that have a business licence must include a copy of the business licence with the application. Note that business licences are not issued in CVRD Electoral Areas.

7. Operating Documents

If the applicant is making changes to their operations that requires updates to their operating plan, closure plan, environmental management plan, odour management plan, site plan, etc., these updated draft documents must be submitted for CVRD approval.

All staff at the facility are expected to be familiar with the approved operating plan and operate the facility according to the plan.

- The **Operating Plan** should include all of the items described in section 6.1 and section 11.1 of Bylaw No. 2570.
- The **Closure Plan** should identify the following items:
The closure plan for a **permanent closure** shall include, but not be limited to:
 - Length of time required for facility closure (closure period);
 - Procedures and timelines for notifying haulers, customers, etc. of the pending closure;
 - Procedures and timelines for removal, reuse and/or disposal to an authorized facility of all materials and equipment at the Facility, including but not limited to:

- Removal of all equipment including processing and office equipment, tanks, liquids and any other materials;
- Removal of all personal articles;
- Procedures, plans and timelines for restoring the surface of the facility as reasonably as may be possible to the condition prior to the commencement of Licensee's use of the area including any soil, surface, groundwater and/or soil vapour sampling and post-closure monitoring that may be required; and,
- Procedures to ensure compliance with all applicable regulations.

The closure plan for a **temporary closure** shall include, but not be limited to:

- Length of time required for facility closure (closure period);
- Procedures and timelines for notifying haulers, customers, etc. of the pending closure;
- Procedures and timelines for storing, removal, reuse and/or disposal to an authorized facility of all materials and equipment at the Facility;
- Procedures and timelines for site monitoring, including but not limited to equipment, material and environmental control systems left onsite; and,
- Procedures to ensure compliance with all applicable regulations.

In addition, it must be clear in the closure plan that the facility must notify the CVRD in writing of impending temporary or permanent Facility closure at least thirty (30) days before the closure is scheduled to occur.

- The **Site Plan** should identify the following items:

- Site boundary
- Location and approximate dimension of
 - buildings, structures, shelters,
 - unpaved and paved/impermeable surface(s)
 - septic fields/tanks, wells, ponds, etc.
- Location of work(s), including but not limited to:
 - receiving, storage and processing areas
 - storm water drains, oil/water separators, retention units, etc.
- Flow direction of drainage (for the whole site)
- Distance to the nearest fire hydrant
- Distance to the nearest dwelling, serviced lot or recreational area
- Distance and location of domestic or irrigation water wells or reservoirs (e.g. within 0.5 km of the site)
- Distance to nearest watercourse
- North arrow
- Scale (e.g. 1:2,000)
- Site entrance(s)
- Date (when the plan was prepared)
- Name, signature and company name of person that prepared the plan

8. Security

If there are changes to the amount of material that is stored onsite, the applicant must submit an updated Form B.

All facilities must provide and maintain security in order to ensure compliance with the facility

licence, and to ensure that sufficient funds are available to cover all costs required for a qualified third party to dispose or recycle all materials onsite. (The costs must be reflective of current market rates for transport and disposal).

Using Form B, calculate the total security required. Security is not required for processed (P) materials, or materials that otherwise have a positive value (e.g. metals), although these materials and their maximum quantities must still be listed on Form B. **Note that positive value materials cannot be used to offset the total security required.**

The CVRD may require security for facility closure, remediation and post-closure monitoring of the facility, or any other factor that the CVRD determines reasonable.

Security may be provided by way of cash, certified cheque or an irrevocable standby letter of credit issued by a Canadian Schedule I Chartered Bank. Irrevocable standby letters of credit must meet the following conditions:

- Partial drawings must be permitted;
- The CVRD must be able to draw down credit without verifying their right to do so, or the legitimacy of the claim, with the bank;
- The letter of credit must be extended automatically without amendment from year to year and have no future expiration date;
- A minimum of 30 days' notice, in writing, must be provided by the bank should the letter become non-renewable;
- Requests for any amendments (unless reductions in amount) must be directed to the facility operator.

Security must be provided in full before a licence will be issued.

9. Is Public Consultation Required for a Minor Amendment?

While public consultation is not explicitly required for a minor amendment, the CVRD can require the applicant engage in public consultation.

10. Submission and Inquiries

COWICHAN VALLEY REGIONAL DISTRICT
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