

District of Barriere
REPORT TO COUNCIL

Date: March 28, 2022	File: 530.20/Rpts
To: Council	From: B. Payette, CAO
Re: Draft Subdivision Bylaw No. 216 – 2nd and 3rd Readings	

Background:

As was stated in the previous planning report regarding this draft bylaw, dated March 14, 2021, upon incorporation, the District of Barriere automatically inherited applicable TNRD Bylaws such as Zoning, Manufactured Home Park Regulations, Water System Regulations and Subdivision bylaws. The District remains under the umbrella of these bylaws until such time that the District chooses to repeal the old TNRD Bylaw and adopt its own.

As was also previously mentioned, staff are currently in the process of preparing a comprehensive, modern Development and Subdivision Servicing Bylaw which will ultimately end up repealing this Draft Subdivision Bylaw No. 216. However, due to the size and complexity of that bylaw and the timing it requires, Draft Bylaw No. 216 is being brought forward to repeal the old, outdated TNRD Bylaw and incorporate the provision of hauled water for certain subdivisions. The District's Subdivision Approving Officer cannot approve a subdivision that does not meet the requirements of the current Subdivision Bylaw.

The timing of this draft is due to the ongoing discussions the District has been having regarding the proposed development of approximately 48 - 5 acre bare land strata lots on DL1517 and DL57 off Dixon Creek Rd. and the challenges of proving water under the current Subdivision Bylaw. This new bylaw specifically recognizes hauled water as a possible "proof of water" which is one of the requirements for subdivision approval by the Approving Officer. This would only apply to lands not within the area serviced by the District's community water system and only where water wells are not feasible. This new Bylaw is necessary in order to move forward with the approval of this new residential subdivision this spring. The applicants have been working for over two years on a boundary extension, archaeology studies, road engineering and numerous water options for these large rural strata lots. The lots will be serviced by a privately owned and maintained strata road with individual private septic and water systems. They wish to be able to finalize the critical "proof of water" prior to their application expiring May 15, 2022. The new Bylaw would also recognize rainwater as a source of surface water that does not require a provincial water license.

First reading of Subdivision Bylaw No. 216, was passed on March 14th. Chris Delaney, one of the applicants, was available at that meeting to provide information on the proposed rainwater catchment systems and answer Council's general questions.

A request was also made to staff to provide additional information on Section 6 of the draft bylaw dealing with sharing, in the form of small, piped water systems sharing one well for up to four parcels. A number of other questions will also be addressed in the Discussion section of this report.

Discussion:

Mr. Delaney has provided the following table of information, on the rainwater catchment abilities for his development based on questions that were raised around roof sizes. The table shows that hauled water may only be required during a very dry period where consumption is also high at the same time. This is based on the minimum rainfall for the area of 15 inches per year. Average annual rainfall is closer to 19 inches.

TABLE 1-1 2nd REVISED - DOMESTIC WATER REQUIREMENTS				
(factoring for water-less incineration toilet use)				
For 4500 sf roof total area	25 Imp Gal / Day / Person	Gallons collected	Difference	NOTES
No. of People	4	100		
January		3100	1215	-1885 Does not include snow melt
February		2800	1200	-1600 Does not include snow melt
March		3100	2050	-1050 Does not include snow melt
April		3000	2900	-100
May		3100	4100	1000
June		3000	5250	2250 Maximum precipitation month
July		3100	4725	1625 Maximum precipitation month
August		3100	4720	1620 Maximum precipitation month
September		3000	3300	300
October		3100	3500	400
November		3000	3060	60
December		3100	1100	-2000 Does not include snow melt
ANNUAL		36500	37120	620 Net annual surplus rainwater = 620 gallons

Staff have confirmed with the provincial Approving Officer in the Peace River region that subdivisions are regularly approved in the north with bulk/hauled water to individual cisterns for domestic purposes. In some areas on Vancouver Island and on the Gulf Islands, rainwater catchment systems are encouraged to conserve the treated and piped water supplied by municipalities.

This bylaw does not place any responsibility on the District to be the supplier of bulk/hauled water for new subdivisions that have individual water sources, that may require it at some point of time. It simply allows bulk/hauled water to be a viable source for proving water is available to the property, which is an obvious necessity for new development.

Section 11 is clear that where wells, surface (includes rainwater catchment or river) or hauled water is the source of water that it is the Owner's responsibility for all costs to construct and maintain the service. The District will not be held liable for any part of any private water system including the quality of the hauled water that is delivered to the system. A covenant will be placed on the title of each new lot at time of subdivision to ensure any future purchaser is fully aware of their responsibilities.

Potable water haulers are licensed through Interior Health and receive a decal(s) that is supposed to be displayed on their truck(s). Again, this is the individual property owner's responsibility to ensure they are dealing with a licensed hauler, not the District's. This would still be the case should the District install a bulk water station providing potable District water to licensed haulers for distribution to private property owners.

There is no requirement in this bylaw for the District to conduct a business case for the installation of a bulk water station at the Louis Creek Industrial Park (LCIP) or anywhere else in the District. That would be a separate discussion and decision of Council at their discretion at a future meeting.

Individual, private water systems for domestic purposes are not subject to inspection by any provincial or municipal body at this time. The only municipal requirements are contained within this draft subdivision bylaw.

In addition, Section 6.1 of Draft Bylaw 216 has been reworded for further clarification and is shown highlighted in the revised draft provided for Council's consideration. There are guidelines provided by Interior Health regarding how Small Water Systems allowed for up to four parcels should be managed and maintained but they are generally not encouraged if the option of individual wells exists. Council could either leave it as presented or decide to remove this section in its entirety from Draft Bylaw No 216 in lieu of considering it as part of the more detailed Development and Subdivision Servicing Bylaw discussions at a later date.

Recommendation: That Council proceed with 2nd and 3rd readings of Subdivision Bylaw No. 216 as presented, or as further amended on March 28, 2021.

Prepared by: B. Payette, CAO