

DISTRICT OF BARRIERE

BYLAW NO. 216

A BYLAW TO REGULATE SUBDIVISIONS AND CONTROL DEVELOPMENT

Purpose

The purpose of this bylaw is:

- (1) To regulate the subdivision of land;
- (2) To assist in assuring that each parcel in a subdivision for residential purpose has an adequate source of domestic water; and,
- (3) To preserve the established amenities of the District of Barriere.

The Council of the District of Barriere, in open meeting assembled, enacts as follows:

- 1.1 This Bylaw may be cited for all purposes as the "District of Barriere Subdivision Bylaw No. 216".
- 1.2 "Thompson-Nicola Regional District Subdivision Bylaw No. 799, 1982" is repealed.
- 1.3 This Bylaw shall apply to all areas within the District of Barriere (hereinafter called the "District").

2. Interpretation and Administration

- 2.1 In this Bylaw, unless the context otherwise requires, all words and phrases shall have their normal or common meaning except where the same are changed, modified, or expanded within this Bylaw.
- 2.2 "Proven Water Source" means a source of potable water that is available and proven with respect to volume, delivery, and continuity of supply from an on-site groundwater system, a surface water system, hauled water, or a Community Water System.
- 2.3 "Community Water System" means a system of waterworks that serves two (2) or more parcels and that is owned, operated, and maintained by the District.

3. Frontage

- 3.1 In accordance with Section 944 of the Local Government Act, a parcel created

by subdivision shall not have less than one-tenth (1/10) of its perimeter fronting on a highway unless exemption is granted by the District of Barriere Council.

4. Water Supply Requirements

- 4.1 A source of groundwater capable of providing not less than two thousand and two hundred seventy-three (2,273) litres (500 Imperial gallons) per day shall be provided on each parcel created by subdivision unless connection to a community water system or authority to divert domestic surface water is available.
- 4.2 Notwithstanding the provisions of Section 4.1, a subdivision in which the minimum area of each parcel is four (4) hectares or greater may be approved without the construction of wells on each parcel, provided the owner submits to the District a comprehensive report prepared by a registered professional engineer or geoscientist licensed in B.C. and having experience in groundwater hydrology stating that a source of water capable of meeting the requirements of this Bylaw is possible on each proposed parcel.
- 4.3 If either a private well or a municipal water system connection is not feasible, rainwater catchment supplemented by hauled water shall be a permitted proven source of water. A Section 219 Covenant shall be placed on the title of all affected lots clearly identifying the current source of water and limiting future expectations for provision of water by the District.

5. Exemption

- 5.1 The requirements of Section 4.1 shall not apply in the following cases:
 - (a) Where the subdivision does not result in an increase in the number of parcels.
 - (b) Where a parcel has an existing dwelling unit.
 - (c) Where a parcel will be registered as the legal remainder of the parent parcel, and where it has potential for further subdivision under the zoning existing at the time of subdivision.
 - (d) Where the minimum size of a parcel is eight (8) hectares.

6. Surface Water Supply

- 6.1 Where a surface water supply is proposed as a source of water for domestic purpose, the owner shall provide the District with a provincial water license for domestic purposes.
- 6.2 Should a rainwater catchment system be proposed for each individual lot, a water licence for that surface water supply is not required.

7. Groundwater Supply

- 7.1 Where groundwater is proposed as a source of domestic water, the owner shall provide the District with a well log, pump test and groundwater report verifying that a well capable of providing not less than two thousand two hundred and seventy-three (2,273) litres (500 Imperial gallons) of water per day has been constructed on each parcel. All well construction and testing shall be carried out under the supervision of a registered professional engineer or geoscientist licensed in BC and having experience in groundwater hydrology, in accordance with good engineering practice, who shall prepare a groundwater report on the results with due consideration of possible interference with neighbouring wells and surface water sources, the combined effect on the aquifer of pumping from all wells simultaneously, and the seasonal fluctuation in groundwater levels affecting all wells.
- 7.2 Notwithstanding the provisions of Section 8.1, where the subdivision will contain four (4) parcels or less, the District may accept a Statutory Declaration from the owner stating that all requirements of this Bylaw have been met. Well construction, testing, and groundwater reports under these circumstances may be carried out under the supervision of someone other than a registered professional engineer or geoscientist licensed in BC and having experience in groundwater hydrology, provided that such tests are carried out between August 1 and March 31. Where pump testing is conducted between April 1 and July 31, however, the requirements of Section 8.1 shall apply.

8. Water Quality

- 8.1 All sources of groundwater utilized to meet the requirements of this Bylaw shall be of potable quality in accordance with the Guidelines for Canadian Drinking Water Quality (Guidelines) and shall be verified, in writing, by a registered professional engineer or geoscientist licensed in B.C. having experience in groundwater potability assessment. The owner shall submit a copy of this approval to the District.
- 8.2 Where a source of groundwater being used to meet the requirements of this Bylaw does not meet the Guidelines, the District may accept the registration of a Section 219 Covenant which identified the aesthetic or health parameter(s) that do not meet the Guidelines provided the registered professional engineer or geoscientist can recommend that the non-compliant parameter(s) can be simply and reliably treated to comply with the Guidelines."

9. Owner Responsibility

- 9.1 All services and requirements of this Bylaw shall be met and installed without any cost or expense to the District, and the District shall not be held responsible for any installation, repairs, alterations or maintenance of any well or system required pursuant to this Bylaw. Provided further that the District, in accepting information required by the Bylaw, shall be saved harmless by the owner from any loss, damage, costs, charges, and expenses in any way arising from or caused by anything done or not done or maintained as required by the provisions of this Bylaw.

10. Effective Date

10.1 This Bylaw shall come into force and be binding on all persons from the date of its adoption.

READ A FIRST time this 14th day of March, 2022.

READ A SECOND time this 28th day of March, 2022.

READ A THIRD time this 28th day of March, 2022

RECONSIDERED and ADOPTED this 11th day of April, 2022.

Original signed by, _____
Mayor Ward Stamer

Original signed by, _____
Tasha Buchanan, Corporate Officer