

# Mill Bay Waterworks District

## Subdivision Package

- ☐ Application for New Development / Subdivision for Water Service to be completed
- ☐ A copy of Bylaw 276 MBWD Water Distribution Regulation
- ☐ A copy of Bylaw 277 MBWD Subdivision Water Regulation to complete Schedule "A"
- ☐ A copy of Bylaw 270 MBWD Metered Service Connection to complete application
- ☐ A copy of Bylaw 280 MBWD Capital Expenditure Charge 2020
- ☐ Payment of:
  - Subdivision Application Fee of \$330.00 plus \$35.00 per lot
  - CEC Charges as per Bylaw 280 (i.e. Single Family Dwelling = \$12,711.11) with subdivision application
    - Metered Water Connection of \$885.00 per water meter prior to install



**Application for Water Service to New Development/Subdivision**

PT/UB Account # \_\_\_\_\_ (if applicable)

Application is hereby made for water service to the new development and/or subdivision, pursuant to the bylaws of the District, as follows:

Owner(s) or Authorized Representative \_\_\_\_\_

Property Location \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Plan \_\_\_\_\_ DL \_\_\_\_\_

Street Address \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Number of lots being created \_\_\_\_\_

Type and size of Building(s) \_\_\_\_\_

☐ Suite      ☐ B&B      ☐ Carriage House      ☐ Dwelling

Purpose \_\_\_\_\_ ☐ Residential      ☐ Commercial

**I/We hereby agree to comply with the bylaws of the Mill Bay Waterworks District. MBWD Subdivision Water Regulation Bylaw, MBWD Water Distributions Bylaw and MBWD Metered Water Service Connection Bylaw, whichever are applicable to this application, are required to be attached hereto. This application may be subject to other MBWD Bylaws. I/We agree to pay in full all required fees pertaining to the new development or subdivision detailed in this application.**

**I have read and agree to the above noted conditions.**

Date: \_\_\_\_\_ Authorized Representative's Acknowledgement \_\_\_\_\_  
*signature*

**Office Use Only**

Payment of \$ \_\_\_\_\_ Received by \_\_\_\_\_

## **MILL BAY WATERWORKS DISTRICT Water Distribution Regulation**

### **Bylaw No. 276**

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A bylaw to repeal Bylaw No. 238 Water Distribution Regulation Bylaw 2016 of the Mill Bay Waterworks District.

**WHEREAS** the Mill Bay Waterworks District has authority under the Local Government Act to establish charges payable to the District and regulations to subdivision of land that is being proposed for connection to Mill Bay Waterworks District's water system.

The Trustees of the Mill Bay Waterworks District enact as follows:

#### **INTERPRETATION**

1. In this Bylaw, unless the context otherwise requires:
  - a) "Waterworks District" or "District" means the Mill Bay Waterworks District.
  - b) "Trustees" means the Trustees of the Waterworks District elected under the provisions of the Water Act and the Letters Patent of the District and currently holding office, or their duly authorized representatives.
  - c) "Administrator" means the employee of the District authorized by the Trustees to manage the affairs of the District under their direction and control and to act from the time to time on their behalf.
  - d) "Water" means water conveyed through the works operated or maintained by the District.
  - e) "Works" means anything capable of or useful for diverting, storing, measuring or conveying, conserving, retarding, confining or using water.
  - f) "District works" means those works that are owned, operated or maintained by the District.
  - g) "Occupier" means the person (Owner, tenant or other) who has control of a building or premises either for business or for residence or any other purpose to which the District has provided water service connection.
  - h) "Swimming Pool" means an artificially created body of water having a depth of 18" or more used for recreational or physiotherapy.

#### **SERVICE CONNECTIONS**

2. Applications for connections to the District's system shall be made to the District by the owner of the premises, their agents or person occupying or about to occupy the premises, on the form available from the District office. Each application shall be accompanied by the prescribed fee. The District may approve or disapprove any application. Reasons for a connection refusal include, but are not limited to:

- the proposed connection does not comply with the provisions of this and other applicable bylaws of the District;
  - the proposed connection exceeds the demand for the parcel that the District is required to supply;
  - the District has an insufficient water supply to provide such parcel with a supply of water.
3. If and when the District requires further information relative to the premises or the works proposed to be connected to the District's system, such information shall be supplied before the application for connection is considered by the Trustees.
  4. No connection to the District works shall be made until approval of the District has been obtained and such connection shall be made only under the supervision of the District Administrator or designate.
  5. Any installation or construction related or designed to make use of the connection done prior to the receipt of approval for the connection will be the owner's sole responsibility and risk.
  6. Where an applicant for water service requires a quantity, pressure or type of service that may jeopardize the safety or sufficiency of the District works, the Trustees may require the said applicant to pay all or part of the cost of upgrading the District works to meet such requirements whether such upgrading is to be made immediately or in the future. A formal agreement may be required.

#### **CHANGES IN APPLICATIONS AND/OR OWNERSHIP OR TENANCY**

7. Notification of any changes in ownership and/or tenancy of the premises supplied with the District water from that shown on the "Application for Metered Water Service Connection" shall be made promptly to the District.
8. No person shall make any change in the use of the premises or of the water supplied by the District from that shown on the "Application for Metered Water Service Connection" without prior permission of the District, who may grant with conditions or refuse such permission.
9. No change or addition to the number or type of fixtures on a premise for the purpose of expanding a residential, commercial or industrial enterprise shall be made until notice thereof has been given in writing to the District and written permission therefor obtained. Any extra charge due to the change or addition shall be paid before the change or addition is commenced.

#### **TRUSTEES RIGHT OF ACCESS**

10. The District and authorized employees of the District shall have the right of free and unobstructed access at all reasonable hours of the day to all parts of the premises to which District water is delivered in order to carry out the lawful business of the District for the purpose of inspecting or testing any works, fittings or appliances related to the use of water, or for the purpose of installing, removing, repairing, reading or inspecting meters.



11. No person shall obstruct or prevent the District or their designate from carrying out any of the provisions of this bylaw.

### **DISTRICT WORKS**

12. No person except the District or their designate shall damage, open, shut, adjust, interfere or tamper with any of the Districts works.
13. No person shall obstruct in any manner access to any part of the District works including fixtures or appurtenances thereto attached and should any person so obstruct such access in any way he will have committed an offence under this Bylaw and the District may remove such obstruction and recover the cost of such removal from the offending person and the offending person shall have no right of action for the recovery of the cost of any damage incurred thereby.
14. No unauthorized person shall wilfully alter the reading of any District meter.

### **WORKS ON PRIVATE PROPERTY**

15. Occupiers shall keep the works on their premises in good order and repair.
16. No person to whose premises water is supplied by the District shall make or permit to be made any connection or addition to his works other than is shown or indicated on his approved connection application without prior permission of the District.
17. No person shall interconnect any portion of the works on or off his property which is supplied with water by the District with an external source of water, whatsoever.
18. No device that can intentionally or by accident introduce any substance into the water within or outside of any premises shall be installed without the express permission of the District. Such permission will not be given unless the District, in consultation with the Health Department are satisfied that such substance cannot enter the District's works.
19. Wherever water supplied by the District is to be placed into a well, pond, swimming pool, stock watering trough, cistern or any container open to the atmosphere, in such a way that, if a reverse flow were to be induced, a health hazard could result, the owner of the private property will install and maintain a back flow preventer on every such potentially dangerous cross connection to the approval of the District.
20. No change or addition to the number of type of fixtures on a premise, for the purpose of expanding a commercial or industrial enterprise, will be made until notice thereof has been given in writing to the District and written permission therefore obtained. Any extra charge or higher toll payable due to the change or addition must be paid before the change or addition is commenced.
21. No person will use or permit the use of any pump or other device for the purpose of, or having the effect of, increasing the pressure in any pipe without the written permission of the District, whether such pipe forms part of the District's works or the works on the said person's premises. The District may without notice, discontinue service to any person employing such pump or other device.

22. The property owner will be responsible for the safekeeping, maintenance, repair and replacement of all service pipes and plumbing systems from the outlet of the District's curb stop or standard waterworks valve at his property line and will protect them from frost or other damage and will promptly repair frozen leaky or imperfect pipes or fixtures.

## **WATER USE REGULATION**

23. No person shall use water derived from the District works for any purpose other than the intended purpose at the premises to which it is delivered nor permit it to be taken from the premises except in the event of an emergency, or with the permission of the District. The intended purpose for a water connection is determined by the service classification of the connection.
24. No person to whose premises water is supplied will make, or permit to be made, any additional connection to the service of either temporary or permanent nature, for the purpose of supplying water to another building or house trailer, recreational vehicle on the property supplied with water, or any other property without permission of the District.
25. No owner or occupant of any premises supplied with water by the District shall sell, dispose of, or give away water or permit the same to be taken away or applied for the benefit of other persons or premises, except by the permission of the District.
26. No person shall waste water. The District may, at their sole discretion, reduce the tolls charged for water by granting a Leak Allowance. All requests for a Leak Allowance are to be reviewed per the District's Leak Allowance Policy.
27. No person shall use any water service as motive power for the purpose of operating machinery without permission of the District who may terminate or withdraw such permission at any time.
28. The amount of water supplied to the consumers will be measured by the District and the reading of the water meters from time to time shall form the basis for the consumption of the tolls.
29. Where any meter does not register or which registers incorrectly, the District shall compute the amount of the tolls on the basis of the quantity of water used during the period when the meter was registering correctly or from other information they may obtain and the amount so calculated shall be payable.
30. The District does not guarantee a specific pressure or a continuous supply of water, or water of a quality to meet special requirements. The District reserves the right to interrupt water service at any time. Whenever possible the District will give notice of interruptions in excess of four consecutive hours to those customers affected.
31. In case of a break of the District works or any part thereof, due to accident or otherwise or in the event of conditions arising whereby an emergency is created or when there is an actual or anticipated demand beyond the ability of the District works to provide water to all its customers, the District may limit the amount of water that may be used by any or all customers by rationing, reduction of pressure or any other means they consider fit and proper in the interests of efficient operation of the District works and the equitable distribution of water.



32. The District may at any time introduce regulations restricting the use of water for irrigation or any other purpose per Schedule "A" of this bylaw; Water Conservation Stages. Upon receiving due notice of such restriction, no person shall use water for the purpose forbidden by or in excess of the limits imposed by such restrictions. Due notice of restrictions shall be given either by publication in a newspaper circulating within the District, by email and or text, Canada Post, local signage or all.
33. During periods of water rationing by means of irrigation regulations or otherwise, no person shall waste water by irrigation in excess of reasonable amounts or use an open pipe or hose for irrigation purposes.

### **PENALTIES**

34. Every person who disobeys or fails to comply with any provision of this Bylaw shall be guilty of an offence. The Administrator will send to the property owner, by registered mail or hand-delivery, a written notice of the violation, citing the bylaw section being contravened and stating what the owner must do to comply with the bylaw within a stated timeframe, not to exceed five (5) business days.

The Notice will state that a court injunction may be sought to cease the activity or remedy the condition if the property owner does not comply with the notice as immediate action is required because non-compliance might result in damage to property or the water system. Steps may also be taken to lay a charge under the provisions of the Offence Act. A penalty of up to six months in jail or a \$5,000 fine, or both, could be imposed by the Court if a summary conviction is obtained from the Court.

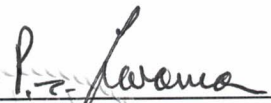
### **REPEAL**

35. Bylaw No. 238 Water Distribution Regulation Bylaw 2016 of the Mill Bay Waterworks District is repealed.
36. This Bylaw may be cited as the "MBWD Water Distribution Regulation Bylaw No. 276".

INTRODUCED and given first reading by the Trustees on the 10<sup>th</sup> day of December 2019.

INTRODUCED and given second reading by the Trustees on the 10<sup>th</sup> day of December 2019.

RECONSIDERED and finally passed by the Trustees on the 11<sup>th</sup> day of February 2020.

  
\_\_\_\_\_  
Paul Laraman (Chairman)

  
\_\_\_\_\_  
Kim Vanderkooy (Administrator)

I hereby certify under seal of the Mill Bay Waterworks District that this is a true copy of Bylaw No. 276 of the Mill Bay Waterworks District passed by the Trustees on the 11<sup>th</sup> day of February 2020.

  
\_\_\_\_\_  
Kim Vanderkooy (District Administrator)

**MILL BAY WATERWORKS DISTRICT**  
**Water Distribution Regulation Bylaw No. 276**  
**SCHEDULE "A"**

**WATER CONSERVATION STAGES**

The Mill Bay Waterworks District (the District) may issue a notice prohibiting, restricting or limiting the use of water. Water Conservation Levels are determined through analysis of well levels, demand, precipitation, drought conditions, weather forecasts and other information deemed relevant to water supply, in order to ensure adequate water supply to district ratepayers, and to enable compliance with all water licence conditions and applicable regulations and legislation. Due notice of restrictions shall be given either by publication in a newspaper circulating within the District, by email and or text, Canada Post, local signage or all. Any person who refuses or fails to abide by such prohibition, restriction or limitation contained in the notice shall be deemed to have contravened this bylaw.

The District is exempt from conservation levels to allow for proper operations and maintenance of the water utility system but will practice conservation measures as much as possible.

The Trustees or their designate may impose watering restrictions as set out in this Bylaw when in their opinion they consider water to be in short supply. In exercising discretion to determine which watering restrictions to impose, the Trustees shall be guided by the following:

1. Stage 1 Watering Restrictions

**Stage 1 Watering Restrictions are in effect from May 1<sup>st</sup> through October 31<sup>st</sup>**

- a. Owners or residents of even numbered civic addresses are permitted to water only on even calendar dates between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m.
- b. Owners or residents of odd numbered civic addresses are permitted to water only on odd calendar dates between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m.
- c. No person is permitted to water more than 2 hours per scheduled day.
- d. All automatic irrigation systems must be programmed to match Stage 1 permitted dates and times or be manually operated to comply with the bylaw.
- e. Owners or residents are permitted to water newly planted lawns or landscaping between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m. with permission from the Trustees, or their designate.
- f. Commercial enterprises which require water to facilitate normal business activities such as power washing companies or window washing companies, are permitted unless ordered otherwise by the Trustees or their designate.
- g. Hand watering of trees, shrubs, flowers, or vegetables is permitted on any day of the week between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m. by use of a hose with a spring-loaded nozzle or by bucket (maximum 2 hours per day). Micro irrigation or drip irrigation systems may be utilized anytime to a maximum of 4 hours per day. This does not include soaker hoses.



## 2. Stage 2 Watering Restrictions

Stage 2 watering restrictions, as required:

- a. Owners or residents of even numbered civic addresses are permitted to water only on Wednesdays and Saturdays between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m.
- b. Owners or residents of odd numbered civic addresses are permitted to water only on Thursdays and Sundays between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m.
- c. No person is permitted to water more than 2 hours per scheduled day.
- d. All automatic irrigation systems must be programmed to match Stage 2 permitted dates and times or be manually operated to comply with the bylaw.
- e. Commercial enterprises which require water to facilitate normal business activities such as power washing companies or window washing companies, are permitted unless ordered otherwise by the Trustees or their designate.
- f. Irrigation Permits will not be issued during Stage 2. Owners or residents with an Irrigation Permit issued by the Trustees or their designate prior to Stage 2 restrictions being implemented may sprinkle newly planted lawns or landscaping between the hours of 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m. for the duration of the permit.
- g. Hand watering of trees, shrubs, flowers, or vegetables is permitted on any day of the week between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m. by use of a hose with a spring-loaded nozzle or by bucket (maximum 2 hours per day). Micro irrigation or drip irrigation systems may be utilized anytime to a maximum of 4 hours per day. This does not include soaker hoses.
- h. Washing driveways, houses, sidewalks, and parking lots is not permitted unless preparing surfaces for painting/preservatives or to prepare the surface for pouring of concrete or asphalt.

## 3. Stage 3 Watering Restrictions:

Stage 3 watering restrictions, as required:

- a. No person is permitted to water lawns during Stage 3 watering restrictions.
- b. No person is permitted to wash cars, boats, houses
- c. Washing of driveways, houses, sidewalks, parking lots, is not permitted unless preparing surfaces for painting/preservatives or to prepare the surface for pouring concrete or asphalt.
- d. Commercial enterprises which require water to facilitate normal business activities such as power washing companies or window washing companies are permitted unless ordered otherwise by the Trustees or their designate.

- e. No person is permitted to fill ponds, swimming pools or hot tubs except to replace evaporated water or water lost from general use of the pond, pool or hot tub.
- f. Hand watering of trees, shrubs, flowers, or vegetables is permitted on any day of the week between 7:00 a.m. and 9:00 a.m. OR between 7:00 p.m. and 9:00 p.m. by use of a hose with a spring-loaded nozzle or by bucket (maximum 2 hours per day). Micro irrigation or drip irrigation systems may be utilized anytime to a maximum of 4 hours per day. This does not include soaker hoses.
- g. No use of fountains or ponds is permitted unless using re-circulated water.
- h. Limited watering of school and community playing fields, heavy pedestrian community park areas and community landscaped planters is permitted.

## **MILL BAY WATERWORKS DISTRICT Subdivision Water Regulation**

### **BYLAW NO. 277**

---

A bylaw to repeal and replace Bylaw No. 179 Subdivision Water Regulation Bylaw 2004 of the Mill Bay Waterworks District.

**WHEREAS** the Mill Bay Waterworks District has authority under the *Local Government Act* to establish charges payable to the District and regulations to subdivision of land that is being proposed for connection to Mill Bay Waterworks District's water system.

The Trustees of the Mill Bay Waterworks District (the "District") enact as follows:

#### **INTERPRETATION**

1. In this bylaw:

- (1) "Applicant" means the owner of the 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.
- (2) "District" means the Mill Bay Waterworks District.
- (3) "Subdivision" means a subdivision as defined in the *Land Title Act* or the *Strata Property Act*.
- (4) "District's System" means the water distribution system including all works owned and operated by the District.
- (5) "Trustees" mean the Trustees for the District.
- (6) "Works" means any structures, including pipes, and all attachments, fittings, and facilities for the storage, supply, conveyance, treatment and distribution of water.

#### **OTHER ENACTMENTS**

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

#### **GENERAL PROHIBITION**

3. Land that is connected to the District's System, or is proposed for connection to the District's system shall not be subdivided contrary to this bylaw.

#### **APPLICATION**

4. (1) An owner of land who proposes to subdivide land and wishes to connect one or more parcels to be created by the subdivision to the District's System must apply to the District by delivering to the District:
  - (a) the form prescribed as Schedule A to this bylaw.
  - (b) the plans and other information specified in Schedule A.



(c) a subdivision application fee of \$330.00 plus \$35.00 per lot.

- (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, plans and drawings for the District to determine whether the proposed works comply with this bylaw.

## **GENERAL PROVISION**

5. (1) The trustees may refuse to approve the proposed subdivision where:

(a) the proposed subdivision does not comply with the provision of this and other applicable bylaws of the District;

(b) one or more parcels to be created by the subdivision are to be connected to the District's System and the District has insufficient water supply to provide such parcels with a supply of water.

(2) For the purpose of (1)(b), the demand that would be placed on the District's System as a result of the proposed subdivision will be calculated having reference to the peak hourly water demand and pressure requirement for the ultimate development of the parcels or provided under section 4(2).

(3) Despite subsection (1), an application may be approved where the owner of the land provides to the District with 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 and a supply that is of overall benefit to the District.

## **CONSTRUCTION OF WORKS WITHIN SUBDIVISION**

6. (1) Subject to section 747.1(3) of the *Local Government Act*, 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 in accordance with the Mill Bay Waterworks District Engineering Specification & Standard Drawings.

(2) The costs 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 the land providing the Works.

(3) The costs referred to in paragraph (2) include the cost of all permits, inspections, engineering costs and other costs related to the proposed subdivision.

## **CONSTRUCTION OF WORKS IN ADJACENT HIGHWAY**

7. In addition to the requirements of section 6, the Board of Trustees of the District may also, by resolution, require that an owner of land provide works and services in accordance with the Standards, on that portion of a highway immediately adjacent to the site being subdivided or developed up to the centre line of the highway, in accordance with section 747.1(4) of the *Local Government Act*.



## **EXTENSION OF WORKS AND SERVICES**

8. (1) All works required to be installed under section 6 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.
- (2) For the purpose of subsection (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.

## **TRANSFER OF WORKS TO DISTRICT**

9. (1) An owner of land who has installed works under this agreement must transfer the work to the District.
- (2) An owner who transfers works to the District must:
- (a) remedy all defects in the Works for one year following the date of the transfer; and
  - (b) deposit with the District an irrevocable standby letter of credit valid for at least one year from the date of the transfer in an amount not less than 10% of the cost of the Works as security for the performance of the owner's obligations under (a).

## **COPIES OF PERMITS**

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

## **CONNECTION CHARGES**

11. No person may connect any parcel to the District's System without paying all applicable charges in accordance with the District's bylaws. Subject to, but not limited, the MBWD Comprehensive Capital Expenditure Charge Bylaw and the MBWD Metered Water Service Connection Bylaw.

## **APPROVAL PERIOD**

12. (1) Subject to the changes in an enactment which may affect a subdivision, approval of a subdivision under this bylaw will be valid for a period of six months. Extensions may be applied for at the discretion of the District.
- (2) An approval under this bylaw must not be interpreted as limiting the function or authority of the Approving Officer under section 87 of the *Land Title Act*.

## **VIOLATION**

13. 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.

## **PENALTY**

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

## **SEVERABILITY**

15. 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.

## **INSPECTION AND RIGHT OF ACCESS**

16. (1) The trustees, or an officer or employee 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 of the land.
  - (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 paragraph (1) from carrying out any of the provisions of this bylaw.

## **CITATION**

17. This bylaw may be cited as the "MBWD Subdivision Water Regulation Bylaw No. 277."

## **REPEAL**

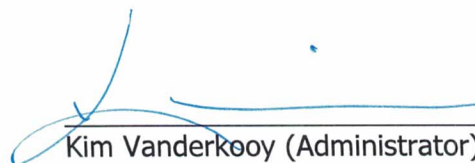
18. Bylaw No. 179 Subdivision Water Regulation Bylaw 2004 of the Mill Bay Waterworks District is repealed.

INTRODUCED and given first reading by the Trustees on the 10<sup>th</sup> day of December 2019.

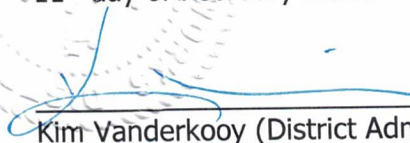
INTRODUCED and given second reading by the Trustees on the 10<sup>th</sup> day of December 2019.

RECONSIDERED and finally passed by the Trustees on the 11<sup>th</sup> day of February 2020.

  
\_\_\_\_\_  
Paul Laraman (Chairman)

  
\_\_\_\_\_  
Kim Vanderkooy (Administrator)

I hereby certify under seal of the Mill Bay Waterworks District that this is a true copy of Bylaw No. 277 of the Mill Bay Waterworks District passed by the Trustees on the 11<sup>th</sup> day of February 2020.

  
\_\_\_\_\_  
Kim Vanderkooy (District Administrator)

**MILL BAY WATERWORKS DISTRICT  
Subdivision Water Regulation Bylaw No. 277  
SCHEDULE "A"**

**APPLICATION FOR WATER SERVICE TO PROPOSED SUBDIVISION**

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

Legal Description of Property(ies): \_\_\_\_\_

Registered Owner(s): \_\_\_\_\_

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

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

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**THE FOLLOWING MUST ACCOMPANY THIS APPLICATION**

1. Copy of Indefeasible Title(s), dated within thirty days of the date of application.
2. A letter of authorization if the applicant is not the owner.
3. Plan of proposed subdivision with dimensions clearly illustrating lot layout, roads, etc, to a scale of not less than 1:2000. Four copies are required.
4. The layout sketch plan, in metric, shall be prepared by a consulting engineer, planner, or land surveyor and shall show the following:
  - ◆ The full legal description of the parcel(s) to be subdivided;
  - ◆ The dimensions and area of all proposed lots;
  - ◆ The arrangement of parcels and streets which will be created by subdivision, including the widths of the proposed streets and alteration of lot lines or subdivision of any existing parcels;
  - ◆ The location of all existing buildings and structures on the property;
  - ◆ Existing property lines and highways to be eliminated by the proposed subdivision;
  - ◆ The location of all-natural features and watercourses;
  - ◆ The relationship of the development to neighbouring parcels and highways;
  - ◆ Intended use of each parcel to be created by the subdivision;
  - ◆ Topographic information where land affected by the application is steep, irregular, or otherwise difficult to appraise in respect of the proposed development;
  - ◆ A plan of the water system to service the subdivision designed in accordance with the District's Standards.
5. An application fee of \$330.00 plus \$35.00 per lot.



**MILL BAY WATERWORKS DISTRICT**  
**Subdivision Water Regulation Bylaw No. 277**  
**SCHEDULE "A"**  
***Con't***

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. Proposed information or business information submitted on this form is not considered to be supplied in confidence.

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

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

Or:

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

Date of Application: \_\_\_\_\_

---

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

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



**MILL BAY WATERWORKS DISTRICT**  
**Metered Water Service Connection Bylaw**

**BYLAW NO. 270**

---

A bylaw to repeal Bylaw No, 140 The Connection Charge Bylaw 1995 of the Mill Bay Waterworks District.

**WHEREAS** the Mill Bay Waterworks District has authority under Section 698 of the *Local Government Act* to establish charges payable to the District to establish metered service connections of properties to the Mill Bay Waterworks District's system.

The Trustees of Mill Bay Waterworks District (the "**District**") ENACT AS FOLLOWS:

1. Application

- a. Application for metered water service connections shall be made in writing to the Trustees and delivered to the District Administrator and shall be in such form the Trustees may from time to time prescribe and shall be signed by the applicant.
- b. Each application for metered water service connections shall be accompanied by the prescribed connection charge as set out in the bylaw.
- c. No metered water service connection shall be made to any watermain, or any water supplied under any application, until all fees and charges for metered water service connection, meter installation or other monies required by the Trustees to be paid have been paid in full or unless alternate arrangements have been made and approved by resolution of the Trustees. The installation is to occur at the convenience of the District.
- d. Every applicant shall be presumed to be the duly authorized agent of the owner of the premises in respect of which application for metered water service connection is made.

2. Connections

- a. There shall be payable to the District by every person making application for metered water service connection to the works of the District a minimum connection charge of eight hundred eighty-five dollars (\$885.00).
- b. Where the cost of installation exceeds the above set minimum, the additional charge shall be those costs in excess of \$885.00.
- c. The provision of a connection larger than the standard three-quarter inch ( $\frac{3}{4}$ " ) connection shall be at the discretion of the Trustees.


- d. Additional charges will incur if the authorized representative or any other persons or contractors working for the authorized representative, proceeds to establish a water service connection to the District's system prior to completing application and payment of connection charges. This type of connection is considered theft of services and applicable consumption fees and replacement of damaged property will be charged in accordance with the current Tolls and Other Charges Bylaw to the property owner. Such charges must be paid in full before MBWD will install the metered water service connection.
3. Upon acceptance by the Trustees of an application for metered water service connection and payment of the connection charge(s) by the owner or their authorized agent, the District shall install the metered water service connection from the District's pipeline to the property line of the property to be serviced when such property line coincides with the established road allowance in which the District's pipeline is located. That part of the service pipe from the aforesaid property to the premises to be served shall be installed by the property owner.
4. That "The Connection Charge Bylaw No. 140 dated the 9<sup>th</sup> day of January, 1995 and registered in the office of the Inspector of Municipalities on the 9<sup>th</sup> day of February, 1995" is hereby repealed.
5. This Bylaw No. 270 may be cited as the "Metered Water Service Connection Bylaw 270-2019".

INTRODUCED and given first reading by the Trustees on the 10<sup>th</sup> day of September, 2019.

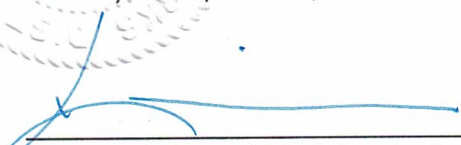
RECONSIDERED and finally passed by the Trustees on the 10<sup>th</sup> day of September, 2019.



Paul Laraman (Chairman)

  
Kim Vanderkooy (Administrator)

I hereby certify under seal of the Mill Bay Waterworks District that this is a true copy of Bylaw No. 270 of the Mill Bay Waterworks District passed by the Trustees on the 10<sup>th</sup> day of September, 2019.

  
Kim Vanderkooy (Administrator)



Mill Bay Water District

250.743.9023

**Application for Metered Water Service Connection – Bylaw #270**

Account # \_\_\_\_\_

Application is hereby made for the installation of a metered water service, pursuant to the bylaws of the District, as follows:

Owner(s) or Authorized Representative \_\_\_\_\_

Property Location \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Plan \_\_\_\_\_ DL \_\_\_\_\_

Billing Address \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Type and size of Building \_\_\_\_\_

Additional Units ☐ yes ☐ no ☐ Suite ☐ B&B ☐ Carriage House ☐ Dwelling

Service size ☐ 3/4 Inch or \_\_\_\_\_ Purpose \_\_\_\_\_ ☐ Residential ☐ Commercial

**I/We hereby agree to comply with the bylaws of the Mill Bay Waterworks district. The basic connection fee is tendered herewith and it is understood that tolls will commence from the date of initial water turn on and that I/We will be responsible for payment thereof until the date upon the District is notified of a change of owner ship. I/We will be responsible for, and understand that it is the responsibility of the homeowner to keep the meter box free from damage and debris. Therefore I/We understand that any repairs made to the meter box due to damage will be charged to my water account.**

**I have read and agree to the above noted conditions.**

Date: \_\_\_\_\_ Authorized Representative's Acknowledgement \_\_\_\_\_

*signature*

**Office Use Only**

Payment of \$ \_\_\_\_\_ Received by \_\_\_\_\_



## MILL BAY WATERWORKS DISTRICT

### BYLAW NO. 280

---

***A bylaw to fix charges for Capital Expenditures on parcels of land and to provide for the time and manner of payment.***

**WHEREAS** pursuant to Section 698(1)(e) of the *Local Government Act* the Trustees may, by bylaw, fix capital expenditure charges under the terms and conditions as set out in the bylaw;

**AND WHEREAS** the capital expenditure charges may be fixed for the purpose of providing funds to the District to pay the capital cost of providing, constructing, altering, maintaining, repairing or expanding water facilities in order to service directly or indirectly, the development in respect to which the charges are fixed;

**AND WHEREAS** in the opinion of the Trustees the charges fixed by this bylaw are related to capital costs attributable to projects identified in the capital expenditure program of the District;

The Trustees of the Mill Bay Waterworks District **ENACT AS FOLLOWS:**

1. In addition to other charges applicable under other bylaws of the District, every person who develops land shall pay the applicable capital expenditure charge as set out in Schedule "A" attached to and forming part of this bylaw.
2. Every person who obtains:
  - a) approval of subdivision of a parcel of land under the *Land Title Act* or the *Strata Property Act*; or,
  - b) approval of application for service; or,
  - c) approval to develop commercial, institutional or industrial space,will pay at the time of the approval of the subdivision or the approval of the application for service, as the case may be, to the District the applicable capital expenditure charges as set out in Schedule "A" attached to and forming part of this bylaw.
3. Every applicant for inclusion of their property in the District and/or for the extension of the District's works to service that property, must install at their own expense and at no cost to the District, and under the supervision of the Trustees of the District or their representatives, all water mains, fire hydrants, meters and other fittings and appurtenances deemed necessary by the Trustees to provide an adequate supply of water for domestic,



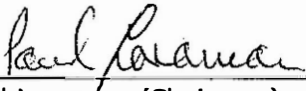
commercial and fire protection use as is necessary for immediate requirements and for the future growth or expansion of the system.

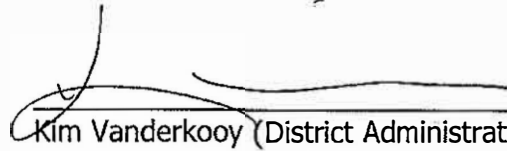
4. In order to ensure the continued adequate provision of water within the District, the Trustees may require applicants for inclusion of their property into the District to provide an appropriate source, quantity and quality of water to the District.
5. The Trustees may allow the applicant to offset the capital expenditure charges described in Schedule "A", in whole or in part, by the provision of labour and material by the applicant for projects noted in section 3 and 4.
6. In fixing capital expenditure charges by this bylaw, the Trustees have taken into consideration future land use patterns and development and the phasing of works and services and whether the charges:
  - a) are excessive in relation to the capital cost of prevailing standards of service in the District; or,
  - b) will deter development in the District; or,
  - c) will discourage the provision of reasonably priced serviced land in the District.
7. All sums of money collected under this bylaw shall be deposited in a special reserve fund separate from all other funds of the District. The Mill Bay Waterworks District shall use money deposited in the reserve fund, plus all interest or earnings therein for the purposes for which it was deposited, namely to:
  - a) pay the capital costs of providing, constructing, altering or expanding water facilities included in the capital expenditure program on which the charge was based, in order to serve directly or indirectly, the development in respect to which the charge was collected; or,
  - b) pay principle and interest on a debt incurred by the District as a result of an expenditure referred to in section 7 (a).
8. A capital expenditure charge is not payable where:
  - a) the development does not impose new capital cost burdens on the improvement district; or,
  - b) a capital expenditure charge has previously been paid for the same development, unless as a result of further development new capital cost burdens will be imposed on the District.
9. Monies must be disbursed by bylaw passed by the Trustees and filed with the Inspector of Municipalities.

10. Bylaw No. 255, the "Comprehensive Capital Expenditure Charge Bylaw 2018", is hereby repealed.
11. This bylaw may be cited as the "MBWD Comprehensive Capital Expenditure Charge Bylaw 2020".

INTRODUCED and given first reading by the Trustees on the 12<sup>th</sup> of January 2021.

RECONSIDERED and finally passed by the Trustees on the 12<sup>th</sup> of January 2021.


  
Paul Laraman (Chairman)

  
Kim Vanderkooy (District Administrator)

I hereby certify under seal of the Mill Bay Waterworks District that this is a true copy of Bylaw No. 280 of the Mill Bay Waterworks District passed by the Trustees on the 12<sup>th</sup> of January 2021

  
  
Kim Vanderkooy (District Administrator)

A true copy of Bylaw # 280  
registered in the office of  
Inspector of Municipalities this  
3 day of Mar 2021

  
Deputy Inspector of Municipalities

**SCHEDULE "A"**  
**To the Mill Bay Waterworks District**  
**Comprehensive Capital Expenditure Bylaw 2020**  
**Bylaw No. 280**

**CAPITAL EXPENDITURE CHARGES**

Land Use	Basis of Assessment	Charge
Residential – Single Family	Per lot being created or included	\$12,711.11
Residential – Two Family	Per residential unit being created or included	\$12,711.11
Residential – Secondary Suite	Per residential unit being created or included	\$4,888.89
All Other Uses	Per equivalent population	\$4,888.89