



Report to Council

Date: March 25, 2025

To: Mayor and Council

From: Jeanette McDougall, Chief Administrative Officer

Subject: **WATER AREA SERVICE EXTENSION APPLICATION**
Lands on Shelby Road

RECOMMENDATION:

THAT Council direct staff to proceed with a request to the Regional District board to permit a residential water service extension along Shelby Road to provide for Village water to:

- PID #015-282-520, NW ¼ of DL 3537
- PID #004-955-307 SW ¼ of DL 3538
- PID #015-282-511 NE ¼ of DL 3544
- PID #015-282-503 SE ¼ of DL 3543

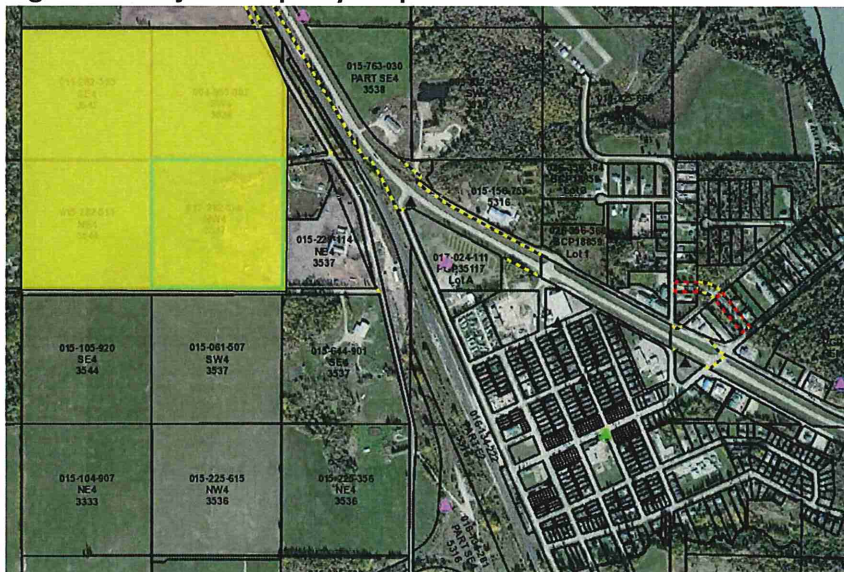
INFORMATION:

The purpose of this report is to introduce the request for a residential water service extension onto Shelby Road and to outline the required legislative process for Regional District approval.

Introduction

Property owners Renae and Ronald Westlund have requested the extension of water service to their properties located on Shelby Road to enable residential water use.

Figure 1: Subject Property Map





Report to Council

The application for extension for residential water connection was made in September of 2023 but was not processed due to staff turnover. The extension of water services into the Regional District is controlled under two key regulations:

- Water Bylaw
- Community Charter

Water Bylaw No. 737, 2013 Section 12.1.3 states:

Extension of the Water Distribution System and Water Connections outside the Village boundaries is not permitted unless the approvals are granted in accordance with the Community Charter.

In addition, the Community Charter - Division 3 Section 13 states:

Services outside municipality

13 (1)A municipality may provide a service in an area outside the municipality, but it must first obtain consent as follows:

(a)if the area is in another municipality, the council must obtain the consent of the council of the other municipality;

(b)if the area is not in another municipality and is not treaty lands, the council must obtain the consent of the regional district board for the area.

(2)In giving consent under subsection (1), the other local government may establish terms and conditions, including terms and conditions respecting

(a)limits on the service to be provided in its area, and

(b)the process for terminating provision of the service in its area.

(3)If consent is given as referred to in subsection (1), the municipal powers, duties and functions provided under this or any other Act in relation to the service may be exercised in the area referred to in that subsection, subject to any applicable terms and conditions established under subsection (2).



Report to Council

These regulations and legislation dictate the process required to enable service extension into a Regional District. At this time the Village has not required a full application for water service extension, which would include detailed engineering drawings, until the Regional District Board resolution has been passed to support the extension. Once this is done Village staff will work with the Westlund's to outline the key submission requirements and process to facilitate the water extension. Submission requirements are defined in the Village's Water Bylaw.

Official Community Plan

The Official Community Plan does not contemplate the provision of services to lands outside of the Village boundaries, however the servicing policy clearly articulates that the provision of adequate water for both potable and fire protection is important for Village lands. The OCP states:

It is the policy of Council to maintain and monitor the capacity of municipal infrastructure systems and carry out upgrading or extensions to these systems in accordance with future demands, as municipal finances permit.

It is the objective of Council to maintain and enhance existing domestic water services in the Village, through on-going maintenance and upgrading programs. It is intended that upgrading programs should provide looping capabilities to allow for uninterrupted service in the event of a water main break.

It is the objective of Council to provide a satisfactory emergency supply of water for fire protection, within the Village boundaries.

If Council supports the application proceeding to the Regional District, it is strongly recommended that prior to Village approval of the service extension, that the applicant be required to prove adequate capacity and fire flows are maintained within the Village if the extension is constructed.

IMPACT ASSESSMENT

Service Capacity

Currently staff are unaware of any impact to Village infrastructure as an engineering capacity assessment has not occurred. Prior to approval of the extension of service the applicant will be required to complete an assessment of capacity impacts.



Report to Council

Staff Time

The Village is responsible for the request to extend to the Regional District board prior to approving the extension. The request will require Village staff to complete the request to the Regional District which will require time to prepare reports and application and attend the Board meeting.

Legal Costs – Servicing Agreement

The new service will require the Village to enter into a legal agreement with the applicant. The legal agreement needs to set out the cost of service and responsibilities of both the applicant and the Village regarding operation and maintenance. This should be required by the Village before approving the request for service extension.

Operation and Maintenance and Liability

The Ministry of Transportation and Transit (MoTT) typically does not permit private services to be located within Provincial right of ways (ROW), therefore the Village may be required to own the new water main. This also means the Village will be responsible for the operation and maintenance of the new infrastructure and will carry the permit for locating the pipe within the MoTT ROW.

NEXT STEPS

If Council supports this application the Village must make a formal request to the Regional District to allow for services to be extended into the area. If approved by the Regional District, there is a multi-stage process for design and approval before the service can be constructed. The following table provides a high-level summary of the process for final approval and construction of the service. As noted above, MoTT typically does not permit private services to be located within Provincial ROW therefore the Village maybe required to own the water main that extends from the Village boundary to the subject properties.



Report to Council

Task	Responsibility
1 – Request for service extension for Regional District	Village
2 – Complete formal application to the Village including service design and capacity analysis	Westlund's
3 – Apply to MoTT for permit to allow for service within Provincial ROW	Village and Westlund's
4 – Drafting of service agreement with Village	Village and Westlund's
5 – Approval of final service design by Village	Westlund's
6 – Construction of service	Westlund's. Village must inspect installation
7 – Northern Health approvals of services	Westlund's

A water system capacity assessment and detailed engineering design are required prior to the Village approval of the water services extension. Currently, Staff are recommending that the required capacity review and detailed engineering be a condition prior to the Village entering into a service agreement with the applicant.

Prepared by:

Kevin Brooks, Division Manager – Planning
McElhanney

Respectfully,

Jeanette McDougall
Chief Administrative Officer /
Corporate Officer