



NORTH SAANICH NEWS

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SPECIAL EDITION

DEEP COVE/PATRICIA BAY/MCDONALD PARK SEWER PROJECT

The purpose of this newsletter is to inform you about Council's recent discussions on whether or not to pass a by-law that would restrict the minimum lot size on new lots in the District to one hectare (2.47 acres) unless the properties are connected to a community sewer system.

BACKGROUND

In the year 2001, North Saanich Council made a decision to service areas in Deep Cove and Patricia Bay with a community sewer system. This was to fulfill Council's commitment in the Saanich Peninsula Liquid Waste Management Plan to establish a permanent solution to long-standing problems with malfunctioning on-site sewage disposal systems in these areas by October 2001. In March 2001, the District of North Saanich submitted a Federal-Provincial Infrastructure Grant application for financial assistance to construct this sewage collection system. The project would provide sewer service to about 574 lots.

The estimated cost of the project is approximately \$8,925,400, and if the grant application is successful the District will be eligible for a grant of up to \$5,773,000. With the grant, it is estimated that the costs to property owners in the sewer project area will be between \$6,200 and \$10,000 per lot (excluding connection costs and other non-grantable costs), depending upon whether property owners pay the costs in one payment (the lower figure), or amortize the cost over 15 years (the higher figure). Without this grant, it is estimated that the costs will increase to at least \$17,200 per lot and up to \$28,000 per lot respectively.

One of the conditions required by the Federal and Provincial governments for eligibility for the grant is that the District must adopt by-laws that limit the use of onsite septic systems on NEWLY CREATED lots to those with a minimum lot size of one hectare (2.47 acres). In order to CREATE NEW LOTS that are smaller than one hectare, the lots must be serviced by a community sewer system.

If we do not meet this requirement, the Deep Cove/Patricia Bay/McDonald Park Road sewer project will not be eligible for an Infrastructure Grant. The District had attempted to obtain a waiver of this requirement, but was advised in December 2002 that the requirement would not be waived, in spite of the fact that a waiver had been obtained for the Southeast Quadrant sewer project, which was approved under an earlier Provincial Government grant.

PROPERTIES AFFECTED BY THE PROPOSED BY-LAWS

The effect of the proposed by-laws would be to limit the creation of new lots in the District to at least one hectare in size unless serviced by a community sewer system. Therefore, some properties that are potentially subdividable may no longer be able to subdivide unless they are able to connect to a community sewer system.

The categories of property affected are mostly properties in the R-2 and R-3 Residential zones. The minimum lot size in these zones is ½ acre and one acre respectively. Also, a small number of lots in various other zones may be affected.

Of the approximately 4600 properties in the entire District of North Saanich, about 250 properties would be affected by the proposed by-laws. It should be noted that although individual properties may be large enough to be subdivided, other features may restrict their ability to be subdivided under current zoning because:

- the soils may not be capable of supporting an on-site system;
- the lot may be too narrow to be subdivided; (For example, the minimum lot width in the R-2 zone is 26 meters (85.28 feet), and in the R-3 zone, 46 meters (150.88 feet). Narrower lots would be contrary to the requirements in the Zoning By-law.)
- some lots have buildings located in such a way as to preclude subdivision; or
- subdivision potential may be limited because of topographical constraints on the property, such as steep terrain, lack of sufficient native soil (at least 24" required), or high water table.

Of the 250 properties that may be affected, it is estimated that about 138 of these lots are too narrow to meet the District's minimum lot width requirement, and a further 12 lots have existing houses in locations that would interfere with subdivision. We have not factored in restrictions relating to soils characteristics or topographical constraints, as these cannot be determined without site investigation on individual lots. The Municipal Engineer has indicated that when all factors are considered, it is possible that less than 100 properties will be affected by the proposed by-law.

ONGOING DISCUSSIONS

Because of the impact such a by-law would have on properties that are presently able to be subdivided, Mayor Daly and the Administrator met with the Honourable George Abbott, Minister of Community, Aboriginal and Women's Services on January 22, 2003 to explore alternatives to the 1 hectare minimum lot size requirement.

At that meeting, the Minister agreed to consider other options, but emphasized that suitable restrictions must be established to prevent future on-site sewage problems from being created as a result of new subdivisions. The District is presently working with Ministry officials in an attempt to identify other measures that would provide the assurance the Infrastructure Program partners require. Some of the options that are being explored include:

- increasing the required depth of native soil on the property in order to subdivide,
- requiring on-site systems to be designed by a qualified professional to suit the soils and other constraints that may be present on individual lots, and
- requiring the design to include a 100% reserve sewage absorption field.

While these discussions are continuing, Provincial officials have agreed that if the District commenced preparation of the by-laws required to limit the minimum lot size of new lots not served by a community sewer system to one hectare, it would not remove the District from its list of eligible applicants. These by-laws received first and second reading at the January 20, 2003 Council meeting, but they have not yet been adopted, and Council has decided to postpone the public hearing to allow time in which to negotiate other alternatives with the Province. The Public Hearing has now been scheduled for March 12, 2003.

In the meantime, your Council will continue to negotiate other acceptable alternatives with senior levels of government. If we are able to do so, it may not be necessary to proceed with the by-laws that limit the minimum size of new lots to one hectare unless served by a community sewer system.

Please call the Municipal Hall at 656-0781 if you require further information.

