



DRAFT PROOF OF WATER POLICY – INTRODUCTION JULY 2025

Please note: This report was included on the May 8, 2025, Electoral Area Services Committee agenda and was referred back to staff to be brought to a future meeting. No changes have been made.

RECOMMENDATIONS

1. That the Board receive the draft Proof of Water for Subdivision Policy as provided in Attachment 1.
2. That the Board approve the proposed consultation plan as outlined in Attachment 3 and direct staff to proceed with consultation.

BACKGROUND

One of the changes included in “Regional District of Nanaimo Zoning Bylaw No. 2500, 2024” (Bylaw 2500) is for the Regional District of Nanaimo (RDN), rather than the Provincial Subdivision Approving Officer, to confirm that each parcel proposed to be created through subdivision has a minimum of 3.5 m³ of potable water per day year-round.

This change was made in response to several challenges with the proof of water process including no confirmation that adequate water supply is available, acceptance of representative wells, acceptance of wells that produce less than 3.5 m³ of potable water per day, and inconsistent practices with respect to pumping test and treatment requirements.

A Board policy is proposed to guide the proof of water process in a way which addresses the above challenges and ensures a transparent, efficient, and consistent process is utilized. In support of a Board policy on proof of water for subdivision, the Board passed the following motion at its February 25, 2025, meeting:

“That staff be directed to draft a proof of water at the time of subdivision policy for Board consideration.”

The purpose of this report is to introduce a draft proof of water policy and to seek Board support to proceed with a proposed engagement process.

SUMMARY OF PROPOSED POLICY

The purpose of the proposed Proof of Water for Subdivision Policy (Policy) is to identify and standardize the process and technical information required to satisfy RDN zoning bylaw “proof of water” requirements at the time of subdivision.

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File No. 0340 – 50 – Proof of Water Policy

In its simplest form, the draft policy (see Attachment 1 – Draft Proof of Water for Subdivision Policy) requires a well be drilled, pump tested, and that a water quality test be performed on each proposed parcel to demonstrate that each proposed parcel has a minimum of 3.5 m³ of potable water per day year-round.

To achieve the purpose of the policy and provide for consistency in the process, it is necessary for the policy to contain adequate detail with respect to the requirements and procedures.

The following is a summary of the draft policy:

- The policy applies where an RDN zoning bylaw requires proof of water at the time of subdivision. Currently that is limited to Bylaw 2500. In the future, if any other RDN zoning bylaw requires proof of water at the time of subdivision, the policy would apply.
- Only a drilled well or source of surface water licensed for the intended use will be considered acceptable sources of potable water to facilitate subdivision.
- The draft Policy requires confirmation that wells have been constructed in accordance with the applicable provincial [Groundwater Protection Regulation](#). This is consistent with the existing legislative requirements.
- The draft Policy requires confirmation that the pumping tests were designed and undertaken by a Qualified Professional in accordance with the *Groundwater Protection Regulation* and the [BC Guide to Conducting Well Pumping Tests](#). This is consistent with the existing legislative requirements and best practices established by the province.
- A pumping test will confirm the yield of each well and is to occur during the months of July through October (lowest water table). Pumping tests may occur outside of this timeframe if a professional hydrogeologist's report confirms the well is in a highly productive aquifer with minimal seasonal variation and is estimated to meet the zoning bylaw's year-round potable water requirements.
- To standardize and simplify the process of proving water and confirming that the requirements of the policy have been satisfied, the use of a form called a 'Well Information Sheet' (WIS) is proposed. The draft policy requires the submission of a WIS for each proposed well. Attachment 2 – Well Information Sheet Requirements contains the information to be included on the WIS. Note, the form may change over time in response to the needs of the process and to the satisfaction of the General Manager.
- A representative water sample from each well must be collected by a qualified professional and sent to a certified laboratory to measure the potable water parameters listed in the Guidelines for Canadian Drinking Water.
- Where the water quality test indicates that water treatment is required to achieve potable water quality, a qualified professional must indicate whether the water is a treatable water condition. This will ensure that an average parcel owner can reasonably maintain and operate the required water treatment system.
- Where a drinking water treatment system is required, the RDN shall, as a condition of the issuance of a subdivision compliance letter, require the applicant, at the applicant's expense to register a Section 219 Covenant on title indicating that a drinking water treatment system is required to be installed and confirmed to be operational prior to occupancy of a dwelling unit or final inspection of a building as

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File No. 0340 – 50 – Proof of Water Policy

applicable. It should be noted that this reflects current practice in cooperation with the Ministry of Transportation and Transit (MOTT).

TARGETED ENGAGEMENT

While there are no legislated requirements for seeking community input on the draft policy, it is recommended that a targeted engagement process be utilized to seek input from experts in the field related to well drilling and pump testing, hydrogeology, as well as provincial regulatory bodies, and land use consultants who have significant experience with subdivision in the RDN.

It is recommended that the Board approve the proposed consultation plan as outlined in Attachment 3.

FINANCIAL IMPLICATIONS

No additional resources are required by the planning department to administer the draft policy. Having a policy in place will ensure that the impacts to staff resources are minimized. Therefore, the draft policy has no implications related to the Board 2025 – 2029 Financial Plan.

STRATEGIC PLAN ALIGNMENT

The draft policy has been reviewed and is in keeping with the 2023 – 2026 Board Strategic Plan Strategic Focus Area 3 – Planning and Managing for Growth by ensuring that each parcel proposed to be created through the subdivision process in an unserved area has an adequate means of potable water.

NEXT STEPS

Should the Board endorse the proposed consultation plan, staff will proceed with seeking targeted input on the draft policy. The policy will then be refined, and a report, summary of engagement results, and updated policy will be presented to the Board for consideration.

REVIEWED BY:

P. Thompson, Manager, Current Planning
L. Grant, General Manager, Development and Emergency Services
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Draft Proof of Water for Subdivision Policy
2. Well Information Sheet Sample
3. Proposed Consultation Plan