

# Report

Date March 11, 2025  
Subject Servicing Capacity: Bylaw Amendments

---

File:

## PURPOSE

To provide the following bylaws for first, second and third readings:

- Sewer Service Bylaw Amendment Bylaw No. 4003, 2025;
- Waterworks Bylaw Amendment Bylaw No. 4004, 2025; and,
- Building Bylaw Amendment Bylaw No. 4005, 2025.

## BACKGROUND

A review of these bylaws has revealed a need to improve language regarding the denial of service connections or the issuance of building permits where insufficient capacity within the sanitary sewer or water systems exists.

## DISCUSSION

The three amendment bylaws attached to this report are intended to mitigate any potential risk posed to North Cowichan from requests to connect development or lots to the water and sanitary sewer systems in locations or at times where insufficient capacity exists.

As urban areas grow, it is necessary to expand infrastructure capacity in line with and to accommodate new growth. However, if growth demand arrives before infrastructure capacity has been expanded, there is a danger of exceeding the available capacity of the existing networks. Development approvals must only be granted once sufficient servicing capacity is available.

The sole purpose of the proposed bylaws is to provide clear language to enable the Director of Engineering or Building Inspector, as the case may be, to deny a connection or a building permit to ensure that development is not brought online prematurely before capacity is available. There is currently poor consistency between the three bylaws in terms of this enabling language, which this concurrent three-bylaw amendment seeks to remedy.

## OPTIONS

### 1. (Recommended Option)

THAT Council gives first, second and third readings to:

1. Sewer Service Bylaw Amendment Bylaw No. 4003, 2025;
2. Waterworks Bylaw Amendment Bylaw No. 4004, 2025; and,
3. Building Bylaw Amendment Bylaw No. 4005, 2025.

- This option mitigates risk to the Municipality.

2. THAT Council directs staff to provide further information prior to proceeding with bylaws 4003, 4004 and 4005 *[information to be identified by Council]*
  - Staff will bring the bylaws back for consideration with additional information as Council requires.
3. THAT Council rejects bylaws 4003, 4004 and 4005.
  - This would leave the bylaws in a state of inconsistency and lacking clarity.

## IMPLICATIONS

The implications of not proceeding with these bylaw amendments are significant. If staff are in a position of being obligated to issue a permit or allow a connection due to unclear bylaw wording despite not having sufficient capacity, then the risk of exceeding a given system's capacity arises.

## RECOMMENDATION

THAT Council gives first, second and third readings to:

1. Sewer Service Bylaw Amendment Bylaw No. 4003, 2025;
2. Waterworks Bylaw Amendment Bylaw No. 4004, 2025; and,
3. Building Bylaw Amendment Bylaw No. 4005, 2025

Report prepared by:



---

Chris Osborne, RPP, MCIP  
Manager, Planning

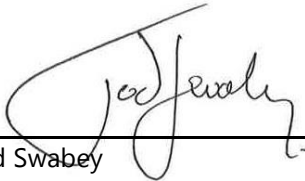
Report reviewed by:



---

Amanda J. Young, RPP, MCIP  
Director, Planning and Building

## Approved to be forwarded to Council:



---

Ted Swabe  
Chief Administrative Officer

## Attachments:

- (1) Sewer Service Bylaw Amendment Bylaw No. 4003, 2025
- (2) Waterworks Bylaw Amendment Bylaw No. 4004, 2025
- (3) Building Bylaw Amendment Bylaw No. 4005, 2025