

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: February 3, 2022

RE: Septic System Assessments (X2022.001-DPB)

Administrative Recommendation:

THAT Bylaw No. 2500.24, being a bylaw to amend the Development Procedures Bylaw to introduce requirements for septic system assessments for land use applications, be initiated.

Purpose:

Amendment Bylaw No. 2500.24 is proposing to clarify how a property owner preparing documentation in support of a land use application, such as a temporary use permit (TUP) application for a “vacation rental”, can prove that on-site sewage disposal for the use is capable of being met.

Background:

At its meeting of March 14, 2014, the Board adopted Amendment Bylaw No. 2595, 2013, which, amongst other things, introduced a policy into the Okanagan Electoral Area Official Community Plan (OCP) Bylaws of supporting “the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit.”

This policy also included criteria the Board may use to assess applications for “vacation rental” uses, including the “capability of providing domestic water and accommodating on-site sewage disposal.”

While the Regional District’s *Development Procedures Bylaw No. 2500, 2011*, was subsequently amended in 2015 to introduce requirements for Health & Safety Inspections (a related assessment criteria for vacation rental applications), it was never updated to provide clarification on how on-site sewage capabilities could be verified.

As a result, the Regional District has accepted a disparate range of septic system documentation from property owners applying for “vacation rental” TUPs. This has included records of service (i.e. pumping), copies of original design drawings, as well as assessments from Registered Onsite Wastewater Practitioners (ROWPs).

Recently, it has been brought to the Regional District’s attention that only a Registered Onsite Wastewater Practitioner (ROWP) registered as a “Planner” or “Private Inspector” with the Applied Science Technologists and Technicians of British Columbia (ATTSBC) or a Professional Engineer (P.Eng) registered as a “Professional for Sewerage Systems” with the Association of Professional Engineers and Geoscientists of BC (APEGBC) are qualified to determine if an existing septic system is capable of handling a “vacation rental” use.

The Regional District has not previously confirmed qualifications when accepting an assessment from a ROWP in support of a “vacation rental” TUP application.

Public Process:

In November 2021, Administration sought feedback on a preliminary draft of the Septic System Assessment procedures from all registered ROWPs and Engineers in the Okanagan-Similkameen.

In response, five (5) ROWPs and two (2) engineers provided input. Additionally, Interior Health and the West Coast Onsite Wastewater Management Association (WCOWMA) reviewed the draft bylaw.

Most of the feedback suggested that the SSA guidelines should be simplified and rely on the Standard Practice Manual (SPM) guidelines to ensure professionals are not being asked to do work contrary to the BC Sewerage System Regulation.

Analysis:

Administration understands that a “vacation rental” use can strain the capabilities of a septic system by exceeding design capacity (i.e. too many patrons staying in a dwelling unit), the irregularity and intensity of flows (i.e. heavy use on a weekend, followed by inactivity during the week), and use by persons not familiar with septic systems (i.e. foreign objects being flushed).

It is further understood that past maintenance practices do not reflect the ability of a septic system to handle the flows generated by a “vacation rental” use, nor does the original design of a septic system as the use of the dwelling may have changed over time (i.e. additional bedrooms added).

A higher standard of information is required when confirming the capability of a septic system to accommodate a “vacation rental” use.

It is proposed that future TUP applications for a “vacation rental” be required to provide a Septic System Assessment (SSA) prepared by a qualified ROWP or Engineer and minimum reporting requirements be introduced into the Development Procedures Bylaw to support this.

Both ROWPs and Engineers follow the BC Sewerage System Regulation and Standard Practice Manual (SPM) for all aspects of onsite wastewater management. These documents define which professionals are authorized to do each aspect of work associated with sewerage systems and how the work should be carried out. ASTTBC and APEGBC may have further recommendations for their members, but the SPM defines the legal minimum requirement for sewerage systems. The proposed SSA procedures are drawn from the SPM requirements for assessing an existing system for change of use.

The requirement for an SSA to be the professional determination regarding the condition, performance, and suitability of a septic system to accommodate a “vacation rental” use as well as any recommendations regarding required wastewater system repairs, maintenance or improvements can only be a benefit.

An SSA report requirement will also create a level playing field for “vacation rental” operators by standardizing the documentation requirements for confirming septic capabilities.

Alternatives:

- .1 THAT the Regional District of Okanagan Similkameen Development Procedures Amendment Bylaw No. 2500.24 not be initiated.

Respectfully submitted:



D. DeVries, Planner I

Endorsed By:



C. Garrish, Planning Manager