City of Pitt Meadows

DRAINAGE SYSTEM PROTECTION BYLAW No. 2266, 2007

and amendments thereto

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws listed below. The amending bylaws have been consolidated with the original bylaw for convenience only.

Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

BYLAW NO.	ADOPTED	
2266	September 16, 2008	
2451	March 16, 2010	
2492	May 3, 2011	
2559	May 8, 2012	
2605	May 13, 2013	
2598	May 21, 2013	
2641	May 6, 2014	
2680	March 17, 2015	
2727	March 15, 2016	
2755	March 28, 2017	
2791	March 20, 2018	
2822	April 2, 2019	
2851	April 28, 2020	
2875	March 2, 2021	
2887	April 13, 2021	
2918	April 5, 2022	
2947	April 4, 2023	amends Schedule "E"

The bylaw numbers in **bold** at the end of the clause refer to the bylaws that amended the principal bylaw.

CITY OF PITT MEADOWS
DRAINAGE SYSTEM PROTECTION
BYLAW NO. 2266, 2007

A Bylaw of the City of Pitt Meadows to establish and regulate the obstruction, discharge and operation of the municipal drainage system and to impose a charge for the use of the municipal drainage system

---

WHEREAS, the Council of the City of Pitt Meadows is authorized to enact a bylaw pursuant to section 540 of the Local Government Act;

AND WHEREAS it is deemed desirable and expedient to regulate and prohibit the design and installation of drainage works in the municipal drainage system;

AND WHEREAS it is necessary to impose a charge against the owner or occupier of real property for the use of the municipal drainage system;

NOW THEREFORE, the Municipal Council of the Corporation of the City of Pitt Meadows, in open meeting assembled, **ENACTS AS FOLLOWS**:

PART I – INTERPRETATION

1.0 Citation/Title

1.1 This bylaw may be cited for all purposes as the "Pitt Meadows Drainage System Protection Bylaw No. 2266, 2007".

2.0 Definitions

2.1 For the purpose of this bylaw:

a) **"building permit"** means a permit issued by the City pursuant to the City of Pitt Meadows Building Bylaw, authorizing construction of a building or improvements according to approved plans.

b) **"City"** means the Corporation of the City of Pitt Meadows.

c) **"Collector"** means the Collector of the City duly appointed by Council to collect fees, charges and taxes imposed by the City.

d) **"contaminant"** means any substance other than uncontaminated water, whether solid, dissolved or suspended, that injures, or is capable of injuring, the health or safety of a person, property, or life form, or capable of damaging the environment, or is capable of interfering with the operation of the drainage system.

e) **"development"** means any construction for which a building permit is required.

f) **"Director"** means the Director of Operations and Development Services for the City of Pitt Meadows and includes any other City employee acting under his or her authority.

g) **"discharge"** means to directly or indirectly introduce any substance or water to the drainage system, or watercourse.

h) **"drainage charges"** means a charge, or charges, imposed by the City to use the drainage system in accordance with Schedule "E", which is attached hereto and forms part of this bylaw.

i) **"drainage system"** means the system and network of watercourses, ditches, key ditches, channels, swales, drains or sewers, drainage works, pump stations, flood boxes, dike gates or valves, mains, pipes, culverts, catch basins, leads, and curbs and gutters, located in the City on private or public property, by which surface or ground water is conveyed to a receiving watercourse. All natural watercourses within the geographic area shown in Schedule "B" are deemed and constituted as part of the drainage system.

j) **"floodplain"** means the area of land shown in Schedule "A", which is attached hereto and forms part of this bylaw.

k) **"impervious areas"** means any exterior surface which does not allow rain water to pass through it into the soil.

l) **"intensive agricultural projects"** means buildings, structures and impervious areas located on agriculture zoned lands with a surface area greater than 500 square metres.

m) **"key ditches"** means the system of ditches and watercourses, including culverts, as shown in Schedule "B", which is attached hereto and forms part of this bylaw.

n) **"nutrient laden water"** means water which contains fertilizers or other substances which accelerate plant or weed growth;

o) **"owner"** means any person who is registered under the *Land Title Act* as the owner of land, or any other person who is in lawful possession of land

or who is in lawful possession or occupancy of any buildings situated on land.

p) **"permit"** means a permit issued by the Director under this bylaw, as shown in Schedule "C", which is attached hereto and forms part of this bylaw.

q) **"person"** means an individual, society, partnership, corporation or business.

r) **"prohibited material"** means any sediment, earth, construction or excavation wastes, cement, concrete, pesticides, fertilizers, nutrient-laden water, sewage, soaps, paints, chemicals, chlorinated water, waste oil or any material or substance which is a "hazardous product", "contaminant", "toxic substance", "deleterious substance", "special waste", "dangerous good" or "reportable substance" that is identified or described in or defined by any applicable statute, regulation or law, including other bylaws of the City, or that may constitute a hazard to the health of humans or animals, or that may be detrimental to the environment, or that may accelerate plant growth in the receiving watercourse, or that may inhibit maintenance of a watercourse.

s) **"sediment control plan"** means the specifications, drawings, plans and design calculations for works to control and monitor the discharge of sediment and silt from any source into the drainage system, or watercourse, as specified in the Subdivision and Development Servicing Bylaw.

t) **"uncontaminated water"** means water that does not contain contaminants, and may include agriculture irrigation, cooling water and condensation drainage from refrigeration and air conditioning equipment, and cooled condensation from steam heating systems.

u) **"watercourse"** means the system of key ditches and natural watercourses located in the City, on private or public property, by which surface or ground water is conveyed.

PART II - REGULATIONS

4.0 GENERAL

4.1 This bylaw applies to all land within the City of Pitt Meadows.

4.2 This bylaw is administered by the Director.

4.3 The administration, capital construction, operation, maintenance, inspection and repair of a drainage system and key ditches are hereby established as a service of the City of Pitt Meadows.

4.4 The City does not warrant that any activity controlled under this bylaw, will not cause or permit flooding, damage, pollution or other nuisance to any person or property.

4.5 The Director shall be admitted access to the owner's land and premises, during reasonable hours, in order to inspect, photograph, or test any portion of the drainage system and to determine whether the provisions of this bylaw are being complied with.

4.6 This bylaw has been enacted in the general public interest. The activities undertaken by or on behalf of the City are for the sole purpose of providing a limited enhancement to public health and safety and the protection of persons and property. It is not contemplated or intended nor does the purpose of this bylaw extend to protection of property owners from property damage, personal injury or economic loss, nor to the assumption by the City of any responsibility for insuring compliance with this bylaw, or to providing any person any warranty or representation that compliance with this bylaw will prevent or reduce flooding or risk of flooding.

5.0 CONSTRUCTION WITHIN A FLOODPLAIN

5.1 Every owner shall be wholly and exclusively responsible for any and all consequences, including property damage, loss of life or injury, of building or constructing within the floodplain, or from flooding due to storm water run-off exceeding the capacity of the drainage system.

6.0 PERMITS

6.1 Every owner or person shall apply for and obtain a permit from the Director prior to commencement of construction or discharge, in accordance with Schedule "C", for any of the following activities:

a) constructing in or over a watercourse;
b) installing a culvert on key ditches or watercourses;
c) enclosing or filling a key ditch or watercourse;
d) constructing within seven (7) metres of the toe of a dike;
e) constructing within six (6) metres of a top of bank adjacent to a key ditch or watercourse;
f) constructing an agricultural irrigation system

6.2 The Director shall attach terms and conditions to the issuance of a permit as are necessary to ensure construction is conducted to the City's satisfaction, provisions of Pitt Meadows Highway Access Bylaw are complied with, ensure appropriate government authorities and agencies approvals have been obtained, and set out period of time to commence and complete construction.

6.3 Every application for a permit pursuant to this bylaw shall be made in writing to the Director and shall be accompanied by:

a) a sketch showing:
- the boundaries of the lot or lots on which the works are to be performed;
- the dimensions of the proposed works;
- the location and dimensions of all watercourses, drains or sewers which may be affected by the works or proposed discharge; and
- the location and dimensions of all existing or proposed buildings, structures or obstructions on the lot or lots on which the works are to be performed;

b) other information, as is necessary, to illustrate all essential features of the design and specifications of the works, or proposed discharge, and the intended use thereof;

c) fees and security deposit as shown in Schedule "D", attached hereto and forming part of this bylaw.

6.4 The owner requesting a watercourse crossing shall retain a Qualified Environmental Professional (QEP) to confirm applicable

approvals from other government authorities and agencies and obtain such approvals prior to the Director's approval. *(Bylaw 2875, 2021)*

7.0 PROHIBITION OF OBSTRUCTING OR ALTERING A WATERCOURSE

7.1 No person shall foul, obstruct, alter or impede the flow, directly or indirectly, of a key ditch, ditch, watercourse, drain or the drainage system, whether or not it is situate on private property within the City.

7.2 No person shall construct, install, improve, alter, extend, repair, renew, maintain, remove any bridge, culvert or culvert headwall, enclose a ditch, construct an access, or perform any other works in or over a key ditch or watercourse, whether or not it is located on private property, unless he or she has first obtained a permit to do so from the Director in the form attached as Schedule "C" to this bylaw.

8.0 PROHIBITION OF DISCHARGE

8.1 No person shall cause or permit any waste, contaminant, prohibited material, or water containing any prohibited material, to be discharged, dumped, deposited, spilled or washed, directly or indirectly, into the drainage system, or any watercourse.

8.2 No person shall wash or permit the washing of concrete from any driveways, sidewalks, patios or other impervious surfaces, or residues from concrete trucks to discharge into the drainage system or any watercourse.

8.3 An approval, or permit, under this bylaw in no way relieves the owner, or his/her agents, of the responsibility of adhering to all local bylaws of the City of Pitt Meadows, Provincial and Federal legislation, including, but not limited to, the *Fisheries Act, Water Act*, *Fish Protection Act* and *Environmental Management Act.*

8.4 No person shall discharge nutrient-laden water into the drainage system, key ditch or watercourse. Every greenhouse operator, shall provide an acceptable nutrient-laden water disposal plan to the Director on an annual basis, or as requested by the Director.

9.0 CULVERTS

9.1 The Director may order the maintenance, repair or replacement at the owner's expense of any culvert, installed without a valid permit or without City approval, which is located on a key ditch, as shown in Schedule "B".

9.2 Every culvert installed, subsequent to adoption of this bylaw, on key ditches requires an application to the Director for a permit. Every culvert shall be constructed and installed with sufficient capacity to convey a minimum 1:10 year storm event, without flooding, or as specified by the Director. The minimum culvert diameter shall be 600 mm.

9.3 Every culvert installed, subsequent to adoption of this bylaw, shall be constructed and installed by the City, or its contractor, in accordance with the Subdivision & Development Servicing Bylaw No. 2589, as amended, and all associated installation costs shall be the responsibility of the property owner fronting the drainage system. *(Bylaw 2875, 2021)*

9.4 Every owner shall provide suitable access for labour and equipment to each culvert installed, operated and maintained by the City.

9.5 The City shall not be responsible to repair damage to, or restore, any owner improvements constructed on top of, or adjacent to, a bridge or culvert.

9.6 Number of Culverts *(Bylaw 2875, 2021)*

a) Each parcel shall contain no more than one driveway access and culvert over a key ditch.

b) Despite Section 9.6(a), for parcels on a corner lot and greater than 40,000 square meters, a second culvert over a key ditch may be permitted by the Director, based on consideration of the following criteria and any supporting reports prepared by a qualified professional to support such assessments, which the Director may require:
i. Impact on the operation of the City's drainage system;
ii. Impact and/or support of agriculture activities;
iii. Environmental impacts;
iv. Road type, traffic flow and proximity to intersections, other culverts or access points.

c) Despite Section 9.6(a), for parcels on a corner lot and greater than 175,000 square meters, more than two culverts over a key ditch may be permitted by the Director, based on consideration of the following criteria and any supporting reports prepared by a qualified professional to support such assessments, which the Director may require:
i. Impact on the operation of the City's drainage system;
ii. Impact and/or support of agriculture activities;
iii. Environmental impacts;
iv. Road type, traffic flow and proximity to intersections, other culverts or access points.

d) Despite subsections 9.6(b) and 9.6(c), the number of culverts will be minimized, wherever possible.

e) The property owner fronting the drainage system shall be responsible for all maintenance and/or replacement costs for culverts permitted under subsections 9.6(b) and 9.6(c) and such maintenance and replacement requirements shall be determined by the City.

10.0 WATERCOURSE MAINTENANCE

10.1 Subject to provisions contained in the *Fisheries Act, Water Act* and the *Fish Protection Act*, all key ditches shall be maintained by every owner or person to allow and maintain the free flow of discharge water.

10.2 An owner may allow the City to maintain a key ditch, in which case, the owner shall provide suitable access for labour and equipment to each key ditch and watercourse maintained by the City.

10.3 The City shall not be held liable for damage to, or loss of, crop(s), vegetation, plantings and hedges within six (6) metres of the top of bank of a key ditch or watercourse.

10.4 Prior to commencement of construction every owner or person shall seek and obtain a permit in accordance with Schedule "C" from the Director to construct developments or obstructions within six (6) metres of key ditches. The issuance of a building permit does not absolve the owner or person from obtaining the Director's specific approval.

11.0 LIMIT RATE OF RELEASE OF DISCHARGE

11.1 Where development is planned on any parcel(s), the owner must as a condition of development approval, limit the post-development peak rate of runoff to the pre-development peak rate of runoff for the 10-year design storm; provided the downstream drainage system and watercourses have the capacity to carry the increased run-off. This may require the owner or person to provide and construct onsite detention or retention facilities and control structures. This applies, but is not limited to, urban drainage and intensive agricultural projects.

12.0 AGRICULTURE IRRIGATION

12.1 Every owner shall seek and obtain a permit in accordance with Schedule "C" from the Director to construct agricultural irrigation, agricultural field drainage systems, or private dikes which impact, or have the potential to impact, the quantity and rate of discharge to key ditches.

12.2 The Director may require professional engineer reports to determine the impact, or potential impact, to key ditches in order to establish conditions of permit issuance.

12.3 Every owner shall obtain approval from the Director prior to operating any water control structure, dike gate or valve or similar apparatus, which is owned, operated, or maintained by the City.

13.0 SEDIMENT CONTROL

13.1 The Director may require a Sediment Control Plan for any construction where the site:

a. is within 30 metres of a watercourse; or
b. contains slopes greater than 20 percent; or
c. has a history of erosion or soil and slope instability; or
d. proposes to disturb the natural vegetation by an area greater than 500 square metres.

13.2 All construction shall adhere to best management practices as outlined in Section A.4.11, subsection iii of the Subdivision and Development Servicing Bylaw No. 2589. *(Bylaw 2875, 2021)*

14.0 REMEDIES

14.1 Should prohibited material enter the drainage system, or watercourse, then the owner, or contractor performing the work, must immediately notify the appropriate federal and provincial agencies and the City, and under the appropriate direction of those agencies, and the City, the owner or contractor must take immediate remedial steps to capture, contain and remove such prohibited material.

14.2 If any owner, person or contractor is carrying on any construction work, or any other activity, in contravention of this bylaw, or which in the opinion of the Director is causing, or is likely to result in a discharge of contaminants or prohibited material into the drainage system, or watercourse, or cause irreparable harm, then the Director may order the immediate suspension of all or any portion of such construction work or other activity by posting a notice (Stop Work Order) to that effect at the place where the construction work, or other activity, is ongoing. The Director may further direct that steps be taken by the owner or contractor to prevent further fouling or discharge of prohibited material into the drainage system, or watercourse.

14.3 If in the opinion of the Director immediate steps should be taken to prevent the escape of contaminants or prohibited material, or to stop an escape which is ongoing, and/or if the Director, acting in his/her sole discretion, is not satisfied that the owner or contractor has taken the appropriate steps to mitigate the release of prohibited material, then the City may enter onto the property to take steps necessary in the circumstances. The cost of any work done by the City will be assessed to the owner. If the costs remain unpaid as of December 31 of the year, the amount shall be deemed to be taxes in arrears.

14.4 Failure to obtain a permit under Section 6 this bylaw from the Director may result in the Director ordering the immediate suspension of all or any portion of such construction work or other activity by posting a notice (Stop Work Order) to that effect at the place where the construction work, or other activity, is ongoing. Where the construction work or other activity has been completed without a permit under this bylaw from the Director, the City may remove or rectify the construction, activity or discharge at the owner's expense. The cost of any work done by the City will be

assessed to the owner. If the costs remain unpaid as of December 31 of the year, the amount shall be deemed to be taxes in arrears.

14.5 Subject to section 14.3, should an owner or person fail to maintain any key ditch, as required by this bylaw or as ordered by the Director, the City may enter private property, upon sixty (60) days notice, in order to undertake maintenance requirements. The City shall not be held liable for damage to, or loss of, crop(s), vegetation, plantings and hedges within six (6) metres of the top of bank of a ditch or watercourse.

15.0 Drainage Charges

15.1 Each parcel of real property which drains, directly or indirectly, to the drainage system shall be classified once each year by the Collector in accordance with the categories set out in Schedule "E", attached hereto and forming part of this bylaw.

15.2 Subject to section 15.3, the owner or occupier of real property shall pay, in addition to other rates, charges, fees or taxes, for the use of the drainage system, the amounts specified in Schedule "E". These drainage charges shall be payable to the City on or before December 31st, in each year.

15.3 City owned parcels and parcels not directly or indirectly discharging to the drainage system shall be exempt from drainage charges.

15.4 Drainage charges shall be rendered annually for the months of January to December, inclusive.

15.5 If the drainage charges and penalty remain unpaid as of December 31 of the year, the amount shall be deemed to be taxes in arrears.

15.6 Drainage charges shall be rendered annually and shall be due and payable each year on the same date as municipal taxes are due, and shall be subject to the same penalties as those applied to overdue municipal taxes.

16.0 PENALTY

16.1 Subject to section 15.0, every person who violates any provisions of this bylaw, or fails to comply with the terms and conditions of a permit, or an order issued under this bylaw commits an offence

punishable upon summary conviction and will be liable to a fine of not less than $500.00 and not more than the maximum penalty provided by the *Offence Act* and, where the offence is continuing, each day that offence is continued will constitute a separate offence.

16.2 Every person who violates any provisions of this bylaw, or fails to comply with the terms and conditions of a permit, or an order issued under this bylaw, may be issued a ticket under the Ticket Information Bylaw No. 1401, as amended over time.

17.0 EFFECTIVE DATE

17.1 This Bylaw shall come into force and effect as of the date of adoption.

18.0 SEVERABILITY

18.1 If any section or lesser portion of this bylaw is held invalid, it will be severed and the validity of the remaining provisions of this bylaw will not be affected.

19.0 REPEAL

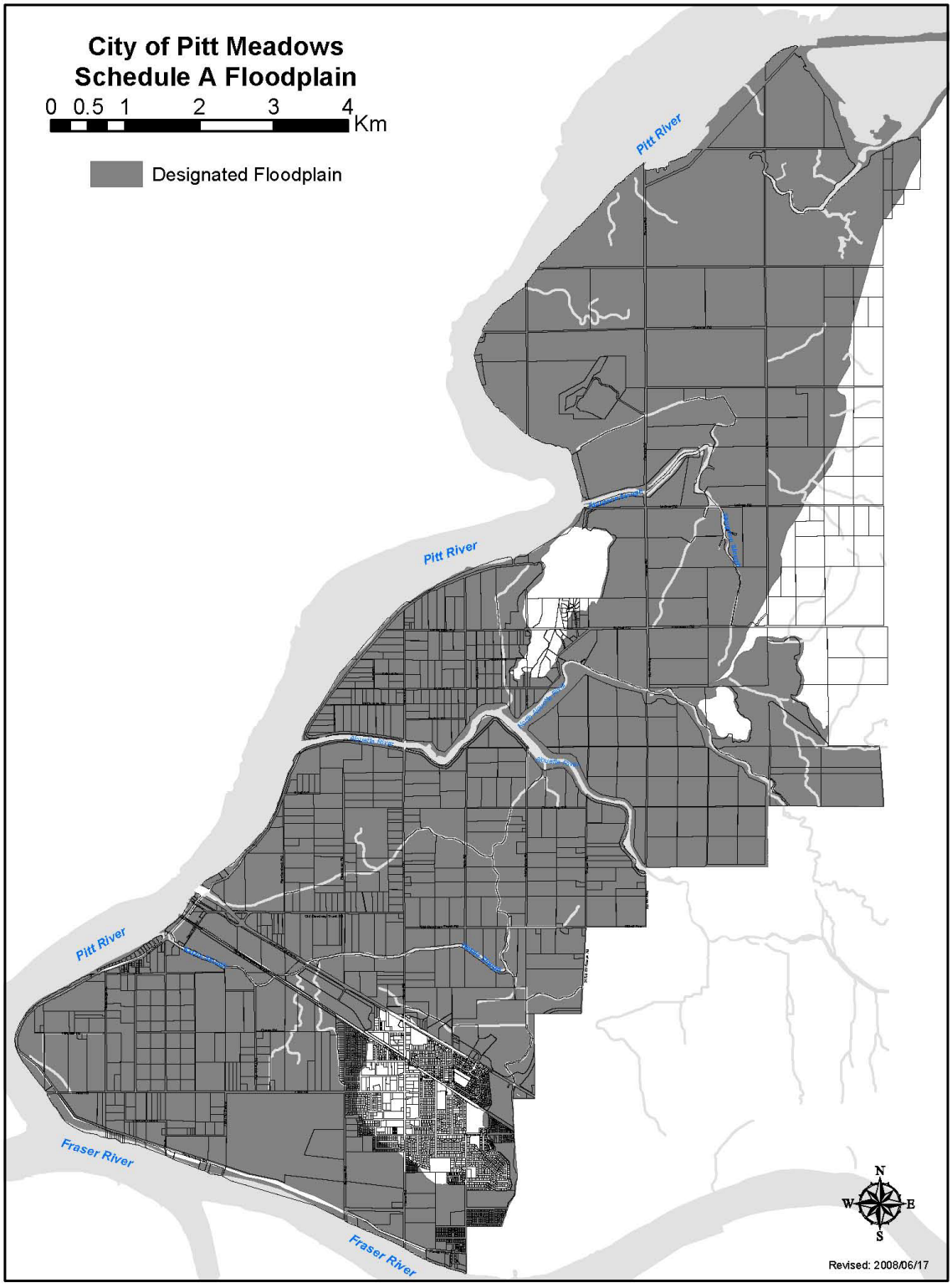
19.1 The "Pitt Meadows Drainage Regulation Bylaw No. 1385-1990" and amendments thereto is hereby repealed in its entirety.

20.0 SCHEDULES

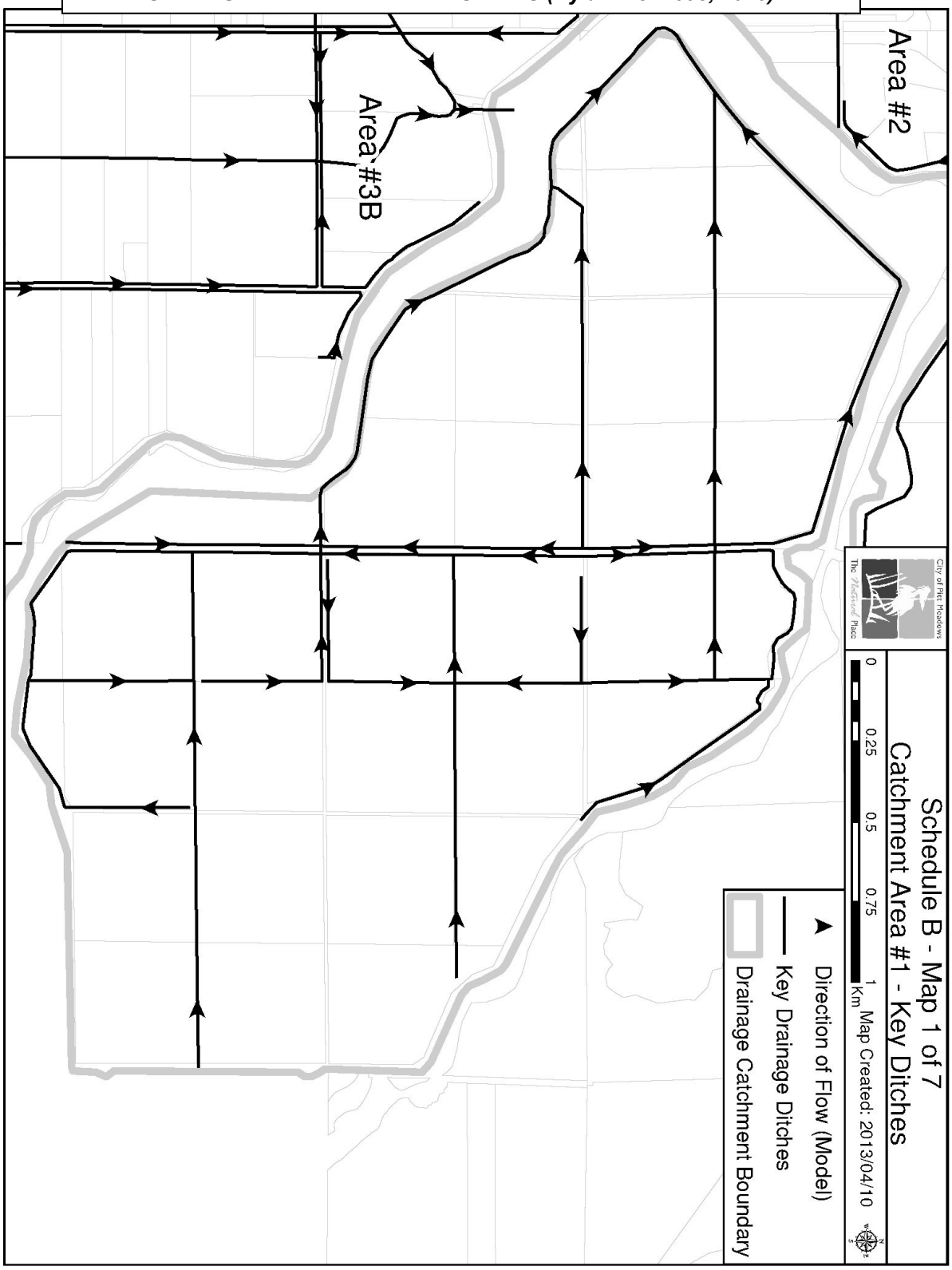
20.1 Schedules "A", "B", "C","D" and "E" attached to this bylaw are incorporated herein and form part of the bylaw.

CITY OF PITT MEADOWS
DRAINAGE SYSTEM PROTECTION
BYLAW NO. 2266, 2007

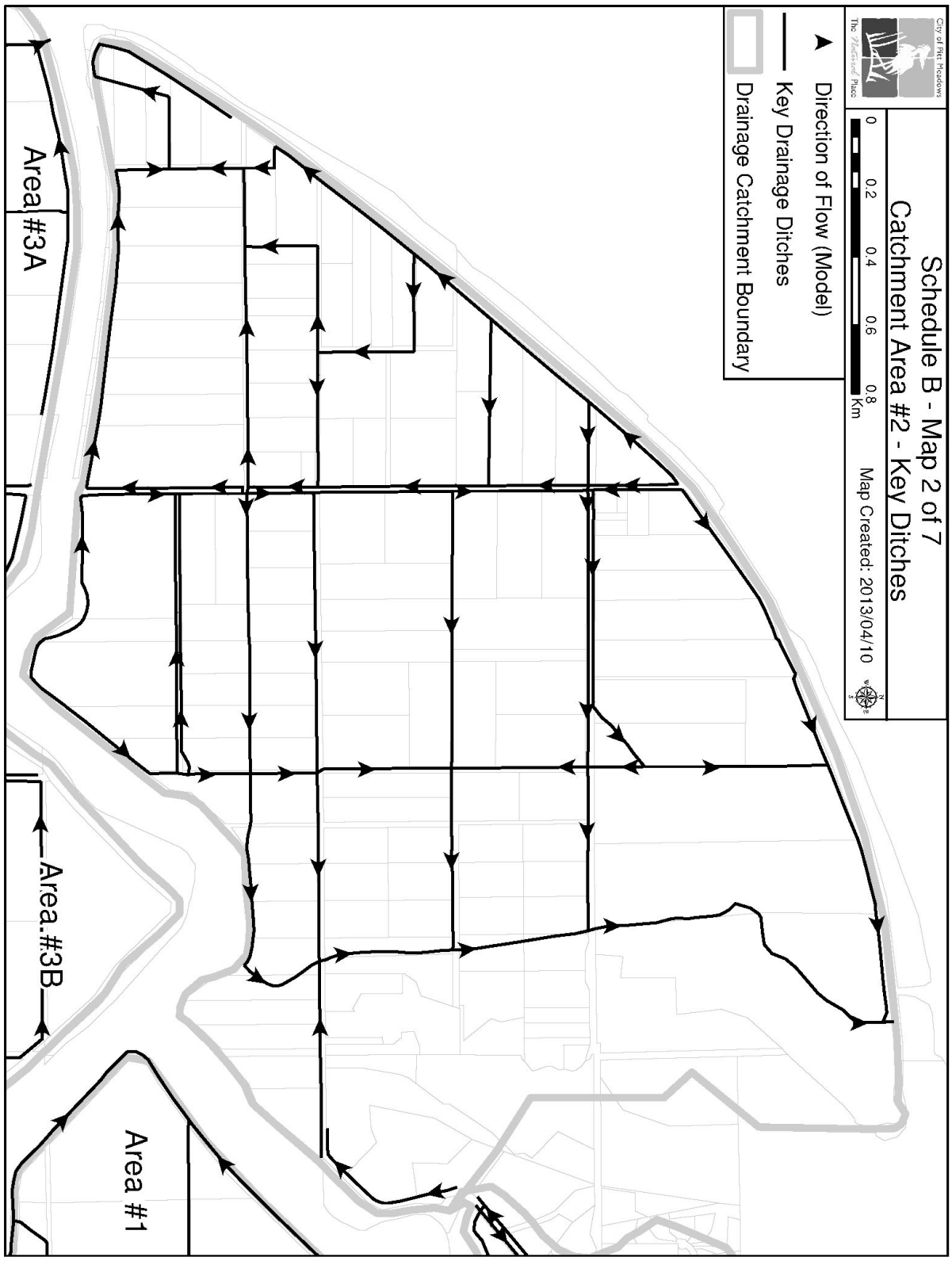
SCHEDULE "A" FLOODPLAIN MAP



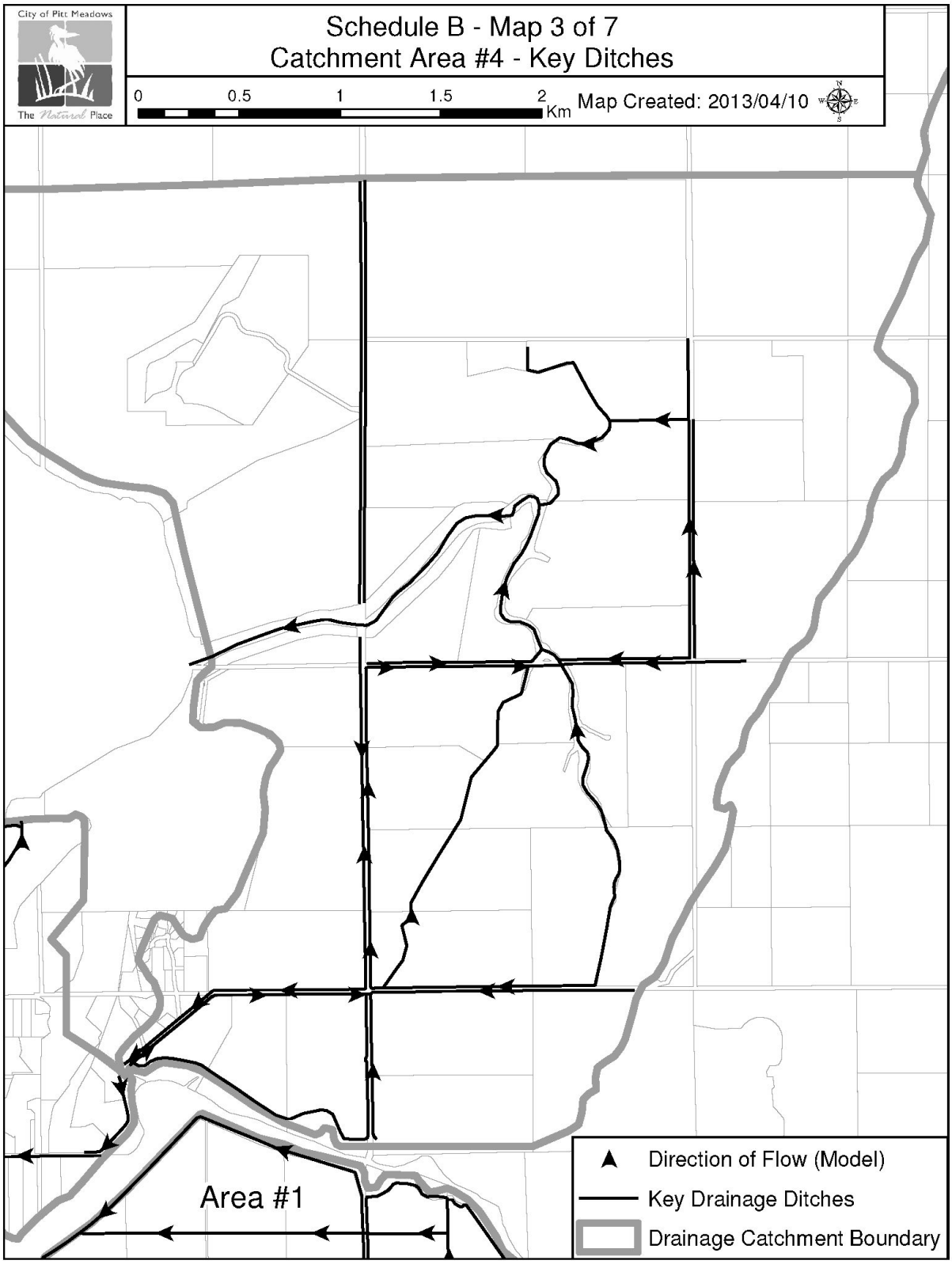
SCHEDULE "B" – KEY DITCHES MAPS *(Bylaw No. 2598, 2013)*



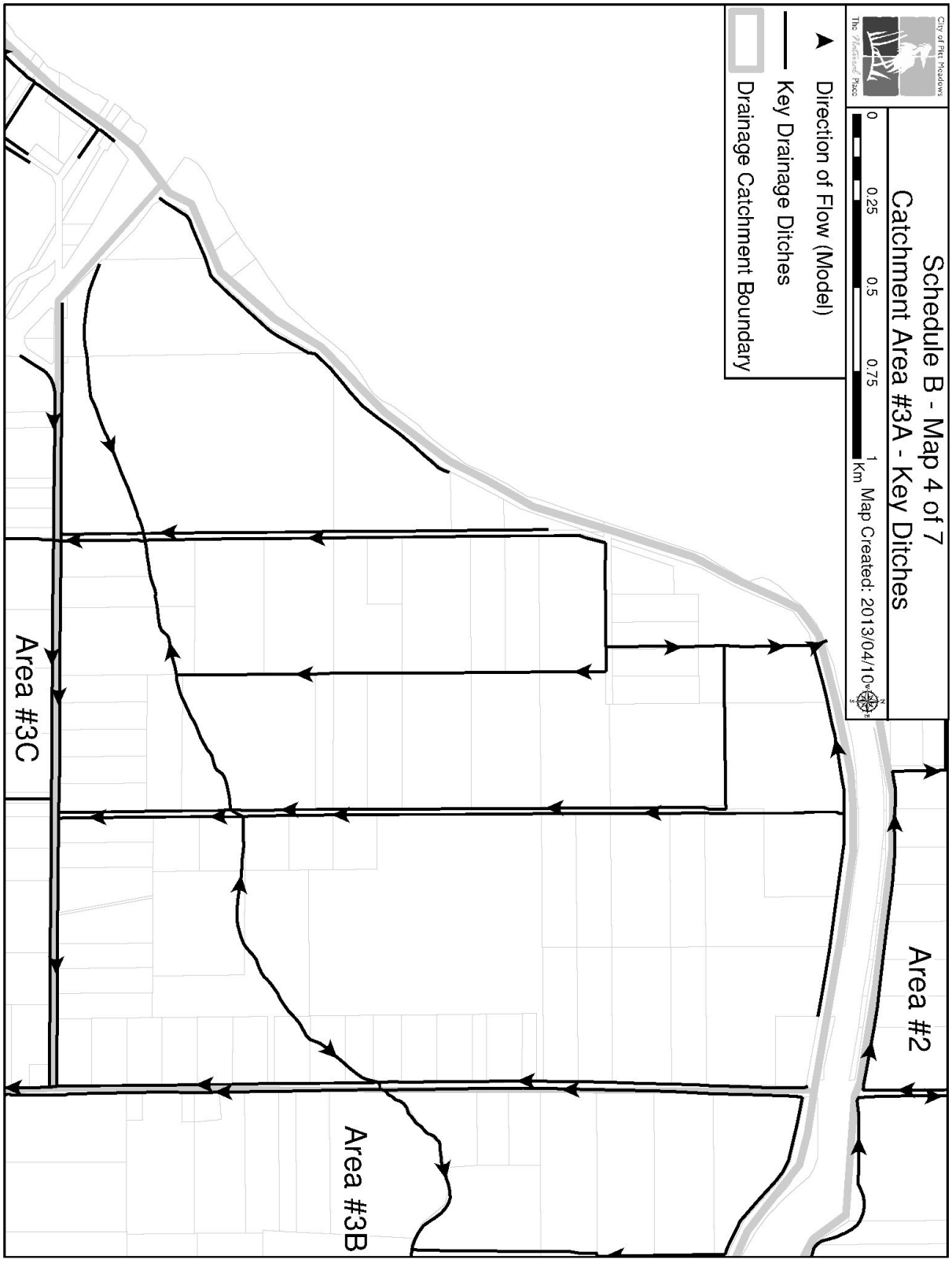
(Bylaw No. 2598, 2013)



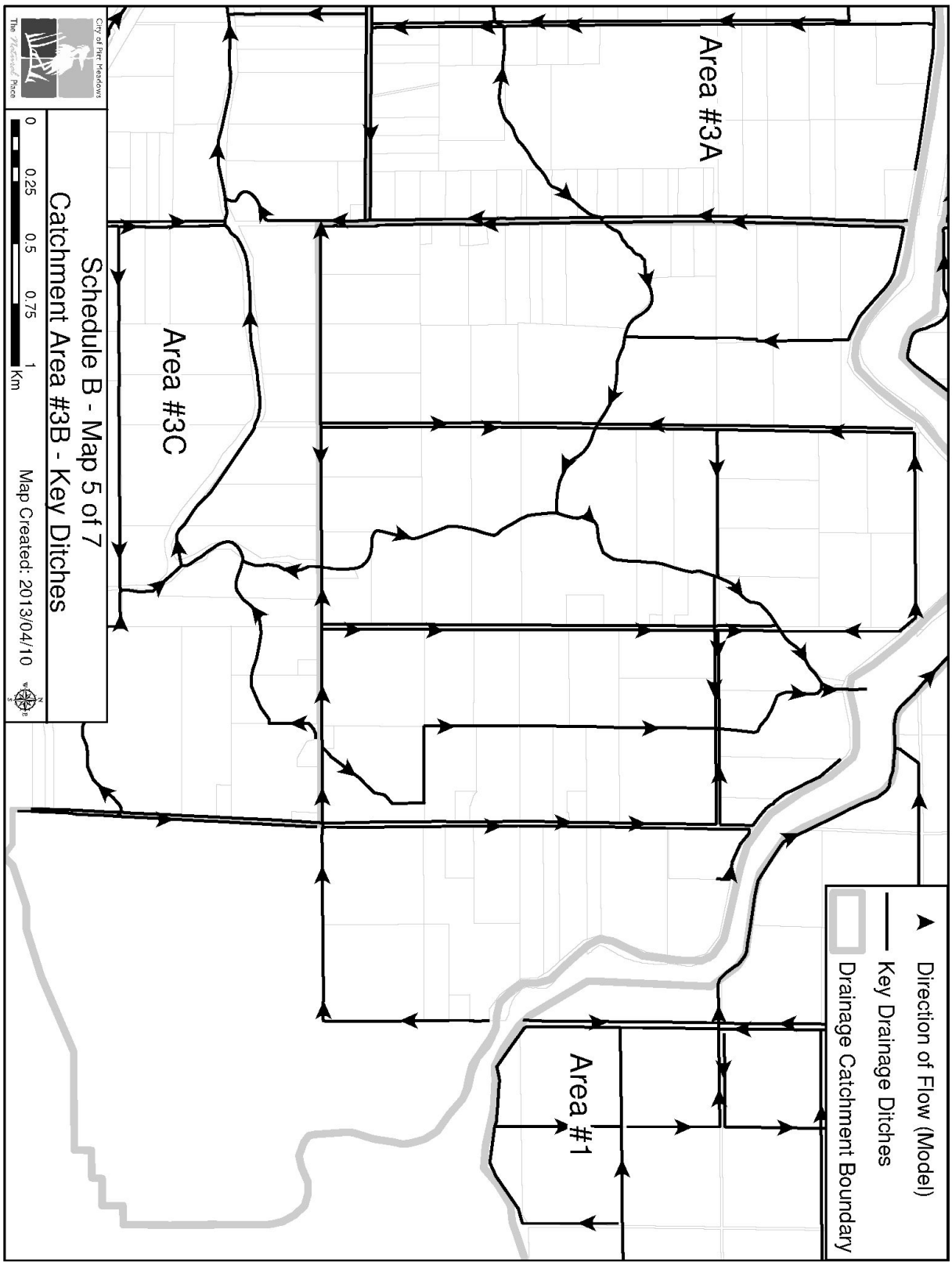
(Bylaw No. 2598, 2013)



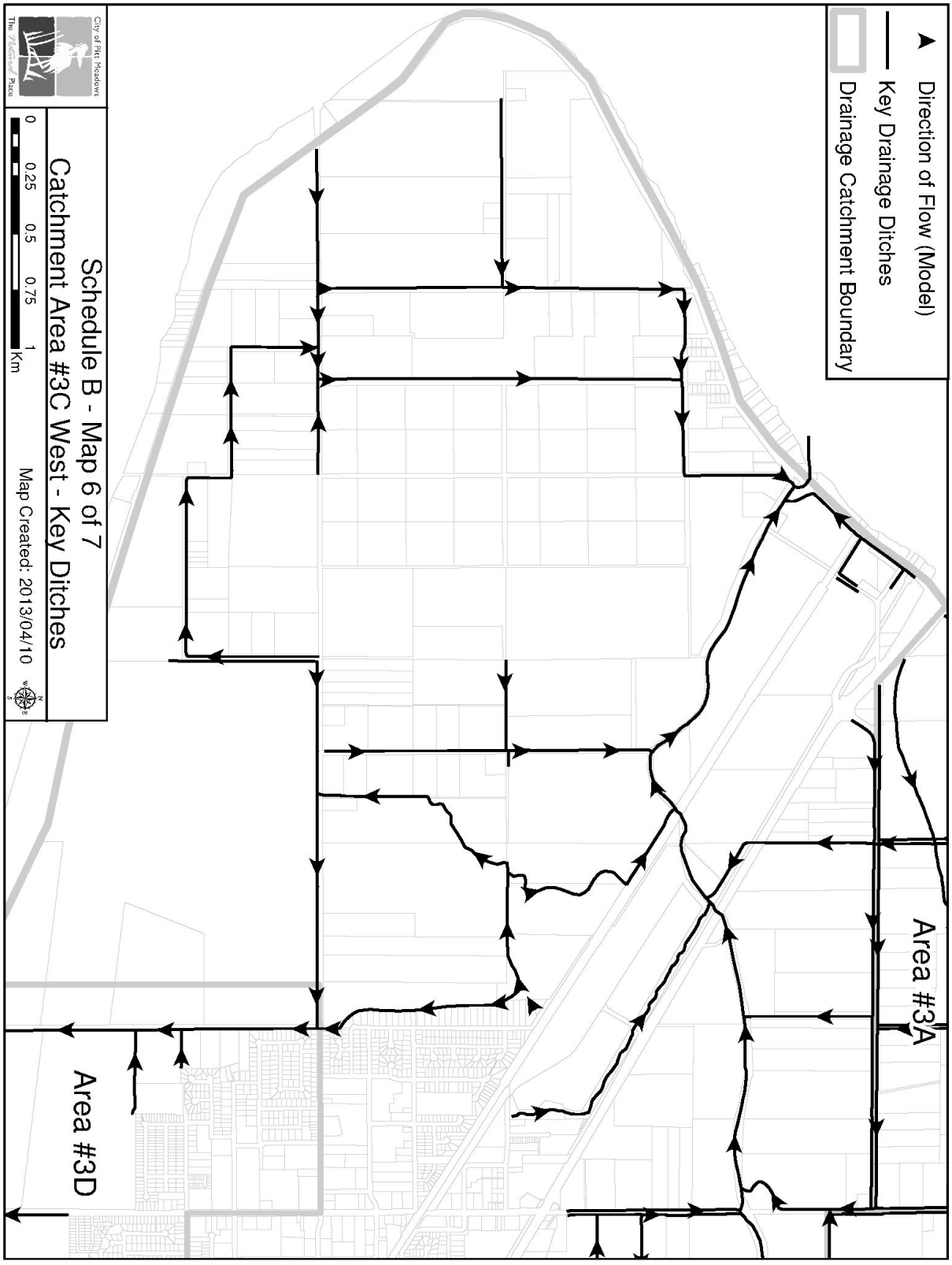
(Bylaw No. 2598, 2013)



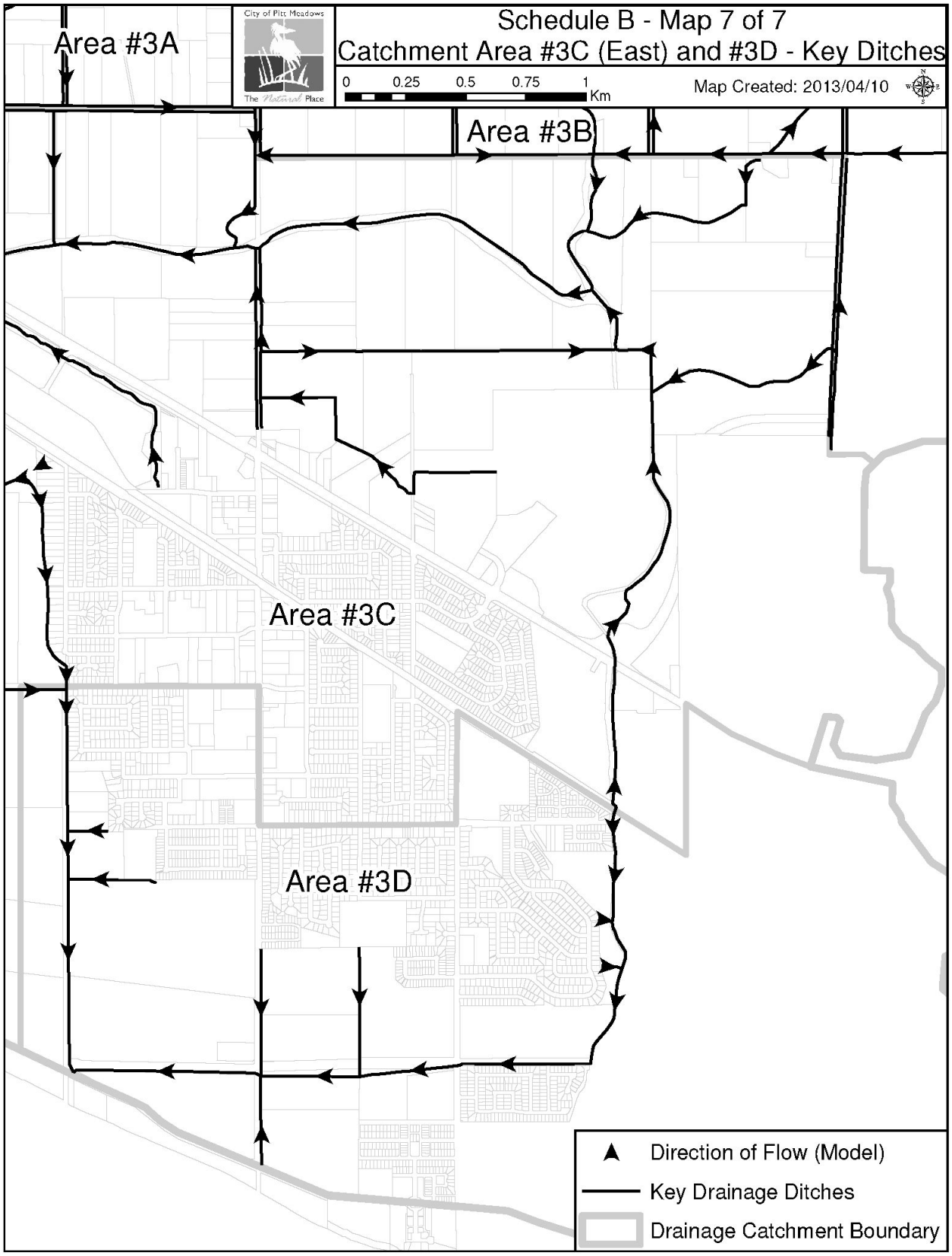
(Bylaw No. 2598, 2013)



(Bylaw No. 2598, 2013)



(Bylaw No. 2598, 2013)



CITY OF PITT MEADOWS
DRAINAGE SYSTEM PROTECTION
BYLAW NO. 2266, 2007

SCHEDULE "C"
DRAINAGE SYSTEM PERMIT NO. _____

Pursuant to the Pitt Meadows Drainage System Protection Bylaw No. 2266-2007, permission is hereby granted to:

_____
(Name)

of_____
(address) (telephone)

to complete_____upon the

_____
(address of property)

_____
(legal description of property)

in accordance with the provisions of the Pitt Meadows Drainage System Protection Bylaw No. 2266-2007, Application No._____ and the plans, specifications and other supporting documents filed therewith as approved, and initialed as approved by the Director, all which form a part of this application and constitute the terms and conditions of this permit.

Additional Conditions:

This permit is issued on the condition that the permit holder fully complies with all provisions of the Pitt Meadows Drainage System Protection Bylaw No 2266 - 2007 and all terms and conditions herein of this permit.

Received from _____the _____day of _____
200_, the sum of $_____as the Drainage System Permit Fee (if applicable). Receipt No.:_____

This Drainage System Permit is issued this _____ day of _____, 200_ and it shall expire twelve months after the day of issuance.

_____
Director of Operations and Development Services

CITY OF PITT MEADOWS
DRAINAGE SYSTEM PROTECTION
BYLAW NO. 2266, 2007

SCHEDULE "D"
FEES AND SECURITY

The following fees are payable as they apply to a drainage system permit:

1. The City of Pitt Meadows fee for a permit under this bylaw shall be One Hundred Dollars ($100.00) per application.

2. A security deposit of a **minimum** of One Thousand Dollars ($1,000.00), or the estimate of materials and installation as determined by the City, per parcel is required for all projects regardless of location.

CITY OF PITT MEADOWS
DRAINAGE SYSTEM PROTECTION
BYLAW NO. 2266, 2007

SCHEDULE "E"
DRAINAGE CHARGES
(Bylaw No. 2947, 2023)

Urban Areas:

Residential – single housing*	$54.19/unit
Residential – multiple housing	$23.14/unit
Non-residential	$1520.49/hectare

Rural Areas:

Agriculture**	$149.23/hectare
Non-agriculture	$149.23/hectare

* Single housing includes duplex housing, modular homes, mobile homes
** Agriculture includes land zoned agriculture located within urban areas