

---

## Condo Smarts

Headline: Water Sustainability Act

Topic: Utilities

Publication / Date: Province, Oct 28, 2021

Written by: Tony Gioventu

**Dear Tony:** Our strata is a bare land in the north Okanagan. We have over 100 homes, a club house and 4 guest suites that are available for owner's families and guests. We have recently been faced with a number of water breaks in our community and the cost of repairs and disruption to our water supply is a growing concern. Our strata corporation manages its own water source through a series of wells, filtration and treatment; however, owners are concerned that we may not have sufficient routine testing, and in light of the water breaks, unsafe water. Is there a local authority we should contact to determine the minimum requirements and the frequency of testing?

Monica G.

**Dear Monica:** If a strata corporation owns and operates a well that supplies water to 2 or more connections, you are a water supplier and have responsibilities under the *Drinking Water Protection Act*. Contact your local health authority for further information. Well water is tested for both bacteria and chemicals, and routine testing is mandatory. In addition, after a water line break, flood or seismic event, or any other condition that may affect the distribution systems, testing is critical. As an operator of a water system, you must conduct testing within the regional and provincial requirements, and the test results must be made available to the owners and residents of your community. Most strata corporations that maintain water systems post their testing results to a web site for direct access.

On a similar topic relating to water, under the *Water Sustainability Act (WSA)* which affects strata corporations who are using and accessing wells for multiple users, there is a requirement to obtain a water license for groundwater use by March 1, 2022. The

WSA defines "groundwater" as meaning "water naturally occurring below the surface of the ground". If your strata corporation uses water from a well, it is a groundwater user. A water license secures your water rights and grants you the legal authority to use the groundwater. If you do not register you could be fined or lose your ability to access ground water.

If a well is situated on a single parcel of land (such as a strata lot in a bare land strata corporation, and a separate well for each strata lot,) and it supplies water for household purposes to a single family dwelling, occupied as a private residence, then a licence is not required. It is recommended, however, that the well be registered in the provincial wells data base to create a record of your water use for consideration when the province is reviewing other licence applications.

If your strata corporation consists of multi-family strata-titled buildings that have a common shared water supply system, such as a well for multiple users, it will require a license for groundwater use, whether for "domestic purposes" or otherwise. If the strata corporation is an existing user, and it applies by March 1, 2022, the one-time application fee (minimum \$250) is waived. The application fee exemption does not apply to new users. For a helpful You Tube video on how to apply for a license go to:

[www.youtube.com/watch?v=zoYMs5OZMhc](https://www.youtube.com/watch?v=zoYMs5OZMhc) and for additional information download the info bulletin with links on the CHOA web site, under this week's updates: [www.choa.bc.ca](http://www.choa.bc.ca)