



REPORT

Report Date: January 17, 2022
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Meeting Date: March 1, 2022
[Submit comments to Council](#)

TO: Vancouver City Council
FROM: General Manager of Engineering Services
SUBJECT: Drinking Water Conservation By-law Amendments

RECOMMENDATION

- A. THAT Council approve, in principle, amendments to the Drinking Water Conservation By-law (No. 12086) to reflect November 1, 2021 updates to the Metro Vancouver Drinking Water Conservation Plan;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A.

- B. THAT subject to Council approval of Recommendation A, Council approve, in principle, consequential amendments to the Ticket Offences By-law (No. 9360) and the By-law Notice Enforcement By-law (No. 10201);

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix B and Appendix C, respectively.

REPORT SUMMARY

In 2018, the Greater Vancouver Water District (GVWD) Board approved an updated Water Shortage Response Plan, which included the Drinking Water Conservation Plan (DWCP). Following the 2021 water restriction season, which resulted in the unprecedented use of potable water across the region attributed to heat waves, GVWD received Board approval to strengthen water restrictions pertaining to application of potable water to lawns within the DWCP. The updated DWCP was enacted on November 1, 2021.

The DWCP helps manage the use of potable water during periods of high demand, mostly during late spring to early fall, and during periods of water shortages and emergencies. The overall purpose of the amended DWCP remains the same, but further limits the application of potable water on lawns to:

- Stage 1 restrictions - one day per week (previously two days per week was allowed), with reduced hours; and
- Stage 2 restrictions - application of potable water on lawns is prohibited (previously one day per week).

Member jurisdictions of the GVWD are encouraged to follow the updated restrictions in the DWCP through amendment of their corresponding by-laws and by demonstrating leadership in local civic facilities and parks.

The proposed amendments to the City's Drinking Water Conservation By-law (No. 12086) align with the watering restrictions and process set out in the updated regional DWCP, with the following additional changes required for consistency with existing by-laws and compliance within our local context:

- Property owners are permitted to water the public area defined as cultivated boulevards adjacent to their property on their designated allowable watering days and times; and
- Authorization has been given the City Engineer to activate water use restriction stage if, in the opinion of the City Engineer, such activation is necessary to protect and conserve the city water supply, even if notice from the GVWD Commissioner has not yet been received.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The Drinking Water Conservation By-law (No. 12086) was enacted on April 17, 2018 (RTS No. 12433) following repeal of the Water Shortage Response By-law (No. 8912); enforcement of the offences under stage 1 and stage 2 water use restrictions were moved from the Ticket Offences By-law (No. 9360) to the By-law Notice Enforcement By-law (No.10201).

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager supports the foregoing recommendations.

REPORT

Background/Context

This report provides an overview of the proposed amendments to the Drinking Water Conservation By-law (No. 12086), how it aligns with the updated regional GVWD Drinking Water Conservation Plan (DWCP), and the estimated impact on reduction of potable water use across the City.

The City's Water Demand Management Strategy (WDMS) includes a City-wide target for 2030 to reduce total per capita potable water consumption by 15% from 2019 levels. This target was chosen to promote sustainable use of the potable water supply, seeking to offset strains on our

source waters due to population growth, effects of climate change and capital investments in regional water supply infrastructure. The WDMS is supported by the Green Operations Plan 2.0, developed to reduce the City's corporate potable water use by 10% from 2019 levels in operations and processes. The Drinking Water Conservation By-law (No. 12086) supports potable water conservation targets through annual activation of staged water restrictions, with the DWCP being the regional parent document outlining those restrictions.

The region experiences a 50% increase in potable water use, attributed primarily to lawn watering, during summer months. To help reduce seasonal demands, the 2021 updates to the DWCP decrease allowable lawn watering from two days per week to one day per week during Stage 1 restrictions. Allowable hours of watering have also been limited to three hours for manual watering and two hours for automatic systems. Under the updated Stage 2 restrictions, lawn watering is banned.

Following record-breaking heat waves in the summer of 2021, including a 'heat dome' event resulting in a record breaking peak day consumption of 1.795 B litres in the region, the need for greater water conservation efforts was apparent. Changes to the DWCP to limit lawn watering, combined with strong education and enforcement programs, will work to address mounting pressure from growing populations and climate change stressors on the regional supply source.

Metro Vancouver's 10-year capital plan includes construction of new infrastructure at the Coquitlam Reservoir in the 2030s, at a current projected cost of \$4 B. Regionally, it has been recognized that a combination of lawn watering restrictions, increased enforcement of restrictions, continued education, and acceleration of residential metering are the best management practices to address our growing population, the effects of climate change, and the need to deliver potable water equitably. If significant offsets to potable water demands are achieved, regional benefits could include the potential to defer major infrastructure projects and the associated costs borne by Vancouver taxpayers.

Drinking Water Conservation Plan

The DWCP is the parent document to the City's Drinking Water Conservation By-law and was adopted by the GVWD Board on June 7, 2017 following consultation with local government, industry stakeholders and the public from December 2016 to January 2017. It outlines prescriptive outdoor water restrictions through a staged approach tied to source supply levels and the process by which each stage is activated and deactivated.

The DWCP was amended in 2021 after consultation with member jurisdictions to strengthen restrictions pertaining to application of potable water on residential and non-residential lawns from May 1 to October 15 each year; the amended plan came into effect November 1, 2021. A summary of the 2021 DWCP amendments, as compared to the previous DWCP (active 2018 to October 31, 2021), is found in Appendix D.

Member jurisdictions of the GVWD are encouraged to follow the restrictions in the plan through adoption in their corresponding by-laws. Guidelines were provided to local governments to assist with amending these by-laws to ensure regional consistency. The City's proposed by-law amendments are consistent with the November 1, 2021 DWCP, including the addition of updated terms for clarity, with some contextual exceptions and harmonization with other existing City by-laws, as set out in the Report Summary above.

Strategic Analysis

The updated DWCP and the equivalent proposed by-law amendments apply increased restrictions on lawn watering using potable water. A detailed comparison of the amendments to the DWCP, found in Appendix D, provide an overview of updates to be incorporated into By-law No. 12086. A red-lined document of all amendments for By-law No. 12086 is outlined in Appendix E.

The estimated impact of these measures regionally is a reduction in seasonal total water demand by as much as 20% (8 BL) (Kerr Wood Leidal, 2021). Reduction is dependent on a high level of effort on enforcement and education at member jurisdictions. The City's total water consumption is also expected to decrease with imposed reductions of lawn watering, as summer water use in Vancouver increases by 38% compared to winter consumption (2019). Reducing allowable lawn watering from two days per week to one day per week under reduced hours, combined with increased residential metering as per the WDMS, will further support a reduction in potable water demand.

To promote awareness and city-wide adoption, a comprehensive education campaign is planned for spring 2022 that leverages regional awareness efforts and provides targeted programming for Vancouver residents to meet the new requirements. The City will take a coordinated approach with the GVWD to increase awareness through earned media, a targeted social media campaign, advertising and updated print and digital collateral.

The City will also continue to offer various water efficiency and demand management programs, where seasonal staff will assist residents to adjust to the new requirements and limit potential leak sources. Promotion of this work through City communication channels, education at public events, as well as referrals through Water Enforcement Officers will give residents tools to support conservation efforts through compliance of By-law No. 12086.

Dedicated water enforcement will remain with three seasonal officers in 2022 (May through October), to administer transition into the new regulations. Officers will continue to issue \$250 tickets for watering offences in Stage 1, building on the successes of the previous four years of enforcement. Should an offence occur at a property on a day that was previously an allowable lawn watering day (for example a Wednesday or Thursday for residential properties) a \$0 ticket will be issued to reinforce the updated restrictions. If a second offence occurs at the property under those same conditions, full value ticketing will resume. Should the City enact Stage 2 restrictions at any time in 2022, \$0 ticketing will end and fines will be issued in accordance to By-law 12086. Following the 2022 implementation year of the updated restrictions, all ticketing will resume as per fines outlined under By-law 12086 for watering offences.

Offences under stage 3 and 4 will continue to be enforced under the Ticket Offense By-law, or the Offence Act, to allow penalties above the \$500 maximum allowed under the *Local Government By-law Notice Enforcement Act*. The suggested penalties by stage are consistent with the region and are listed below.

Stage	Penalty	By-law
1	\$250	By-law Notice Enforcement By-law No. 10201
2	\$500	By-law Notice Enforcement By-law No. 10201
3	\$750	Ticket Offenses By-law No. 9360
4	\$1000	Ticket Offenses By-law No. 9360

Implications/Related Issues/Risk***Financial***

There are no financial implications.

CONCLUSION

This report provides an overview of the proposed amendments to the Drinking Water Conservation By-law, how it aligns with the updated regional Drinking Water Conservation Plan, and its estimated impact towards the potable water conservation targets.

The recommendations detailed in this report align with the regional plan to manage demand of outdoor uses of potable water during the peak summer demand period, water shortages and emergencies. Adoption of the proposed amended by-laws will enable local enforcement of the water restrictions.

* * * * *

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Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**A By-law to amend the Drinking Water Conservation By-law
regarding amendments to reflect Metro Vancouver's
updated Drinking Water Conservation Plan**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. Council amends the indicated provisions of the Drinking Water Conservation By-law No. 12086.
2. In section 1.2, Council adds the following new definitions in the correct alphabetical order:
 - (a) ““automatic watering” means applying water using an automated water delivery system that requires only minimal human intervention or supervision and typically employs mechanical, electronic, or other components and devices, including but not limited to timers, sensors, computers, or mechanical appliances;” and
 - (b) ““manual watering” means applying water using a device or tool that is manually held or operated by a human being, without automatic watering;”.
3. In section 3.5, Council:
 - (a) in subsection (a), strikes out “and 2”; and
 - (b) in subsection (b):
 - (i) strikes out “stage 3 and 4” and substitutes “stage 2, 3 and 4”, and
 - (ii) strikes out “before stage 3 restrictions came into effect” and substitutes “before stage 2 restrictions came into effect”.
4. Council strikes out section 7.2(a) and substitutes the following:

“(a) water a lawn, including any cultivated boulevards adjacent to the premises:

 - (i) at residential premises with even-numbered addresses, except:
 - A. by means of automatic watering on Saturdays between 5:00 am and 7:00 am, and
 - B. by means of manual watering on Saturdays between 6:00 am and 9:00 am,
 - (ii) at residential premises with odd-numbered addresses, except:

- (A) by means of automatic watering on Sundays between 5:00 am and 7:00 am, and
 - (B) by means of manual watering on Sundays between 6:00 am and 9:00 am,
 - (iii) at non-residential premises with even-numbered addresses, except:
 - (A) by means of automatic watering on Mondays between 4:00 am and 6:00 am, and
 - (B) by means of manual watering on Mondays between 6:00 am and 9:00 am, or
 - (iv) at non-residential premises with odd-numbered addresses, except:
 - (A) by means of automatic watering on Tuesdays between 4:00 am and 6:00 am, and
 - (B) by means of manual watering on Tuesdays between 6:00 am and 9:00 am;”.
5. In section 7.2(b), Council:
- (a) in clause (i), strikes out “4:00 am” and substitutes “5:00 am”; and
 - (b) in clause (ii), strikes out “1:00 am” and substitutes “4:00 am”.
6. Council strikes out section 8.2(a), and substitutes:
- “(a) water a lawn, including any cultivated boulevards adjacent to the premises;”.
7. In section 8.2(b), Council:
- (a) in clause (i), strikes out “4:00 am” and substitutes “5:00 am”; and
 - (b) in clause (ii), strikes out “1:00 am” and substitutes “4:00 am”.
8. In section 8.3, Council:
- (a) strikes out subsection (a) and substitutes:
 - “(a) a lawn in compliance with a water use permit issued under this by-law before stage 2 water use restrictions came into effect;”;
 - (b) renumbers subsections (b) through (d) as subsections (c) through (e), respectively; and
 - (c) adds a new subsection (b) as follows:

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Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**A By-law to amend the
Ticket Offences By-law No. 9360 regarding
amendments to the Drinking Water Conservation By-law**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of Ticket Offences By-law No. 9360.
2. In Table 6, Council:
 - (a) strikes out the entries in Columns 2, 3 and 4 for sections 7.2(a)(i) through (iv) and substitutes:

“

Automatic watering of residential lawn at even-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(i)(A)	\$250.00
Manual watering of residential lawn at even-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(i)(B)	\$250.00
Automatic watering of residential lawn at odd-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(ii)(A)	\$250.00
Manual watering of residential lawn at odd-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(ii)(B)	\$250.00
Automatic watering of non-residential lawn at even-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(iii)(A)	\$250.00
Manual watering of non-residential lawn at even-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(iii)(B)	\$250.00
Automatic watering of non-residential lawn at odd-numbered addresses outside permitted hours Stage 1	Section 7.2(a)(iv)(A)	\$250.00
	Section 7.2(a)(iv)(B)	\$250.00

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Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**A By-law to amend the
By-law Notice Enforcement By-law No. 10201
regarding amendments to the Drinking Water Conservation By-law**

1. This By-law amends the indicated provisions of By-law Notice Enforcement By-law No. 10201.

2. Under the Drinking Water Conservation By-law section of Schedule A, Council:

(a) strikes out the entries for sections 7.2(a)(i) through (iv) and substitutes:

“7.2(a)(i)(A)	Automatic watering of residential lawn at even-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(i)(B)	Manual watering of residential lawn at even-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(ii)(A)	Automatic watering of residential lawn at odd-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(ii)(B)	Manual watering of residential lawn at odd-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(iii)(A)	Automatic watering of non-residential lawn at even-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(iii)(B)	Manual watering of non-residential lawn at even-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(iv)(A)	Automatic watering of non-residential lawn at odd-numbered addresses outside permitted hours Stage 1	250	125	125
7.2(a)(iv)(B)	Manual watering of non-residential lawn at odd-numbered addresses outside permitted hours Stage 1”; and	250	125	125

(b) strikes out the entries for sections 8.2(a)(i) through (iv) and substitutes:

“8.2(a) Water a lawn 250 125 125”.

Appendix D: Summary of approved GVWD amendments in the 2021 Drinking Water Conservation Plan Update

Item	Drinking Water Conservation Plan (2018 to October 31, 2021)	Drinking Water Conservation Plan (Amended November 1, 2021)
Activation period	May 1 to Oct 15	May 1 to Oct 15
Lawn watering: Stage 1	<p>At residential premises with even-numbered addresses, on Wednesdays and Saturdays from 4:00 am and 9:00 am</p> <p>At residential premises with odd-numbered addresses, on Thursdays and Sundays from 4:00 am and 9:00 am</p> <p>At non-residential premises with even-numbered addresses, on Mondays from 1:00 am and 6:00 am and on Fridays from 4:00 am and 9:00 am</p> <p>At non-residential premises with odd-numbered addresses, on Tuesdays from 1:00 am and 6:00 am and on Fridays from 4:00 am and 9:00 am</p>	<p>At residential premises with even-numbered addresses, on Saturdays: automatic watering from 5:00 am and 7:00 am, manual watering from 6:00 am and 9:00 am</p> <p>At residential premises with odd-numbered addresses, on Sundays: automatic watering from 5:00 am and 7:00 am, manual watering from 6:00 am and 9:00 am</p> <p>At non-residential premises with even-numbered addresses, on Mondays: automatic watering from 4:00 am and 6:00 am, manual watering from 6:00 am and 9:00 am</p> <p>At non-residential premises with odd-numbered addresses, on Tuesdays: automatic watering from 4:00 am and 6:00 am, manual watering from 6:00 am and 9:00 am</p> <p>Prohibited.</p>
Stage 2	<p>At residential premises with even-numbered addresses, on Wednesdays from 4:00 am and 9:00 am</p> <p>At residential premises with odd-numbered addresses, on Thursdays from 4:00 am and 9:00 am</p>	<p>Prohibited.</p> <p>Prohibited.</p>

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	<p>At non-residential premises with even-numbered addresses, on Mondays from 1:00 am and 6:00 am</p> <p>At non-residential premises with odd-numbered addresses, on Tuesdays from 1:00 am and 6:00 am</p>	<p>Prohibited.</p>
<p>Watering flowers, vegetables, planters, shrubs, and trees</p>	<p>On any day from 4:00 am to 9:00 am for residential users and 1:00 am to 9:00 am for non-residential.</p> <p>On any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.</p>	<p>On any day from 5:00 am to 9 am for residential users and 4:00 am to 9:00 am for non-residential.</p> <p>No Amendments.</p>
<p>Watering golf courses</p>	<p>Stage 2: Fairway watering 1 day in a 7-day period except if operating under an approved local government water management plan.</p> <p>Stage 3: Fairway watering prohibited except if operating under an approved local government water management plan.</p>	<p>No Amendments.</p> <p>No Amendment.</p>

Proposed Amendments to Drinking Water Conservation By-law No. 12086

Definitions

1.2 In this by-law:

“automatic watering” means applying water using an automated water delivery system that requires only minimal human intervention or supervision and typically employs mechanical, electronic, or other components and devices, including but not limited to timers, sensors, computers, or mechanical appliances;

“manual watering” means applying water using a device or tool that is manually held or operated by a human being, without automatic watering;

PART 3 WATER USE PERMITS

Effect of permit on lawns

3.5 A person who waters a lawn in accordance with a water use permit:

- (a) is exempt from stage 1 ~~and 2~~ water use restrictions and, if stage 2 water use restrictions come into effect before the permit expires, is exempt from stage 2 water use restrictions until the permit expires, to the extent provided in this by-law; and
- (b) is not exempt from the general water restrictions, ~~or stage 2 water use restrictions that come into effect after the permit expires, or stage 3 and 4 water use restrictions, except that any exemptions under a permit issued before stage 3 restrictions came into effect remain in effect until the permit expires.~~

PART 7 STAGE 1 WATER USE RESTRICTIONS

Stage 1 restrictions

7.2 When stage 1 water use restrictions are in effect, no person shall:

- (a) water a lawn, including any cultivated boulevards adjacent to the premises:
 - (ii) at residential premises with even-numbered addresses, except:
 - A. by means of automatic watering on ~~Wednesdays and~~ Saturdays between 5:00 am and 7:00 am, and
 - B. by means of manual watering on Saturdays between 6:00 am and 9:00 am ~~between 4:00 am and 9:00 am,~~

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- ~~(iii)~~ (ii) at residential premises with odd-numbered addresses, except: ~~on Thursdays and Sundays:~~
 - A. by means of automatic watering on Sundays between 5:00 am and 7:00 am, and
 - B. by means of manual watering on Sundays between 6:00 am and 9:00 am ~~between 4:00 am and 9:00 am,~~
- ~~(iv)~~ (iii) at non-residential premises with even-numbered addresses, except:
 - A. by means of automatic watering on Mondays between 4:00 am and 6:00 am, and
 - B. by means of manual watering on Mondays between 6:00 am and 9:00 am ~~between 1:00 am and 6:00 am and on Fridays between 4:00 am and 9:00 am,~~ or
- ~~(v)~~ (iv) at non-residential premises with odd-numbered addresses, except:
 - A. by means of automatic watering on Tuesdays between 4:00 am and 6:00 am, and
 - B. by means of manual watering on Tuesdays between 6:00 am and 9:00 am ~~between 1:00 am and 6:00 am and on Fridays between 4:00 am and 9:00 am;~~
- (b) water trees, shrubs, flowers and plants using a sprinkler:
 - (i) at residential premises, except between ~~4:00 am~~ 5:00 am and 9:00 am, or
 - (ii) at non-residential premises, except between ~~1:00 am~~ 4:00 am and 9:00 am; or
- (c) water a soil-based or sand-based playing field, except between 7:00 pm and 9:00 am

Exemptions from stage 1 restrictions

7.3 Notwithstanding section 7.2, a person may water:

- (a) a lawn or playing field in compliance with a water use permit issued under this by-law;
- (b) a playing field or golf course in accordance with a water use plan approved under this by-law;
- (c) a vegetable garden or edible plants; or
- (d) concrete for curing purposes.

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**STAGE 2
WATER USE RESTRICTIONS**

Compliance with stage 2

8.1 No person shall fail to comply with the water use restrictions in this Part 8, when stage 2 water use restrictions are in effect.

Stage 2 restrictions

8.2 When stage 2 water use restrictions are in effect, no person shall:

- (a) water a lawn, including any cultivated boulevards adjacent to the premises;
 - ~~(i) at residential premises with even-numbered addresses, except on Wednesdays between 4:00 am and 9:00 am,~~
 - ~~(ii) at residential premises with odd-numbered addresses, except on Thursdays between 4:00 am and 9:00 am,~~
 - ~~(iii) at non-residential premises with even-numbered addresses, except on Mondays between 1:00 am and 6:00 am, or~~
 - ~~(iv) at non-residential premises with odd-numbered addresses, except on Tuesdays between 1:00 am and 6:00 am;~~
- (b) water trees, shrubs, flowers and plants using a sprinkler:
 - (i) at residential premises, except between ~~4:00 am~~ 5:00 am and 9:00 am, or
 - (ii) at non-residential premises, except between ~~1:00 am~~ 4:00 am and 9:00 am;
- (c) wash an impermeable outdoor surface except:
 - (i) for health or safety reasons,
 - (ii) to prepare a surface for painting, sealing, or similar treatment, or
 - (iii) if the washing is carried out by a commercial cleaning operation for aesthetic purposes;
- (d) fill, refill or add water to an aesthetic water feature;
- (e) water a golf course fairway on more than one day in any seven day period;
- (f) water a soil-based playing field on more than four days in any seven day period, and only between 7:00 pm and 9:00 am on those days;
- (g) water a sand-based playing field, except between 7:00 pm and 9:00 am; or

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- (h) operate a water play park, unless it is equipped with user-activated switches.

Exemptions from stage 2 restrictions

8.3 Notwithstanding section 8.2, a person may water:

- (a) a lawn ~~or playing field~~ in compliance with a water use permit issued under this by-law ~~before stage 2 water use restrictions came into effect;~~
- (b) ~~a playing field in compliance with a water use permit issued under this by-law;~~
- (c) a playing field or golf course in accordance with a water use plan approved under this by-law;
- (d) a vegetable garden or edible plants; or
- (e) concrete for curing purposes.

PART 9 STAGE 3 WATER USE RESTRICTIONS

Compliance with stage 3

9.1 No person shall fail to comply with the water use restrictions in this Part 9, when stage 3 water use restrictions are in effect.

Stage 3 restrictions

9.2 When stage 3 water use restrictions are in effect, no person shall:

- (a) water a lawn, including any cultivated boulevards adjacent to the premises;
- (b) water trees, shrubs, flowers or plants with a sprinkler or a soaker hose;
- (c) wash an impermeable outdoor surface except:
 - (i) for health or safety reasons, or
 - (ii) if the washing is carried out by a commercial cleaning operation to prepare a surface for painting, sealing, or similar treatment;
- (d) fill, refill or add water to a an aesthetic water feature, hot tub or swimming pool;
- (e) wash a motor vehicle or boat by hand, except to clean windows, lights, mirrors, licence plates or boat engines for safety reasons;
- (f) water a golf course fairway;

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- (g) operate a commercial vehicle wash facility;
- (h) water a soil-based playing field on more than three days in any seven day period, and may only water between 7:00 pm and 9:00 am on those days;
- (i) water a sand-based playing field on more than five days in any seven day period, and may only water between 7:00 pm and 9:00 am on those days; or
- (j) operate a water play park, unless it is equipped with user-activated switches.

Exemptions from stage 3 restrictions

9.3 Notwithstanding section 9.2, a person may:

- (a) water:
 - ~~(i) a lawn in accordance with a water use permit issued before stage 3 water use restrictions came into effect,~~
 - (ii) a playing field in compliance with a water use permit issued under this by-law,
 - (iii) a playing field or golf course in accordance with a water use plan approved under this by-law,
 - (iv) a vegetable garden or edible plants, or
 - (v) concrete for curing purposes;
- (b) operate a non-residential hot tub or swimming pool pursuant to a permit issued by a health authority; or
- (c) operate a commercial vehicle wash facility that:
 - (i) in the case of a facility that installed an automatic vehicle wash system before November 1, 2017, is operating on a basic wash and rinse cycle only,
 - (ii) in the case of a facility that installed an automatic vehicle wash system after November 1, 2017, is operating using a water recycling system that achieves a minimum 60% water recovery rate over the full cycle wash, and
 - (iii) in the case of a hand wash and self-service facility, is operating using high pressure wands or brushes that achieve a maximum flow rate of 11.4 litres per minute.