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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** March 14, 2002  
**File No.:** 5340-09  
**To:** City Manager  
**From:** Wastewater Manager  
**Subject:** **New rules governing expanding or adding properties to Specified Areas**

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### **RECOMMENDATION:**

THAT staff be directed to further investigate and recommend a Policy to define rules governing expanding or adding properties to Specified Areas, and report back at a later date;

AND THAT Bylaw No. 8819, an amendment to Sewer Specified Area No. 17 that was to exclude lots 2, 7, 8, 11, 12, 13, 14 and 15, Plan KAP 68542 from the Spec Area and which has been given 3 readings by Council, be rescinded.

### **BACKGROUND:**

On March 11, 2002, a Policy was proposed to Council that was intended to define which properties would be required to join existing Specified Areas when the services inside the Spec Area (i.e. Sewer) are extended to properties all or partly outside of the established Area boundary. Many issues were raised by Council that cannot be addressed in time to meet the timelines required to implement any changes for this taxation year.

Although a Policy is required to allow staff to deal with Property Owners desiring a service connection, or Developers, in a fair and consistent manner, it is not necessary to establish such a policy immediately.

Some of the issues that need further review are:

- The investigation and reporting of the practices used for various Developments that have occurred in the last few years.
- Consideration of a credit or discount to Developers that install their own mains and services.
- Defining how far Spec Area boundaries will be allowed to grow, and if we distinguish between service provided to existing homes and to new lots in an open-field Development.
- Involving and obtaining input from the UDI
- Establishing an implementation plan for the new Policy.

Originally, staff suggested that the new Policy be retroactive to address a subdivision that has already occurred. The reason for this was to provide a benefit to the Developer identifying the issue. It is now believed that this retroactivity is cause for concern and is therefore no longer recommended. With the bylaw rescinded, the Development in question will remain within Spec Area 17 and be subject to the annual charges.

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W.J. Berry, P.Eng  
Wastewater Manager

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John Vos  
Director of Works & Utilities

cc      Director of Finance