

## Request for Decision

File No: Shh 038 151

**Date** April 24, 2025  
**Author** Brian De Paoli, Engineering Technician  
**Subject** Bylaw No. 3397 - East Side Lake Windermere Water Service Establishment  
Bylaw Amendment

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### REQUEST

Amend the East Side Lake Windermere Water Service Area to include one additional property.

### OPTIONS

1. THAT Bylaw No. 3397 cited as “Regional District of East Kootenay – East Side Lake Windermere Water System Service Establishment Bylaw No. 2786, 2017 – Amendment No. 6, 2025” be introduced.
2. THAT Bylaw No. 3397 cited as “Regional District of East Kootenay – East Side Lake Windermere Water System Service Establishment Bylaw No. 2786, 2017 – Amendment No. 6, 2025” not proceed.

### RECOMMENDATION

Option 1

### BACKGROUND/ANALYSIS

The owners of 1330 Lake Drive, in the Windermere Area have petitioned to have their property included in the East Side Lake Windermere Water System Service Area. A water main will need to be constructed at the owner's expense to service the parcel. The owner has not yet indicated when they intend to undertake construction.

### SPECIFIC CONSIDERATIONS

An amendment to an establishing bylaw that changes the boundaries of a service area by adding or removing parcels to the service area are exempt from the requirement for the inspector's approval under section 349(3) of the *Local Government Act*, if the owners of the parcels to be added or removed to the service area submit a petition to the regional district, and at least 2/3 of the participants consent.

Petition dated April 9, 2025, to include a parcel of land in the East Side Lake Windermere Water System Service Area, was received by the Corporate Officer and certified as sufficient.

#### Attachment

- Bylaw 3397
- Schedule A
- Certificate of Sufficiency