

City of Kelowna
Regular Council Meeting
AGENDA



Monday, April 15, 2024
9:00 am
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

This Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

4 - 10

PM Meeting - April 8, 2024

3. Development Application Reports & Related Bylaws

3.1 Content Changes - TA24-0003 (BL12651) - City of Kelowna

11 - 22

To amend the Zoning Bylaw by making improvements and administrative changes to the following sections: Section 5 – Rules and Interpretation, Section 9 – Specific Use Regulations, Section 10 – Agriculture & Rural Residential Zones, and Section 14 – Core Area & Other Zones.

3.2 Content Changes - BL12651 (TA24-0003) - City of Kelowna

23 - 24

To give Bylaw No. 12651 first reading in order to make improvements and administrative changes to the following sections of the Zoning Bylaw: Section 5 – Rules and Interpretation, Section 9 – Specific Use Regulations, Section 10 – Agriculture & Rural Residential Zones, and Section 14 – Core Area & Other Zones.

4. Bylaws for Adoption (Non-Development Related)

4.1 BL12650 - Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547

25 - 26

To adopt Bylaw No. 12650.

5. Non-Development Reports & Related Bylaws

5.1	Development Application and Heritage Procedures Bylaw No. 12310 - Amendment No. 4	27 - 91
	To consider amendments to the Development Application and Heritage Procedures Bylaw No. 12310 to implement mandated legislation on Public Hearing procedures, improve processing of development applications, and conduct bylaw maintenance.	
5.2	BL12637 - Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310	92 - 103
	To give Bylaw No. 12637 first, second and third reading.	
5.3	Development Application Fee Bylaw No. 12552 - Amendment No. 1 - City of Kelowna	104 - 118
	To amend Development Application Fees Bylaw No. 12552 related to the implementation of provincial housing legislation and zoning bylaw amendments.	
5.4	BL12631 - Amendment No. 1 to Development Application Fees Bylaw No. 12552	119 - 120
	To give Bylaw No. 12631 first, second and third reading.	
5.5	Council Policy Updates- 282, 365, 366, 367 and 369	121 - 148
	To approve changes to various Council policies to align with recent provincial legislation and updates to Zoning Bylaw No. 12375.	
5.6	Amendment to the Five Year Financial Plan 2023 - 2027	149 - 155
	To amend the Five Year Financial Plan (2023-2027) as required by the Community Charter to include the authorized transfers and amendments which occurred in the 2023 year.	
5.7	BL12638 - Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502	156 - 157
	To give Bylaw No. 12638 first, second and third reading.	
5.8	Regional Community to Community Grant Request to Apply	158 - 159
	To inform Council of the Regional Community to Community Grant, and to receive support to apply for the grant funding.	
5.9	Okanagan Mission (Sarsons) Activity Centre	160 - 174
	To confirm the City's long-term intent for the Okanagan Mission Activity Centre at Sarsons Beach Park.	
5.10	Council Tour of Transportation Projects	175 - 185
	To provide Council background information in advance of the scheduled tour of several project sites on Monday, April 22, 2024.	

6. Mayor and Councillor Items

7. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, April 8, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Luke Stack, Rick Webber and Loyal Wooldridge
Members Participating Remotely	Councillor Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Jason Issler*; Revenue Supervisor, Patrick Gramiak*; Property Officer, Corey Wicks*; Development Services Clerk, Anita Gruendel
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:33 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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Moved By Councillor DeHart/Seconded By Councillor Hodge

THAT the Minutes of the Regular Meetings of March 25, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Hiram Walker Ct 270 - Z23-0019 (BL12648) - 270 HWC GP Inc., Inc.No. A0124511

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT Rezoning Application No. Z23-0019 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 3 Section 2 Township 20 ODYD Plan EPP98124, located at 270 Hiram Walker Ct, Kelowna, BC from the I3 – Heavy Industrial zone to the I2 – General Industrial zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

Carried**3.2 Rezoning Bylaws Supplemental Report to Council**

Staff:

- Commented on correspondence received since notice of first reading.

3.3 Rezoning Applications

Council:

- Chose to consider the bylaws separately.

3.3.1 Laurier Ave 925 - BL12635 (Z23-0082) - Amarjit and Sarbjit GillMoved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12635 be read a first, second and third time.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

3.3.2 Clifton Rd N 491 - BL12636 (Z23-0048) - Michael Georg Anton HolzheyMoved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12636 be read a first, second and third time.

Carried**3.4 Bernard Ave 1181-1191 - BL12572 (Z22-0070) - SKJJ Bernard Land Holdings Ltd., Inc. No. BC1242190**Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12572 be adopted.

Carried**3.5 Bernard Ave 1181-1191 - DP23-0202 - SKJJ Bernard Land Holdings Ltd., Inc. No. BC1242190**

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Council authorizes the issuance of Development Permit No. DP22-0202 for Lot 1 District Lot 137 ODYD Plan 16997, located at 1181-1191 Bernard Ave, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated March 25, 2024;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

3.6 Lakeshore Rd 3593 - BL12593 (Z23-0036) - Immortal Homes Ltd., Inc. No. A0101356

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12593 be adopted.

Carried

Councillor Cannan - Opposed

3.7 Lakeshore Rd 3593 - DP23-0115 - Immortal Homes Ltd., Inc.No. A0101356

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Council defer the issuance of Development Permit No. DP23-0115 for Lot 10 District Lot 134 ODYD Plan 2988, located at 3593 Lakeshore Road, Kelowna, BC.

Carried

Councillor Lovegrove - Opposed

3.8 Homer Rd 250, 270, 280 - BL12630 (Z23-0077) - 1376686 B.C. Ltd., Inc.No. BC1376686

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12630 be amended at third reading by deleting the underlying zone that reads: "RU1 – Large Lot Housing"

And replacing it with:
"MF1 – Infill Housing"

AND THAT Bylaw No. 12630, as amended, be adopted.

Carried

3.9 Homer 250, 270, 280 - DP23-0212 - 1376686 B.C. Ltd., Inc. No. BC1376686

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council authorizes the issuance of Development Permit No. DP23-0212 for:

- Lot 3 Section 27 Township 26 ODYD Plan 14897 located at 280 Homer Rd, Kelowna, BC;
- Lot 4 Section 27 Township 26 ODYD Plan 14897 located at 270 Homer Rd, Kelowna, BC;
- and
- Lot 5 Section 27 Township 26 ODYD Plan 14897 located at 250 Homer Rd, Kelowna, BC;

subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above-noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

3.10 Frost Rd 940-1070 - DP24-0019 - 0954654 B.C. Ltd., Inc.No. BC0954654

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Permit No. DP24-0019 for Lot A District Lot 579 SDYD Plan EPP127116, located at 940 – 1070 Frost Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

The meeting recessed at 2:21 p.m.

The meeting reconvened at 2:32 p.m.

4. Non-Development Reports & Related Bylaws

4.1 Downtown Kelowna Association - 2024 Budget

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Downtown Kelowna Association 2024 budget.

Moved By Councillor Hodge/Seconded By Councillor Webber

THAT Council approves the Downtown Kelowna Association 2024 Budget as attached to the report of the Revenue Supervisor dated April 8, 2024.

AND THAT Council approves the 2024 levy of \$1,263,741 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Carried

4.2 Uptown Rutland Business Association - 2024 Budget

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Uptown Rutland Business Association 2024 budget.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Council approve the Uptown Rutland Business Association (URBA) 2024 Budget as attached to the report of the Revenue Supervisor dated April 8, 2024;

AND THAT Council approve the 2024 levy of \$233,675 on the Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Carried

4.3 Amendment to Council Remuneration Bylaw

Staff:

- Displayed a PowerPoint Presentation outlining the proposed amendment to the Council Remuneration and Expense Bylaw and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives, for information, the report from the Office of the City Clerk dated April 8, 2024 regarding the Council remuneration bylaw amendment;

AND THAT Bylaw No. 12650, being Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547, be forwarded for reading consideration.

Carried
Councillor Singh – Opposed

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Council amend Bylaw No. 12650 by removing Item 3.4.

Defeated
Mayor Dyas, Councillors Hodge, DeHart, Stack and Wooldridge - Opposed

4.4 BL12650 - Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Bylaw No. 12650 be read a first, second and third time.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Bylaw No. 12650 be deferred.

Defeated
Mayor Dyas, Councillors Hodge, DeHart, Stack and Wooldridge - Opposed

The original motion THAT Bylaw No. 12650 be read a first, second and third time was considered.

Carried
Councillors Cannan, Lovegrove, Singh and Webber - Opposed

4.5 4710 Lakeshore Rd Road Closure

Staff:

- Available for questions.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Real Estate department dated April 8, 2024, recommending that Council adopt the proposed closure of excess road adjacent to 4710 Lakeshore Road;

AND FURTHER THAT Bylaw No. 12557 being proposed road closure of a portion of road adjacent to 4710 Lakeshore Road, be given reading consideration.

4.6 BL12557 - Road Closure Bylaw - Adjacent to 4710 Lakeshore Road

Carried

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Bylaw No. 12557 be read a first, second and third time.

Carried

5. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening at their new location at the Landmark District.
- Will be representing Mayor and Council at the BC Wildlife Federation Convention on April 11, 2024.

Councillor Cannan:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening and encouraged the community to support local farmers.
- Commented on the Kelowna City Band that will be performing at the Lutheran Church on April 13, 2024.

Councillor Lovegrove:

- Congratulations to the Kelowna Farmers' and Crafters' Market opening in their new location.
- Commented on the Okanagan Basin Water Board raising concerns regarding the infestation of zebra mussels and the need to advocate to provincial and federal governments to provide funding for Inspection stations.
- Notice of Motion regarding Transit for Teens Campaign for BC's Get on Board Program for teens aged 12 to 18 years.

Councillor Wooldridge:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening at their new location.
- Spoke to their attendance at the Re-Imagine Conference at the Coast Capri put on by the City's Active Living & Culture team to support Non-Profit Organizations.

Councillor Hodge:

- Thanked Councillor Lovegrove for attending the Okanagan Basin Water Board meeting on his behalf.

Mayor Dyas:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening at their new location and the positive impact it has on our community.
- Spoke to new Welcome to Kelowna signage at both entrances into our community.

6. Termination

This meeting was declared terminated at 3:22 p.m.

Mayor Dyas

lb/acm

City Clerk

REPORT TO COUNCIL

Text Amendment



Date: April 15, 2024
To: Council
From: City Manager
File No.: TA24-0003

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA24-0003 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated April 15, 2024, be considered by council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To amend the Zoning Bylaw by making improvements and administrative changes to the following sections: Section 5 – Rules and Interpretation, Section 9 – Specific Use Regulations, Section 10 – Agriculture & Rural Residential Zones, and Section 14 – Core Area & Other Zones.

3.0 Development Planning

Staff continuously work to improve and adapt the Zoning Bylaw to ensure the regulations are accurate and consistent.

Several relatively minor content amendments are proposed in this report. For a detailed list of changes and the reasons for recommending these changes please see the attached Schedule 'A'. Below provides an executive summary of the changes.

Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
1.	Development Regulations in the Urban Centres and Village Centres reference several maps within the Official Community Plan (OCP). The maps currently reference the Urban Centre Height Map's and not the street classification map.	Development in the Urban Centres and the allowable uses permitted at grade are determined by street classifications within the OCP.
2.	Fifteen streets in the North End with an Industrial zone were designated in the Zoning Bylaw to permit an FAR up to 3.0. One of the street names listed in the bylaw was misspelled.	Correcting the spelling of street name Brent Ave to Brant Ave.

3.	The list of site-specific properties within Section 10 of the Zoning Bylaw requires updating.	Currently only a single zone is referenced in Section 10.7 but the section represents multiple zones.
4	Adding the use of Carriage House to the property 2261 - 2265 James Rd.	The subject property was zoned to include the 'c' subzone by the City of Kelowna on June 18, 2012. The property has had a legal carriage house since 2002.
5	Missing a word in the current definition of Grade, Finished.	Grammatical correction.
6.	Bed and Breakfast section of the bylaw has a partially incomplete regulation.	Regulation revised to include operator requirements.

Report prepared by: Jason Issler, Planner I
Reviewed by: Jocelyn Black, Urban Planning Manager
Review by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Schedule 'A': Proposed Text Amendments to Zoning Bylaw No. 12375.

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Content Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 14 – Core Area & Other Zones - Section 14.9 – Principal and Secondary Land Uses - Footnote .11	.11 Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna’s Official Community Plan (e.g. Map 4.3, Map 4.5, Map 4.7).	.11 Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna’s Official Community Plan (e.g. <u>Map 4.2, Map 4.4, Map 4.6, Map 4.8, & Map 4.9</u>).	To correct the map references.
2.	Section 14 – Core Area & Other Zones - Section 14.14 – Density and Height - Footnote .8	.8 The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, Brent Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.	.8 The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, <u>Brant</u> Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.	To correct a road name spelling error.
3.	Section 10 – Agriculture & Rural Residential Zones - Section 10.7 – Site Specific Regulations	Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:	Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:	To provide clarification that this section includes properties that are not only zoned A1.
4.	Section 10 – Agriculture & Rural Residential Zones - Section 10.7 – Site Specific Regulations	N/A	See Chart A	The subject property was zoned to include the 'c' subzone by the City of Kelowna on June 18, 2012. The property has had a legal carriage house since 2002.

No.	Section	Current Wording	Proposed Wording	Reason for Change
5.	Section 5 – General Definitions - GRADE, FINISHED	means the elevation of the finished surface of the ground at the base of the outside walls of a building or structure. Finished grade is determined by taking the level of the finished ground surface at every location of change grade along the outside walls of a building or structure.	means the elevation of the finished surface of the ground at the base of the outside walls of a building or structure. Finished grade is determined by taking the level of the finished ground surface at every location of change <u>of</u> grade along the outside walls of a building or structure.	Grammatical correction
6.	9.3 Bed and Breakfast Homes – 9.3.1 (c) & (d)	(c) Short-term rental accommodation is not permitted in combination with a bed and breakfast home; and (d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.	(c) <u>A licensed operator must also reside onsite during the operation of the bed and breakfast; and</u> (d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.	Point 'c' was accidentally written in duplicate in the original bylaw. The proposed wording was the intended language.

SCHEDULE		A
This forms part of application # TA24-0003		
Planner Initials	Jl	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

Chart A – Proposed Table 10.7 – Site Specific Regulation.

Section 10.7 – Site Specific Regulations			
	Legal Description	Civic Address	Regulation
4	Lot 35 Section 16 Township 26 ODYD Plan 24182	2261-2265 James Rd	Permits the use of a Carriage House on a lot smaller than 10,000 m2.

SCHEDULE _____ **A**

This forms part of application
TA24-0003

Planner Initials **JJ**



City of
Kelowna
DEVELOPMENT PLANNING



City of
Kelowna

TA24-0003

General Improvements to the Zoning Bylaw

Text Amendment

Purpose

- ▶ The purpose of the text amendment is to make improvements to the following sections of the Zoning Bylaw No. 12375:
 - ▶ Section 5 – Rules and Interpretation
 - ▶ Section 9 – Specific Use Regulations
 - ▶ Section 10 – Agriculture & Rural Residential Zones
 - ▶ Section 14 - Core Area & Other Zones

Development Process

Jan 2022

2040 OCP



Sept 2022

Zoning Bylaw No. 12375



Mar 2024

Bylaw 12375 Update w/ Provincial Changes



Apr 15, 2024

Text Amendments to fix errors



Executive Summary of Schedule 'A'

Recommended Content Changes

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 14 – Core Area & Other Zones - Section 14.9 – Principal and Secondary Land Uses - Footnote .11	.11 Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna’s Official Community Plan (e.g. Map 4.3, Map 4.5, Map 4.7).	.11 Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna’s Official Community Plan (e.g. <u>Map 4.2, Map 4.4, Map 4.6, Map 4.8, & Map 4.9</u>).	To correct the map references.
2.	Section 14 – Core Area & Other Zones - Section 14.14 – Density and Height - Footnote .8	.8 The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, Brent Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.	.8 The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, <u>Brant</u> Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.	To correct a road name spelling error.
3.	Section 10 – Agriculture & Rural Residential Zones - Section 10.7 – Site Specific Regulations	Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:	Uses and regulations apply to the <u>A1, A2, RR1, RR2 zones</u> on a site-specific basis as follows:	To provide clarification that this section includes properties that are not only zoned A1.
4.	Section 10 – Agriculture & Rural Residential Zones - Section 10.7 – Site Specific Regulations	N/A	See Chart A	The subject property was zoned to include the ‘c’ subzone by the City of Kelowna on June 18, 2012. The property has had a legal carriage house since 2002.

Executive Summary of Schedule 'A'

Recommended Content Changes

No.	Section	Current Wording	Proposed Wording	Reason for Change
5.	Section 5 – General Definitions - Grade, Finished	means the elevation of the finished surface of the ground at the base of the outside walls of a building or structure. Finished grade is determined by taking the level of the finished ground surface at every location of change grade along the outside walls of a building or structure.	means the elevation of the finished surface of the ground at the base of the outside walls of a building or structure. Finished grade is determined by taking the level of the finished ground surface at every location of change <u>of</u> grade along the outside walls of a building or structure.	Grammatical correction
6.	9.3 Bed and Breakfast Homes – 9.3.1 (c) & (d)	(c) Short-term rental accommodation is not permitted in combination with a bed and breakfast home; and (d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.	(c) <u>A licensed operator must also reside onsite during the operation of the bed and breakfast; and</u> (d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.	Point 'c' was accidentally written in duplicate in the original bylaw. The proposed wording was the intended language.

Executive Summary of Schedule 'A' Recommended Content Changes

Chart A – Proposed Table 10.7 – Site Specific Regulation.

Section 10.7 – Site Specific Regulations			
	Legal Description	Civic Address	Regulation
4	Lot 35 Section 16 Township 26 ODYD Plan 24182	2261-2265 James Rd	Permits the use of a Carriage House on a lot smaller than 10,000 m2.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Text Amendments and recommend the bylaw be forwarded to a public hearing
 - ▶ Correct language improvements to the Zoning Bylaw to increase clarity and applicability.

CITY OF KELOWNA
BYLAW NO. 12651
TA24-0003 – Content Changes

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Zoning Bylaw No. 12375 be amended as follows:

1. THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, GRADE , FINISHED** be amended by adding "of" after "surface at every location of change";
2. AND THAT **Section 9 – Specific Use Regulations, Section 9.3 – Bed and Breakfast Homes, 9.3.1** be amended by deleting "(c) Short-term rental accommodation is not permitted in combination with a bed and breakfast home, and" and replacing it with "(c) A licensed operator must also reside onsite during the operation of the bed and breakfast; and";
3. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.7 – Site Specific Regulations** be amended by deleting "Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:" and replacing it with "Uses and regulations apply on a site-specific basis as follows:";
4. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.7 – Site Specific Regulations** be amended by adding the following new row:

4.	Lot 35 Section 16 Township 26 ODYD Plan 24182	2261-2265 James Rd	Permits the use of a Carriage House on a lot smaller than 10,000 m2.
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5. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses, FOOTNOTE ¹¹** be amended by deleting "(e.g. Map 4.3, Map 4.5, Map 4.7)" and replacing it with "(e.g. Map 4.2, Map 4.4, Map 4.6, Map4.8, & Map 4.9)";
6. AND FURTHER THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, FOOTNOTE ⁸** be amended by deleting "Brent" and replacing it with "Brant";
7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

Bylaw No. 12650

Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Council Remuneration and Expense Bylaw No. 7547 be amended as follows:

1. That **Section 2 – Mayor’s Indemnity** be amended by deleting in their entirety the following sections:

“2.1 Effective January 1st, 2019, the Mayor shall be paid an annual indemnity of \$107,525.22 until December 31st, 2019.

2.2 Effective January 1st, 2020 and every January 1st thereafter, the Mayor’s Indemnity shall receive an annual adjustment based on the Consumer Price Index (CPI) published by Statistics Canada for Vancouver (2002=100) for the twelve month period January to December of the previous year.”

and replacing with:

“2.1 Effective upon adoption of this bylaw, the Mayor will be paid an annual indemnity of \$135,848.65 until December 31st, 2024.

2.2 Effective January 1st, 2025, the Mayor will be paid an annual indemnity of \$145,200.00.

2.3 Following the 2026 general local election and continuing thereafter, in years one and three of each Council term, the Mayor’s indemnity will be adjusted to match the 60th percentile of Mayor’s indemnity in comparable municipalities in British Columbia for the twelve month period January to December of the previous year.

2.4 The City Clerk and the Divisional Director, Financial Services are delegated the authority to determine comparable municipalities for the purposes of section 2.3, with a minimum of ten municipalities to be referenced.”

2. That **Section 3 – Councillor’s Indemnity** be amended by deleting in their entirety the following sections:

“3.1 (a) Effective January 1st, 2019 a Councillor’s indemnity shall be paid on an annual indemnity of \$36,543.33 until December 31st, 2019.

(b) Effective January 1st,, 2020 and every January 1st thereafter, the Councillor’s Indemnity shall receive an annual adjustment based on the Consumer Price Index (CPI) published by Statistics Canada for Vancouver (2002=100) for the twelve month period January to December of the previous year.”

and replacing with:

“3.1 Effective upon adoption of this bylaw, Councillors will be paid an annual indemnity of \$50,535.57 until December 31st, 2024.

3.2 Effective January 1st, 2025, Councillors will be paid an annual indemnity of \$58,080.00.

3.3 Following the 2026 general local election and continuing thereafter, in years one and three of each Council term, the Councillors' indemnity will be adjusted to match 40% of the Mayor's indemnity, as determined by section 2.3 of this bylaw.

3.4 A member of Council may choose not to receive the annual indemnity adjustment established in sections 2.1 or 3.1 of this bylaw by informing the City Clerk in writing within 30 days of adoption of this bylaw. "

- 3. This bylaw may be cited as "Bylaw No. 12650, being Amendment No. 12 to Council Remuneration and Expense bylaw No. 7547."
- 4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 8th day of April, 2024.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: April 15, 2024
To: Council
From: City Manager
Subject: Development Application and Heritage Procedures Bylaw No. 12310
Amendment No. 4 & Progress Update on Minor Delegated Variance
Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department, dated April 15, 2024, with respect to amending the Development Application and Heritage Procedures Bylaw No. 12310 to implement provincial housing legislation to streamline housing approvals;
AND FURTHER THAT Bylaw No. 12637 being Amendment No. 4 to the Development Application and Heritage Procedures Bylaw No. 12310 be advanced for reading consideration.

Purpose:

To consider amendments to the Development Application and Heritage Procedures Bylaw No. 12310 to implement mandated legislation on Public Hearing procedures, improve processing of development applications, and conduct bylaw maintenance.

Council Priority Alignment – Affordable Housing:

The proposed amendments to the [Development Application Procedures Bylaw No. 12310](#) align with Council’s Priority on Affordable Housing by implementing Provincial Bill 44 Small Scale Multi-Unit Housing (SSMUH) which will help to streamline residential development approvals by not permitting Public Hearings on residential projects that are consistent with the Official Community Plan. In addition, improving the processing of development files can save costs and time for applicants, and efficiency for Staff and Council. These costs are often passed along to the end user.

Background:

The [Development Application and Procedures Bylaw No. 12310](#) (Procedures Bylaw) establishes procedures for processing development applications including Official Community Plan (OCP) amendments, Zoning Bylaw amendments, Text Amendments, Development Permits, Development Variance Permits, Agricultural Land Commission (ALC) Applications, Temporary Farm Worker Housing, and others. The most recent amendment to the Procedures Bylaw was to delegate authority for Minor Development Variance Permits.

Previous Council Resolution

Resolution	Date
Regular Council Meeting Agenda May 8, 2023, Item 5.2	Adopted May 15, 2023

Discussion:

In 2023, the Province of BC passed two Housing Statutes Bills (44 and 47) that require Local Governments to amend their municipal bylaws to assist in densifying existing neighbourhoods and streamlining housing approvals to address the housing crisis in BC.

As a response, Staff are recommending amendments to the Procedures Bylaw to address the following:

1. Implement mandated legislation on Public Hearing procedures
2. Improve processing of development applications
3. Bylaw maintenance

At this time, no changes are proposed to Heritage applications found in Schedules 10, 11, 12, 13, or 14 of the Procedures Bylaw. Amendments to the Heritage Schedules will be brought forward to Council with a larger package of bylaw amendments related to Heritage.

1. Implement Mandated Legislation on Public Hearing Procedures:

Provincial Bill 44 mandates legislation on when a Local Government may hold a Public Hearing on a bylaw amendment as per Section 464 of the [Local Government Act \(LGA\)](#). Previously, for residential rezoning bylaws that align with the OCP, Council had discretion to hold a Public Hearing. Staff recommend changes to the Procedures Bylaw to align with three Public Hearing streams regulated by the LGA. The Public Hearing streams are as follows:

- i. For a bylaw amendment that is **inconsistent** with the OCP, a Public Hearing is required.
- ii. For a bylaw amendment that is **non-residential** and **consistent** with the OCP, a Public Hearing is not required.
- iii. For a bylaw amendment that is **residential** and **consistent** with the OCP, a Public Hearing is not permitted.

Staff are proposing amendments to [Council Policy 365: Official Community Plan Consistency Policy](#), under a separate report, to provide clarity in determining when a bylaw amendment is inconsistent with the OCP and requires a public hearing.

2. Improve Processing of Development Applications:

Two of the recommended changes to improve the processing of development applications include removing the requirement for a Development Permit to be considered in conjunction with a Rezoning Application; and changing the requirement for a Pre-Development Tree Inventory to be at the discretion of the Development Planning Department Manager. These changes will streamline development applications and will alleviate some up-front costs associated with development applications.

Staff recommend revising the delegated authority on Development Permits and Minor Development Variance Permits to provide further process improvements.

Revise Delegated Authority on Development Permits

Currently, form and character Direct Development Permits for MF1 zoned properties are delegated in the Procedures Bylaw. This allows Staff to issue permits for those properties, typically developed with fourplexes. Staff recommend revising the delegated authority on Development Permits to include three to six units, which aligns with recent Zoning Bylaw

amendments to the MF1 zone and provincial legislation. This authority will apply in all areas of the city including the Heritage Conservation Area.

Progress Update on Minor Development Variance Permits

On May 8, 2023, Council adopted bylaws and policy changes for delegated authority for Minor Development Variances. In the report, Staff indicated a summary of all variances received and approved at the Staff level will be provided to Council. The following provides a summary of applications from May 8, 2023, to March 8, 2024.

Type	Quantity
Approved by Delegate	12
Cancelled by Applicant	2
Active Applications	7
TOTAL	21

All applications are subject to Council Policy No. 367 – Public Notification & Consultation for Development Applications for neighbourhood notification requirements. For Minor Development Variance Permit applications there is a 14-day period after the neighbours are notified for them to submit feedback. Any feedback received is submitted to the delegate to consider. The delegate then applies the following guidelines when making their decision as outlined in the Procedures Bylaw: Scope and scale of variances; use and enjoyment of neighboring lands; effects on the natural environment; appropriateness of the development; intent of the Zoning Bylaw; and public interest in variances. After considering the guidelines, the delegate did not deny any applications for Council reconsideration.

Revise Delegated Authority on Minor Development Variance Permits

Based on the successful results of the first implementation of delegated authority on Minor Development Variance Permits, Staff recommend revising the program to include up to six units. This aligns with the recommendation for delegated authority on Direct Development Permits. On infill projects, variances that require Council approval are often a deterrent to applicants. By delegating variances on projects of up to six units to staff, applicants can save both time and money, helping to streamline infill housing and avoid additional costs being passed on to the end user. Staff variances could be used in cases where site constraints necessitate a variance such as preserving a mature tree in favor of a parking variance; or a setback variance due to a road dedication.

Delegated Minor Sign Bylaw Variances

Staff recommend assigning delegated authority on Minor Development Variance Permits to include [Sign Bylaw No. 11530](#). Currently, a variance to the Sign Bylaw requires Council consideration and approval which is a lengthier process than a delegated variance. In current practice, Staff are firm in adhering to the Sign Bylaw and encourage applicants to meet the bylaw rather than apply for a variance. A Delegated Minor Sign Bylaw Variance would be considered using the same criteria as for other delegated minor variances outlined above (in Progress Update section).

3. Bylaw Maintenance

Staff utilized this opportunity to conduct bylaw maintenance on the Procedures Bylaw to update terminology, definitions, references to other bylaws, and chart formatting. In addition, Staff propose revisions to delegated authority on Landscape Agreements to include the execution of the agreement itself, thereby saving Council's time and administrative costs.

Conclusion:

Staff recommend support for the proposed amendments to the Development Application and Heritage Procedures Bylaw No. 12310 to implement mandated legislation on Public Hearing procedures, improve processing of development applications, and conduct bylaw maintenance. These changes will improve efficiency of processing development applications. Amendments to the Heritage Schedules of the Procedures Bylaw will be brought forward for Council consideration as part of a larger package in late April or early May.

Internal Circulation:

Policy & Planning
Building & Permitting
Development Engineering
Communications
Office of the City Clerk

Considerations applicable to this report:

Legal/Statutory Authority & Procedural Requirements: *Local Government Act, Community Charter, Agricultural Land Commission Act, Seasonal Agricultural Worker Program*

Communications Comments:

Staff held an information session on March 26, 2024, with representatives from the Urban Development Institute and the Canadian Home Builders Association to review proposed changes to the Procedures Bylaw, Fee Bylaw, and Council Policies.

Prepared By: Trisa Atwood, Planner Specialist & Breanna Sartori, Planner I
Approved for inclusion: Ryan Smith, Director of Planning, Climate Action, & Development Services
Attachments: Schedule A: Proposed Text Amendments

Schedule A – Proposed Text Amendments

Development Application and Heritage Procedures Bylaw No. 12310 – Amendment No. 4

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	All Sections and Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15		Bolded defined words through entire document such as City, Council, Development Permit , and others.	To align with current bylaw writing policy to bold words that are defined in the Definitions section of the bylaw. Excluded schedules pertaining to Heritage Applications.
2.	All Sections and Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15	Divisional Director, Planning & Development Services	Divisional Director, Planning, Climate Action & Development Services	To update the name of division to include Climate Action. Excluded schedules pertaining to Heritage Applications.
3.	All Sections and Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15		Updated bylaw numbers and years to current bylaw numbers and years.	To perform bylaw maintenance. Excluded schedules pertaining to Heritage Applications.
4.	All Sections and Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15		Corrected bullets, numbering, indents, and spacing.	To perform bylaw maintenance. Excluded schedules pertaining to Heritage Applications.
5.	Section 1.2 Scope		m) For Early Consideration by Council	To expand the scope of the bylaw to apply to Early Consideration Applications.

6.	Section 1.3 Definitions	'Coordinating Hillside Development Professional' means a registered professional planner, landscape architect , or engineer engaged to administer the application process and to ensure that the requirements established by the City in accordance with the Hillside Guidelines – including lot grading, drainage, and retaining are addressed;	'Coordinating Hillside Development Professional' means a registered professional planner, landscape architect, or engineer engaged to administer the application process and to ensure that the requirements established by the City in accordance with the Hillside Guidelines – including lot grading, drainage, and retaining are addressed;	Delete section that refers to a requirement from 2030 Kelowna Official Community Plan.
7.	Section 1.3 Definitions	Current Land Use Contract which is being discharged as per Section 546 of the <i>Local Government Act</i> ;	Current Land Use Contract which is being discharged as per Section 546 of the <i>Local Government Act</i>;	Correct administrative error from previous bylaw amendment.
8.	Section 1.3 Definitions		'Multiple Unit Residential' means a site with three (3) or more residential dwelling units total;	To add a definition for Multiple Unit Residential to provide clarity that a Development Permit for the form and character of less than 3 units is not required.
9.	Section 1.3 Definitions		'Sign Bylaw' means City of Kelowna Sign Bylaw No. 11530 as amended or replaced from time to time.	
10.	Section 2.2 Council Decisions – 2.2.1 Bylaw Amendments	a) Upon receipt of a report from the City Manager respecting an application under Schedule '2', Council may: i. Proceed with the bylaw pursuant to the amendment application;	a) Upon receipt of a report from the City Manager respecting an application under Schedule '2' Council may: i. Proceed with the bylaw pursuant to the amendment application; ii. Forward the amending bylaw or bylaws to a Public Hearing , <u>provided that a Public Hearing is</u>	To implement mandated legislation from Provincial Bill 44 with regards to Public Hearings.

		<ul style="list-style-type: none"> ii. Forward the amending bylaw or bylaws to a Public Hearing or waive the requirement for a Public Hearing as provided for in section 464 of the <i>Local Government Act</i>; iii. Reject or refuse the application; or iv. Defer or otherwise deal with the application 	<ul style="list-style-type: none"> <u>permitted in accordance with</u> section 464 of the <i>Local Government Act</i>; iii. Reject or refuse the application; or iv. Defer or otherwise deal with the application 	
11.	Section 2.2 Council Decisions – 2.2.1 Bylaw Amendments	<ul style="list-style-type: none"> b) Council may consider final adoption of an amendment bylaw: <ul style="list-style-type: none"> i. After three readings have been given; ii. Where a Development Permit is required by the Official Community Plan, upon receipt of a report from the City Manager stating that the Development Permit has been prepared and is ready for Council consideration; and iii. Where approval from the Ministry of Transportation and Infrastructure or another authority or body is required by statute or regulation, following receipt of written approval from the authority. 	<ul style="list-style-type: none"> b) Council may consider final adoption of an amendment bylaw: <ul style="list-style-type: none"> i. After three readings have been given; <u>and</u> ii. Where a Development Permit is required by the Official Community Plan, upon receipt of a report from the City Manager stating that the Development Permit has been prepared and is ready for Council consideration; and iii. Where approval from the Ministry of Transportation and Infrastructure or another authority or body is required by statute or regulation, following receipt of written approval from the authority. 	To streamline development approvals by removing the requirement for a Development Permit to be issued in conjunction with adoption of a bylaw amendment.

12.	Section 2.2 – Council Decisions – 2.2.6	<p>a) Upon receipt of a report from the City Manager respecting an application under Schedules '10' and '11', Council may:</p> <ul style="list-style-type: none"> i. Proceed with the bylaw pursuant to the application; ii. Forward the bylaw or bylaws to a Public Hearing; iii. Reject or refuse the application; or iv. Defer or otherwise deal with the application. 	<p>a) Upon receipt of a report from the City Manager respecting an application under Schedules '10' and '11', Council may:</p> <ul style="list-style-type: none"> i. Proceed with the bylaw pursuant to the application; ii. Forward the bylaw or bylaws to a Public Hearing, provided that a Public Hearing is permitted in accordance with all relevant provisions of the <i>Local Government Act</i>; iii. Reject or refuse the application; or iv. Defer or otherwise deal with the application. 	To implement regulations from Provincial Bill 44 Housing Statutes with regards to Public Hearings.
13.	Section 2.3 Delegation of Authority – 2.3.3 Performance Security	The powers of Council under Sections 502, and 610(2)(c) of the <i>Local Government Act</i> and Section 19 of the <i>Community Charter</i> to require security as a condition of the issuance of a Development Permit, Development Variance Permit, Temporary Use Permit, Heritage Alteration Permit, Heritage Revitalization Agreement, or a Temporary Farm Worker Housing Permit in accordance with Section 2.9 of this bylaw.	The powers of Council under Sections 502, and 610(2)(c) of the <i>Local Government Act</i> and Section 19 of the <i>Community Charter</i> to require security as a condition of the issuance of a Development Permit, Development Variance Permit, Temporary Use Permit, Heritage Alteration Permit, Heritage Revitalization Agreement, or a Temporary Farm Worker Housing Permit in accordance with Section 2.9 of this bylaw; <u>and the authority to execute all documents necessary to require security as a condition of issuance.</u>	To delegate the authority to execute and sign landscape agreements to the Department Manager, Development Planning.
14.	Section 2.3 Delegation of Authority – 2.3.5 Development Permits	b) Amendments to Development Permits that are limited to minor design modifications that do not alter the overall form and character of development, and that do not reduce minimum setbacks, or increase height or density	<p>b) <u>The powers of Council under Section 489 of the Local Government Act to issue amendments to Development Permits, limited to minor design modifications that:</u></p> <ul style="list-style-type: none"> • <u>are generally consistent with the applicable Development Permit guidelines in the OCP; and</u> • <u>do not require a Development Variance Permit that requires Council approval.</u> 	To provide clarity on when a Development Permit amendment is delegated to Department Manager, Development Planning.

15.	Section 2.3 Delegation of Authority – 2.3.6 Heritage Alteration Permits	b) Amendments to Heritage Alteration Permits that are limited to minor design modifications that do not alter the overall form and character of development, and that do not reduce minimum setbacks, or increase height or density.	b) <u>Pursuant to Sections 590 and 617 of the Local Government Act, the Department Manager, Development Planning is authorized to exercise the powers and perform the duties of Council with respect to amendments to Heritage Alteration Permits that are limited to minor design modifications that:</u> <ul style="list-style-type: none"> • <u>are generally consistent with the applicable Heritage Design Guidelines in the OCP; and</u> • <u>do not require a variance that requires Council approval.</u> 	To provide clarity on when an amendment to a Heritage Alteration Permit is delegated to Department Manager, Development Planning.
16.	Section 2.6 Plans Completed by a Registered Architect	Where a development proposal indicates a building that meets the criteria of the Architectural Institute of British Columbia, all building plans, elevations and floor plans must be completed by a registered architect in good standing and licensed to practice in BC.	Where a development proposal indicates a building that meets the criteria of the Architectural Institute of British Columbia, all building plans, elevations and floor plans must be completed <u>and sealed</u> by a registered architect in good standing and licensed to practice in BC.	To clarify the requirement for architect’s drawings to be sealed.
17.	Section 2.8 Hillside Development	For all applications involving greater than three lots within the Intensive Residential – Hillside Development Permit Area, as designated in the OCP , proof of contract is required between the owner(s) and a Coordinating Hillside Development Professional .	For all applications involving greater than three lots within the Intensive Residential – Hillside Development Permit Area, as designated in the OCP, proof of contract is required between the owner(s) and a Coordinating Hillside Development Professional.	Delete section that references requirements from 2030 OCP.
18.	Section 2.9 Performance Security – 2.8.3 f)	ii. At least one (1) year after substantial completion, the applicant may submit an inspection report from a Qualified Professional and the City will consider return of up to 90% of the security deposit if no deficiencies are identified.	ii. At least <u>two (2) years</u> after substantial completion, the applicant may submit an inspection report from a Qualified Professional and the City will consider return of up to 90% of the security deposit if no deficiencies are identified.	Increase from one year to two years for performance security on a Farm, Natural Environment, or Hazardous Conditions Development Permit.

19.	Section 2.11 Incomplete Applications	If Development Planning staff determine that an application is incomplete, the applicant will be requested to provide the required information. If an applicant does not provide the required information within three months of the request, the application and fee will be returned.	If Department Manager, Development Planning determines that an application is incomplete, the applicant will be requested to provide the required information <u>prior to the application been referred and circulated</u> . If an applicant does not provide the required information within three months of the request, the application and fee will be returned. <u>Incomplete applications will not be referred and circulated until they have been deemed complete by the Department Manager, Development Planning.</u>	To provide clarity that incomplete applications will not be referred and circulated.
20.	Section 3.1 Application Fee Requirement 3.1.2	Where a Public Information Meeting is required by Council , the applicant will pay all costs associated with the Public Information Meeting.	Where a Public Information Meeting is required by Council, the applicant will pay all costs associated with the Public Information Meeting.	The requirement for the Public Information Meeting and costs is in Council Policy 367 – Public Notification & Consultation for Development Applications.
21.	Section 4.2 Public Notification 4.2.1. Giving Notice	a) In accordance with the <i>Local Government Act</i> , the City will mail or otherwise deliver individual notices to all owners and tenants of the subject property for which an application is being made and all owners and tenants of properties that are within a 50 m radius or a minimum of four properties, whichever is greater, to which the application pertains, advising of: i. A scheduled Public Hearing for an OCP amendment, Zoning Bylaw amendment, Phased Development Agreement, Land Use	a) In accordance with the <i>Local Government Act</i> , the City will mail or otherwise deliver individual notices to all owners and tenants of the subject property for which an application is being made and all owners and tenants of properties that are within a 50 m radius or a minimum of four properties, whichever is greater, to which the application pertains, advising of: i. A scheduled Public Hearing for an OCP amendment, Zoning Bylaw amendment, Phased Development Agreement, Land Use Contract Discharge, Heritage Designation Bylaw or Heritage Revitalization Agreement ; ii. <u>A scheduled Council meeting for considering first reading if a Public</u>	Added clause for notification of first reading if a requirement for a Public Hearing has been waived or is prohibited.

		<p>Contract Discharge, Heritage Designation bylaw or Heritage Revitalization Agreement;</p> <ul style="list-style-type: none"> ii. A scheduled Council meeting for considering a Heritage Designation bylaw; iii. A scheduled Council meeting for considering a Heritage Alteration Permit with variances; iv. A scheduled Council meeting for considering a Development Variance Permit; or v. A scheduled Council meeting for considering a Temporary Use Permit. 	<p><u>Hearing is not required or is prohibited;</u></p> <ul style="list-style-type: none"> iii. A scheduled Council meeting for considering a Heritage Designation bylaw; iv. A scheduled Council meeting for considering a Heritage Alteration Permit with variances; v. A scheduled Council meeting for considering a Development Variance Permit; or vi. A scheduled Council meeting for considering a Temporary Use Permit. 	
22.	Section 4.2 Public Notification 4.2.2. b)	<ul style="list-style-type: none"> iii. Development Notice Signs must remain in place until the conclusion of the Public Hearing, until Council has considered the application as applicable, within 7 days of Council's further consideration of the application when the Public Hearing has been waived, or until the development application has been abandoned. Development Notice Signs must be removed within seven days of the conclusion of a Public Hearing or of the Council 	<ul style="list-style-type: none"> iii. Development Notice Signs must remain in place until the conclusion of the Public Hearing, <u>or until Council has considered the application as applicable, or the application has received first reading where the Public Hearing is waived or prohibited. Development Notice Signs must be removed within seven (7) days of the conclusion of a Public Hearing or of the Council meeting that requires a Development Notice Sign.</u> 	Provide clarity on signage removal after first reading or Public Hearing.

		meeting that requires a Development Notice Sign.		
23.	Section 4.2 Public Notification 4.2.2. e) Sign Content	<p>Development Notice Signs will include the following information, as applicable:</p> <ul style="list-style-type: none"> i. The City's application file number; ii. A brief project description; iii. The date of the relevant Public Hearing or Council meeting at which the application is to be considered, or the final date for receipt of public input if the Public Hearing has been waived; and iv. Any additional information required by the Department Manager, Development Planning. 	<p>Development Notice Signs will include the following information, as applicable:</p> <ul style="list-style-type: none"> i. The City's application file number; ii. A brief project description; iii. The date of the relevant Public Hearing, or Council Meeting at which the application is to be considered, <u>or Council Meeting at which first reading will be considered;</u> and iv. Any additional information required by the Department Manager, Development Planning. 	Provide clarity on sign content for notification of first reading.
24.	Schedule '1' – Application Requirements	Schedule '1' - Current	Schedule '1' - Proposed	Implement requirement for streetscape drawings within Core Area Neighbourhood; note requirement for EV ready stalls to be noted on floor plans; change Pre-Development Tree Inventory to be required at the discretion of the Department Manager; and clarify requirements for Environmental Monitoring Plan.

25.	Schedule '2' – Applications to Amend an Official Community Plan Bylaw and/or a Zoning Bylaw	Schedule '2' - Current	Schedule '2' – Proposed	Introduce City notice of application requirements; and provide clarity on Public Hearing streams.
26.	Schedule '3' – Development Permit Applications	Schedule '3' – Current	Schedule '3' – Proposed	Expand delegated authority up to 6 residential units to Department Manager. For Council Natural Environment & Hazardous Conditions Development Permits add requirements for Grading Plan, Stormwater Management Plan, and Erosion and Sediment Control Plan.
27.	Schedule '4' – Development Variance Permit Applications	Schedule '4' – Current	Schedule '4' – Proposed	Expand delegated authority on variances to include up to 6 residential units and Sign Bylaw variances; no changes proposed to Heritage Alteration Permit delegation.
28.	Schedule '15' – Early Consideration Applications	Schedule '15' – Current	Schedule '15' – Proposed	Removed language and requirements referring to the 2030 Official Community Plan.

Schedule '1' – Current

Schedule '1' – Application Requirements

The information listed below will be required for applications under this bylaw in accordance with Schedules '2' to '14' of this bylaw:

- Application Form
 - State of Title - including complete copies of any easements, rights-of-way, Section 219 covenants and other non-financial charges registered on Title. Must be printed within 30 days of making the application.
 - Owner's Authorization Form – required if the applicant is not the registered owner(s) of the land subject to the application.
 - Site Profile - in accordance with the Environmental Management Act.
 - Zoning Analysis Table - illustrating how the proposal meets or deviates from Zoning Bylaw requirements.
 - Project Rationale - explaining the project's conformity with relevant City policies including OCP policies and, where applicable, Development Permit Guidelines.
 - Photographs - of the site and surrounding context (e.g. neighbouring properties, on-site structures, important features, etc.) in colour and at a legible size.
 - Site Plan - 1:200 scale recommended, all units in metric, with north arrow, including:
 - Civic address and legal description
 - Property line and setbacks, accurately dimensioned
 - Easements, rights-of-way, and covenant areas
 - Outline of existing and proposed building(s), accurately dimensioned
 - Parking layout and allocation, including:
 - Stall dimensions
 - Drive aisle dimensions
 - Parking setbacks to property lines
 - Description of stall uses (ex. visitor stall, loading stall, and resident stall, etc.)
 - Site lighting
 - Location and dimensions of private open space
 - Site grading, including retaining walls and retention slopes
 - Existing geodetic elevations and proposed geodetic elevations
- For Commercial, Industrial, and Multi-family applications, also include:
- Location, number, and dimensions of bicycle parking spaces
 - Location, number, and dimensions of accessible parking spaces
 - Provisions for universal access
 - Location of any existing and/or proposed freestanding signage
 - Location of recycling and garbage enclosure
- Floor Plans - for each floor including basement, 1:200 scale recommended, all units in metric, with north arrow, including:
 - Layout and dimensions of all exterior and interior walls
 - Location of doors and windows

- Use of each room (e.g. bedroom, bathroom, etc.)
- Dimensions, including area, of each room
- Elevation Drawings - 1:200 scale recommended, all units in metric, including:
 - Exterior of subject building(s) - all elevations with direction labeled
 - Dimensioned height from grade on all elevations
 - Materials and proposed colour details (e.g. roof, trim, façade)

For Commercial, Industrial, and Multi-family applications, also include:

- Coloured elevation drawings
- Drawings of street elevation with relationship to buildings on adjacent properties
- Size and location of any proposed signage
- Coloured rendering(s) including complete building elevations and landscaping
 - For smaller-scale developments, a minimum of one coloured rendering is required; for larger-scale developments, photo realistic coloured renderings from multiple perspectives that show the details of finished materials are required
 - Additional renderings may be required at the discretion of the Department Manager, Development Planning
- Materials Board - that can be duplicated (no physical samples) including:
 - Roofing material and colour
 - Exterior materials and colours
 - Window, door, and trim materials and colours
 - Any additional materials and colours (e.g. balconies, railings, etc.)
- Landscape Plan

Landscape Plan with drawings to scale, in metric units with north arrow, as per the requirements set by the Department Manager, Development Planning based on the City of Kelowna Landscape Plan Terms of Reference, which may include:

- Notation on all drawings: "Completed works must meet approved development permit drawings. Amendment application must be made for any alterations prior to works being completed."
- Outline of existing and proposed buildings(s)
- Pre-development inventory completed by a **Qualified Professional** of all trees located on and off the property with overhanging branches or root systems, with a basic description of species, trunk diameter and location, highlighting invasive species, fruit trees, and cultivated trees.
- At the discretion of the **Department Manager, Development Planning**, a tree condition assessment may be required describing tree health including estimated life span and impacts of the proposed development on tree viability
- Existing trees and vegetated areas to be retained and to be removed
- Parking layout and surface treatment
- Soft landscaping (trees, hedges, planting beds, vines, lawn, etc.), including vegetation within public road right-of-way
- Plant list of trees, shrubs, perennials and ground covers including quantities, botanical and common names, planting sized on centre spacing

- Hard landscaping (paving stone, brick, concrete, etc.) including materials within public road right-of-way
- Permeable paving, materials and details of proposed system/design
- Landscape structures (fences, trellis, arbours, retaining walls, lighting, etc.)
- Location and size of amenity areas, play areas, and private open space, if applicable
- Green roof or on-slab landscape areas including details of proprietary systems or custom design
- Where a Landscape Plan is required as a condition of a Natural Environmental Development Permit, the plan will be stamped and sealed by a Qualified Professional
- Bicycle parking / storage facility
- Irrigation layout plan
- Location and treatment of garbage enclosure (including materials and dimensions)
- Notation of any proposed boulevard trees and off-site landscaping
- Grading including all existing and proposed geodetic elevations, top and bottom of retaining walls and slopes, slope ratios
- Performance Security and preliminary construction cost estimate in accordance with Section 2.9 of this Bylaw

l) (i) If the preliminary landscape construction estimate exceeds \$50,000.00 the Landscape Plan must be prepared by a Registered Landscape Architect and include the additional details:

- Letter of understanding; BC Society of Landscape Architects Schedule L is required at time of Building Permit Submission.
 - Notation on all drawings; "Landscape Construction Drawings and BC SLA Schedule L is required at time of Building Permit application. Must include a Water Conservation Report in accordance with Water Regulation Bylaw No. 10480 (as amended or replaced from time to time), including a Landscape Water Budget, a Hydrozone Plan and an Irrigation Plan prepared by a Certified Irrigation Designer"
 - Irrigation Hydrozone Plan drawing
 - All items noted above in Schedule 1 (l)";
- Environmental Assessment Report – prepared as per the City of Kelowna Environmental Assessment Terms of Reference, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable. The assessment will include but is not limited to a biophysical inventory that stratifies and maps environmentally sensitive areas, a habitat balance sheet, a cumulative effects assessment, and a gap analysis.
 - Habitat Restoration Plan - prepared, signed and sealed by a Qualified Professional, which identifies and recommends restoration areas and details measures necessary to restore the subject property(s) to a level acceptable to the City. The plan will include but is not limited to:
 - A landscape plan that includes descriptions of all polygon treatments proposed, representative descriptions and images for each treatment type and a recommended inspection and maintenance schedule;

- A cost estimate that includes the anticipated costs of implementing the landscape plan and provisions for inspections, maintenance and environmental effectiveness monitoring; and
 - An “as-built” report may be requested upon completion of the habitat restoration work as a condition of the Development Permit that describes and justifies any departures from the proposed restoration prescriptions, provides images and descriptions for each treatment type as completed, recommends additional mid- to long-term measures to enhance the success of the project, and includes a summary of final project costs.
- Environmental Monitoring Plan - prepared, signed and sealed by a Qualified Professional that assures project construction activities comply with environmental provisions defined in authorizations and permits, applicable legislation, City environmental management guidelines and policies and industry best management practices. An Environmental Monitoring Plan will assure that appropriate levels of protection are in place to prevent or minimize environmental impacts, will prepare timely, accurate and unbiased reporting, and will include a cost estimate for all monitoring and associated works.
 - Information about the historical significance and architectural merit of a property. A statement of significance and / or heritage review, prepared by a Qualified Heritage Professional, may be required in accordance with terms of reference outlined by the Development Planning Department, at the discretion of Department Manager, Development Planning.

Schedule '1' - Proposed

Schedule '1' – Application Requirements

The information listed below will be required for applications under this **bylaw** in accordance with Schedules '2' to '14' of this bylaw:

- Application Form
- State of Title - including complete copies of any easements, rights-of-way, Section 219 covenants and other non-financial charges registered on Title. Must be printed within 30 days of making the application.
- Owner's Authorization Form
- **Site** Profile - in accordance with the Environmental Management Act.
- Zoning Analysis Table - illustrating how the proposal meets or deviates from **Zoning Bylaw** requirements.
- Project Rationale - explaining the project's conformity with relevant **City** policies including **OCP** policies and, where applicable, **Development Permit Guidelines**.
- Photographs - of the **site** and surrounding context (e.g. neighbouring properties, on-**site** structures, important features, etc.) in colour and at a legible size.
- **Site** Plan - 1:200 scale recommended, all units in metric, with north arrow, including:
 - Civic address and legal description
 - Property line and setbacks, accurately dimensioned
 - Easements, rights-of-way, and covenant areas
 - Outline of existing and proposed building(s), accurately dimensioned
 - Parking layout and allocation, including:
 - Stall dimensions
 - Drive aisle dimensions
 - Parking setbacks to property lines
 - Description of stall uses (ex. visitor stall, loading stall, and resident stall, etc.)
 - EV ready parking stalls
 - **Site** lighting
 - Location and dimensions of private open space
 - **Site** grading, including retaining walls and retention slopes
 - Existing geodetic elevations and proposed geodetic elevations

For Commercial, Industrial, and **Multiple Unit Residential** applications, also include:

- Location, number, and dimensions of bicycle parking spaces
- Location, number, and dimensions of accessible parking spaces
- Provisions for universal access
- Location of any existing and/or proposed freestanding signage
- Location of recycling and garbage enclosure
- Floor Plans - for each floor including basement and parking areas, 1:200 scale recommended, all units in metric, with north arrow, including:
 - Layout and dimensions of all parking stalls, drive aisles, accessible stalls

- EV ready parking stalls
- Layout and dimensions of all exterior and interior walls
- Location of doors and windows
- Use of each room (e.g. bedroom, bathroom, etc.)
- Dimensions, including area, of each room
- Elevation Drawings - 1:200 scale recommended, all units in metric, including:
 - Exterior of subject building(s) - all elevations with direction labeled
 - Dimensioned height from grade on all elevations
 - Materials and proposed colour details (e.g. roof, trim, façade)

For Commercial, Industrial, and **Multiple Unit Residential** applications, also include:

- Coloured elevation drawings
- Drawings of street elevation with relationship to buildings on adjacent properties
- Size and location of any proposed signage
- Coloured rendering(s) including complete building elevations and landscaping
 - For smaller-scale developments, a minimum of one coloured rendering is required; for larger-scale developments, photo realistic coloured renderings from multiple perspectives that show the details of finished materials are required
 - Additional renderings may be required at the discretion of the **Department Manager, Development Planning**
- For applications within the **Core Area Neighbourhood Designation**, also include a Streetscape Drawing that contains the following:
 - Front elevation of proposed building and adjacent buildings on each side
 - Projections, doors, windows, overhead doors
 - Roof slopes labelled
 - Property lines extend vertically
 - Existing and proposed grade
- Materials Board - that can be duplicated (no physical samples) including:
 - Roofing material and colour
 - Exterior materials and colours
 - Window, door, and trim materials and colours
 - Any additional materials and colours (e.g. balconies, railings, etc.)
- **Landscape Plan**
Landscape Plan with drawings to scale, in metric units with north arrow, as per the requirements set by the **Department Manager, Development Planning** based on the **City** of Kelowna Landscape Plan Terms of Reference, which may include:
 - Notation on all drawings: "Completed works must meet approved **development permit** drawings. Amendment application must be made for any alterations prior to works being completed."
 - Outline of existing and proposed buildings(s)
 - Parking layout and surface treatment
 - Soft landscaping (trees, hedges, planting beds, vines, lawn, etc.), including vegetation within public road right-of-way

- Plant list of trees, shrubs, perennials and ground covers including quantities, botanical and common names, planting sized on centre spacing
- Hard landscaping (paving stone, brick, concrete, etc.) including materials within public road right-of-way
- Permeable paving, materials and details of proposed system/design
- Landscape structures (fences, trellis, arbours, retaining walls, lighting, etc.)
- Location and size of amenity areas, play areas, and private open space, if applicable
- Green roof or on-slab landscape areas including details of proprietary systems or custom design
- Where a **Landscape Plan** is required as a condition of a Natural Environmental **Development Permit**, the plan will be stamped and sealed by a **Qualified Professional**
- Bicycle parking / storage facility
- Irrigation layout plan
- Location and treatment of garbage enclosure (including materials and dimensions)
- Notation of any proposed boulevard trees and off-site landscaping
- Grading including all existing and proposed geodetic elevations, top and bottom of retaining walls and slopes, slope ratios
- Performance Security and preliminary construction cost estimate in accordance with Section 2.9 of this Bylaw

If the preliminary landscape construction estimate exceeds \$50,000.00 the **Landscape Plan** must be prepared by a Registered **Landscape Architect** and include the additional details:

- Letter of understanding; BC Society of **Landscape Architects** Schedule L is required at time of **Building Permit** Submission.
 - Notation on all drawings; "Landscape Construction Drawings and BCSLA Schedule L is required at time of **Building Permit** application. Must include a Water Conservation Report in accordance with Water Regulation Bylaw No. 10480 (as amended or replaced from time to time), including a Landscape Water Budget, a Hydrozone Plan and an Irrigation Plan prepared by a Certified Irrigation Designer"
 - Irrigation Hydrozone Plan drawing
 - All items noted above in Schedule 1 (l)"
- Pre-Development Tree Inventory
 - At the discretion of the **Department Manager, Development Planning**, a Pre-development inventory completed by a **Qualified Professional** may be required. If required, it shall include all trees located on and off the property with overhanging branches or root systems, with a basic description of species, trunk diameter and location, highlighting invasive species, fruit trees, and cultivated trees may be required
 - At the discretion of the **Department Manager, Development Planning**, a tree condition assessment may be required describing tree health including estimated life span and impacts of the proposed development on tree viability
 - Existing trees and vegetated areas to be retained and to be removed overlain on a site plan drawing of the proposed development with Tree Protection Zones drawn to scale (zone size based on trunk diameter as per Bylaw No. 8041)

- Environmental Assessment Report – prepared as per the **City** of Kelowna Environmental Assessment Terms of Reference, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable. The assessment will include but is not limited to a biophysical inventory that stratifies and maps environmentally sensitive areas, a habitat balance sheet, a cumulative effects assessment, and a gap analysis.
- Habitat Restoration Plan - prepared, signed and sealed by a **Qualified Professional**, which identifies and recommends restoration areas and details measures necessary to restore the subject property(s) to a level acceptable to the **City**. The plan will include but is not limited to:
 - A **landscape plan** that includes descriptions of all polygon treatments proposed, representative descriptions and images for each treatment type and a recommended inspection and maintenance schedule;
 - A cost estimate that includes the anticipated costs of implementing the **landscape plan** and provisions for inspections, maintenance and environmental effectiveness monitoring; and
 - An “as-built” report may be requested upon completion of the habitat restoration work as a condition of the **Development Permit** that describes and justifies any departures from the proposed restoration prescriptions, provides images and descriptions for each treatment type as completed, recommends additional mid- to long-term measures to enhance the success of the project, and includes a summary of final project costs.
- Environmental Monitoring Plan - prepared, signed and sealed by a **Qualified Professional**, including a cost estimate for all monitoring and associated works, that assures project construction activities both on-**site** and off-**site** (such as staging/disposal) comply with environmental provisions defined in authorizations and permits, applicable legislation, **City** environmental management guidelines and policies and industry best management practices. A monitoring schedule must be identified including regular submission of monitoring reports directly to the **City** of Kelowna. An Environmental Monitoring Plan will assure that appropriate levels of protection are in place to prevent or minimize environmental impacts, will prepare timely, accurate and unbiased reporting.
- Information about the historical significance and architectural merit of a property. A statement of significance and / or heritage review, prepared by a **Qualified Heritage Professional**, may be required in accordance with terms of reference outlined by the **Development Planning** Department, at the discretion of **Department Manager, Development Planning**.

Schedule '2' – Current

Schedule '2' – Applications to Amend an Official Community Plan Bylaw or a Zoning Bylaw

This Schedule describes the process applicants must follow to amend an OCP or Zoning Bylaw, including the application requirements and processing procedure. Following the steps outlined below does not grant a right to development approval.

1.0 APPLICATION REQUIREMENTS

1.1. The following information is required for applications to amend an OCP or Zoning Bylaw. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	f) Project Rationale
b) State of Title	g) Site Plan
c) Owner's Authorization Form (if applicable)	h) Floor Plan (if available)
d) Site Profile (if applicable)	i) Elevation Drawings (if available)
e) Zoning Analysis Table	j) Landscape Plan

1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate an amendment application.

2.0 PROCESSING PROCEDURE

An amendment application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Development Planning will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting(s) at which the application will be considered.
- h) If Council decides to proceed with the application, an amending bylaw will be given first reading and conditions will be established, where appropriate. Council may alternatively decide to refer, table or deny the application.

- i) Should the amending bylaw receive first reading, a Public Hearing will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act. Should Council choose to waive the Public Hearing for an application to amend the Zoning Bylaw, notice of a waived Public Hearing will be given pursuant to the Local Government Act.
- j) Following the Public Hearing or waiving of the Public Hearing, Council will consider the amendment bylaw and may proceed with second and third readings, refer, table or deny the application. Upon third reading, an amendment bylaw may need to be sent to relevant provincial ministry(s) for approval before proceeding to adoption.
- k) When the applicant has adequately addressed all the conditions associated with the application, Council will consider the adoption of the bylaw(s), subject to Section 2.2.1(b) of this bylaw.
- l) Following reading consideration, the Office of the City Clerk will notify the applicant in writing of Council's decision.

Schedule '2' – Proposed

Schedule '2' – Applications to Amend an Official Community Plan Bylaw and/or a Zoning Bylaw

This Schedule describes the process applicants must follow to amend an **OCP** or **Zoning Bylaw**, including the application requirements and processing procedure. For the purposes of processing applications, Text Amendments shall follow the same process as a Zoning Bylaw Amendment as per the *Local Government Act*. Following the steps outlined below does not grant a right to development approval.

1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for applications to amend an **OCP** or **Zoning Bylaw**. See Schedule '1' of this bylaw for a description of each application requirement.

Application Form	Zoning Analysis Table
State of Title	Project Rationale
Owner's Authorization Form	Photographs
Site Profile	Site Plan

- 1.2. Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately evaluate an amendment application.

2.0 PROCESSING PROCEDURE

An amendment application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- m) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications.
- d) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- e) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- f) **Development Planning** will prepare a staff report for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting(s) at which the application will be considered.

- g) **Council** will consider the application in accordance with Section 2.2.1(a) of this bylaw regarding reading considerations and **Public Hearings**, as provided for in section 464 of the *Local Government Act*.
- h) When the applicant has adequately addressed all the conditions associated with the application, **Council** will consider the adoption of the bylaw(s), subject to Section 2.2.1(b) of this bylaw.
- i) Following reading consideration, the Office of the **City Clerk** will notify the applicant in writing of **Council's** decision.

Schedule '3' – Current

Schedule '3' – Development Permit Applications

This Schedule describes the process applicants must follow for Development Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 FORM AND CHARACTER & FARM PROTECTION DEVELOPMENT PERMITS

1.1. Form and Character & Farm Protection Direct Development Permits

1.1.1. Restriction on Delegation

Direct Development Permits are approved by the Department Manager, Development Planning. As a restriction on Section 2.3.5(a), the Department Manager, Development Planning may only issue Development Permits that meet the following criteria:

- a) Form and Character Development Permits not containing any residential uses, where:
 - i. The application does not require Ministry of Transportation and Infrastructure approval;
 - ii. The proposed development does not impact adjacent or abutting residential developments; and
 - iii. The proposed development is generally consistent with applicable Development Permit guidelines in the OCP.
- b) Form and Character Development Permits for residential development on an MF1 – Infill Housing zoned property where:
 - i. The proposed development is generally consistent with the applicable Development Permit guidelines in the OCP.
- c) Farm Protection Development Permits, where:
 - i. The proposed development is generally consistent with the applicable Development Permit guidelines in the OCP.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '3', Section 1.2 – Form and Character & Farm Protection Council Development Permits, below.

1.1.2. Application Requirements

- a) The following information is required for Form and Character and Farm Protection Direct Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Direct Form and Character Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
i) Floor Plan
j) Elevation Drawings
k) Materials Board
l) Landscape Plan

Direct Farm Protection Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
i) Elevation Drawings
j) Landscape Plan

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Development Permit application.

1.1.3. Processing Procedure

An Form and Character or Farm Protection Direct Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- e) Relevant referral agency comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered against the title of the property(s) at the Land Title Office.

1.2. Form and Character & Farm Protection Council Development Permits

1.2.1. Application Requirements

- a) The following information is required for Form and Character and Farm Protection Council Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Council Form and Character Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
i) Floor Plan
j) Elevation Drawings
k) Materials Board
l) Landscape Plan

Council Farm Protection Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
i) Elevation Drawings
j) Landscape Plan

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Permit application.

1.2.2. Processing Procedure

An Form and Character and Farm Protection Council Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- e) Development Planning will prepare a staff report and refer the application to any relevant Council Committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- f) Upon receipt of the recommendation of the Council committee and comments from other referral agencies, Development Planning will prepare a staff report and draft Development Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- g) The Office of the City Clerk will notify the applicant in writing of the decision of Council.

- h) If authorized for issuance by Council, Development Planning staff will prepare the required Development Permit and related schedules for signature and obtain the required security, pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

2.0 NATURAL ENVIRONMENT AND HAZARDOUS CONDITIONS DEVELOPMENT PERMITS

2.1. Restriction on Delegation

As a restriction on Section 2.3.5(a), the Department Manager, Development Planning may only issue or amend Natural Environment and Hazardous Conditions Development Permits that meet the following criteria:

- a) The permit is consistent with OCP Development Permit Guidelines; and
- b) No variances to the Zoning Bylaw are required.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '3', Section 2.4 – Environment and Hazardous Conditions Council Development Permit, below.

2.2. Minor Direct Development Permit

2.2.1. Application Requirements

- a) The following information is required for Minor Direct Natural Environment and Hazardous Conditions Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Minor Direct Natural Environment Development Permit	Minor Direct Hazardous Conditions Development Permit
a) Application Form	a) Application Form
b) State of Title	b) State of Title
c) Owner's Authorization Form (if applicable)	c) Owner's Authorization Form (if applicable)
d) Site Profile	d) Site Profile (if applicable)
f) Project Rationale	f) Project Rationale
g) Photographs	g) Photographs
h) Site Plan	h) Site Plan
o) Environmental Monitoring Plan	i) Geotechnical Letter (if applicable)

- b) For a Natural Environment Development Permit, proof of contract between the owner(s) and a Qualified Professional to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment Development Permit, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted Qualified Professional to halt or modify any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.
- d) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Development Permit application.

2.2.2. Processing Procedures

A Minor Direct Natural Environment or Hazardous Conditions Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all applicable City departments.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) Relevant technical comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the Development Permit by the Divisional Director, Planning & Development Services and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

2.3. Major Direct Development Permit

2.3.1. Application Requirements

- a) The following information is required for Major Direct Natural Environment and Hazardous Conditions Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Major Direct Natural Environment Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile
f) Project Rationale
g) Photographs
h) Site Plan
m) Environmental Assessment Report
n) Habitat Restoration Plan
o) Environmental Monitoring Plan

Major Direct Hazardous Conditions Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
f) Project Rationale
g) Photographs
h) Site Plan
i) Geotechnical Assessment

- b) For a Natural Environment Development Permit, proof of contract between the owner(s) and a Qualified Professional to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment Development Permit, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted Qualified Professional to halt or modify any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.
- d) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Development Permit application.

2.3.2. Processing Procedures

A Major Direct Natural Environment or Hazardous Conditions Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. An internal staff development review will consider the merits of the proposal.
- e) Relevant technical comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this Bylaw.
- h) Upon sign-off of the Development Permit by the Divisional Director, Planning & Development Services and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

2.4. Natural Environment and Hazardous Conditions Council Development Permit

2.4.1. Application Requirements

- a) The following information is required for Natural Environment and Hazardous Conditions Council Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Council Natural Environment Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile
f) Project Rationale
g) Photographs
h) Site Plan
m) Environmental Assessment Report
n) Habitat Restoration Plan

Council Hazardous Conditions Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
f) Project Rationale
g) Photographs
h) Site Plan
i) Geotechnical Assessment

- b) For a Natural Environment Development Permit, proof of contract between the owner(s) and a Qualified Professional to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment Development Permit, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted Qualified Professional to halt or modify any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.
- d) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Permit application.

2.4.2. Processing Procedures

A Natural Environment or Hazardous Conditions Council Development Permit application submitted in accordance with this Bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. An internal staff development review will consider the merits of the proposal.
- e) Development Planning will prepare a staff report and refer the application to any relevant Council Committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- f) Upon receipt of the recommendation of the Council committee and comments from other referral agencies, Development Planning staff will prepare a staff report and draft Development Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.

- g) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- h) If authorized for issuance by Council, Development Planning staff will prepare the required Development Permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

Schedule '3' – Proposed

Schedule '3' – Development Permit Applications

This Schedule describes the process applicants must follow for **Development Permit** applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 FORM AND CHARACTER & FARM PROTECTION DEVELOPMENT PERMITS

1.1. Form and Character & Farm Protection Direct **Development Permits**

1.1.1. Restriction on Delegation

Direct **Development Permits** are approved by the **Department Manager, Development Planning**. As a restriction on Section 2.3.5(a), the **Department Manager, Development Planning** may only issue **Development Permits** that meet the following criteria:

- a) Form and Character **Development Permits** not containing any **residential** uses, where:
 - i. The application does not require Ministry of Transportation and Infrastructure approval;
 - ii. The proposed development does not impact adjacent or abutting **residential** developments; and
 - iii. The proposed development is generally consistent with applicable **Development Permit** guidelines in the **OCP**.
- b) Form and Character **Development Permits** for **Multiple Unit Residential** of three (3) to six (6) units per site where:
 - i. The proposed development is generally consistent with the applicable **Development Permit** guidelines in the **OCP**.
- c) Farm Protection **Development Permits**, where:
 - i. The proposed development is generally consistent with the applicable **Development Permit** guidelines in the **OCP**.

Applications not eligible for issuance or amendment by the **Department Manager, Development Planning** must be considered by **Council** and are subject to the requirements listed in Schedule '3', Section 1.2 – Form and Character & Farm Protection **Council Development Permits**, below.

1.1.2. Application Requirements

- a) The following information is required for Form and Character and Farm Protection Direct **Development Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Direct Form and Character Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Zoning Analysis Table
Project Rationale
Photographs
Site Plan
Floor Plan
Elevation Drawings
Streetscape Drawing
Materials Board
Landscape Plan

Direct Farm Protection Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Zoning Analysis Table
Project Rationale
Photographs
Site Plan
Elevation Drawings
Landscape Plan

- b) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a **Development Permit** application.

1.1.3. Processing Procedure

A Form and Character or Farm Protection Direct **Development Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- e) Relevant referral agency comments will be considered by the **Department Manager, Development Planning**.
- f) **Development Planning** will notify the applicant in writing of the decision of the **Department Manager, Development Planning**.
- g) If authorized for issuance by the **Department Manager, Development Planning**, staff will prepare the required **Development Permit** and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered against the title of the property(s) at the Land Title Office.

1.2. Form and Character & Farm Protection Council **Development Permits**

1.2.1. Application Requirements

- a) The following information is required for Form and Character and Farm Protection **Council Development Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Form and Character Council Development Permit	Farm Protection Council Development Permit
Application Form	Application Form
State of Title	State of Title
Owner's Authorization Form	Owner's Authorization Form
Site Profile (if applicable)	Site Profile (if applicable)
Zoning Analysis Table	Zoning Analysis Table
Project Rationale	Project Rationale
Photographs	Photographs
Site Plan	Site Plan
Floor Plan	Elevation Drawings
Elevation Drawings	Landscape Plan
Materials Board	
Landscape Plan	

- b) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately make a recommendation to **Council** regarding a **Development Permit** application.

1.2.2. Processing Procedure

A Form and Character and Farm Protection **Council Development Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications.
- e) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** Committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- f) Upon receipt of the recommendation of the **Council** committee and comments from other referral agencies, **Development Planning** will prepare a staff report and draft **Development**

Permit for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting at which the application is being considered.

- g) The Office of the **City Clerk** will notify the applicant in writing of the decision of **Council**.
- h) If authorized for issuance by **Council**, **Development Planning** staff will prepare the required **Development Permit** and related schedules for signature and obtain the required security, pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered on the State of Title of the subject property(s).

2.0 NATURAL ENVIRONMENT AND HAZARDOUS CONDITIONS **DEVELOPMENT PERMITS**

2.1. Restriction on Delegation

As a restriction on Section 2.3.5(a), the **Department Manager, Development Planning** may only issue or amend Natural Environment and Hazardous Conditions **Development Permits** that meet the following criteria:

- a) The permit is consistent with **OCP Development Permit** Guidelines; and
- b) No variances to the **Zoning Bylaw** are required.

Applications not eligible for issuance or amendment by the **Department Manager, Development Planning** must be considered by **Council** and are subject to the requirements listed in Schedule '3', Section 2.4 – Environment and Hazardous Conditions Council **Development Permit**, below.

2.2. Minor Direct **Development Permit**

2.2.1. Application Requirements

- a) The following information is required for Minor Direct Natural Environment and Hazardous Conditions **Development Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Minor Direct Natural Environment Development Permit	Minor Direct Hazardous Conditions Development Permit
Application Form	Application Form
State of Title	State of Title
Owner's Authorization Form (if applicable)	Owner's Authorization Form (if applicable)
Site Profile	Site Profile (if applicable)
Project Rationale	Project Rationale
Photographs	Photographs
Site Plan	Site Plan
Environmental Monitoring Plan	Geotechnical Letter (if applicable)

- b) For a Natural Environment **Development Permit**, proof of contract between the owner(s) and a **Qualified Professional** to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment **Development Permit**, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted **Qualified Professional** to halt or modify

any construction activity necessary to ensure compliance with the requirements of the **Development Permit** and best management practices.

- d) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a **Development Permit** application.

2.2.2. Processing Procedures

A Minor Direct Natural Environment or Hazardous Conditions **Development Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all applicable **City** departments.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies.
- e) Relevant technical comments will be considered by the **Department Manager, Development Planning**.
- f) **Development Planning** will notify the applicant in writing of the decision of the **Department Manager, Development Planning**.
- g) If authorized for issuance by the **Department Manager, Development Planning**, staff will prepare the required **Development Permit** and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered on the State of Title of the subject property(s).

2.3. Major Direct **Development Permit**

2.3.1. Application Requirements

- a) The following information is required for Major Direct Natural Environment and Hazardous Conditions **Development Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Major Direct Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Assessment Report
Habitat Restoration Plan
Environmental Monitoring Plan
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

Major Direct Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Assessment
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

- b) For a Natural Environment **Development Permit**, proof of contract between the owner(s) and a **Qualified Professional** to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment **Development Permit**, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted **Qualified Professional** to halt or modify any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.
- d) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw, such as a hydrogeological or wildfire hazard mitigation assessment to adequately evaluate, issue, and/or deny a **Development Permit** application.

2.3.2. Processing Procedures

A Major Direct Natural Environment or Hazardous Conditions **Development Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. An internal staff development review will consider the merits of the proposal.
- e) Relevant technical comments will be considered by the **Department Manager, Development Planning**.
- f) **Development Planning** will notify the applicant in writing of the decision of the **Department Manager, Development Planning**.

- g) If authorized for issuance by the **Department Manager, Development Planning**, staff will prepare the required **Development Permit** and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this Bylaw.
- h) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered on the State of Title of the subject property(s).

2.4. Natural Environment and Hazardous Conditions Council **Development Permit**

2.4.1. Application Requirements

- a) The following information is required for Natural Environment and Hazardous Conditions **Council Development Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Natural Environment Council Development Permit	Hazardous Conditions Council Development Permit
Application Form	Application Form
State of Title	State of Title
Owner's Authorization Form	Owner's Authorization Form
Site Profile	Site Profile (if applicable)
Project Rationale	Project Rationale
Photographs	Photographs
Site Plan	Site Plan
Environmental Assessment Report	Geotechnical Assessment
Habitat Restoration Plan	Grading Plan
Grading Plan	Stormwater Management Plan
Stormwater Management Plan	Erosion and Sediment Control Plan
Erosion and Sediment Control Plan	

- b) For a Natural Environment **Development Permit**, proof of contract between the owner(s) and a **Qualified Professional** to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment **Development Permit**, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted **Qualified Professional** to halt or modify any construction activity necessary to ensure compliance with the requirements of the **Development Permit** and best management practices.
- d) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately make a recommendation to **Council** regarding a **Development Permit** application.

2.4.2. Processing Procedures

A Natural Environment or Hazardous Conditions Council **Development Permit** application submitted in accordance with this Bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.

- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. An internal staff development review will consider the merits of the proposal. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications.
- e) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** Committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- f) Upon receipt of the recommendation of the **Council** committee and comments from other referral agencies, **Development Planning** staff will prepare a staff report and draft **Development Permit** for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting at which the application is being considered.
- g) The Office of the **City Clerk** will notify the applicant in writing of the decision of **Council**.
- h) If authorized for issuance by **Council**, **Development Planning** staff will prepare the required **Development Permit** and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered on the State of Title of the subject property(s).

Schedule '4' – Current

Schedule '4' – Development Variance Permit Applications

This Schedule describes the process applicants must follow for Development Variance Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 DEVELOPMENT VARIANCE PERMITS

1.1 Minor Development Variance Permits

1.1.1 Restriction on Delegation – Minor Criteria

As a restriction on Section 2.3.7(a), only 'Minor' Development Variance Permits can be approved by the Department Manager, Development Planning. As required by Section 498.1(2)a of the Local Government Act, the criteria for determining whether a proposed variance is minor is determined by the following:

1. Minor variances only apply to Zoning Bylaw No. 12375 (except Section 9 of Zoning Bylaw No. 12375) and not to other bylaws (such as the Sign Bylaw); AND
 - a) A Development Variance Permit application is submitted when an associated Form and Character Development Permit application is not required; OR
 - b) A Development Variance Permit application is submitted for any commercial or industrial development in which the authority for the Form and Character Development Permit has been delegated to the Department Manager, Development Planning; OR
 - c) A Heritage Alteration Permit application is submitted with variances in which the authority for the Heritage Alteration Permit has been delegated to the Department Manager, Development Planning.

1.1.2 Restriction on Delegation – Guidelines

As required by Section 498.1(2)b of the Local Government Act, the guidelines the delegate must consider in deciding whether to issue a Development Variance Permit is determined by the following:

1. Scope and scale of variances.
 - a) For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
2. Use and enjoyment of neighbouring lands.
 - a) A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
3. Effects on the natural environment.
 - a) For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment Development Permit approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
4. Appropriateness of the development.

- a) A variance could decrease the appropriateness of the development if certain Official Community Plan policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
5. Intent of the Zoning Bylaw
- a) A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
6. Public interest in variances
- a) For example, if a variance triggers a significant public response to the Development Planning Department Manager during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '4', Section 1.2 – Development Variance Permits, below.

1.1.3 Application Requirements

- a) The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	Materials Board (if applicable)

- b) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a **Development Variance Permit** application.

1.1.4 Processing Procedure

A **Development Variance Permit** application submitted in accordance with this bylaw will be processed as follows:

- 1.2 Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
 - a) **Development Planning** will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.

- b) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- c) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies.
- d) Relevant referral agency comments will be considered by the **Department Manager, Development Planning**.
- e) **Development Planning** will notify the applicant in writing of the decision of the **Department Manager, Development Planning**.
- f) If authorized for issuance by the **Department Manager, Development Planning**, staff will prepare the required **Development Permit** and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- g) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered against the title of the property(s) at the Land Title Office.

1.3 Development Variance Permits

1.3.1 Application Requirements

- a) The following information is required for **Development Variance Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	

- b) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately make a recommendation to **Council** regarding a **Development Variance Permit application**.

1.3.2 Processing Procedure

A **Development Variance Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies.

- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report and draft Development Variance Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by the Council, Development Planning staff will prepare the required Development Variance Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- j) Upon sign-off of the Development Variance Permit by the Department Manager, Development Planning and receipt of required security, the Development Variance Permit will be issued and then registered on the State of Title of the subject property(s).

Schedule '4' – Proposed

Schedule '4' – Development Variance Permit Applications

This Schedule describes the process applicants must follow for **Development Variance Permit** applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 DEVELOPMENT VARIANCE PERMITS

1.1 Minor Development Variance Permits (Direct Delegated)

1.1.1 Restriction on Delegation – Minor Criteria

As a restriction on Section 2.3.7(a), only 'Minor' **Development Variance Permits** can be approved by the **Department Manager, Development Planning**. As required by Section 498.1(2)a of the *Local Government Act*, the criteria for determining whether a proposed variance is minor is determined by the following:

1. Minor variances include variances to the **Zoning Bylaw** (except Section 9 – Specific Use Regulations) and **Sign Bylaw** where:
 - a) A **Development Permit** is not required; or
 - b) A **Development Permit** has been delegated to the **Department Manager, Development Planning** in accordance with Schedule '3', Section 1.1.1 of this bylaw; or
 - c) A **Heritage Alteration Permit** has been delegated to the **Department Manager, Development Planning** in accordance with Schedule '13', Section 1.1 of this bylaw.

1.1.2 Restriction on Delegation – Guidelines

As required by Section 498.1(2)b of the *Local Government Act*, the guidelines the delegate must consider in deciding whether to issue a **Development Variance Permit** is determined by the following:

1. Scope and scale of variances.
 - a) For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
2. Use and enjoyment of neighbouring lands.
 - a) A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
3. Effects on the natural environment.
 - a) For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment **Development Permit** approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
4. Appropriateness of the development.
 - a) A variance could decrease the appropriateness of the development if certain **Official Community Plan** policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope

area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

5. Intent of the **Zoning Bylaw** and **Sign Bylaw**:

- a) A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

6. Public interest in variances:

- a) For example, if a variance triggers a significant public response to the **Department Manager, Development Planning** during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**. In addition, the delegate shall consider public voices that are typically underrepresented to serve the whole public interest.

Applications not eligible for issuance or amendment by the **Department Manager, Development Planning** must be considered by **Council** and are subject to the requirements listed in Schedule '4', Section 1.2 – **Development Variance Permits**, below.

1.1.3 Application Requirements

- a) The following information is required for **Development Variance Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	Materials Board (if applicable)

- b) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately make a recommendation to **Council** regarding a **Development Variance Permit** application.

1.1.4 Processing Procedure

A **Development Variance Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.

- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Relevant referral agency comments will be considered by the **Department Manager, Development Planning**.
- g) Development Planning will notify the applicant in writing of the decision of the **Department Manager, Development Planning**.
- h) If authorized for issuance by the **Department Manager, Development Planning**, staff will prepare the required **Development Permit** and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning** and receipt of the required security, the **Development Permit** will be issued and then registered against the title of the property(s) at the Land Title Office.

1.2 Development Variance Permits (Council)

1.2.1 Application Requirements

- a) The following information is required for **Development Variance Permit** applications. See Schedule '1' of this bylaw for a description of each application requirement.

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	

- b) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately make a recommendation to **Council** regarding a **Development Variance Permit** application.

1.2.2 Processing Procedure

A **Development Variance Permit** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) **Development Planning** will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies.

- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- g) Upon receipt of the comments of other referral agencies, **Development Planning** staff will prepare a staff report and draft **Development Variance Permit** for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting at which the application is being considered.
- h) The Office of the **City Clerk** will notify the applicant in writing of the decision of **Council**.
- i) If authorized for issuance by the **Council**, **Development Planning** staff will prepare the required **Development Variance Permit** and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- j) Upon sign-off of the **Development Variance Permit** by the **Department Manager**, **Development Planning** and receipt of required security, the **Development Variance Permit** will be issued and then registered on the State of Title of the subject property(s).

Schedule '15' – Current

Schedule '15' – Early Consideration Applications

This Schedule describes the process applicants must follow for Early Consideration applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

Early Consideration of an application is limited to those projects with a scope and that does not meet current policy and objectives of pertinent bylaws. This is not intended to be a means for applications to circumvent standard application processes as outlined in this bylaw.

1.0 APPLICATION REQUIREMENTS

1.1. Submission of a complete application in accordance with Schedules '1', '2' and '3' of this bylaw.

2.0 PROCESSING PROCEDURES

An Early Consideration application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, Development Planning may bring forward a report to Council at the discretion of the Department Manager, Development Planning.
- b) Development Planning will evaluate the proposal for compliance with relevant City bylaws, policies and one or more of the following general criteria:
 - i. The creation of 250 or more new dwelling units;
 - ii. Involves a major change to the Future Land Use class (including, but not limited to, Residential to Commercial, Commercial to Industrial, Resource Protection to Residential) of the applicable parcels(s) or portions thereof;
 - iii. Involves a change of two (2) increments within a Future Land Use class (including, but not limited to, Single / Two Unit Residential to Multiple Unit Residential (Medium Density)).
 - iv. Involves a major change in land use intensity (including, but not limited to, local to urban centre commercial, or business to heavy industrial).
 - v. The creation of a Comprehensive Development zone; or
 - vi. The project is not considered to meet relevant City bylaws or policies.
- c) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- d) Development Planning will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting(s) at which the application will be considered.
- e) If Council decides to proceed with the application, the application will proceed as outlined in Schedule '2' or '3' of this bylaw. Council may alternatively decide to refer, table or deny the application.

Schedule '15' – Proposed

Schedule '15' – Early Consideration Applications

This Schedule describes the process applicants must follow for **Early Consideration** applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

Early Consideration of an application is limited to those projects with a scope and that does not meet current policy and objectives of pertinent bylaws. This is not intended to be a means for applications to circumvent standard application processes as outlined in this bylaw.

1.0 APPLICATION REQUIREMENTS

1.1. Submission of a complete application in accordance with Schedules '2' and '3' of this bylaw.

2.0 PROCESSING PROCEDURES

An **Early Consideration** application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, **Development Planning** may bring forward a report to **Council** at the discretion of the **Department Manager, Development Planning**.
- b) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws, policies and one or more of the following general criteria:
 - i. The creation of 250 or more new dwelling units;
 - ii. Involves a major change to the **Future Land Use class** (including, but not limited to, **Residential** to Commercial, Commercial to Industrial, Resource Protection to **Residential**) of the applicable parcels(s) or portions thereof;
 - iii. The creation of a Comprehensive Development zone; or
 - iv. The project is not considered to meet relevant **City** bylaws or policies.
- c) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- d) **Development Planning** will prepare a staff report for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting(s) at which the application will be considered.
- e) If **Council** decides to proceed with the application, the application will proceed as outlined in Schedule '2' or '3' of this bylaw. **Council** may alternatively decide to refer, table or deny the application.



City of
Kelowna

Development Application & Heritage Procedures Bylaw No. 12310

Amendment No. 4

Purpose

- ▶ To consider amendments to the Development Application and Heritage Procedures Bylaw No. 12310 to implement mandated legislation on Public Hearing procedures, improve processing of development applications, and conduct bylaw maintenance.

Council Priority Alignment

- ▶ Affordable Housing
 - ▶ Implementing mandated legislation on Public Hearings will streamline residential housing approvals
 - ▶ Improving processing of development files to improve efficiency for applicants, Staff, and Council

Background

- ▶ Bylaw to establish procedures for processing development applications:
 - ▶ Official Community Plan Amendments (OCP)
 - ▶ Zoning Amendments
 - ▶ Development Permits (Delegated & Council)
 - ▶ Development Variance Permits (Delegated Minor & Council)
 - ▶ ALC Applications, Temporary Farm Worker Housing
 - ▶ Others

Proposed Amendments to Procedures Bylaw

1. Implement mandated legislation on Public Hearing procedures
2. Improve processing of development applications
3. Bylaw maintenance
 - ▶ No changes proposed to Heritage Procedures.
 - ▶ Heritage Procedure Amendments will be brought forward with OCP Amendments and Heritage Design Guidelines in late April or early May.

Implement Legislation on Public Hearings

Current:

- a) Upon receipt of a report from the **City Manager** respecting an application under Schedule '2' Council may:
 - i. Proceed with the bylaw pursuant to the amendment application ;
 - ii. Forward the amending bylaw or bylaws to a **Public Hearing** or waive the requirement for a **Public Hearing** as provided for in 464 of the *Local Government Act*;
 - iii. Reject or refuse the application; or
 - iv. Defer or otherwise deal with the application.

Proposed:

- a) Upon receipt of a report from the **City Manager** respecting an application under Schedule '2' Council may:
 - i. Proceed with the bylaw pursuant to the amendment application ;
 - ii. Forward the amending bylaw or bylaws to a **Public Hearing, provided that a Public Hearing is permitted in accordance with section 464 of the Local Government Act**;
 - iii. Reject or refuse the application; or
 - iv. Defer or otherwise deal with the application.

Public Hearing Streams

- i. Zoning or bylaw is **inconsistent** with OCP - a Public Hearing is **required**
 - ii. Zoning or bylaw is **non-residential** and **consistent** with OCP – Public Hearing is **not required**
 - iii. Zoning or bylaw is **residential** and **consistent** with OCP – Public Hearing is **not permitted**
- ▶ Amendments to Policy 365: OCP Consistency (under separate report)

Improve Processing of Development Applications

- ▶ Unpair Development Permits & Rezoning Applications
- ▶ Pre-Development Tree Inventory discretionary
 - ▶ Consistent with provincial legislation
 - ▶ Local Governments may not preserve trees to hinder infill development
- ▶ Building Permits can be reviewed at same time as Development Permits

Revise Delegated Authority Development Permits

Development Permits Current:

- MF1 zoned properties
- Commercial, industrial & institutional that does not require MOTI approval and is not adjacent to residential

Development Permits Proposed:

- Three – Six dwelling units
- Commercial, industrial & institutional that does not require MOTI approval and is not adjacent to residential (no change)

Progress Update on Minor Delegated Variance Authority

- ▶ May 8, 2023 – March 8, 2024
- ▶ 17 in residential zoning and four in commercial and industrial zoning

Type	Quantity
Approved by Delegate	12
Cancelled by Applicant	2
Active Applications	7
TOTAL	21

- ▶ Scope & Scale, Use & Enjoyment, Natural Environment, Appropriateness, Public Interest

Revise Delegated Authority Minor Development Variance Permits

Current:

- Single and Two Dwelling Housing
- Commercial, industrial & institutional that does not require MOTI approval and is not adjacent to residential

Proposed:

- One to Six Dwelling Units
- Commercial, industrial & institutional that does not require MOTI approval and is not adjacent to residential (no change)
- Sign Bylaw

Bylaw Maintenance

- ▶ Update terminology
- ▶ Update definitions
- ▶ Update references to other bylaws
- ▶ Chart formatting
- ▶ Authority to execute Landscape Agreements

Conclusion

- ▶ Staff recommend support for the amendments to the Development Application and Heritage Procedures Bylaw No. 12310:
- ▶ Streamline housing approvals, saving time and costs
 - ▶ Implement mandated legislation on Public Hearing procedures
 - ▶ Improve processing of development applications
 - ▶ Bylaw maintenance



CITY OF KELOWNA

Bylaw No. 12637

Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Development Application and Heritage Procedures Bylaw No. 12310 be amended as follows:

1. THAT **Section 1.0 Introduction** be amended by adding a period following the words "Bylaw No. 12310" in Section 1.0.1.
2. THAT **Section 1.0 Introduction, 1.2 Scope** be amended by
 - 2.1. Deleting the word "or" from Subsection 1.2.1 (j).
 - 2.2. Deleting the word "or" from Subsection 1.2.1 (k).
 - 2.3. Deleting the final period from Subsection 1.2.1 (l) and replacing with a semicolon, and adding "or" following the semicolon.
 - 2.4. Adding the following as Subsection 1.2.1 (m):

"m) For **Early Consideration** by Council."
3. THAT **Section 1.0 Introduction, 1.3 Definitions** be amended by
 - 3.1. Deleting in its entirety the term "Coordinating Hillside Development Professional".
 - 3.2. Amending "Development Application Fees Bylaw" by deleting "10560" and replacing with "12552".
 - 3.3. Amending "Divisional Director, Planning & Development Services" by deleting the defined term and replacing with "Divisional Director, Planning, Climate Action & Development Services".
 - 3.4. Amending "Land Use Contract" by deleting "current Land Use Contract which is being discharged as per Section 546 of the Local Government Act;".
 - 3.5. Adding after the definition of Minor Direct Development Permit and before the definition of Official Community Plan, the new term "'Multiple Unit Residential' means a site with three (3) or more residential dwelling units total;".
 - 3.6. Amending "Official Community Plan" by deleting "2030" and replacing with "2040 -".
 - 3.7. Adding after the definition of Temporary Use Permit and before the term Zoning Bylaw, the new term "'Sign Bylaw' means City of Kelowna Sign Bylaw No. 11530, as amended or replaced from time to time;".
4. THAT **Section 2.0 General Provisions, 2.2 Council Decisions** be amended by
 - 4.1. Deleting in its entirety Subsection 2.2.1 (a) ii. and replacing with

"ii. Forward the amending bylaw or bylaws to a **Public Hearing**, provided that a **Public Hearing** is permitted in accordance with section 464 of the *Local Government Act*."
 - 4.2. Deleting in its entirety Subsection 2.2.1 (b) and replacing with

"b) **Council** may consider final adoption of an amendment bylaw:

 - i. After three readings have been given; and
 - ii. Where approval from the Ministry of Transportation and Infrastructure or another authority or body is required by statute or regulation, following receipt of written approval from the authority.

4.3. Deleting in its entirety Subsection 2.2.6 (a) ii. and replacing with

“ii. Forward the bylaw or bylaws to a **Public Hearing**, provided that a **Public Hearing** is permitted in accordance with all relevant provisions of the *Local Government Act*;”

5. THAT **Section 2.0 General Provisions, 2.3 Delegation of Authority** be amended by

5.1. Deleting in its entirety Subsection 2.3.3 and replacing with

“2.3.3 Performance Security

The powers of Council under Sections 502 and 610(2)(c) of the *Local Government Act* and Section 19 of the *Community Charter* to require security as a condition of the issuance of a **Development Permit, Development Variance Permit, Temporary Use Permit, Heritage Alteration Permit, Heritage Revitalization Agreement, or a Temporary Farm Worker Housing Permit** in accordance with Section 2.9 of this bylaw; and the authority to execute all documents necessary to require security as a condition of issuance.”

5.2. Deleting in its entirety Subsection 2.3.5 and replacing with

“2.3.5 Development Permits

a) The powers of **Council** under Section 489 of the *Local Government Act* to issue and refuse **Development Permits** in respect of **Development Permit** areas established by an **Official Community Plan**, subject to restrictions identified in Schedule ‘3’ of this bylaw. This includes the powers of **Council** to require that the applicant provide security for the purposes of Section 502 of the *Local Government Act*, to establish the conditions of the permit, and to determine whether such requirements and conditions have been met.

b) The powers of **Council** under Section 489 of the *Local Government Act* to issue amendments to **Development Permits**, limited to minor design modifications that:

- are generally consistent with the applicable Development Permit guidelines in the **OCP**; and
- do not require a **Development Variance Permit** that requires **Council** approval.”

5.3. Deleting in its entirety Subsection 2.3.6 (b) and replacing with

“b) Pursuant to Sections 590 and 617 of the *Local Government Act*, the **Department Manager, Development Planning** is authorized to exercise the powers and perform the duties of **Council** with respect to amendments to **Heritage Alteration Permits** that are limited to minor design modifications that:

- are generally consistent with the applicable Heritage Design Guidelines in the **OCP**; and
- do not require a variance that requires **Council** approval.”

5.4. Adding a period to the final sentence of Subsection 2.3.7 (a) following “met”.

6. THAT **Section 2.0 General Provisions, 2.4 Development Approval Information** be amended by deleting “day to day” from Subsection 2.4.2 (c) and replacing with “day-to-day”.

7. THAT **Section 2.0 General Provisions, 2.6 Plans Completed by a Registered Architect** be amended by adding “and sealed” to Subsection 2.6.1 after ‘completed’ and before ‘by a registered architect’.

8. THAT **Section 2.0 General Provisions, 2.7 Heritage Property Applications** be amended by deleting all instances of “**Divisional Director, Planning, & Development Services**” in Subsection 2.7.2 and replacing with “**Divisional Director, Planning, Climate Action & Development Services**”.

9. THAT **Section 2.0 General Provisions, 2.8 Hillside Development** be deleted in its entirety.

10. THAT **Section 2.0 General Provisions, 2.9 Performance Security** Subsection 2.9.3 (e) ii. be amended by deleting “will consider return of 90% of the security” and replace with “will consider return of up to 90% of the security”.

11. THAT **Section 2.0 General Provisions, 2.9 Performance Security** Subsection 2.9.3 (f) ii. be amended by deleting “one (1) year” and replacing with “two (2) years”.

12. THAT **Section 2.0 General Provisions, 2.11 Incomplete Applications** be deleted in its entirety and replaced with

“2.11 Incomplete Applications

If **Department Manager, Development Planning** determines that an application is incomplete, the applicant will be requested to provide the required information prior to the application being referred and circulated. If an applicant

does not provide the required information within three months of the request, the application and fee will be returned. Incomplete applications will not be referred and circulated until they have been deemed complete by the **Department Manager, Development Planning.**”

13. THAT **Section 2.0 General Provisions, 2.15 Enforcement** be amended by deleting “**Divisional Director, Planning, & Development Services**” from Subsection 2.15.1 and replacing with “**Divisional Director, Planning, Climate Action & Development Services**”.
14. THAT **Section 3.0 Application Fees, 3.1 Application Fee Requirement** be amended by deleting subsection 3.1.2 in its entirety.
15. THAT **Section 4.0 Public Notification and Consultation, 4.2 Public Notification** be amended by:
 - 15.1. Deleting in its entirety Subsection 4.2.1 (a)(ii) and replacing it with the following:

“ii. A scheduled **Council** meeting for considering first reading if a **Public Hearing** is not required or is prohibited;”
 - 15.2. Deleting in its entirety Subsection 4.2.2 (b) iii. and replacing it with

“iii. **Development Notice Signs** must remain in place until the conclusion of the **Public Hearing**, or until **Council** has considered the application as applicable, or the application has received first reading where a **Public Hearing** is not held. **Development Notice Signs** must be removed within seven (7) days of the conclusion of a **Public Hearing** or of the **Council meeting** that requires a **Development Notice Sign.**”
 - 15.3. Deleting in its entirety Subsection 4.2.2 (e) iii. and replacing it with

“iii. The date of the relevant **Public Hearing**, or **Council Meeting** at which the application is to be considered, or **Council Meeting** at which first reading will be considered; and
16. THAT **Schedule ‘1’ – Application Requirements** be amended by deleting the Schedule in its entirety and replacing with

“Schedule ‘1’ – Application Requirements

The information listed below will be required for applications under this **bylaw** in accordance with Schedules ‘2’ to ‘15’ of this bylaw:

- Application Form
- State of Title - including complete copies of any easements, rights-of-way, Section 219 covenants and other non-financial charges registered on Title. Must be printed within 30 days of making the application.
- Owner’s Authorization Form
- **Site Profile** - in accordance with the Environmental Management Act.
- Zoning Analysis Table - illustrating how the proposal meets or deviates from **Zoning Bylaw** requirements.
- Project Rationale - explaining the project’s conformity with relevant **City** policies including **OCP** policies and, where applicable, **Development Permit** Guidelines.
- Photographs - of the **site** and surrounding context (e.g. neighbouring properties, on-**site** structures, important features, etc.) in colour and at a legible size.
- **Site Plan** - 1:200 scale recommended, all units in metric, with north arrow, including:
 - Civic address and legal description
 - Property line and setbacks, accurately dimensioned
 - Easements, rights-of-way, and covenant areas
 - Outline of existing and proposed building(s), accurately dimensioned
 - Parking layout and allocation, including:
 - Stall dimensions
 - Drive aisle dimensions
 - Parking setbacks to property lines
 - Description of stall uses (ex. visitor stall, loading stall, and resident stall, etc.)
 - EV ready parking stalls

- **Site** lighting
- Location and dimensions of private open space
- **Site** grading, including retaining walls and retention slopes
- Existing geodetic elevations and proposed geodetic elevations

For Commercial, Industrial, and **Multiple Unit Residential** applications, also include:

- Location, number, and dimensions of bicycle parking spaces
 - Location, number, and dimensions of accessible parking spaces
 - Provisions for universal access
 - Location of any existing and/or proposed freestanding signage
 - Location of recycling and garbage enclosure
- Floor Plans - for each floor including basement and parking areas, 1:200 scale recommended, all units in metric, with north arrow, including:
 - Layout and dimensions of all parking stalls, drive aisles, accessible stalls
 - EV ready parking stalls
 - Layout and dimensions of all exterior and interior walls
 - Location of doors and windows
 - Use of each room (e.g. bedroom, bathroom, etc.)
 - Dimensions, including area, of each room
 - Elevation Drawings - 1:200 scale recommended, all units in metric, including:
 - Exterior of subject building(s) - all elevations with direction labeled
 - Dimensioned height from grade on all elevations
 - Materials and proposed colour details (e.g. roof, trim, façade)

For Commercial, Industrial, and **Multiple Unit Residential** applications, also include:

- Coloured elevation drawings
 - Drawings of street elevation with relationship to buildings on adjacent properties
 - Size and location of any proposed signage
 - Coloured rendering(s) including complete building elevations and landscaping
 - For smaller-scale developments, a minimum of one coloured rendering is required; for larger-scale developments, photo realistic coloured renderings from multiple perspectives that show the details of finished materials are required
 - Additional renderings may be required at the discretion of the **Department Manager, Development Planning**
- For applications within the **Core Area Neighbourhood Designation**, also include a Streetscape Drawing that contains the following:
 - Front elevation of proposed building and adjacent buildings on each side
 - Projections, doors, windows, overhead doors
 - Roof slopes labelled
 - Property lines extend vertically
 - Existing and proposed grade
 - Materials Board - that can be duplicated (no physical samples) including:
 - Roofing material and colour
 - Exterior materials and colours
 - Window, door, and trim materials and colours
 - Any additional materials and colours (e.g. balconies, railings, etc.)
 - **Landscape Plan**

Landscape Plan with drawings to scale, in metric units with north arrow, as per the requirements set by the **Department Manager, Development Planning** based on the **City of Kelowna Landscape Plan Terms of Reference**, which may include:

- Notation on all drawings: "Completed works must meet approved **development permit** drawings. Amendment application must be made for any alterations prior to works being completed."
- Outline of existing and proposed buildings(s)
- Parking layout and surface treatment
- Soft landscaping (trees, hedges, planting beds, vines, lawn, etc.), including vegetation within public road right-of-way
- Plant list of trees, shrubs, perennials and ground covers including quantities, botanical and common names, planting sized on centre spacing
- Hard landscaping (paving stone, brick, concrete, etc.) including materials within public road right-of-way
- Permeable paving, materials and details of proposed system/design
- Landscape structures (fences, trellis, arbours, retaining walls, lighting, etc.)
- Location and size of amenity areas, play areas, and private open space, if applicable
- Green roof or on-slab landscape areas including details of proprietary systems or custom design
- Where a **Landscape Plan** is required as a condition of a Natural Environmental **Development Permit**, the plan will be stamped and sealed by a **Qualified Professional**
- Bicycle parking / storage facility
- Irrigation layout plan
- Location and treatment of garbage enclosure (including materials and dimensions)
- Notation of any proposed boulevard trees and off-site landscaping
- Grading including all existing and proposed geodetic elevations, top and bottom of retaining walls and slopes, slope ratios
- Performance Security and preliminary construction cost estimate in accordance with Section 2.9 of this Bylaw

If the preliminary landscape construction estimate exceeds \$50,000.00 the **Landscape Plan** must be prepared by a Registered **Landscape Architect** and include the additional details:

- Letter of understanding; BC Society of **Landscape Architects** Schedule L is required at time of **Building Permit** Submission.
 - Notation on all drawings; "Landscape Construction Drawings and BCSLA Schedule L is required at time of **Building Permit** application. Must include a Water Conservation Report in accordance with Water Regulation Bylaw No. 10480 (as amended or replaced from time to time), including a Landscape Water Budget, a Hydrozone Plan and an Irrigation Plan prepared by a Certified Irrigation Designer"
 - Irrigation Hydrozone Plan drawing
 - All items noted above in Schedule 1 (l)"
- Pre-Development Tree Inventory
 - At the discretion of the **Department Manager, Development Planning**, a Pre-development inventory completed by a **Qualified Professional** may be required. If required, it shall include all trees located on and off the property with overhanging branches or root systems, with a basic description of species, trunk diameter and location, highlighting invasive species, fruit trees, and cultivated trees may be required
 - At the discretion of the **Department Manager, Development Planning**, a tree condition assessment completed by a **Qualified Professional** may be required describing tree health including estimated life span and impacts of the proposed development on tree viability
 - Existing trees and vegetated areas to be retained and to be removed overlain on a site plan drawing of the proposed development with Tree Protection Zones drawn to scale (zone size based on trunk diameter as per Bylaw No. 8041)
 - Environmental Assessment Report – prepared as per the **City** of Kelowna Environmental Assessment Terms of Reference, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable. The assessment will include but is not limited to a biophysical inventory that stratifies

and maps environmentally sensitive areas, a habitat balance sheet, a cumulative effects assessment, and a gap analysis.

- Habitat Restoration Plan - prepared, signed and sealed by a **Qualified Professional**, which identifies and recommends restoration areas and details measures necessary to restore the subject property(s) to a level acceptable to the **City**. The plan will include but is not limited to:
 - A **landscape plan** that includes descriptions of all polygon treatments proposed, representative descriptions and images for each treatment type and a recommended inspection and maintenance schedule;
 - A cost estimate that includes the anticipated costs of implementing the **landscape plan** and provisions for inspections, maintenance and environmental effectiveness monitoring; and
 - An “as-built” report may be requested upon completion of the habitat restoration work as a condition of the **Development Permit** that describes and justifies any departures from the proposed restoration prescriptions, provides images and descriptions for each treatment type as completed, recommends additional mid- to long-term measures to enhance the success of the project, and includes a summary of final project costs.
- Environmental Monitoring Plan - prepared, signed and sealed by a **Qualified Professional**, including a cost estimate for all monitoring and associated works, that assures project construction activities both on-**site** and off-**site** (such as staging/disposal) comply with environmental provisions defined in authorizations and permits, applicable legislation, **City** environmental management guidelines and policies and industry best management practices. A monitoring schedule must be identified including regular submission of monitoring reports directly to the **City** of Kelowna. An Environmental Monitoring Plan will assure that appropriate levels of protection are in place to prevent or minimize environmental impacts, will prepare timely, accurate and unbiased reporting.
- Information about the historical significance and architectural merit of a property. A statement of significance and / or heritage review, prepared by a **Qualified Heritage Professional**, may be required in accordance with terms of reference outlined by the **Development Planning** Department, at the discretion of **Department Manager, Development Planning.**”

17. THAT **Schedule ‘2’ – Applications to Amend an Official Community Plan Bylaw and/or a Zoning Bylaw** be amended by deleting the Schedule in its entirety and replacing with

“Schedule ‘2’ – Applications to Amend an Official Community Plan Bylaw and/or a Zoning Bylaw

This Schedule describes the process applicants must follow to amend an **OCP** or **Zoning Bylaw**, including the application requirements and processing procedure. For the purposes of processing applications, Text Amendments shall follow the same process as a Zoning Bylaw Amendment as per the *Local Government Act*. Following the steps outlined below does not grant a right to development approval.

1.0 APPLICATION REQUIREMENTS

1.1. The following information is required for applications to amend an **OCP** or **Zoning Bylaw**. See Schedule ‘1’ of this bylaw for a description of each application requirement.

Application Form	Zoning Analysis Table
State of Title	Project Rationale
Owner’s Authorization Form	Photographs
Site Profile	Site Plan

1.2. Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately evaluate an amendment application.

2.0 PROCESSING PROCEDURE

An amendment application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the **City** in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.

- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- g) **Development Planning** will prepare a staff report for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting(s) at which the application will be considered.
- h) **Council** will consider the application in accordance with Section 2.2.1(a) of this bylaw regarding reading considerations and **Public Hearings**, as provided for in section 464 of the *Local Government Act*.
- i) When the applicant has adequately addressed all the conditions associated with the application, **Council** will consider the adoption of the bylaw(s), subject to Section 2.2.1(b) of this bylaw.
- j) Following reading consideration, the Office of the **City Clerk** will notify the applicant in writing of **Council's** decision."

18. THAT **Schedule '3' – Development Permit Applications** be amended by

18.1. Deleting in its entirety Subsection 1.1.1 (b) and replacing with

"b) Form and Character **Development Permits** for **Multiple Unit Residential** of three (3) to six (6) units per site where:

- i. The proposed development is generally consistent with the applicable **Development Permit** guidelines in the **OCP**.

18.2. Deleting the tables appearing under Subsection 1.1.2 (a) titled "Direct Form and Character Development Permit" and "Direct Farm Protection Development Permit", and replacing with

Direct Form and Character Development Permit	Direct Farm Protection Development Permit
Application Form	Application Form
State of Title	State of Title
Owner's Authorization Form	Owner's Authorization Form
Site Profile (if applicable)	Site Profile (if applicable)
Zoning Analysis Table	Zoning Analysis Table
Project Rationale	Project Rationale
Photographs	Photographs
Site Plan	Site Plan
Floor Plan	Elevation Drawings
Elevation Drawings	Landscape Plan
Streetscape Drawing	
Materials Board	
Landscape Plan	

18.3. Deleting "A" and replacing with "An" in Subsection 1.2.2.

18.4. Deleting in its entirety Subsection 1.1.3 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

- 18.5. Deleting the tables appearing under Subsection 1.2.1 (a) titled "Direct Form and Character Development Permit" and "Direct Farm Protection Development Permit", and replacing with

Council Form and Character Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Zoning Analysis Table
Project Rationale
Photographs
Site Plan
Floor Plan
Elevation Drawings
Materials Board
Landscape Plan

Council Farm Protection Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Zoning Analysis Table
Project Rationale
Photographs
Site Plan
Elevation Drawings
Landscape Plan

- 18.6. Deleting in its entirety Subsection 1.2.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

- 18.7. Deleting in its entirety Subsection 1.2.2 (d) and replacing with

"d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications."

- 18.8. Deleting the tables appearing under Subsection 2.2.1 (a) titled "Minor Direct Natural Environment Development Permit" and "Minor Direct Hazardous Conditions Development Permit", and replacing with

Minor Direct Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Monitoring Plan

Minor Direct Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Letter (if applicable)

- 18.9. Adding the following new sentence to Subsection 2.2.2 (b) following the existing text: "If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

- 18.10. Deleting the term "Divisional Director, Planning & Development Services" from Subsection 2.2.2 (h) and replacing with "**Department Manager, Development Planning**".

- 18.11. Deleting the tables appearing under Subsection 2.3.1 (a) titled "Major Direct Natural Environment Development Permit" and "Major Direct Hazardous Conditions Development Permit", and replacing with

Major Direct Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Assessment Report
Habitat Restoration Plan
Environmental Monitoring Plan
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

Major Direct Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Assessment
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

18.12. Deleting in its entirety Subsection 2.3.1 (d) and replacing with

"d) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw, such as a hydrogeological or wildfire hazard mitigation assessment to adequately evaluate, issue, and/or deny a **Development Permit** application."

18.13. Deleting in its entirety Subsection 2.3.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

18.14. Deleting the term "Divisional Director, Planning & Development Services" from Subsection 2.3.2 (h) and replacing with "**Department Manager, Development Planning**".

18.15. Deleting the tables appearing under Subsection 2.4.1 (a) titled "Council Natural Environment Development Permit" and "Council Hazardous Conditions Development Permit", and replacing with

Council Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Assessment Report
Habitat Restoration Plan
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

Council Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Assessment
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

18.16. Deleting in its entirety Subsection 2.4.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

18.17. Deleting in its entirety Subsection 2.4.2 (d) and replacing with

"d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. An internal staff development review will consider the merits of the proposal. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications."

19. THAT **Schedule '4' – Development Variance Permit Applications** be amended by

19.1. Adding "(Delegated)" to the title of **Section 1.1 Minor Development Variance Permits** following the existing text.

19.2. Deleting Subsection 1.1.1 (1) in its entirety and replacing with

"a) Minor variances include variances to the **Zoning Bylaw** (except Section 9 – Specific Use Regulations) and **Sign Bylaw** where:

- i. A **Development Permit** is not required;
- ii. A **Development Permit** has been delegated to the **Department Manager, Development Planning** in accordance with Schedule '3', Section 1.1.1 of this bylaw; or
- iii. A **Heritage Alteration Permit** has been delegated to the **Department Manager, Development Planning** in accordance with Schedule '13', Section 1.1 of this bylaw."

19.3. Deleting in its entirety Subsection 1.1.2 and replacing with:

"1.1.2 Restriction on Delegation – Guidelines

As required by Section 498.1(2)b of the *Local Government Act*, the guidelines the delegate must consider in deciding whether to issue a **Development Variance Permit** is determined by the following:

- a) Scope and scale of variances:
 - i. For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
- b) Use and enjoyment of neighbouring lands:
 - i. A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
- c) Effects on the natural environment:
 - i. For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment **Development Permit** approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
- d) Appropriateness of the development:
 - i. A variance could decrease the appropriateness of the development if certain **Official Community Plan** policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
- e) Intent of the **Zoning Bylaw** and **Sign Bylaw**:
 - i. A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.
- f) Public interest in variances:
 - i. For example, if a variance triggers a significant public response to the **Department Manager, Development Planning** during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**. In addition, the delegate shall consider public voices that are typically underrepresented to serve the whole public interest."

19.4. Deleting in its entirety the table that appears following Subsection 1.1.3 (a) and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner’s Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	Materials Board (if applicable)

19.5. Deleting in its entirety Subsection 1.1.4 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

19.6. Adding the following new section as Subsection 1.1.4 (e) and renumbering all subsequent sections accordingly

“e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.”

19.7. Adding “(Council)” to the title of Section 1.2 following the existing text.

19.8. Deleting in its entirety the table that appears following Subsection 1.2.1 (a) and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner’s Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	

19.9. Deleting in its entirety Subsection 1.2.2 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

20. THAT **Schedule ‘5’ – Temporary Use Permit Applications** be amended by

20.1. Deleting in its entirety the table that appears following Section 1.1 and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner’s Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	

20.2. Deleting in its entirety Section 2.0 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

21. THAT **Schedule ‘7’ – Agricultural Land Commission Act Applications** be amended by deleting in its entirety Section 2.0 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

22. THAT **Schedule ‘8’ – Phased Development Agreement Applications** be amended by deleting in its entirety Section 2.0 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

23. THAT **Schedule 'g' – Temporary Farm Worker Housing Permit Applications** be amended by
- 23.1. Deleting in its entirety the table that appears following Subsection 1.2.1 and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Project Rationale including total number of workers	Landscape Plan

- 23.2. Adding the following new sentence to Subsection 1.3 (b) following the existing text

"b) If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.

- 23.3. Deleting in its entirety the table that appears following Subsection 2.1.1 and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Project Rationale including total number of workers	Landscape Plan

- 23.4. Deleting in its entirety Section 2.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.

- 23.5. Deleting in its entirety Section 2.2 (e).

24. THAT **Schedule '15' – Early Consideration Applications** be amended by

24.1. Deleting "1," following the word "Schedules" in Section 1.1

24.2. Deleting in their entirety Sections 2.0 (b) iii. and (b) iv.

25. THAT the term "**Divisional Director, Planning & Development Services**" be deleted and replaced with "**Divisional Director, Planning, Climate Action & Development Services**" throughout Section 1.3 Definitions, Section 2.7 Heritage Property Applications, and 2.15 Enforcement.

26. THAT all defined terms listed in Section 1.3.1 be bolded throughout the entire bylaw.

27. This bylaw may be cited as "Bylaw No. 12637, being Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310".

28. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: April 8, 2024
To: Council
From: City Manager
Subject: Development Application Fees Bylaw No. 12552 Amendment No. 1
Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department, dated April 8, 2024, with respect to amending the Development Application Fees Bylaw No. 12552 related to the implementation of provincial housing legislation and Zoning Bylaw amendments;
 AND THAT Bylaw No. 12631 being Amendment No. 1 to the Development Application Fees Bylaw No. 12552 be advanced for reading consideration.

Purpose:

To amend Development Application Fees Bylaw No. 12552 related to the implementation of provincial housing legislation and zoning bylaw amendments.

Background:

The Development Application Fees Bylaw No. 12552 was adopted on August 14, 2023, to improve cost recovery and financial management on development application files.

Previous Council Resolution

Resolution	Date
THAT Bylaw No. 12552 be adopted.	August 28, 2023

Discussion:

In response to Provincial Housing Statutes Bill 44 and Bill 47, Council recently adopted Zoning Bylaw Amendments to implement Small Scale Multi-Unit Housing (SSMUH) and Transit Oriented Areas (TOA).
 As a result of the provincial housing legislation and Zoning Bylaw amendments, Staff are proposing two changes to fees related to Zoning and Development Permits. These changes include assigning a fee to the new MF4 – Transit Oriented Areas Zone and modifying the Delegated Development Permit fees to be for 1-6 units (currently 1-4 units). In addition, Staff propose three minor amendments to improve clarity and cost recovery within the Fees Bylaw, shown in the attached Schedule 'A'.

These changes align with amendments proposed to the [Development Application Procedures and Heritage Bylaw No. 12310](#) related to delegated authority for Development Permits.

Two changes are proposed to Development Engineering fees in Table 5. Staff recommend to reduce Latecomer Agreement Fee due to improvements in processing and to charge GST on inspection services as per federal regulations.

Conclusion:

Staff recommend support for the amendments to the Development Application Fees Bylaw No. 12552 related to the implementation of provincial housing legislation and zoning bylaw amendments.

Internal Circulation:

Policy & Planning
Finance
Office of the City Clerk

Considerations applicable to this report:

[Local Government Act, Section 462](#)

[Community Charter, Section 194 & 195](#)

Financial/Budgetary Considerations: Cost recovery attributable to processing of development application files.

Communications Comments:

Staff held an information session on March 26, 2024 with representatives from the Urban Development Institute and the Canadian Home Builders Association to review proposed changes to the Procedures Bylaw, Fee Bylaw, and Council Policies.

Prepared By: Trisa Atwood, Planner Specialist

Approved for inclusion: Ryan Smith, Director of Planning, Climate Action, & Development Services

Attachments: Schedule 'A': Proposed Text Amendments

Schedule A – Proposed Text Amendments to Development Application Fees Bylaw No. 12552

Amendment No. 1

No.	Section	Current Wording	Proposed Wording	Reason for Change										
1.	Table 1: OCP Amendments, Rezoning, & Development Variance Permits Zoning Bylaw Amendment	<table border="1"> <tr> <th data-bbox="554 380 800 415">Application Type</th> <th data-bbox="800 380 1018 415">Base Fee 2024</th> </tr> <tr> <td colspan="2" data-bbox="554 415 1018 456">Zoning Bylaw Amendment</td> </tr> </table>	Application Type	Base Fee 2024	Zoning Bylaw Amendment		<table border="1"> <tr> <th data-bbox="1052 380 1297 415">Application Type</th> <th data-bbox="1297 380 1516 415">Base Fee 2024</th> </tr> <tr> <td colspan="2" data-bbox="1052 415 1516 456">Zoning Bylaw Amendment</td> </tr> <tr> <td data-bbox="1052 456 1297 496">Rezoning Extension</td> <td data-bbox="1297 456 1516 496">\$620.00</td> </tr> </table>	Application Type	Base Fee 2024	Zoning Bylaw Amendment		Rezoning Extension	\$620.00	To assign a fee for a rezoning extension for cost recovery.
Application Type	Base Fee 2024													
Zoning Bylaw Amendment														
Application Type	Base Fee 2024													
Zoning Bylaw Amendment														
Rezoning Extension	\$620.00													
2.	Table 1: OCP Amendments, Rezoning, & Development Variance Permits Zoning Bylaw Amendment	<table border="1"> <tr> <th data-bbox="554 570 911 605">Application Type</th> </tr> <tr> <td data-bbox="554 605 911 646">RU, RR, A</td> </tr> </table>	Application Type	RU, RR, A	<table border="1"> <tr> <th data-bbox="1052 570 1409 605">Application Type</th> </tr> <tr> <td data-bbox="1052 605 1409 646">RU, RR, A, <u>MH1</u></td> </tr> </table>	Application Type	RU, RR, A, <u>MH1</u>	To assign a fee for an MH1 rezoning.						
Application Type														
RU, RR, A														
Application Type														
RU, RR, A, <u>MH1</u>														
3.	Table 1: OCP Amendments, Rezoning, & Development Variance Permits Zoning Bylaw Amendment	<table border="1"> <tr> <th data-bbox="554 753 911 789">Application Type</th> </tr> <tr> <td data-bbox="554 789 911 829">MF3, CA1</td> </tr> </table>	Application Type	MF3, CA1	<table border="1"> <tr> <th data-bbox="1052 753 1409 789">Application Type</th> </tr> <tr> <td data-bbox="1052 789 1409 829">MF3, <u>MF4</u>, CA1</td> </tr> </table>	Application Type	MF3, <u>MF4</u> , CA1	To assign a fee for an MF4 rezoning.						
Application Type														
MF3, CA1														
Application Type														
MF3, <u>MF4</u> , CA1														
4.	Table 2: Development Permits & Heritage Permits Multi-Family and Mixed Use	<table border="1"> <tr> <th data-bbox="554 937 911 972">Application Type</th> </tr> <tr> <td data-bbox="554 972 911 1013">5-50 residential units</td> </tr> </table>	Application Type	5-50 residential units	<table border="1"> <tr> <th data-bbox="1052 937 1409 972">Application Type</th> </tr> <tr> <td data-bbox="1052 972 1409 1013">2-50 residential units</td> </tr> </table>	Application Type	2-50 residential units	To allow infill housing Development Permits up to 6 units to be considered under a lower fee category to align with proposed delegated authority.						
Application Type														
5-50 residential units														
Application Type														
2-50 residential units														

5.	Table 3: General & Subdivision General	<table border="1"> <thead> <tr> <th data-bbox="550 173 793 199">Application Type</th> <th data-bbox="793 173 1024 199">Base Fee 2024</th> </tr> </thead> <tbody> <tr> <td data-bbox="550 199 793 427">Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)</td> <td data-bbox="793 199 1024 427">\$260.00</td> </tr> </tbody> </table>	Application Type	Base Fee 2024	Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)	\$260.00	<table border="1"> <thead> <tr> <th data-bbox="1041 173 1285 199">Application Type</th> <th data-bbox="1285 173 1516 199">Base Fee 2024</th> </tr> </thead> <tbody> <tr> <td data-bbox="1041 199 1285 427">Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)</td> <td data-bbox="1285 199 1516 427">\$260.00</td> </tr> <tr> <td data-bbox="1041 427 1285 524"><u>Covenant (registration, discharge, etc.)</u></td> <td data-bbox="1285 427 1516 524"><u>\$620.00</u></td> </tr> </tbody> </table>	Application Type	Base Fee 2024	Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)	\$260.00	<u>Covenant (registration, discharge, etc.)</u>	<u>\$620.00</u>	<p>To create a category specifically for Covenants which require more staff time than standard Document Administration.</p>
Application Type	Base Fee 2024													
Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)	\$260.00													
Application Type	Base Fee 2024													
Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)	\$260.00													
<u>Covenant (registration, discharge, etc.)</u>	<u>\$620.00</u>													
6.	Table 4: Agriculture & Liquor Licenses	Liquor Primary (New or Change)	Liquor Primary License (New or Change)	<p>To revise wording to provide clarity to applicants that all liquor applications fall under this fee category, not just Liquor Primary applications.</p>										

7.	Table 5: Development Engineering Fees	Chart A: Current Wording	Chart B: Proposed Wording	To reduce Latecomer Agreement Fee due to improvements in staff processing, and to add GST to inspection services as per federal regulations.
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Chart A: Current Wording

Table 5: Development Engineering Fees

Application Type	Base Fee 2024	Notes
Street/Traffic Sign	Determined by Development Engineering	The Owner is responsible for the purchase and installation costs of all signs required for their development.
Survey Monument Fee	\$ 60.00	-
Survey Monument Replacements	\$ 1,380.00	-
Fire Hydrant Levy	\$ 290.00	For subdivisions serviced by community water distribution systems. In subdivisions where the developer is extending the water mains and installing fire hydrants this levy does not apply. The City shall accumulate the funds accrued from the hydrant levy and these funds shall be used to install fire hydrants as may be required
Latecomer Agreement	\$ 11,500.00	Per agreement. No charge for agreements of one-day duration
Development Engineering Inspection Fee	3.5% of the total cost of off-site construction	<ol style="list-style-type: none"> 1. Full cost of construction for "on-site" (new roads) and "off-site" (existing fronting roads), including clearing, grubbing, blasting, cuts and fills, gravel, compaction, pavement, concrete work, ditches, boulevard work if applicable, etc. 2. All deep utilities such as storm drainage works, sanitary sewer work if applicable and water and fire protection including water utility construction of other water irrigation districts. 3. Costs of civil works only for shallow utilities such as installation costs of ducting for power, telephone and cable TV. The cost of private utility cable work, FortisBC Gas works, service lines, street lighting etc. is not included in the construction cost for administration charge calculations. 4. Consulting Engineering design fees are not included in the administration fee calculation. 5. Administration charge is calculated at 3.5% of the actual construction costs as determined using the above identified items, substantiated by contractor unit prices, or payment invoices, or if levied before construction costs are in, by using the consulting engineer's construction cost estimates. These figures may be adjusted up or down by the City, if in our opinion an adjustment is warranted. This may take the form of a 10% contingency added or deletion of certain items. It is incumbent on the developer to provide actual construction costs if he does not agree with the engineers estimate.
Water or Sanitary Sewer Network Modelling (Simple)	\$ 500.00	Simple modelling for defining boundary conditions at up to two locations.
Water or Sanitary Sewer Network Modelling (Complex)	\$ 1,500.00	Complex modelling request.

Chart B: Proposed Wording

Table 5: Development Engineering Fees

Application Type	Base Fee 2024	Notes
Street/Traffic Sign	\$ Determined by Development Engineering	The Owner is responsible for the purchase and installation costs of all signs required for their development.
Survey Monument Fee	\$ 60.00	-
Survey Monument Replacements	\$ 1,380.00	-
Fire Hydrant Levy	\$ 290.00	For subdivisions serviced by community water distribution systems. In subdivisions where the developer is extending the water mains and installing fire hydrants this levy does not apply. The City shall accumulate the funds accrued from the hydrant levy and these funds shall be used to install fire hydrants as may be required
Latecomer Agreement	\$ 6,000.00	Per agreement. No charge for agreements of one-day duration
Development Engineering Inspection Fee	3.5% of the total cost of off-site construction <u>plus GST</u>	<ol style="list-style-type: none"> 1. Full cost of construction for "on-site" (new roads) and "off-site" (existing fronting roads), including clearing, grubbing, blasting, cuts and fills, gravel, compaction, pavement, concrete work, ditches, boulevard work if applicable, etc. 2. All deep utilities such as storm drainage works, sanitary sewer work if applicable and water and fire protection including water utility construction of other water irrigation districts. 3. Costs of civil works only for shallow utilities such as installation costs of ducting for power, telephone and cable TV. The cost of private utility cable work, FortisBC Gas works, service lines, street lighting etc. is not included in the construction cost for administration charge calculations. 4. Consulting Engineering design fees are not included in the administration fee calculation. 5. Administration charge is calculated at 3.5% of the actual construction costs as determined using the above identified items, substantiated by contractor unit prices, or payment invoices, or if levied before construction costs are in, by using the consulting engineer's construction cost estimates. These figures may be adjusted up or down by the City, if in our opinion an adjustment is warranted. This may take the form of a 10% contingency added or deletion of certain items. It is incumbent on the developer to provide actual construction costs if he does not agree with the engineers estimate.
Water or Sanitary Sewer Network Modelling (Simple)	\$ 500.00	Simple modelling for defining boundary conditions at up to two locations.
Water or Sanitary Sewer Network Modelling (Complex)	\$ 1,500.00	Complex modelling request.



City of
Kelowna

Development Application Fees Bylaw No. 12552 Amendment No. 1

TA24-0004

Purpose

- ▶ To amend Development Application Fees Bylaw No. 12552 related to the implementation of provincial housing legislation and zoning bylaw amendments.

Development Application Fees Bylaw

- ▶ Sets out application fees for development related activities:
 - ▶ OCP & Rezoning & Variances
 - ▶ Development Permits
 - ▶ Subdivision
 - ▶ Development Engineering Fees
 - ▶ More...
- ▶ Previous Council Resolution:

Resolution	Date
THAT Bylaw No. 12552 be adopted.	August 28, 2023

Background

- ▶ Bill 44: Small-Scale Multi Unit Housing
- ▶ Bill 47: Transit Oriented Areas (Bill 47)
- ▶ Zoning Bylaw Amendments
 - ▶ Pre-zoned properties within Permanent Growth Boundary
 - ▶ 1- 6 units allowed on most residential properties
 - ▶ Introduction of new MF₄ – Transit Oriented Areas Zone

Development Planning Fees

- ▶ Assign Fee for MF₄ – Transit Oriented Areas Zone
- ▶ Council Development Permits change from 5-50 units to 7-50 units
- ▶ Add Rezoning Extension Fee
- ▶ Add Covenant Fee
- ▶ Rewording of Liquor License Category

Development Engineering Fees

- ▶ Reduce Latecomer Agreement Fee
- ▶ Add GST to inspection services

Conclusion

- ▶ Staff recommend support for the amendments to the Development Application Fees Bylaw No. 12552:
 - ▶ Align with new provincial legislation and zoning bylaw amendments
 - ▶ Align with proposed amendments to Development Application and Heritage Procedures Bylaw No. 12310
 - ▶ Administrative items



CITY OF KELOWNA

Bylaw No. 12631

Amendment No. 1 to Development Application Fees Bylaw No. 12552

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Development Application Fees Bylaw No. 12552 be amended as follows:

1. THAT **Schedule "A", Table 1: OCP Amendments, Rezoning, & Development Variance Permits** be amended by adding the following new Rezoning Extension row to the table as a type of Zoning Bylaw Amendment:

Application Type	Base Fee 2024	Additional Fees 2024
Zoning Bylaw Amendment		
"Rezoning Extension	\$ 620.00	-

2. THAT **Schedule "A", Table 1: OCP Amendments, Rezoning, & Development Variance Permits** be amended by
 - 2.1. Adding "MH1" after "RU, RR, A".
 - 2.2. Adding "MF4" after "MF3" and before "CA1".
3. THAT **Schedule "A", Table 2: Development Permits & Heritage Permits** be amended by deleting "5-50 residential units" and replacing with "7-50 residential units".
4. THAT **Schedule "A", Table 3: General & Subdivision** be amended by deleting "Discharge Covenant,".
5. THAT **Schedule "A", Table 3: General & Subdivision** be amended by adding the following new row to the table, above "Legal Document Review" row and below "Document Administration Fee Minor" row, as a General Application Type:

Application Type	Base Fee 2024	Additional Fees 2024
General		
"Covenant (registration, discharge, etc.)	\$ 620.00	-

6. THAT **Schedule "A", Table 4: Agriculture & Liquor Licenses** be amended by deleting "Liquor Primary (New or Change)" and replacing with "Liquor License (New or Change)".
7. THAT **Schedule "A", Table 5: Development Engineering Fees** be amended by deleting "\$11,500.00" from the "Latecomer Agreement" row, "Base Fare 2024" column and replacing with "\$6,000.00".
8. THAT **Schedule "A", Table 5: Development Engineering Fees** be amended by deleting "3.5% of the total cost of off-site construction" from the "Development Engineering Inspecting Fee" row, "Base Fare 2024" column and replacing with "3.5% of the total cost of off-site construction plus GST".
9. This bylaw may be cited as "Bylaw No. 12631, being Amendment No. 1 to Development Application Fees Bylaw No. 12552".
10. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: April 15, 2024
To: Council
From: City Manager
Subject: Policy Amendments Relating to Zoning Bylaw No. 12375
Department: Development Planning

Recommendation:

THAT Council Policy No. 282 being Strategy for Elimination of Remaining Land Use Contracts be rescinded;

AND THAT Council Policy No. 365 being Official Community Plan Consistency Policy, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024;

AND THAT Council Policy No. 366 being Residential Permit Program, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024;

AND THAT Council Policy No. 367 being Public Notification & Consultation for Development Applications, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024;

AND FURTHER THAT Council Policy No. 369 being Circulation of Correspondence to Council, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024.

Purpose:

To approve changes to various Council policies to align with recent provincial legislation and updates to Zoning Bylaw No. 12375.

Background:

On March 18, 2024 Council adopted bylaws to support Small-Scale Multi-Unit Housing (SSMUH) legislation. Development and Policy & Planning, the Office of the City Clerk, and Parking Services have subsequently identified multiple Council Policies that require amendments to align with adopted bylaws because of SSMUH legislation changes. Additionally, Staff have taken this opportunity to review outdated Council policies and rescind or make amendments as necessary, described in the "Discussion" section below.

Discussion:*Council Policy 282-Strategy of Elimination of Remaining Land Use Contracts*

Council Policy No. 282-Strategy for Elimination of Remaining Land Use Contracts provides the plan to terminate all remaining land use contracts (LUCs) in City lands. The *Local Government Act* required the appropriate land use to be adopted by local governments to all properties affected by LUCs by June 30, 2022. Following the date, all remaining LUCs are to be automatically terminated by June 30, 2024. Within the City of Kelowna's jurisdiction there are two remaining LUCs, and both were rezoned to the appropriate underlying zone with the adoption of Zoning Bylaw No. 12375. With the termination of the remaining two LUCs occurring in June, this Council Policy will no longer be required.

Council Policy 365-Official Community Plan Consistency Policy

Council Policy No. 365 - Official Community Plan (OCP) Consistency Policy provides guidance to public and staff to determine when a zoning bylaw amendment is consistent with the OCP for the purposes of determining when a public hearing is required, not required, or not permitted. The proposed changes to this policy reflect changes to public hearings mandated by *Provincial Bill 44: Housing Statutes (Residential Development)*.

Council Policy 366-Residential Permit Program

Council Policy No. 366 – Residential Permit Program provides administration of residential parking permit passes for areas with Residential Parking Restrictions for on-street parking. The proposed changes to this policy are to reflect the large volume of pre-zoned properties for increased density mandated by *Provincial Bill 44: Housing Statutes (Residential Development)* and *Bill 47: Housing Statutes (Transit Oriented Areas)*. The increase in density in existing neighbourhoods will place more pressure on on-street parking. The proposed changes include: reducing the quantity of visitor permits for one dwelling housing from two to one; reducing the quantity of residential permits for two dwelling housing from two to one, adding five and six dwelling housing to the list of eligible dwellings, and administrative updates to provide clarity and consistency throughout the policy.

Council Policy 367-Public Notification and Consultation for Development Applications

Staff are recommending that Council Policy 367 Public Notification and Consultation for Development Applications be amended to "Neighbour Notification and Information for Development Applications". This policy provides the standards and procedures for applicant neighbour notification, dependent on application type. The proposed changes to the policy are required due to *Provincial Bill 44: Housing Statutes (Residential Development)* which included the prohibition of public hearings in specified circumstances. The policy has been updated to focus neighbour notification on development applications that will be considered by Council. Table 1- Forms of Neighbour Notification indicates the required steps for each application type. The policy has been amended to be more prescriptive on requirements for hosting a Public Information Session and providing adequate feedback to staff on the outcome of the information session. Staff have created a bulletin to guide applicants on how to host a successful information session. Lastly, the policy amalgamated existing policy on development signage.

Council Policy 369- Circulation of Correspondence to Council

Council Policy No. 369 Circulation of Correspondence to Council provides the processes related to the circulation of correspondence to Council. During the review and update of City bylaws and policies to reflect provincial housing legislation changes, staff determined that Council Policy No. 369 should be updated concurrently. No major content changes are proposed that would alter how correspondence is currently processed, rather the changes align the policy with legislation and increase the document's readability. For example, the policy is transparent that the *Freedom of Information and Protection of Privacy Act* applies to public correspondence.

Communications:

Staff held information sessions on March 26 and April 5, 2024, with representatives from the Urban Development Institute, the Canadian Home Builders Association, and members of the local development, planning, architecture, and landscape design community to review proposed changes to the Procedures Bylaw, Fee Bylaw, and Council Policies.

Conclusion:

Staff recommend support for the amendments to the attached Council policies.

Internal Circulation:

Parking Services
Policy and Planning
Office of the City Clerk
Building and Permitting
Community Communications

Submitted by:

J. Black, Urban Planning Manager

Approved for inclusion: R. Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment "A": Council Policy 282
Attachment "B": Council Policy 365
Attachment "C": Council Policy 366
Attachment "D": Council Policy 367
Attachment "E": Council Policy 369

CC:

D. Duncan, Parking Services Manager
R. Miles, Long Range Policy Planning Manager
J. Taylor, Policy Analyst



City of Kelowna
 1435 Water Street
 Kelowna, BC V1Y 1J4
 250 469-8500
 kelowna.ca

Council Policy

Strategy for Elimination of Remaining Land Use Contracts

APPROVED June 2, 1997

RESOLUTION: R375/10/04/26
 REPLACING: R728/99/08/23; I1997/06/02
 DATE OF LAST REVIEW: April 2010

Council's adoption of this policy requires:

- that a Land Use Contract be discharged for any contract where there has been a change in use or density from what was originally intended by the Land Use Contract;
- that where the City of Kelowna had entered into a Land Use Contract that contains a cancellation clause contingent on failure to develop and use the lands, the City proceed to discharge the Land Use Contract;
- that the City of Kelowna initiate proceedings to discharge Land Use Contracts that have provisions enabling the City to unilaterally discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts;
- that staff negotiate with owners of land under Land Use Contracts that only enabled the subdivision of land, to discharge contracts where the subdivision has been completed;
- that priority be given to terminate Land Use Contracts having a significant financial impact or those Land Use Contracts that enable development contrary to the fulfillment of community objectives.

REASON FOR POLICY

To develop a strategy to eliminate Land Use Contracts.

LEGISLATIVE AUTHORITY

Sec. 930, Local Government Act

PROCEDURE FOR IMPLEMENTATION

Council will evaluate the cost benefit implications of discharging individual Land Use Contracts, prior to Land Use Management staff committing the resources required to initiate and conclude proceedings to terminate a contract.



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Official Community Plan Consistency

ESTABLISHED: March 20, 2023

Contact Department: Policy and Planning

Guiding Principle

The City of Kelowna uses the Official Community Plan (OCP) to guide how and where Kelowna will grow. An application for a zoning bylaw will follow one of three processes regarding a public hearing, as determined by Section 464 of the *Local Government Act*:

- 1) For a zoning bylaw that is inconsistent with the OCP, a public hearing and an OCP amendment is required.
- 2) For a zoning bylaw that is non-residential and is consistent with the OCP, a public hearing is not required but Council may choose to hold a public hearing at their discretion.
- 3) For a zoning bylaw that is residential and is consistent with the OCP, a public hearing is not permitted.

Purpose

To establish guidance for determining if a zoning bylaw is consistent with the OCP.

Application

This policy applies to an application to amend the Zoning Bylaw submitted in accordance with Development Application and Heritage Procedures Bylaw No. 12310, as amended or replaced.

Definitions

“Non-residential” means a project where the residential component, if there is one, accounts for less than half of the gross floor area of all buildings and structures proposed.

“Residential” means a project where the residential component of the development accounts for at least half of the gross floor area of all buildings and structures proposed.

Policy Statements

- 1) A zoning bylaw is consistent with the OCP when it meets the following criteria:
 - a) Balancing Policy: The OCP is a statement of objectives and policies, meaning that determining consistency will require balancing those objectives and policies to best align with the OCP’s ten pillars and growth strategy, as outlined in Chapter 1: The Big Picture; and
 - b) Consistency with Mapping: Maps that form part of the OCP represent a reflection of the OCP’s objectives and policies. A zoning bylaw must be consistent with the Future Land Use Designations outlined in Map 3.1. Staff will consider the numerous objectives and policies that inform this map and other maps in the OCP to evaluate consistency.
- 2) A report to Council for a zoning bylaw will identify relevant OCP policies and how the application does or does not meet them.
- 3) Council may choose to direct a non-residential zoning bylaw consistent with the OCP to public hearing at:
 - a) initial bylaw consideration; or
 - b) following notice of first reading.
- 4) A Future Land Use Designation does not compel Council to support or adopt a bylaw or works, even where consistent with the OCP, nor does it compel Council to allocate the highest amount of density on a property that is guided by that designation.

Amendments

Last Revised:
Replacing: 2023-03-20

DRAFT



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Residential Permit Program

ESTABLISHED: January 14, 2013

Contact Department: Real Estate (Parking Services)

Guiding Principle

Residential Area Parking Restrictions help to manage transient vehicle parking in residential neighborhoods by setting time limits or restricting parking to permit holders. Residential Permits allow area residents and visitors to park for up to 24 hours.

Purpose

The Residential Permit Program provides a long-term solution to the problems associated with transient parking occurring in residential neighborhoods close to a High Parking Generator. The Residential Permit Program does NOT guarantee a resident will be able to park near or in front of their residence, but does, however, provide a resident with an opportunity to park in excess of posted time-limited parking restrictions within the area - up to a maximum of 24 Hours. Residential Permits and Visitor Permits are NOT available to residents in Pay Parking Zones.

Application

This policy applies to on-street parking in residential areas.

Definitions

The following is a list of definitions not found in the City of Kelowna Zoning Bylaw No. 12375 or the Traffic Bylaw No. 8120. (Refer to Bylaw No. 12375 and Bylaw No. 8120 for all definitions).

"High Parking Generator" means an event, business, multi-family development or institution that generates a substantial volume of transient parking.

"Pay Parking Zone" means an area where parking meters, pay stations, or other revenue control devices are installed; or where a virtual parking payment option is available.

"Residential Permit Zone" means an area within the city where a Residential Area Parking Restriction has been implemented.

"Residential Permit Eligible Dwelling" means One, Two, Three, Four, Five or Six Dwelling Housing.

"Resident" means a person who owns or occupies a Residential Permit Eligible Dwelling unit within an area where a Residential Area Parking Restriction has been implemented and produces proof of that occupancy.

"Residential Area Parking Restriction" means a primarily residential area where a posted parking restriction is in effect. (e.g., 1- or 2-hour maximum time limit or "Resident Only" parking)

"Transient Parking" means the short-term parking of vehicles that would not normally be located in any given area.

Policy Statements

Criteria for Residential Area Parking Restriction

1. Residential Area Parking Restrictions may be imposed by the Parking Services Manager, Transportation Engineering Manager, Parking Services Supervisor, Traffic Operations Supervisor, Parking Operations Coordinator, or their designate as deemed necessary. The residents of an area may also request a restriction.
2. When requested by the residents of an area, the minimum level of support from residents of Residential Permit Eligible Dwelling units in the proposed area must be no less than 70 percent (80% support required to request a Resident Parking Only restriction). The residents shall request the parking restriction in the form of a petition.
3. Only one resident per Residential Permit Eligible Dwelling unit is eligible to sign the petition.
4. For developments with seven (7) or more dwelling units, one resident "vote" per fourteen (14) meters of street frontage (where parking is permitted) may be considered. This support/non-support must be obtained from a strata council executive or building manager/owner.
5. For the purposes of petition evaluation, properties addressed on an adjacent street that have at least one frontage on the block that is the subject of the petition may be included or excluded. If any adjoining properties are counted, they must all be included.

6. The details of the parking restriction, in terms of time and day restrictions will be determined by the Parking Services Manager, Transportation Engineering Manager, Parking Services Supervisor, Traffic Operations Supervisor, Parking Operations Coordinator or their designate.
7. Residential Parking Only zones, in which the parking is reserved exclusively for residents, will not be considered unless all other parking management measures have first been exhausted and the following criteria are met:
 - a) A petition is completed showing support from a minimum of 80% of Residential Permit Eligible Dwelling units on both sides of a block (between two intersecting streets).
 - b) The subject block must have insufficient off-street parking. The total number of off-street parking spaces for all residences in a block must be less than the total number required as per Zoning Bylaw No. 12375.
 - c) With a 1-hour maximum time limit in effect, occupancy levels during peak periods must exceed 90%, with a minimum of 50% transient parking.
 - d) Unless a Resident Parking Only zone is approved as part of an area parking plan approved by Council, implementation may be limited to one-side or 50% of a block, to be determined by the Parking Services Manager, Transportation Engineering Manager, Parking Services Supervisor, Traffic Operations Supervisor, or Parking Operations Coordinator.
 - e) The block must be located within five hundred (500) meters of a High Parking Generator. Peak operating hours for the High Parking Generator will be used to establish the new restriction (i.e., daytime, overnight, or full-time).
8. A request for changes to a residential area parking restriction will not be considered if any modifications have been made to the area within the preceding 24-month period.

Criteria for Residential Permits

9. Permits are available to residents of Residential Permit Eligible Dwellings where on-street parking is affected by a Residential Area Parking Restriction. Residential Permits will not be issued to residents of developments that contain seven (7) or more dwelling units.
10. Only vehicles driven daily are eligible for a Residential Permit. Boats, RV's, trailers, and stored vehicles are not eligible for a Residential Permit.
11. No vehicle may remain parked on any city street for a continuous period exceeding 24 Hours or be parked at any time in a posted "No Parking" or "No Stopping" zone. Residential Permits do not exempt vehicles from any section of the Traffic Bylaw, except for sections dealing with overtime parking.
12. If a licence plate/vehicle has outstanding bylaw offence notices attached to its record, the issuance of a Residential Permit &/or Visitor Permit may be denied until the outstanding fines are paid in full.

Permit Fees

13. Permit fees for the Residential Permit Program are identified in Schedule "A," "Fees," of the City of Kelowna, Traffic Bylaw No. 8120.
14. In cases where a property was developed without onsite parking in compliance with the Zoning Bylaw in effect at the time of construction, or where a resident cannot park on their property due to physical restrictions to access their property, the Building Inspection and Licensing Manager, Parking Services Manager, Parking Services Supervisor, Parking Operations Coordinator, or their designate may, on a case-by-case basis, waive the fees associated with the issuance of a Residential Permit. All exemptions are subject to review and revocation at any time without notice. The total number of permits issued may not exceed the maximum identified under the "Maximum Number of Permits" section in this policy.
15. No refunds will be provided for any permits issued under this program.

Acquiring Permits

16. Permits are available at the Building and Permitting Branch, Application Centre, at Kelowna City Hall, during regular business hours.

Proof of Residency/Vehicle Ownership

17. A Resident must provide a minimum of two pieces of documentation which proves they live in a Residential Permit Eligible Dwelling within a Residential Permit zone, and that they own or operate a motor vehicle that is parked at their place of residence. The primary piece of documentation of this proof is a vehicle registration document. This is sufficient to prove vehicle ownership; however, an additional piece of documentation is required to confirm the

resident's address. The following is a list of acceptable pieces of documentation to show proof of residency:

- a) driver's license showing the permit address
- b) phone, utility, or cable TV bill
- c) property tax receipt
- d) bank, or credit card statement
- e) tenancy agreement
- f) vehicle insurance/registration document (showing the permit location as the current address)
- g) change of address registered with the post office

18. In instances where the resident is not the registered owner of the vehicle or the vehicle is not registered to the permit address (i.e., company vehicle), the resident must provide proof of residency at the permit address. All documentation is subject to verification by the Parking Services or Building and Permitting Branch.

Maximum Number of Permits (See below for additional details)

Dwelling Type	Maximum Number of Residential Permits per Dwelling Unit	Maximum Number of Visitor Permits per Dwelling Unit
One Dwelling	2	1 ^{1,2}
Two Dwelling	1	1 ^{1,2}
Three Dwelling	1	1 ^{1,2}
Four Dwellings	1 ³	1 ^{2,3}
Five or Six Dwellings	Not Available	1 ²
Seven or more Dwellings	Not Available	1 per 7m (per property) ¹

1. The total number of Visitor Permits may not exceed one permit per seven metres of frontage where parking is permitted.

2. One short-term Visitor Permit may be issued in the case of a family emergency (i.e., illness), where an additional on-street parking space is required. This permit will be valid for one-month period. Approval will be on a case-by-case basis by the Building Inspection and Licensing Manager, Parking Services Manager, Parking Services Supervisor, Parking Operations Coordinator, or their designate.

3. Residents of each Four Dwelling unit must choose EITHER 1 Residential Permit OR 1 Visitor Permit.

Residential Permits

19. Residential Permits will only be issued to residents of Residential Permit Eligible Dwelling units. Permits will NOT be issued to residents of developments with seven (7) or more dwelling units. Illegal suites are NOT considered additional dwelling units, and the entire dwelling will be considered as one unit for the purposes of this policy.
20. Out of town students residing in a Residential Permit Eligible Dwelling with four dwellings or less may be issued a residential permit for a maximum period of 9 months. (Or length of the school term, whichever is less). A rental agreement for the permit address and proof of current registration as a student is required. (Valid student identification card or registration documents from an accredited college or university will be accepted). Permit limits for the type of property and full annual Residential Permit fees will apply.
21. Visitor Permits may be issued/used by residents moving from out of British Columbia with proof of residency. These permits may be used for up to one month while vehicle registration/insurance is changed to BC licence plates.

Visitor Permits

22. Visitor Permits will be issued upon request by an owner or resident of a Residential Permit Eligible Dwelling unit within an area where a Residential Area Parking Restriction has been implemented. **These permits are for the exclusive use of visitors to the residence. These permits may not be used on a vehicle registered to the resident or permit holder or any vehicle registered to an address within the zone where the permit is valid.** Misuse of any Visitor Permit will result in cancellation of ALL permits for a period of one (1) year, and future issuance of Visitor Permits for that residence will be reviewed and may be denied.
23. Developments with seven (7) or more dwelling units may receive one Visitor Permit per seven (7) metres of street frontage where parking is permitted. These permits are for the exclusive use of visitors to the property and will only be issued to the building or strata manager, who will be responsible for administration and distribution within the development. If the development is located within a Pay Parking Zone, Visitor Permits will not be issued.

24. Construction vehicles, while working at an unoccupied Residential Permit Eligible Dwelling, may be issued Visitor Permits valid for a period not greater than four (4) months. A valid building permit must be in place for the subject property and the number of passes issued may not exceed the available street frontage (one permit per seven (7) metres), where parking is permitted. These permits are available only if the residence is unoccupied and there are no other valid Visitor Permits for the address. These permits shall have "CONSTRUCTION" written on the face and are void once the building permit is closed. Permits are valid between 7:00 a.m. and 10:00 p.m. daily, and only while active construction is underway.

Disposal of Vehicle, Change of License Plates

25. If a resident sells their vehicle and no longer requires Residential Permit(s), the permit(s) must be returned to the Building and Permitting Branch, Application Centre, located on the second floor of City Hall.
26. If a resident changes license plates, they must return their old permit to the Building and Permitting Branch and show documentation as outlined in "Proof of Residency/Vehicle Ownership" above. This is to prove that vehicle ownership remains the same, but the plate number is different. A new Residential Permit will be issued, and the "Residential Permit Replacement Fee" will apply. The new permit retains the same expiry date as the permit being replaced.

Resident Moves

27. The following are the two possible scenarios:
 - a) The Resident moves to another Residential Permit Eligible Dwelling unit, also affected by Residential Area Parking Restrictions. In this case, the resident must notify the Building and Permitting Branch of their change of address and provide proof of the new location.
 - b) The Resident moves to a non-Residential Permit Eligible Dwelling. The resident is required to return their permit(s) to the Building and Permitting Branch. No refund will be issued. Failure to return permits may result in the new tenant/owner at the old address being denied permits until all outstanding permits expire.

Lost or Stolen Permits

28. A resident who loses or has their permit stolen may apply for a new permit at the Building and Permitting Branch. The resident may be required to show proof of a theft, such as an insurance claim. A fee for replacement of lost or stolen permits may apply. In the case of a lost or stolen Visitor Permit, if proof of a theft is not provided, a replacement will not be issued until after the expiry date of the original lost/stolen permit.

Renewal

29. Residential and Visitor Permits are valid for a period of one year with the expiry date indicated on the permit. All permits expire on the last day of the expiry month shown.
30. Residents are responsible for re-applying for their Residential Permit and will not be notified by the City of Kelowna before the Permit expires.
31. Residents re-apply for Residential Permit(s) at the Building and Permitting Branch. The re-application procedure is the same as the initial application for a permit, where the applicant must provide proof of residency and vehicle ownership.

Information Displayed on Permits

32. The following information may be displayed on Residential Permits (varies with style of permit):
 - a) License plate number
 - b) Residential address
 - c) Permit number
 - d) Expiry date
 - e) Residential Permit Zone
33. A permit will be a placard that must be displayed from the rear-view mirror, or a decal affixed to the lower left hand side rear window (drivers' side) on the vehicle it was issued for. Permits displayed incorrectly are invalid.

Planned Transition from Physical to Virtual Permits

34. The Residential Permit Program is transitioning from physical permits, such as decals for Residential Permits and hang tags for Visitor Permits, to virtual permits. During this transition, the term "permits" in this policy will be updated to reflect the move to virtual permits, where the license plate of the resident, visitor, or temporary guest vehicle will serve as the permit. Visitor Permits will be replaced with a process to register a plate for up to 14 days.

Enforcement

35. Once a Residential Area Parking Restriction has been established and residents have been issued permits, enforcement of the zone will commence. Enforcement will be conducted by Traffic Officers, as time and resources permit.
36. The penalty for misuse of Residential or Visitor Permits is the revocation of all permits issued to the address or permit holder for a period of one year. Any vehicle found displaying a misused permit will be treated as if no permit were in use and may be ticketed and/or towed. Future issuance of permits for the Resident may be denied.

Offences

37. The following constitutes "misuse" of a Residential or Visitor Permit:
 - a) Visitor Permits are for the exclusive use of visitors to the residence shown on the permit and may not be used on a vehicle that is registered to an address within the permit zone. Visitors must always be present at the registered address while the permit is in use.
 - b) The sale, trade, rental, give away or disposal of a permit contrary to this policy or allowing use of a permit by a non-visitor to the permit address are grounds for immediate revocation of the permit.
 - c) Residential Permits are assigned to a specific licence plate number and are not transferrable.
 - d) Permits may not be altered or tampered with in anymanner.
 - e) Residential and Visitor Permits are valid within 250 meters or two blocks (whichever is greater) from the registered address and may not be used outside of the Residential Permit Zone indicated on the permit.

Amendments

Last Revised:

Replacing: R0711/22/09/26, R695/19/07/15, R945/16/12/05, R019/13/01/14, Council Policy 107



Council Policy

Neighbour Notification & Information For Development Applications

ESTABLISHED February 18, 2013

Contact Department: Development Planning

Guiding Principle

Development can have an effect on the community and notification will be provided through an approach that is consistent and appropriate for each type and scale of application while adhering to City bylaws and Provincial regulations.

Purpose

To establish standards and procedures for applicant neighbour notification responsibilities regarding development applications.

Application

This policy applies to a development application for an Official Community Plan (OCP) amendment, a Zoning Bylaw amendment, an OCP or Zoning Bylaw Text Amendment (TA), a Development Permit (DP), a Development Variance Permit (DVP), a Temporary Use Permit (TUP), a Heritage Alteration Permit (HAP), a Heritage Revitalization Agreement (HRA), a Heritage Designation (HD), an Agricultural Land Reserve (ALR) Exclusion application, or Temporary Farm Worker Housing (TFWH).

Policy Statements

1. Responsibility:

- a) All costs associated with the notification required under this policy are the sole responsibility of the applicant.
- b) Fulfilling the requirements of this policy does not relieve the applicant of the responsibility to comply with applicable regulations and bylaws of the City, and any other requirements from other agencies having jurisdiction over the land.
- c) Failure to undertake the forms of notification in this policy will result in postponement of consideration of the application. Any costs associated with re-advertising a meeting of Council is the responsibility of the applicant.

2. Requirements:

An applicant who submits a development application must undertake the forms of neighbour notification identified in **Table 1 – Forms of Neighbour Notification** on Page 2 of this policy, and in accordance with the [Development Application and Heritage Procedures Bylaw No. 12310](#).

Table 1 - Forms of Neighbour Notification			
Application Type	Applicant Public Information Session	Applicant Neighbour Notification	Development Notice Sign
OCP Amendment	✓	✓	✓
Zoning Inconsistent with OCP	✓	✓	✓
Zoning Non-Residential & consistent with OCP	✗	✓	✓
Zoning Residential & consistent with OCP	✗	✓	✓
Development Permit - Council	✗	✗	✗
Development Permit - Direct Delegated	✗	✗	✗
DVP - Council	✗	✓	✓
DVP - Delegated Minor	✗	✓	✗
Temporary Use Permit	✗	✓	✓
Text Amendment Non-Residential	✗	✓	✓
Text Amendment Residential	✗	✓	✓
Heritage Alteration Permit (no variances)	✗	✗	✗
Heritage Alteration Permit (with variances)	✗	✓	✗
HRA (change in use/density)	✗	✓	✓
HRA (no change in use/density)	✗	✓	✓
Heritage Designation	✗	✓	✓
ALR Exclusion	✗	✓	✓
Temporary Farm Worker Housing - Council (more than 8 workers)	✗	✗	✗
✓ = required. ✗ = not required.			

3. Public Information Session:

For Official Community Plan (OCP) amendments to the OCP Future Land Use Designations [Map 3.1](#), and/or Zoning Bylaw amendment applications that are inconsistent with the OCP ([Council Policy No. 365 Official Community Plan Consistency](#)) a Public Information Session is required.

When an applicant is planning their Public Information Session, the [Bulletin: Public Information Session Guidelines](#) may be used to help plan a successful Session.

Date, Time, Duration, Location:

- The Session must occur a minimum of 45 days prior to Council initial consideration. The date must be reviewed by Staff prior to advertising.
- Details including the date, time, duration, and location may be determined by the applicant using the guidelines found in Bulletin: Public Information Session Guidelines. The details must be reviewed by Staff prior to advertising.

Advertising:

- The Session must be advertised by mail out to properties within a minimum 100 m buffer, which may be increased at the discretion of Department Manager, Development Planning based on scale and complexity of the application. An increase in the buffer could include providing notification to a block end rather than stopping mid-block, or capturing nearby high-density residential areas that could be impacted.
- The Session must be advertised by mail out to properties at least 14 days in advance of the session. Additional promotional efforts such as newspaper advertisements or development websites are recommended, but not required.

- c) The Session requires a City of Kelowna Development Sign to be installed on the site at least 14 days prior to the session.
- d) The mail outs must be reviewed by Staff prior to advertising and must include the following:
 - i. Location of the development site
 - ii. Detailed description of the proposal including specific changes proposed
 - iii. Visual rendering or site plan of the proposal (if available)
 - iv. Website for the proposal (if available)
 - v. Contact information for the applicant
 - vi. Contact information for Staff

Summary Report:

A Public Information Session summary report must be submitted to Staff within 10 days following the session. The summary report will be included in the Council report and must not contain any personal details of attendees such as first and last names, addresses, phone numbers, etc. The summary report must include the following information in the following order:

- i. Date, time, duration, and location of the Public Information Session.
- ii. Methods of notification, timing, and copies of any mail outs.
- iii. Names of applicant in attendance.
- iv. Number of attendees.
- v. Details of types of information that was provided (drawings, display boards, power point, etc.)
- vi. Identify key themes raised by the public.
- vii. Outline how the input from the public was addressed in the project, and any changes to the project resulting from public input.

The requirement for a Public Information Session may be waived by the Department Manager, Development Planning for minor OCP amendments or Zoning Bylaw amendments such as mapping boundary adjustments or environmental and parkland dedication.

4. Applicant Neighbour Notification:

The requirement for applicant initiated neighbour notification is outlined in **Table 1 – Forms of Neighbour Notification** on Page 2 of this Policy. Any mail outs or advertising must be reviewed by Staff prior to being sent out.

Notification Buffer Area:

For all development sites within the Permanent Growth Boundary as indicated on [OCP Map 3.1](#), properties within 50 m must be notified. For all development sites outside of the Permanent Growth Boundary as indicated on [OCP Map 3.1](#), all properties within 300 m must be notified. Staff will generate a buffer map and list of properties for the applicant. Mail outs are required, and where possible, direct face-to-face conversations with immediate neighbours are encouraged.

Neighbour Notification Content:

The Neighbour Notification will clearly state that this notification is from the applicant, and not from the City. The following items must be included in the mail out or face-to-face notification:

- a) Location of the development site
- b) Detailed description of the proposal including specific changes proposed
- c) Visual rendering or site plan of the proposal (if available)
- d) Website for the proposal (if available)
- e) Contact information for the applicant
- f) Contact information for Staff
- g) For Development Variance Permits – Delegated Minor, the neighbour notification must include details on how to provide feedback to Staff by a deadline that is at least 14 days after the notification is sent out.

Summary of Neighbour Notification:

A summary of neighbour notification efforts, feedback, and responses must be provided to Staff before the application can be scheduled for Council consideration. The summary report will be included in the Council report and must not contain any personal details of attendees such as first and last names, addresses, phone numbers, etc. The summary must include the following information in the following order:

- a) Date the mail outs or face-to-face notification was completed

- b) Methods of notification (mail out, face-to-face, website, etc.)
- c) List of all addresses notified
- d) Details of the types of information provided
- e) Any feedback or key issues received from the neighbours
- f) Outline any changes to the project resulting from neighbour notification

5. Development Notice Signage:

Where an application type requires a Development Notice Sign (Table 1 above) the sign must be sited, installed, and timed as per the Development Application and Heritage Procedures Bylaw No. 12310. Staff will coordinate with the applicant to order signs in a timely fashion to meet the requirements of Bylaw No. 12310, any costs associated with the production and installation of signage is the responsibility of the applicant and/or owner.

For sites with more than one frontage, a sign is required on each frontage. A sign is required for each 150 m of frontage, provided no more than three signs are required on any one site. Photographic evidence of the installation of the signs is required to be provided to Staff prior to Council consideration.

Large Format Development Notice Signs (8' x 4')

Large Format Development Notice Signs are required for Public Information Sessions, OCP Amendments, Zonings that are inconsistent with the OCP, and for projects with greater than 100 units of residential or 4,500 m² of industrial, commercial, or institutional. The following information must be included:

- a) Detailed description of proposal including address and file number
- b) Visual rendering and/or site plan illustrating the proposal
- c) Contact information for the applicant
- d) Project website (if any)
- e) Contact information for Staff

Medium Format Development Notice Signs (4' x 4')

Medium Format Development Notice Signs are required for all medium sized proposals that have project images, and as determined by Staff. The following information must be included:

- a) Detailed description of proposal including address and file number
- b) Visual rendering and/or site plan illustrating the proposal
- c) Contact information for the applicant
- d) Contact information for Staff

Regular Format Development Notice Signs (4' x 2')

Regular Format Development Notice Signs are required for small sized proposals that do not have project images or complex project details.

- a) Detailed description of proposal including address and file number
- b) Contact information for the applicant
- c) Contact information for Staff

Amendments

Last Revised:

Replacing: 23/05/08, R090/13/02/18, R102/14/02/17 – changes reflect development sign upgrades, R0711/22/09/26



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Circulation of Correspondence to Council

ESTABLISHED September 9, 2013

Contact Department: Office of the City Clerk

Guiding Principle

Council may receive correspondence from the public on various community issues regarding a wide variety of topics, including those related to a public hearing, Council meeting, or legislated forms of petitioning. The *Community Charter* regulates the alternative approval process, business improvement area, local area service as well as petition requirements. The *Local Government Act* and Council Procedure Bylaw No. 9200 regulate public hearing correspondence.

Purpose

To define the processes related to the circulation of correspondence to Council.

Application

This policy applies to all correspondence to Council, including items that are a part of a specific public process or regular contact with Council on various community issues.

Definitions

“Correspondence” means any written communication, including a petition, letter, email, fax, or another form of written expression, intended for Mayor or Council.

Policy Statements

1. Correspondence received is subject to the *Freedom of Information and Protection of Privacy Act*.
2. Council is provided with correspondence in a timely manner. Correspondence received as a result of Public Notification for Council Meeting or from statutory or informal notice will be provided as a part of a Council agenda package.
3. A petition under *Community Charter* s. 82 must include the full name and residential address of each petitioner. All other correspondence must include at least the sender’s name and municipality or area of residence.
4. Non-Development Correspondence
 - a) A member of the public may submit written correspondence for Council information or consideration directly through the Mayor’s office or mayorandcouncil@kelowna.ca
 - i. Correspondence received will be acknowledged, when applicable, and circulated to Council through the Mayor and Council Correspondence system.
 - ii. Updates or additional correspondence will be added to the correspondence file if further action is required.
 - b) A general petition must include
 - i. a statement that explains the specific area of interest for the petition and the position or request;
 - ii. the petition organizer and a contact phone number and email address; and
 - iii. a space for each petitioner to include the information outlined in Section 3, plus their printed name, signature, and date the petition was signed.
5. Development Correspondence
 - a) The Office of the City Clerk will give public notification according to Development Application and Heritage Procedures Bylaw No. 12310.
 - b) For an application being considered at a Tuesday meeting or a public hearing, the Office of the City Clerk will circulate to Council and make available to the public at the meeting any written comments that were received during the public notification period, including
 - i. correspondence from an individual that only outlines the writer’s position;

- ii. correspondence from a group, including an association, that outlines the group's position, reports the number of members in the group, the date of the meeting at which the position was discussed, and the number of members in attendance at the meeting; or
 - iii. correspondence, whether individual or group, that purports to contain third-party information or is commentary in nature.
6. Alternative Approval Process (AAP) or Business Improvement Area (BIA) Petition Submission
- a) A petition form will be accepted in paper, fax or electronic format and must
 - i. be submitted on the Council-approved petition form;
 - ii. follow the requirement of the legislation as outlined on the petition form; and
 - iii. be received at the Office of the City Clerk no later than the closing date and time approved by Council.
 - b) A result during the open petitioning period will not be provided to staff, Council or a member of the public until the Corporate Officer has deemed the final total to be true and accurate in a report to Council.
 - c) Once a petition is submitted, the petition or a signature cannot be removed.
7. Local Area Service Petition Submission
- a) A petition form will be accepted in paper, fax or electronic format and must
 - i. be submitted on the petition form created by City staff;
 - ii. follow the requirement of the legislation as outlined on the petition form; and
 - iii. be received at the Office of the City Clerk no later than the closing date and time approved by Council.
 - b) A result during the open petitioning period will not be provided to staff, Council or a member of the public until the Corporate Officer has deemed the final total to be true and accurate in a report to Council.
 - c) Once a petition is submitted, the petition or a signature cannot be removed.

Amendments

Last Revised:
Replacing: R596/13/09/09



City of
Kelowna

Policy Amendments

April 2024

Purpose

- ▶ To approve changes to various Council Policies to align with recent provincial legislation and updates to Zoning Bylaw No. 12375.

Background

- ▶ Zoning Bylaw No. 12375
 - ▶ March 18, 2024
- ▶ Triggers changes in various Council Policies
 - ▶ Development Planning
 - ▶ Policy and Planning
 - ▶ Office of the City Clerk
 - ▶ Parking Services

Policies

1. 282: Strategy of Elimination of Remaining Land Use Contracts
2. 365: Official Community Plan Consistency
3. 366: Residential Permit Program
4. 367: Public Notification and Consultation for Development Applications
5. 369: Circulation of Correspondence to Council

282: Strategy of Elimination of Remaining LUC's

- ▶ Policy no longer required

365: Official Community Plan Consistency Policy

- ▶ Reflect changes to public hearings mandated by Provincial Bill 44: Housing Statutes (Residential Development)

366: Residential Parking Permits

- ▶ Reflect pre-zoned properties for increased density
- ▶ Reduce quantity of visitor permits for one dwelling housing from two to one
- ▶ Adding 5/6 dwelling housing to the list of eligible dwellings

367: Public Notification & Consultation for Development Applications

- ▶ "Neighbour Notification and Consultation for Development Applications"
- ▶ Indicates required steps for each application type
- ▶ Focus added on Public Information Sessions
- ▶ Amalgamation of existing policy on development signage
- ▶ 2 information held Mar 28 and Apr 5 with development community

369: Circulation of Correspondence to Council

- ▶ Changes made to align the policy with new legislation and increase document usability

Staff Recommendation

That Council approve changes to these Council Policies



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 15, 2024
To: Council
From: City Manager
Subject: Amendment No. 1 to the Five Year Financial Plan 2023-2027
Department: Financial Planning

Recommendation:

THAT Council receives, for information, the Report from Financial Services dated April 15, 2024 with respect to amendments to the Five Year Financial Plan 2023-2027 Bylaw;

AND THAT Bylaw No. 12638 being Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502 be advanced for reading consideration.

Purpose:

To amend the Five Year Financial Plan (2023-2027) as required by the Community Charter to include the authorized transfers and amendments which occurred in the 2023 year.

Background:

The City of Kelowna, in compliance with section 165(1) of the Community Charter (Financial Management), amends the financial plan annually to provide for expenditures required after the adoption of the Five Year Financial Plan Bylaw. These expenditures, in all cases, do not impact taxation demand but rather result in the shift of funding from one source to another and/or shifts in expenditures within, or from one municipal purpose area to another. Budget transfers and amendments included in the amended financial plan are permitted under Council Policies #262 Financial Plan Amendment Policy, and #261 Financial Plan Transfer Policy.

Council Policy #262, Financial Plan Amendment Policy, states that amendments may increase the City's total budget only where funding is by a source other than taxation (i.e.: provincial grants, private contributions, etc.). Council approval is required for amendments greater than \$200k.

Council Policy #261, Financial Plan Transfer Policy, allows the transfer of funds within the approved financial plan in order to meet the City's internal control objectives, to provide a means for a predictable operating result and to ensure the early detection and management of over-expenditures. Council consent is required if the transfer involves the cancellation of an approved program or project. Transfers cannot be used to fund new programs or projects without prior Council consent.

All transfers and amendments, including those that do not require Council approval throughout the year, are presented in an amended Five Year Financial Plan bylaw. The attached Schedule A summarizes the authorized transfers and amendments that occurred throughout the 2023 fiscal year. The following are a few transfers and amendments of note that are being brought before Council for the first time.

Airport:

Airport – Carbon Neutral Initiatives: As part of the Airport's goal of being carbon neutral by 2030, several carbon neutral initiatives were completed such as installation of window shading, electrical work on a pre-conditioned air system and installation of air curtains at an entrance door. The 2023 budget was amended by \$110k, funded from the Airport Terminal reserve to complete these initiatives.

Parks Capital:

Cemetery Gate Security Budget Transfer: Kelowna Memorial Park Cemetery has one of most challenging open/close gates in the city. This area has sensitive security considerations and missed open/closes were causing inconvenience to the public. Budget of \$50k was transferred from the public safety levy to purchase automated gate controllers, card access control and a security camera to better serve and protect the public.

Wastewater Capital:

Odour Control Media Replacement Budget Transfer: Upon starting the odour control system media replacement work, unanticipated degradation of one of the components was discovered which required additional scope and budget to replace. A budget transfer of \$350k was completed to move reserve funding from the Wastewater Mains and Facilities renewal project to cover the additional expenses.

Legal/Statutory Authority:

Community Charter section 165.

Considerations not applicable to this report:

Council Priority Alignment:

Discussion:

Conclusion:

Internal Circulation:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

Communications Comments:

Submitted by:

J. Jean, Budget Supervisor

Approved for inclusion: J. Sass, CA, CPA Director of Financial Services

cc: M. Antunes, CPA, Financial Planning Manager

Attachment:

1. Amendment No. 1 to the Five Year Financial Plan 2023-2027 Council Presentation



2023 - 2027 Amendment to the Five Year Financial Plan

April 15, 2024
Council Chambers

#kelownabudget

kelowna.ca/budget





Financial Plan background

- ▶ 2023 Financial Plan adopted by bylaw
- ▶ Changes during the year
 - ▶ Emergent events
 - ▶ New Council directed initiatives
 - ▶ New legislation or regulations





Financial Plan changes

- ▶ Financial Plan changes permitted under:
 - ▶ Transfer Council Policy #261
 - ▶ Amendment Council Policy #262
- ▶ Community Charter requirement





Financial Plan amendment

- ▶ Amend 2023-2027 Five Year Financial Plan Bylaw 12638
- ▶ Adjust 2023 only
- ▶ No impact on 2023 taxation demand





City of
Kelowna

Questions?

For more information, visit
kelowna.ca/budget

CITY OF KELOWNA

BYLAW NO. 12638

Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT the Five Year Financial Plan 2023-2027 Bylaw No. 12502 be amended by deleting Schedule "A" in its entirety and replacing with them new Schedule "A" as attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as Bylaw No. 12638 being "Amendment No. 1 to the Five Year Financial Plan Bylaw, 2023-2027, No. 12502."

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"

Financial Plan 2023 - 2027

	2023 Amended Budget	2023	2024	2025	2026	2027	2028-2030
Revenue							
Property Value Tax	176,624,339	176,624,339	188,279,055	200,295,838	213,266,188	225,313,048	723,943,923
Library Requisition	7,325,200	7,325,200	7,471,704	7,621,138	7,773,561	7,929,032	24,751,330
Parcel Taxes	4,197,613	3,433,673	3,386,926	3,226,092	2,878,729	2,643,767	7,706,257
Fees and Charges	165,800,690	166,752,954	168,998,093	176,296,845	181,604,696	185,477,990	607,768,371
Borrowing Proceeds	7,117,800	8,507,400	161,039,504	50,989,600	-	-	6,321,200
Other Sources	102,621,227	90,079,744	64,924,162	68,236,877	65,808,081	64,104,429	192,860,588
	463,686,869	452,723,310	594,099,445	506,666,391	471,331,255	485,468,266	1,563,351,669
Transfer between Funds							
Reserve Funds	3,309,548	2,399,489	1,803,987	4,018,987	5,018,987	5,018,987	4,271,961
DCC Funds	63,886,303	55,191,710	27,879,895	45,071,243	42,110,785	72,931,463	131,287,135
Surplus/Reserve Accounts	313,133,206	269,856,570	73,537,991	74,663,418	52,310,615	67,176,349	243,984,608
	380,329,057	327,447,769	103,221,873	123,753,649	99,440,388	145,126,799	379,543,705
Total Revenue	844,015,926	780,171,079	697,321,318	630,420,039	570,771,643	630,595,065	1,942,895,374
Expenditures							
Municipal Debt							
Debt Interest	3,980,837	3,980,837	5,854,736	10,057,004	13,579,814	15,783,808	46,825,315
Debt Principal	6,918,584	6,918,584	7,140,895	9,295,237	13,569,554	14,561,097	43,009,316
Capital Expenditures	428,340,651	367,208,100	288,733,676	204,324,905	129,728,128	173,098,283	427,984,615
Other Municipal Purposes							
General Government & Building Services	41,990,149	38,935,773	44,982,463	47,990,399	51,232,650	54,614,371	185,472,621
Community Services	36,797,972	35,969,865	29,502,083	29,279,911	30,240,946	31,205,486	99,725,484
Protective Services	104,169,361	102,941,048	105,058,206	108,811,337	112,228,174	115,657,991	368,692,809
Utilities	95,694,610	94,492,441	88,067,171	91,149,022	94,369,042	97,594,381	313,263,910
Airport	28,064,394	27,894,607	26,681,298	27,473,602	28,278,225	28,981,397	92,258,679
	22,781,964	22,666,780	23,045,145	24,379,339	26,662,772	27,403,596	86,108,813
	768,738,522	701,008,035	619,065,673	552,760,756	499,889,305	558,900,411	1,663,341,561
Transfers between Funds							
Reserve Funds	32,544,037	31,694,307	31,556,581	32,324,994	32,376,236	32,439,085	97,164,211
DCC Funds	-	-	-	-	-	-	-
Surplus/Reserve Accounts	42,733,367	47,468,737	46,699,064	45,334,289	38,506,102	39,255,570	182,389,601
	75,277,404	79,163,044	78,255,645	77,659,283	70,882,338	71,694,655	279,553,812
Total Expenditures	844,015,926	780,171,079	697,321,318	630,420,039	570,771,643	630,595,065	1,942,895,374

Report to Council



Date: April 15, 2024
To: Council
From: City Manager
Subject: Regional Community to Community Grant
Department: Partnerships Office

Recommendation:

THAT Council receives, for information, the report from the Partnerships Office dated April 15, 2024 with respect to the Regional Community to Community Grant;

AND THAT Council directs staff to apply for grant funding to the Regional Community to Community program, through Union of BC Municipalities (UBCM);

AND THAT Council authorizes staff to execute all documents necessary to complete and manage the grant.

Purpose:

To inform Council of the Regional Community to Community Grant, and to receive support to apply for the grant funding.

Background:

The Regional Community to Community (C2C) grant program is a part of the Local Government Program Services, a suite of funding programs from the Province of BC, administered by the Union of BC Municipalities (UBCM). The Regional C2C Grant which is available to up to \$20,000, intends to support increased understanding and improved overall relations between First Nations and local governments through forum events and to support more formal relationships such as the development of a Memorandum of Understanding (MOU).

Discussion:

The City of Kelowna (City) alongside Westbank First Nation (WFN) have initiated discussions to strengthen the first nation-local government relationship and collaboration as a path to the future for shared projects and initiatives. In alignment with the funding guidelines and objectives, the project will include two main components:

1. A collaborative forum for dialogue, relationship building and shared understanding; and
2. Building on the forum discussions, the intention is to develop an MOU and a subsequent signing ceremony.

A third-party consultant will be hired to facilitate the discussions and lead the MOU development. This project will be conducted in collaboration with WFN.

The forum will bring together elected officials and senior staff from both WFN and the City. The intent of the forum is to be a meaningful gathering to build a shared understanding, strengthen relationships, and in turn, support the advancement of local truth and reconciliation efforts.

The development of the MOU will take an intentional, collaborative approach between the City and WFN. The intent of the MOU is to establish a path forward for future partnerships, community collaboration, and improved cooperative efforts. The grant requires the project to be complete within 12 months.

Staff from the City and WFN have been working together to develop the application and required supporting materials. WFN has provided a letter of support to the project confirming their desire to participate in the process and strengthen the relationship between our organizations.

Conclusion:

The City actively pursues grants to reduce municipal taxation and to leverage City funding for infrastructure, services, and programs to support Council, corporate and community priorities.

This funding opportunity will support the strengthening of relationships between the City and Westbank First Nation, as well as set a path forward for continuing to work together.

Internal Circulation:

Active Living & Culture
Partnerships & Investments
Infrastructure
Finance

Considerations applicable to this report:

Consultation and Engagement:

Staff have been working collaboratively with Westbank First Nation on completing the application and supporting documents for the grant submission. Chief Louie from Westbank First Nation has submitted a letter of support indicating their agreement to participate in this process.

Existing Policy:

- Imagine Kelowna Vision: Principle 1: Collaboration
- Official Community Plan 2040: Equitable community, Heritage
- Statement of Political Relationship (2000)

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Submitted by: N. Cantley, Partnerships Coordinator

Approved for inclusion: M. Kam, Acting Partnership Office Director

Report to Council



Date: April 15, 2024
To: Council
From: City Manager
Subject: Okanagan Mission (Sarsons) Activity Centre
Department: Parks and Buildings Planning

Recommendation:

THAT Council receives, for information, this report from Parks and Buildings Planning dated April 15, 2024, with respect to the future use of the facility currently named Okanagan Mission Activity Centre.

AND THAT Council confirms the facility will continue as an activity centre for use by the community for the foreseeable future, and under the name of Sarsons Activity Centre.

Purpose:

To confirm the City’s long-term intent for the Okanagan Mission Activity Centre at Sarsons Beach Park.

Background:

The Okanagan Mission Activity Centre (OKMAC) at 4398 Hobson Road was acquired by the City in 1979. OKMAC is located within Sarsons Beach Park, on Kelowna’s waterfront, and surrounded by mature trees and grass lawn. The building serves as a multi-use facility and has been operated by the City in collaboration with the Okanagan Mission Seniors Centre Society (OMSCS) for over five decades. OMSCS run a variety of programs during weekdays. During weekends and evenings, OKMAC is utilized for community recreation, programs, and rentals.

Use and operation:

In 2023 OKMAC received 12,660 visits, and OMSCS has over 350 members. Many facility users travel from far beyond the Mission area to attend programs, meetings and events offered at the space due to its’ unique charm. The welcoming nature of the facility with large, waterfront-facing windows overlooking the park makes the centre popular with many clubs, rentals and activities including painting, singing, practicing yoga and hosting small events including weddings, cultural celebrations, birthday parties and art shows.

OMSCS is the main user of the facility Monday to Friday, during daytime hours. The society offers a variety of programs for their members including card games, fitness classes, language programs and other social activities. A service agreement is in place between the City and the Society which outlines the Society's usage of the facility and operating conditions. The Society does not pay a rental fee for the use of the space, nor responsible for the maintenance of the building, in return they are providing a valuable service of seniors programming to the community. Outside of the Society's program hours, the City utilizes the space to offer community programs and rentals.

Park setting:

As the nearest beach park to a large proportion of both Upper and Lower Mission, Sarsons is a popular family beach park. In 2020 some landscaping changes more than doubled the grass area available for park users. Parking was also revised, so OKMAC parking could be shared with park users when not in use.

The 'eyes and ears' afforded on the park by a full schedule of programming in the centre throughout the years has resulted in fewer occurrences of vandalism or other issues in the park. This community ownership of the park is therefore a valuable benefit to our park operations.

Building condition:

Originally built as a residential bungalow nearly seventy-five years ago, many of the building components appear to be original. A full Building Condition Assessment was undertaken by a third party in February 2024. There are numerous deficiencies throughout the building. Subject to Council approval of this recommendation, replacement of the roof is the highest priority, scheduled for spring 2024.

Engagement:

Upon learning about the City's vision for a new all-ages activity centre at Mission Recreation Park through the 10-year Capital Plan in 2019, OMSCS members have expressed both concerns and aspirations for the future of the aging facility. Staff have met regularly with OMSCS throughout this time to advise that no decision on the future of the building would be made until after the Mission Activity Centre (MAC) public engagement in late 2023. However, there has remained a persistent fear that the demolition of the facility was already predetermined.

During community engagement in late 2023 for the new MAC, staff arranged an engagement session in November 2023 specific to OKMAC to help clarify plans and intent for the existing facility. Over 100 residents attended.

The focus of the City's presentation was specific to highlighting the larger scope of active facility infrastructure plans in the Mission area, how the Building a Stronger Kelowna initiative fits in, and steps to be taken as staff form a recommendation specific to the future of OKMAC at Sarsons Beach Park. Refer to Attachment 1 for the complete Engagement Summary.

Financial details:

The facility generates approximately \$10k per annum in net revenue through programs and rentals, after programming costs have been deducted. Total Operating and Maintenance costs are on average \$35k per annum. This includes utility, maintenance and janitorial costs.

The current operating and maintenance costs are partially offset by the program and rental revenues.

Renewal costs have been estimated based on the Building Condition Assessment. \$180k has been identified for the most pressing elements, including \$50k for the proposed roof replacement in 2024. Additional costs over the following ten year period could add a further \$740k. It should be noted members of OMSCS have offered on several occasions to fundraise and pursue grants to assist with the renewal costs for the building.

Deterring vandalism and other issues within the park is a tangible cost benefit to the City, however very difficult to quantify without making some major assumptions.

Conclusion:

The new MAC is to be a multi-generational facility to meet the demands of our growing community. By retaining the OKMAC space, programming at Sarsons can complement the programming at MAC and thereby increase the diversity of programs and user groups served. Retaining OKMAC also provides year-round community oversight of Sarsons Beach Park.

The current operating and maintenance costs are partially offset by the program and rental revenues. Approximately \$180k of renewal costs are anticipated in the near future.

Most significantly, the facility serves a lot of people, and is clearly very dear to the group of residents who use it regularly. The waterfront location makes it attractive to many different users and provides a unique and welcoming space for gatherings.

In consideration of these factors, staff are recommending OKMAC remain in use as a community space for the foreseeable future.

Finally, staff propose the current name of Okanagan Mission Activity Centre be renamed as Sarsons Activity Centre matching the name of the park, to better meet existing naming policy and good wayfinding principles. This correlates with the names of other existing activity centres at Parkinson and Rutland, and avoids any confusion with the working title for the proposed Mission Activity Centre. OMSCS have indicated they are in support of this change.

Internal Circulation:

Active Living & Culture
Building Services
Park Operations
Community Communications
Finance

Partnerships Office
Policy and Planning

Considerations applicable to this report:

Existing Policy:

Civic Community Naming - Policy No. 343

Financial/Budgetary Considerations:

Refer to Financial details above.

Communications Comments:

Refer to Engagement summary above.

External Agency/Public Comments:

Refer to Engagement summary above.

Considerations not applicable to this report:

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

External Agency/Public Comments

Submitted by: R. Parlane, Parks and Buildings Planning Manager

Approved for inclusion: D. Edstrom, Divisional Director, Partnerships & Investments

Attachment 1 Engagement Summary

Attachment 2 Presentation

cc:

J. Gabriel, Divisional Director, Active Living & Culture



OKMAC | Sarsons Activity Centre - Public Engagement

What we heard: engaging with the Okanagan Mission Seniors Centre Society | Friends of OMAC

Background:

The Okanagan Mission Activity Centre (OKMAC), located at 4398 Hobson Road was originally known as Dawe's House, and was purchased by the City in 1973. The Centre is nestled within Sarsons Beach Park along Kelowna's waterfront in a quiet neighbourhood, amongst tall shade trees and an open grass yard. As a multi-use facility, the building is used by residents of all ages, and has been operated by the City in collaboration with the Okanagan Mission Seniors Centre Society (OMSCS) for over 50 years. On weekends and evenings, it is used for community recreation and cultural programs or rentals.

The surrounding park, Sarsons Beach Park, features grassy areas, a playground, picnic tables and washrooms, and periodically hosts free summer concerts and activities.

Community members have expressed concern and hopes about the future of the nearly 75-year-old facility since 2019 upon hearing about City's vision through the 2040 Official Community Plan and 10-year Capital Plans to build a new all-ages activity centre at Mission Recreation Park.



OMSCS spearheaded *Friends of OMAC*, a community-based initiative created to protect and enhance the Okanagan Mission Activity Centre, stemming from fears the space would be demolished, stating on their website:

"This new facility will be a great addition to our community, and we look forward to its completion. The Okanagan Mission Activity Centre is a completely different experience given its unique location and history. Decisions about its future should be a separate conversation."

Purpose of Engagement:

In May 2023, the Building a Stronger Kelowna initiative was endorsed by Council to move forward on the development of key community, sport and wellness facilities including new multi-age activity centres in Glenmore and Mission.

While these facilities are considered critical infrastructure in a fast-growing city like Kelowna as they provide vital, low-barrier spaces at a neighbourhood level, the advancement and funding of this initiative re-activated concerns within the *Friends of OMAC initiative* that the new Mission Activity Centre would be looked at as a replacement facility to OKMAC.



City staff meet regularly with OMSCS, and a dedicated information session was organized for November 28, 2023, to help clarify information about facility planning intent in the Mission area, provide opportunity for input and feedback, and share updates specific to facility plans for OKMAC.

The main room features windows on three sides and hosts City and community programs such as art, music and yoga classes.

What we Heard: November 28 information session & follow up

It was a full house at OKMAC on Nov 28, 2023, with a strong desire from attendees to better understand go-forward plans for the facility. Attendees were looking for clear decisions and answers about the future of the facility, especially with the recent approval to build a new all-ages activity centre with a similar name – Mission Activity Centre.



Over 100 Kelowna residents attended an information session organized by the Okanagan Mission Seniors Society to learn about facility plans for Mission area.

103

total attendees

To ensure questions could be answered as accurately and efficiently as possible, staff from the following departments attended the session:

- Parks & Buildings Planning
- Partnerships & Investments
- Active Living & Culture
- Communications

67% said the session was informative (27% 'unsure', 6% 'no')

Recent and Next Steps:

Fall 2023 –

Preliminary Conditions Assessment
OMSCS Update and Discussion

February 2024 –

Formal Conditions Assessment

Dependent on formal assessment:

- Development of Sarsons Activity Centre Facility Plan

- Council support and endorsement of Sarsons Activity Centre Facility Plan

(Update Infrastructure Renewal Plan)

While a lack of definitive answer to the question “Is this facility safe from demolition?” frustrated some in attendance, sentiment from the group by the end of the session was positive and hopeful. The City’s Parks & Buildings Manager highlighted the larger scope of active facility infrastructure plans in the Mission area, how the Building a Stronger Kelowna projects fit in, and the value we see in shared community spaces. This included the reiteration that the two facility plans are considered separately, and that the new facility is not considered a ‘replacement’. The 60-minute session included a breakdown of next steps to be taken as staff form a recommendation specific to the facility, including the completion of a formal third-party building assessment.

In addition to the dedicated meeting and presentation, members were invited and encouraged to attend the Community Information Session specific to the new all-ages Mission Activity Centre on December 1, 2023, and were also provided with feedback forms and an email to provide any follow up feedback directly to staff.

Many attendees, plus members who were not able to attend the session, took good advantage of the opportunity to provide direct feedback about what they appreciate most about the facility at Sarsons Beach with 60 feedback forms and over 25 direct emails to staff sharing experiences and stories about the importance of the facility. In sharing what respondents love most about the facility a snapshot of characteristics is formed:



Sentiment Analysis: a summary of what we heard through feedback

Below is just a sample of what was shared with staff from over 85 pieces of correspondence received following the information session on November 28, 2023. In addition to sharing experiences about what attendees appreciate most, here are some of the common themes we heard, along with excerpts lifted from responses below:

Location: the views, ambiance, and connection to Sarsons Beach Park.

- *Fun to watch all ages enjoying the park and water.*
- *The feeling of how lucky we are to come to a place on the lake that we can be a part of.*
- *The location is superb with the view of the lake and mountains.*
- *At night the lights from across the lake are so beautiful.*
- *Lovely, safe for children to play in the park.*
- *The views are spectacular, and it is such a well-loved place.*
- *Members are in the building year around. They have a positive impact on the security of the park and hence, to the surrounding neighbourhood.*

Connection: the accessibility to social opportunities the centre provides.

- *The welcoming setting inside and out. It is both a shared space and our space each week. We all look out for it and love it here.*
- *It is a wonderful gathering place for not only seniors but all members of the community.*
- *The kindness of the members, the social chit chat - it's just like home.*
- *Very calm for chair yoga for seniors.*
- *Having access to this fantastic community centre with a warm, welcoming group like the Mission Painters really helped my transition to Kelowna and made me feel at home and part of the community.*

Uniqueness: offers one-of-a-kind meeting space, connection to nature, and services for seniors.

- *It's one of only a few public buildings on the lake for rental.*
- *It's a house not a room, and it feels like family when we get together.*
- *After looking at four walls at home in apartment living it's so nice having a homey atmosphere and a lake view.*
- *The ability to be indoors and or outdoors for barbecue is amazing.*
- *This venue is a treasure to the area and is definitely worth the investment and savings.*
- *No other place caters to seniors to allow easy access to our lake.*
- *Social games attract the lonely, otherwise isolated and give mental stimulation as well as fun and laughter.*



Through engagement, staff also heard from several clubs, groups and organizations that expressed the value of this facility to them including the Okanagan Mission Painters Group, superannuated Teachers of Saskatchewan Okanagan and several singing groups including Sing for Your Life! and the Silver Singers.

- *Our chapter members are very fond of the surroundings. We enjoy that it is a small place with a beautiful view of the lake. It feels so calm and inviting.*
 - *Being inspired to paint when looking out the window.*
 - *There is no other place that the public can rent on the lakeshore in Kelowna.*
 - *I have just started a woman's group with now 630 members, usually do events of about 50 people. We'd love to be able to consider this as a venue year-round.*
- *With a decent kitchen and fantastic location complete with parking in a glorious location on the lake, it satisfies an urgent need for so many groups in Kelowna.*

Okanagan Mission (Sarsons) Activity Centre

15 April 2024

Use and operation

- ▶ 4398 Hobson Road acquired in 1979
- ▶ In 2023, OKMAC received 12,660 visits
- ▶ OMSCS has over 350 members
- ▶ OMSCS main user Mon-Fri
- ▶ Outside of these hours City offers community programming & rentals



Park setting

Sarsons Beach Park

4398 Hobson Road



- ▶ Popular family beach park
- ▶ In 2020, park modified and extended
- ▶ Full programming provides 'eyes and ears' on the park

Building condition



- ▶ Assessment in February 2024
 - Single-pane, wood frame windows and doors
 - Failing roof
 - Insulation levels
 - Water heater, furnace and air-conditioning

Engagement

- ▶ Held in November 2023
- ▶ Over 100 attendees
- ▶ Strong support to retain OKMAC
- ▶ Second home to many members
- ▶ OMSCS is willing to fundraise



Financial details

- ▶ \$10k net program and rental revenues
- ▶ No revenue generated through OMSCS programs
- ▶ Operating & maintenance costs \$35k
- ▶ \$180k for immediate maintenance items
- ▶ Further \$740k maintenance costs over next ten years



Conclusion

- ▶ OKMAC remain in use as a community space for the foreseeable future
- ▶ Renamed Sarsons Activity Centre





Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 15, 2024
To: Council
From: City Manager
Subject: Council Tour of Transportation Projects
Division: Infrastructure

Recommendation:

THAT Council receives, for information, the report from the Infrastructure Division dated April 15, 2024, with respect to Council Tour of Transportation Projects;

AND THAT a portion of the Regular AM Council Meeting scheduled for Monday April 22, 2024 be at a location other than City Hall Council Chamber, being various locations in Kelowna, BC starting at 9:00 am as outlined in the report from the Infrastructure Division dated April 15, 2024;

AND FURTHER THAT the public not be permitted to attend this portion of the Meeting in-person due to its location and transportation requirements.

Purpose:

To provide Council background information in advance of the scheduled tour of several project sites on Monday, April 22nd.

Council Priority Alignment:

Transportation

Background:

City Council's Priorities include a goal of improving the mobility of Kelowna, residents, businesses and visitors. This includes improvements to walking, cycling, public transit and general traffic network capacity. Council has also expressed an interest in visiting the site of projects related to priorities and strategic objectives.

A Council tour of transportation project sites is arranged as part of Council's decision-making process. The tour itself is considered a Council meeting since a quorum of Council members will be participating, and the information received is part of their decision-making process for this initiative.

Every effort will be made to broadcast the tour on the City website and in Council Chamber as a Council meeting. It is assumed the technology will cooperate to the extent that video footage can be broadcast. The public can watch the broadcast at [Kelowna.ca/council](https://kelowna.ca/council).

Discussion:

Administration has organized a tour of six project sites that highlight projects that are being proposed for advancement, or are approved and under design, and or are currently under construction. The Projects planned to be visited include:

1. Bertram Ave / Burtch Rd improvements in support of the Building a Stronger Kelowna Parkinson site. Currently in the design phase.
2. Leckie Rd active transportation corridor from Hwy 97 to Dilworth Dr. Currently under construction.
3. Sutherland Ave active transportation corridor and utility upgrades west of Gordon Dr. Currently under construction.
4. Burtch Rd extension from Byrns Rd to KLO Rd. A new road connection to be delivered on an accelerated basis.
5. DeHart Rd between Gordon Dr and Lakeshore Rd, reconstruction of the roadway in conjunction with the new DeHart neighbourhood park. Currently commencing construction.
6. Lakeshore Rd upgrades, from DeHart Rd through to Lanfranco Rd. Currently in the design phase.

Conclusion:

The City of Kelowna will continue to place a heightened focus on accelerating transportation infrastructure projects to meet the growing demands of the community – in particular, major road connections that will improve overall network capacity. Council can anticipate significant efforts put towards accelerated delivery of multiple road connections throughout the remainder of this term.

Internal Circulation:

Financial Planning
Communications
Infrastructure Delivery
Integrated Transportation
Office of the City Clerk

Considerations not applicable to this report:

Consultation and Engagement:
Communications Comments:
Existing Policy:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Financial/Budgetary Considerations

Submitted by: B. Hallam, Integrated Transportation Department Manager

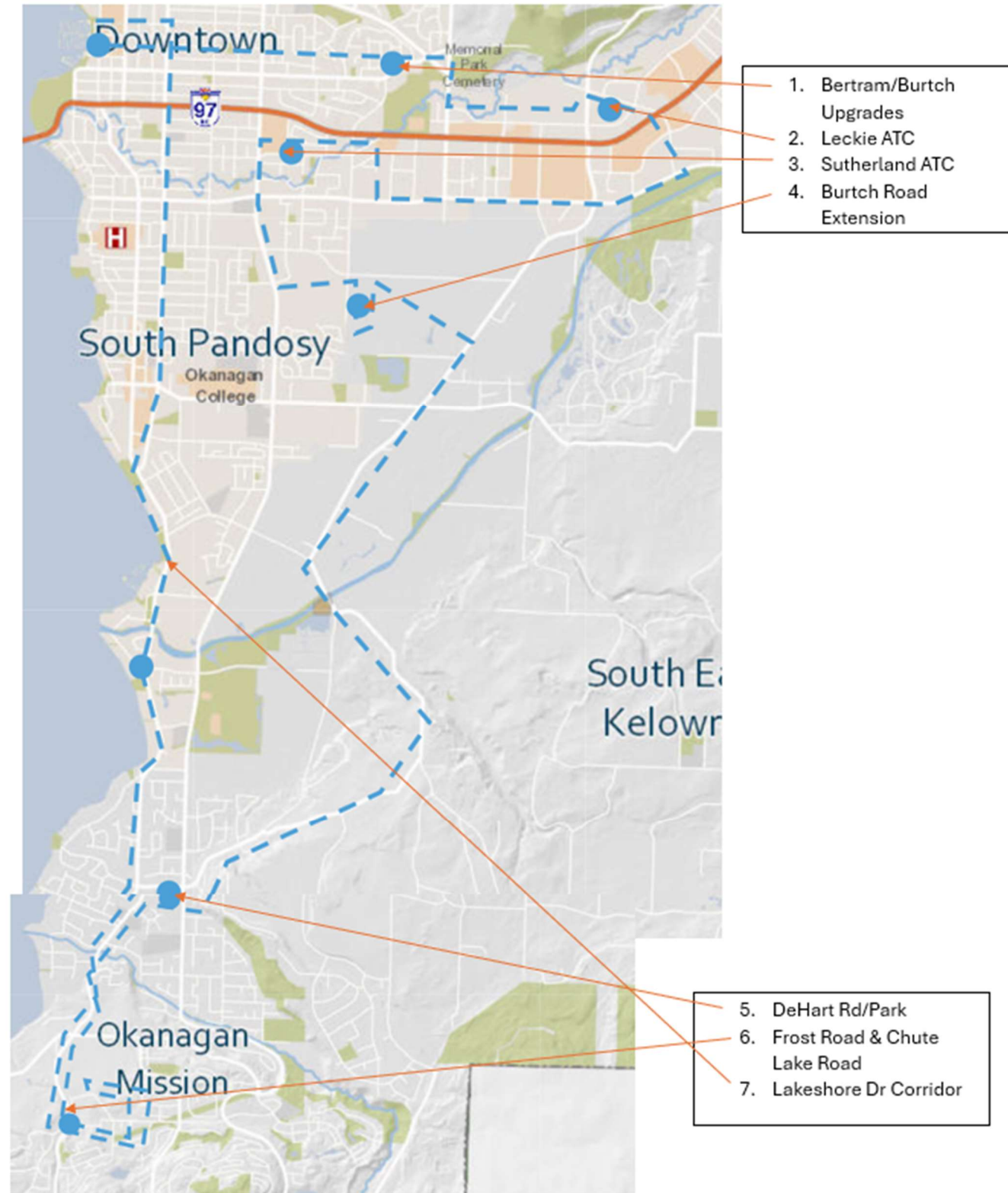
Approved for inclusion: M. Logan, Infrastructure General Manager

Attachment(s):

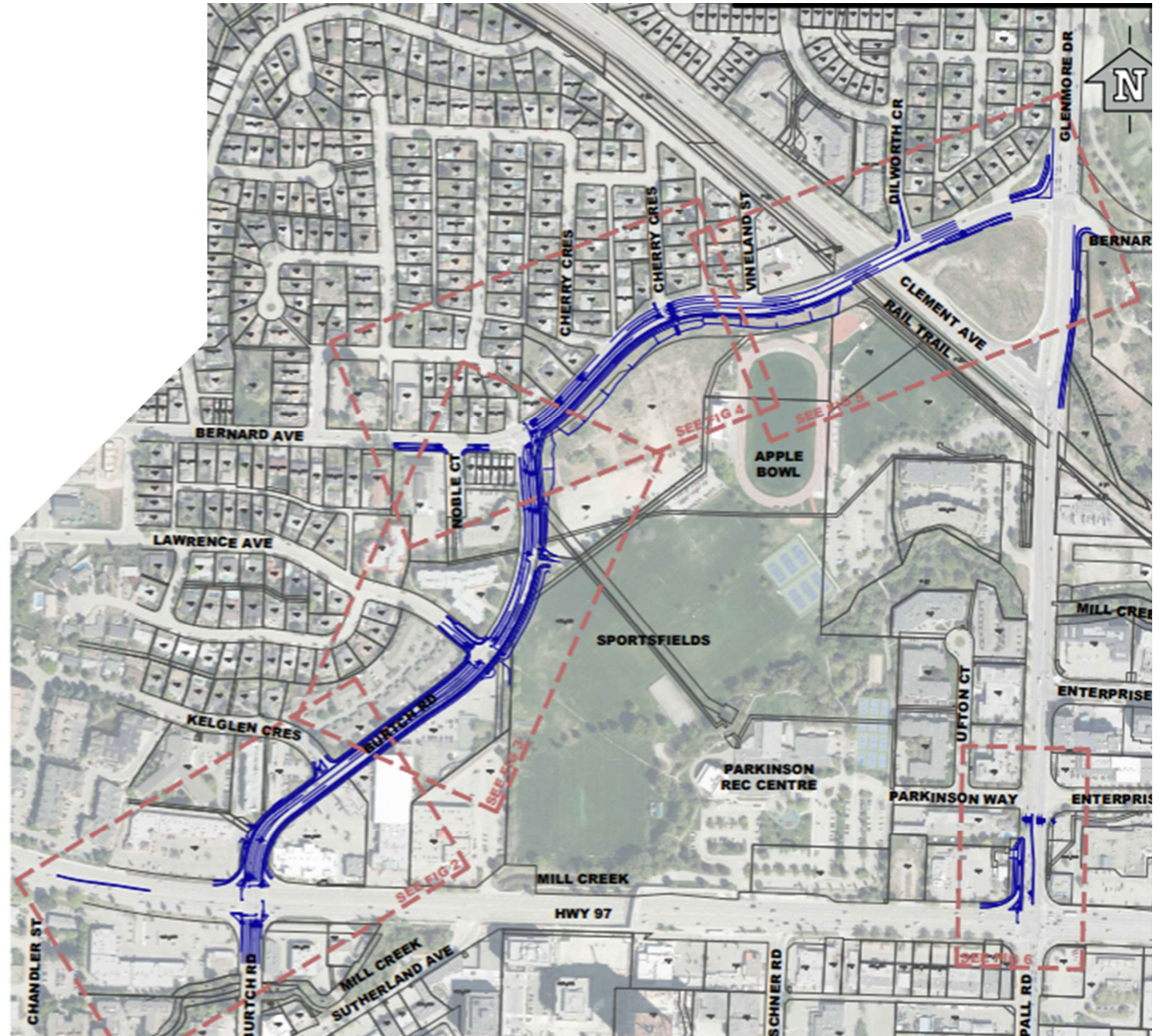
Attachment 1 – Tour Route Map
Attachment 2 – Bernard/Burtch Upgrades
Attachment 3 – Leckie ATC
Attachment 4 – Sutherland ATC
Attachment 5 – Burtch Road Extension
Attachment 6 – DeHart Park
Attachment 7 – Frost Road and Chute Lake Road
Attachment 8 – Lakeshore Drive Corridor

cc: Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Department Manager, Infrastructure Delivery

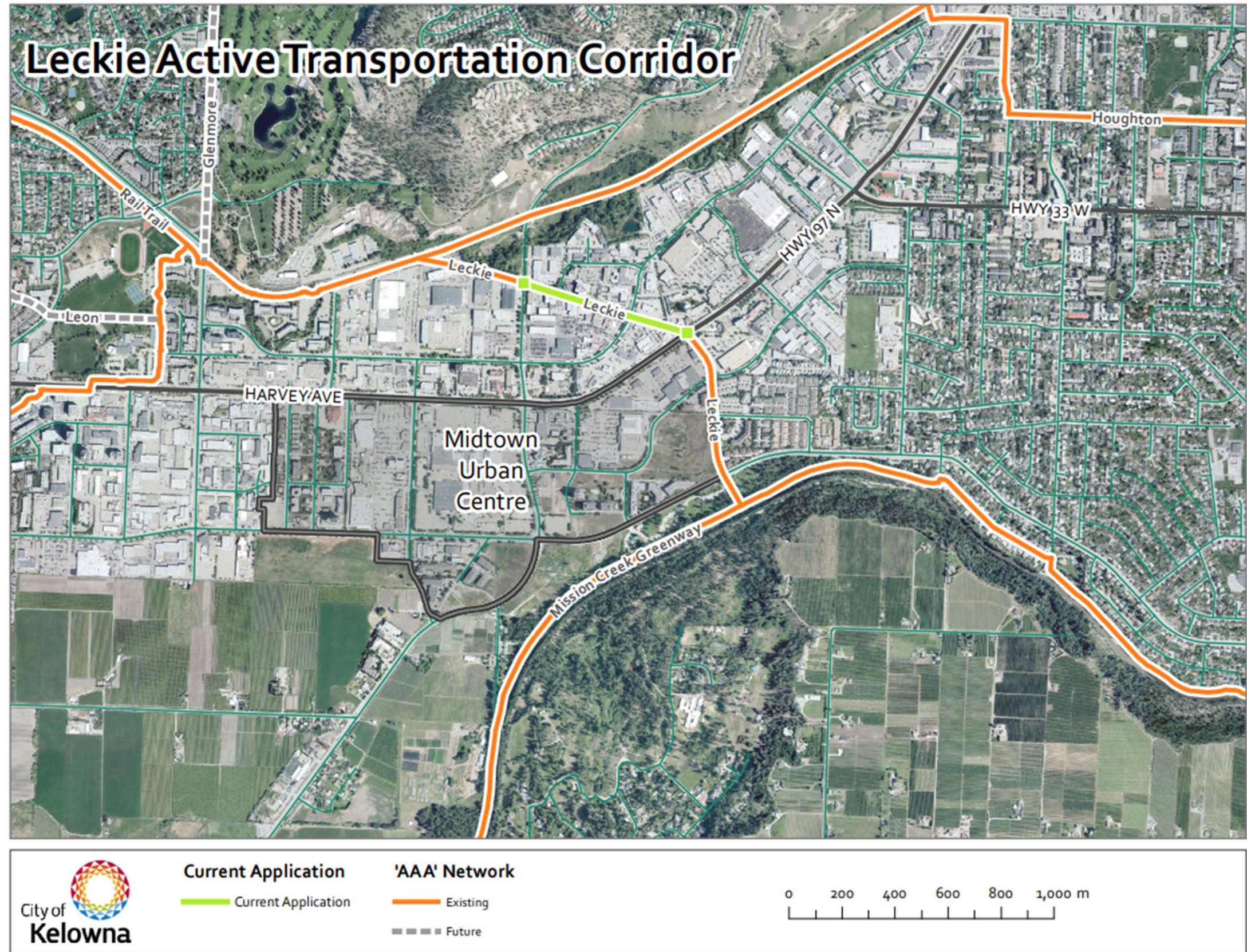
Attachment 1 –
Tour Route Map



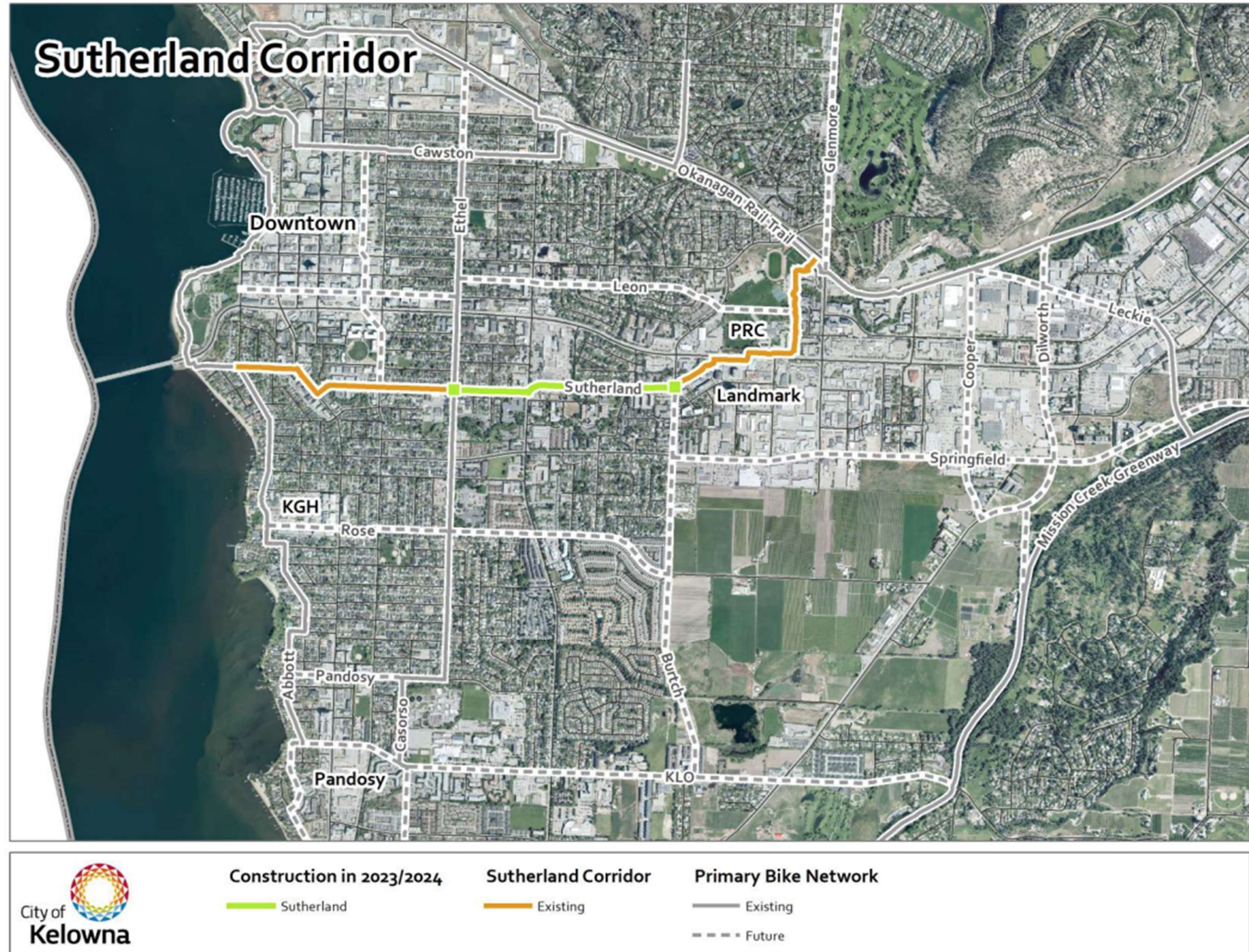
Attachment 2 –
Bernard/Burtch
Upgrades



Attachment 3 –
Leckie ATC



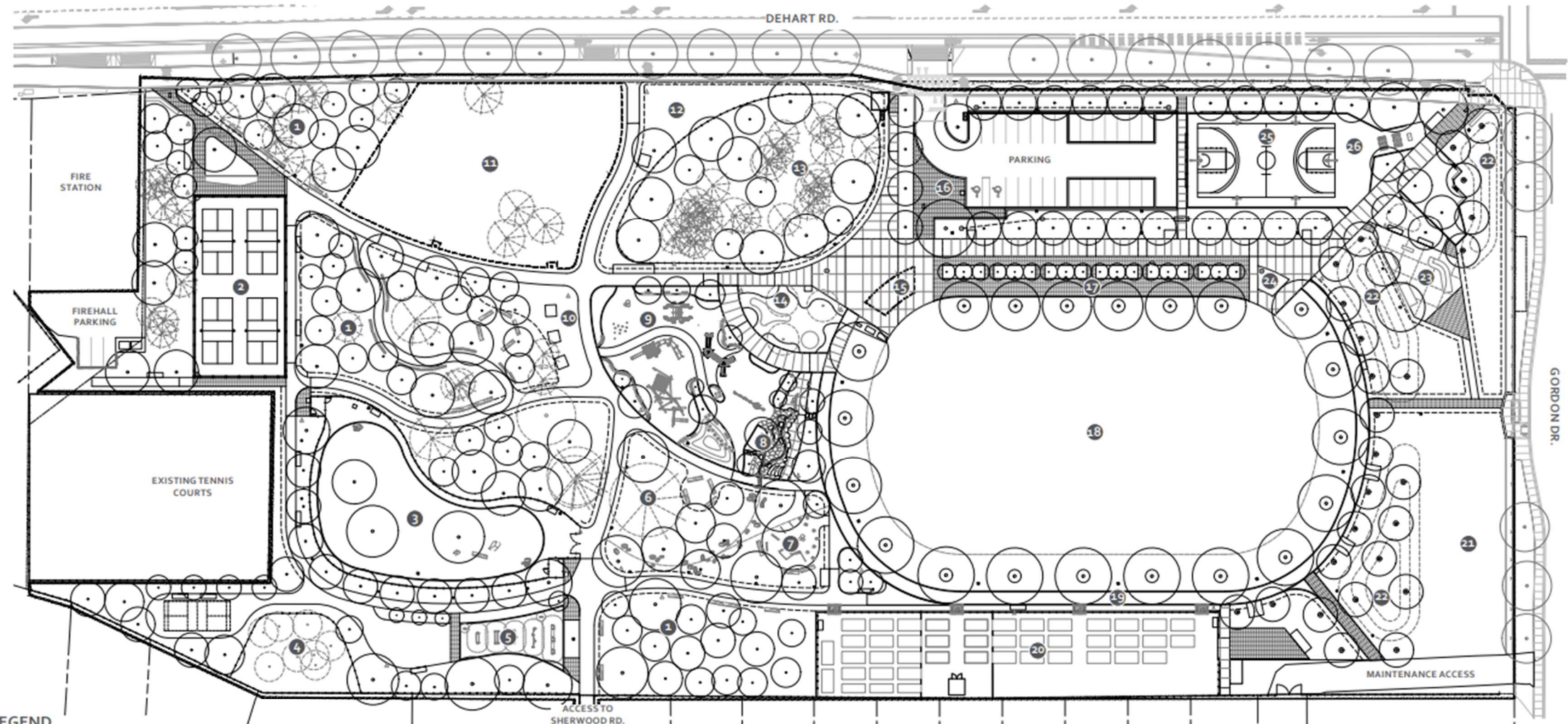
Attachment 4 –
Sutherland ATC



Attachment 5 –
**Burtch Road
Extension**



Attachment 6 –
DeHart Park



LEGEND

- 1 Ecological Enhancement Area
Existing and new planting
- 2 Pickleball Courts
Equivalent size to one tennis court
- 3 Fenced Dog Run
Bag dispensers, disposal bins, baffle gates
- 4 Existing Cottonwood Trees
Okanagan native species
- 5 Fitness Node
Yoga area and outdoor exercise equipment

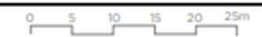
- 6 Large Existing Ponderosa Pine Tree
Estimated to be over 200 years old
- 7 Parkour Equipment
Small all-ages skill building area
- 8 Water Play Area
With rocks and manual pump
- 9 Playground
Accessible & inclusive features, natural materials, biophilic play elements
- 10 Meadow Picnic Area
Good sight lines into playground

- 11 Planned Future Pump Track
BMX & mountain biking course
- 12 Dryland Meadow
No mow, native grassland species
- 13 Existing Grove of Mature Conifers
Okanagan native species
- 14 Willow Tunnels under Existing Walnut Trees
Natural play feature
- 15 Park Washroom Building
Maintenance storage
- 16 Food Truck Parking
Power for vendor

- 17 Linear Plaza
With bookable gathering spaces
- 18 Multi-use Field
Accommodates two junior soccer pitches
- 19 Walking Loop
Snow cleared
- 20 Community Garden
Shed and soil storage
- 21 Pollinator Meadow
Flowers and habitat

- 22 Berm
To buffer road noise
- 23 Skateboard Spot
Street skating features
- 24 Future Modular Micro-Cafe
- 25 Basketball Court
One full court, four side hoops
- 26 Games Area
Ping pong and foosball

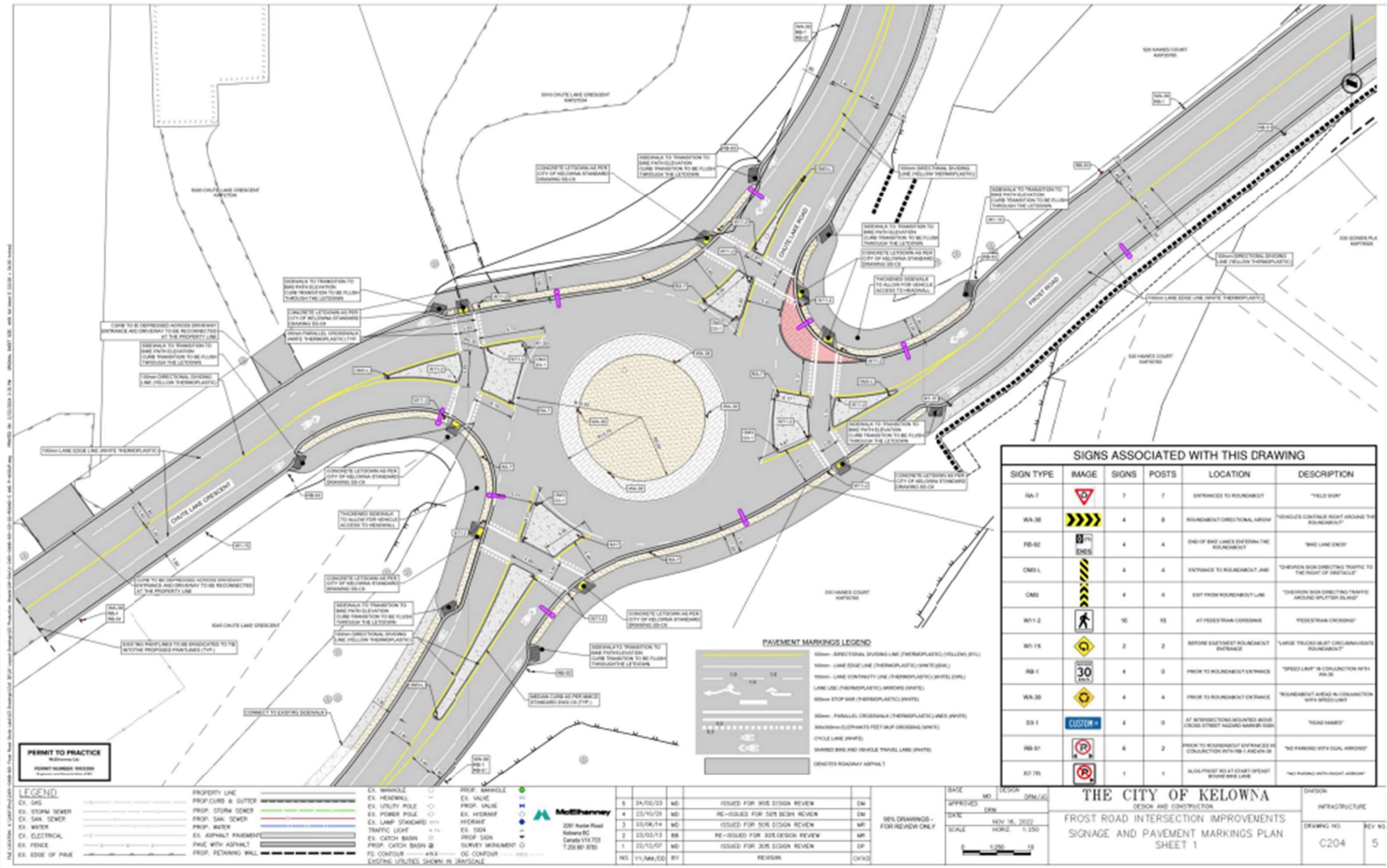
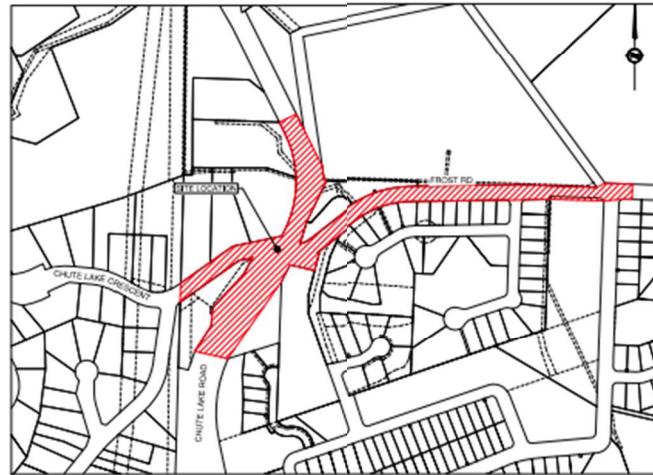
DEHART COMMUNITY PARK
100% DESIGN PLAN



Scale 1:800



Attachment 7 – Frost Road and Chute Lake Road



Attachment 8 – Lakeshore Road Corridor

