

# Report to Council



**Date:** September 24, 2018

**RIM No.:** 1250-04

**To:** City Manager

**From:** R. Smith, Community Planning Department Manager

**Subject:** Amendment to Development Application Fees Bylaw No. 10560

Report Prepared by: K. Brunet, Planner

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## **Recommendation:**

THAT Council, receives, for information, the Report from the Community Planning Department dated September 24, 2018 recommending that Council amend the City of Kelowna Development Application Fees Bylaw No. 10560;

AND THAT Bylaw No. 11684 being Amendment No. 7 to the Development Application Fees Bylaw No. 10560 be forwarded for reading consideration.

## **Purpose:**

To amend the Development Application Fees Bylaw No. 10560 to include fees for rezoning to a retail cannabis sales subzone.

## **Background:**

The Community Planning Department will begin accepting applications on October 1, 2018 to rezone to a retail cannabis sales subzone. Through consideration of TA18-0008, Council directed Staff to prepare an amendment to the Development Application Fees Bylaw to include a fee for a retail cannabis sales subzone. As the costs associated with the rezoning process for a retail cannabis sales subzone are higher than those for a standard rezoning, a separate fee in the Development Application Fee Bylaw is proposed. A non-refundable application fee is proposed, to capture the costs associated with the initial evaluation review of rezoning applications for retail cannabis sales establishments. The proposed fees have taken in to consideration the costs of developing and implementing a land use regulation for retail cannabis sales establishments.

The proposed fees include an increase of 2% in 2019, rounded to the nearest five dollars. This is consistent with increases to the existing fee chart. The 2018 fee would apply to all applications submitted between October 1 to November 30, 2018, even if applications are not processed until early

2019. After 2019, the Development Application Fee Bylaw will need to be further amended for subsequent years.

The amendment to the Development Application Fee Bylaw also includes the removal of the fee for zoning amendments for Agri-Tourist Accommodation, as this use was removed from the Zoning Bylaw and rezoning applications are no longer accepted.

**Internal Circulation:**  
**Business License Manager**  
**City Clerk**

**Legal/Statutory Authority:** Authority to impose fees for processing development applications is established in Section 462(2) of the *Local Government Act*

**Financial/Budgetary Considerations:** It is anticipated there will be increased costs for application processing and enforcement. These estimated costs will be offset by development application and business license fees.

**Personnel Implications:** Short term impacts are anticipated in development application and business license processes.

**Considerations not applicable to this report:**  
**Legal/Statutory Procedural Requirements:** N/A  
**Existing Policy:** N/A  
**External Agency/Public Comments:** N/A  
**Communications Comments:** N/A  
**Alternate Recommendation:** N/A

**Approved for inclusion:** R. Smith, Community Planning Department Manager

**Attachments:**  
Schedule "A" – Amendment to Development Application Fees Bylaw No. 10560