

# CITY OF KELOWNA

## BYLAW NO. 11249

### Amendment No. 4 to Development Applications Procedures Bylaw No. 10540

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Applications Procedures Bylaw No. 10540 be amended as follows:

1. THAT the pre-amble be deleted that reads:

“A Bylaw to establish procedures for the processing of land development applications, including amendments to the Official Community Plan, to the Zoning Bylaw, or to a Land Use Contract; Additional Dwelling for Farm Employee Permits, or Permits under Part 26 of the *Local Government Act*; Agricultural Land Commission applications; and Phased Development Agreements.

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

And replaced with the following:

“WHEREAS under the provisions of the Local Government Act, the City of Kelowna, may establish a bylaw for determining procedures for processing land development applications, including amendments to the Official Community Plan, to the Zoning Bylaw, or Land Use Contracts; Additional Dwelling for Farm Employee Permits; Agricultural Land Commission applications; and Phased Development Agreements.

AND WHEREAS the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:”

2. AND THAT SECTION 1- INTRODUCTION, 1.4 Definitions be amended by:
  - a) Deleting from the definition ‘Development Permit’ the Section number “920” and replacing it with “489”;
  - b) Deleting from the definition ‘Development Variance Permit’ the Section number “922” and replacing it with “498”;
  - c) Deleting the name for “Director of Land Use Management” and replacing it with “Department Manager, Community Planning”;
  - d) Deleting all references throughout the bylaw of “Director of Land Use Management” and replacing it with “Department Manager, Community Planning” as required;
  - e) Deleting from the definition ‘Land Use Contract’ the Section number “930” and replacing it with “546”;
  - f) Deleting from the definition ‘Public Hearing’ the Section number “890” and replacing it with “515”;
  - g) Deleting from the definition ‘Phased Development Agreement’ the Section number “905.1” and replacing it with “464”; and

- h) Deleting from the definition 'Temporary Use Permit' the Section number "921" and replacing it with "493";
- 3. AND THAT SECTION 2- GENERAL POWERS, 2.3 DELEGATION OF AUTHORITY, 2.3.2 Development Approval Information be amended by deleting the Section "920.1" and replacing it with "484";
- 4. AND THAT SECTION 2- GENERAL POWERS, 2.3 DELEGATION OF AUTHORITY, 2.3.3 Performance Security be amended by:
  - i) Deleting the Section "920" and replacing it with "489"; and
  - ii) Deleting the Section "925" and replacing it with "502"
- 5. AND THAT SECTION 2- GENERAL POWERS, 2.3 DELEGATION OF AUTHORITY, 2.3.5 Development Permits be amended by:
  - i) Deleting the Section "920" and replacing it with "489"; and
  - ii) Deleting the Section "925" and replacing it with "502";
- 6. AND THAT SECTION 2- GENERAL POWERS, 2.11.2 PERMIT RENEWALS, EXTENSIONS AND LAPSE, 2.11.2 Permit Issuance and Lapse be amended by:
  - a) Deleting in sub-paragraph b) the Section "926" and replacing it with "504"; and
  - b) Deleting in sub-paragraph c) the Section "926" and replacing it with "504".
- 7. AND THAT SECTION 2- GENERAL POWERS, 2.13 RE-APPLICATION be amended by deleting the Section "895(3)" and replacing it with "460";
- 8. AND THAT SECTION 4 - PUBLIC NOTIFICATION & CONSULTATION, 4.2 PUBLIC NOTIFICATION, 4.2.1 Giving Notice be amended by:
  - a) sub-paragraph a) be amended by deleting the words "abutting and adjoining to the subject property" and replacing it with "within a 50m radius or a minimum of four (4) properties, whichever is greater";
  - b) sub-paragraph b) be amended by deleting "Sub-Section 4.1.1(a)" and replacing it with "Sub-Section 4.2.1 (a)";
- 9. This bylaw may be cited for all purposes as "Bylaw No. 11249, being Amendment No. 4 to Development Applications Procedures Bylaw No. 10540."
- 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 30<sup>th</sup> day of May, 2016.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk