

CITY OF KELOWNA

BYLAW NO. 12109

Removal of Temporary Delegation of Authority Bylaw

Being Amendment No. 8 Development Application Procedures Bylaw No. 10540 Amendment No. 2 Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11250

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Application Procedures Bylaw No. 10540 and the Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11250 be amended as follows:

1. THAT Development Application Procedures Bylaw No. 10540, **Section 1 – Introduction, 1.4 Definitions, 1.4.1** be amended by deleting the following:

‘Divisional Director of Planning and Development Services’ means the person appointed as such and includes selected designate(s);

2. AND THAT Development Application Procedures Bylaw No. 10540, **Section 2 – General Provisions, 2.3 Delegation of Authority** be amended by deleting the following:

“2.3.6 Temporary Delegation of Authority

Pursuant to Section 154(1)(b) of the *Community Charter*, **Council** delegates to the **Divisional Director of Planning and Development Services**:

- a) The powers of **Council** under section 490 of the *Local Government Act* to issue, to refuse and to amend **Development Permits** in respect of **Development Permit** areas established by an **Official Community Plan**, notwithstanding the restrictions on delegation identified in Schedule 3 of this bylaw;
- b) 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;
- c) The powers of **Council** under section 15(1) of the *Community Charter* to issue, to amend, and to set conditions for permits for the placement of dwellings for the accommodation of temporary farm workers, in accordance with the *Agricultural Land Commission Act* and Regulations, notwithstanding the restrictions on delegation identified in Schedule 9 of this bylaw; and
- d) The powers of **Council** to extend, to a maximum of six (6) months, the deadline of a bylaw that has received third reading provided no previous extension requests have been made.
- e) The powers of Council to gather the views of residents and provide local government input to the Liquor and Cannabis Regulation Branch on liquor license applications that do not contravene the public interest and are consistent with Council Policy No. 359 Liquor Licensing Policy & Procedures.

Until May 31, 2020 or until the Government of British Columbia lifts orders restricting the gathering of people, whichever is the later.”

3. THAT Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11250, **Section 1 – Introduction, 1.2 Definitions, 1.2.1** be amended by deleting the following:
- a) **“City Clerk”** means the individual appointed by Council as the officer assigned the responsibility of corporate administration of the City of Kelowna, or their lawful deputy.”
 - b) **“City Manager”** means the individual appointed by Council as the City Manager or who holds the position of chief administrative officer of the City of Kelowna, or their lawful deputy.”
 - c) **“Divisional Director, Partnership and Investments”** means the person appointed as such and includes selected designate(s).”
4. AND THAT Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11250, **Section 2 – Authorized Signatories for Specific Real Property Transactions** be amended by deleting the following:
- “2.7 The **City Manager** and the **Divisional Director, Partnership and Investments** are authorized to approve on behalf of the **City**, transactions of up to a maximum of \$8,000,000 and the Mayor and **City Clerk** are authorized to execute contracts, agreements and other documents necessary or desirable to complete these transactions for projects approved by **Council** until May 31, 2020 or until the Government of British Columbia lifts orders restricting the gathering of people, whichever is later.
 - 2.8 The **Divisional Director, Partnership and Investments** is authorized to approve and execute on behalf of the **City**, transactions for general and project-based acquisitions and dispositions of property up to a maximum value of \$500,000 until May 30, 2020 or until the Government of British Columbia lifts orders restricting the gathering of people, whichever is the later.”
5. This bylaw may be cited for all purposes as "Removal of Temporary Delegation of Authority Bylaw No. 12109."
6. 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 28th day of September, 2020.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk