



City of Kelowna
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Council Policy

Waiver of Public Hearing

ESTABLISHED: November 4, 2002

Contact Department: Office of the City Clerk

Guiding Principle

The Local Government Act allows for Council to waive a public hearing on a proposed zoning bylaw if an Official Community Plan is in effect for the area that is subject to the zoning bylaw and the bylaw is consistent with the Official Community Plan. Council has chosen to establish additional criteria to determine when to waive a public hearing.

Purpose

To establish criteria for waiving public hearings under section 464(2) of the Local Government Act.

Application

Council may waive a public hearing on a proposed zoning bylaw if:

1. The bylaw is consistent with the Official Community Plan;
2. The bylaw has a supporting recommendation from staff; and
3. The bylaw is not expected to generate significant public input based on correspondence received at the time of writing of the Council report.

Staff will provide a recommendation in accordance with the above criteria. Council may choose to waive the requirement for a public hearing, direct the bylaw to a public hearing, or defeat the bylaw.

Notice of a waived public hearing will be given in accordance with Development Application Procedures Bylaw No. 10540, as amended or replaced from time to time, and written correspondence will be circulated to Council. Staff will prepare a supplemental report summarizing the correspondence and recommending that Council give the bylaw further readings, direct the bylaw to a public hearing, or defeat the bylaw.

Staff will report on waived public hearing statistics a minimum of twice per year.

Policy Statements

The City will provide the public with an opportunity to provide input to Council on proposed land use bylaws in accordance with the Local Government Act.

Amendments

Resolution: R0918/21/10/04

Replacing: R375/10/04/26; R407/02/11/04