

CITY OF KELOWNA

Bylaw No. 12784

Amendment No. 6 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 2.4 Development Approval Information** is amended by deleting Subsection 2.4.2.c in its entirety and replacing with the following:

“Socio-economic impacts that may affect the day-to-day quality of life of people and communities, including, but not limited to, demographics, housing, tenant protection, local services, socio-cultural issues, and direct and indirect economic impacts;”

2. THAT **Schedule '1' – Application Requirements** is amended by adding the following to be required for applications:
 - “• Tenant Protection Plan – including necessary Tenant Protection Bylaw No. 12780 redevelopment requirements and voluntary measures related to tenant protection or relocation.”

3. THAT **Schedule '3' – Development Permit Applications** is amended by adding the following new Section 3.0:

“3.0 TENANT PROTECTION DEVELOPMENT PERMITS

3.1 Restriction on Delegation

As a restriction on Section 2.3.5(a), the **Department Manager, Development Planning** may only issue or amend a Tenant Protection **Development Permit** that meets the following criteria:

- a) The proposed development is generally consistent with OCP **Development Permit** Guidelines; and
- b) An associated Form and Character **Development Permit** is delegated to the **Department Manager, Development Planning**, or there is no associated Form and Character **Development Permit**.

3.2 Application Requirements

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

Application Form	Owner's Authorization Form
State of Title	Tenant Protection 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, or deny a **Development Permit** application.

3.3 Processing Procedures

- 3.3.1 A Tenant Protection Direct **Development Permit** 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 2.11 Incomplete Applications.
- 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) Relevant referral agency comment 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.
- h) Upon sign-off of the **Development Permit** by the **Department Manager, Development Planning**, the **Development Permit** will be issued and then registered against the title of the property(s) at the Land Title Office.

3.3.2 A Tenant 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 2.11 Incomplete Applications.
- 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) **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** will prepare the required **Development Permit** and related schedules for signature.
- 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).".

4. This bylaw may be cited as "Bylaw No. 12784, being Amendment No. 6 to Development Application and Heritage Procedures Bylaw No. 12310".
5. 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