



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: June 13, 2023

From: Paul Gipps, CAO

File No: P 22-03

Subject: **P 22-03; Development Application Process Review Streamlining – Bill 26 Phase 2 (Adoption)**

Report Prepared By: Yvonne Mitchell, Planner II

RECOMMENDATION to Consider and Resolve:

THAT Council decides a public hearing will not be held for a Zoning Bylaw which is consistent with the Official Community Plan pursuant to the *Local Government Act*, subject to requirements in the City of West Kelowna Development Applications Procedures Bylaw; and

THAT Council adopt to City of West Kelowna Development Applications Procedures Amendment Bylaw No. 0260.02, 2023; and

THAT Council adopt City of West Kelowna Public Notice Bylaw No. 0303, 2023.

STRATEGIC AREA(S) OF FOCUS

Pursue Economic Growth and Prosperity – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

Strengthen Our Community – We will provide opportunities for the residents of West Kelowna to build connections, celebrate successes, embrace the community's strengths and diversity, address shared needs, and contribute to shaping the community's future.

BACKGROUND

On February 28, 2023, Development Applications Procedures Amendment Bylaw No. 0260.02, 2023 and Public Notice Bylaw No. 0303, 2023 was given 1st, 2nd and 3rd reading.

On May 9, 2023, third reading of the Development Applications Procedures Amendment Bylaw No. 0260.02, 2023 was rescinded and the bylaw was given third reading as amended.

Third Reading Changes

At third reading Council requested the proposed Development Applications Procedures Amendment Bylaw No. 0260.02, 2023 be further amended to recognize signatures in petitions be recognized towards the eight written submissions that would trigger a public hearing. The Development Applications Procedures Amendment Bylaw No. 0260.02, 2023 (Attachment 1) has been updated to illustrate this change made at third reading.

Council Decision

As per s.467(1) of the *Local Government Act* local governments can *decide* not to hold a public hearing for a Zoning Bylaw consistent with the Official Community Plan. This decision is to be made by Council resolution and can be found above. As noted in the motion, this does not limit Council's discretion to hold a public hearing when they deem appropriate as per the proposed changes to the Development Approvals Procedures Bylaw (Attachment 1).

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
February 28, 2023	THAT Council consider and resolve to give first, second, and third reading to City of West Kelowna Development Applications Procedures Amendment Bylaw No. 0260.02, 2023; and, THAT Council consider and resolve to give first, second and third reading to City of West Kelowna Public Notice Bylaw No. 0303, 2023.	C136/23
March 14, 2023	THAT Council defer making a decision and directed staff to bring back possible trigger mechanism recommendations, to the next appropriate Council meeting.	C148/23
May 9, 2023	THAT Council rescind third reading of City of West Kelowna Development Applications Procedures Amendment Bylaw No. 0260.02, 2023; and THAT Council give third reading as amended to City of West Kelowna Development Applications Procedures Amendment Bylaw No. 0260.02, 2023.	C201/23

FINANCIAL IMPLICATIONS

Not holding public hearings where not required will allow for more efficient use of staff resources, improve application processing times and increase the housing supply.

The proposed Public Notice Bylaw would mean only one newspaper notice is required. This would reduce the City's notice publication costs. The Public Notice Bylaw would also require one notice on the City's website. This means of publication would not have any additional costs.

NEXT STEPS

If the proposed amendments to the Development Application Procedures Bylaw and new Public Notice Bylaw are adopted, the following information bulletins will be updated to reflect the changes:

- A Resident's Guide to the Rezoning Process
- OCP & Zoning Amendments

Alternate Recommendation to Consider and Resolve:

1. **THAT** Council postpone adoption of City of West Kelowna Development Applications Procedures Amendment Bylaw No. 0260.02, 2023; and

THAT Council postpone adoption of City of West Kelowna Public Notice Bylaw No. 0303, 2023.

Should Council postpone consideration of the proposed amendment bylaw and Public Notice Bylaw, further direction to staff on how to proceed is requested.

REVIEWED BY

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

Attachments:

1. Development Applications Procedures Amendment Bylaw No. 0260.02, 2023
2. Public Notice Bylaw No. 0303, 2023