



CITY OF WEST KELOWNA

COUNCIL POLICY MANUAL

Pages: 1 of 2
Adoption Date: 2018-SEP-04

SUBJECT: DEVELOPMENT APPLICATION DELEGATION REQUEST

Purpose:

This policy outlines the process for applicants and the public to address Council or Council Committees for the following development applications: Official Community Plan amendments, Zoning amendments, development permits, development variance permits, Agricultural Land Commission applications (requiring notification as per the *Agricultural Land Commission Act*) and temporary use permits.

Policy:

1. An Official Community Plan amendment or Zoning amendment application or where staff support the application.

~~These types of applications are considered by Council in a process that mandates an opportunity for public input through a public hearing following first and second readings. The process includes comprehensive public notification, advertisement, and is the appropriate venue for anyone to provide input. Therefore, Delegations from the applicant and members of the public will not be considered prior to the a public hearing, if a public hearing will not be held, or if a public hearing is prohibited from being held pursuant to the *Local Government Act*.~~ At the discretion of Council, however, Council may ask questions of the applicant for the purposes of clarification only during a Council meeting where the application is being considered.

Should Council, regardless of the positive staff recommendation, consider not giving first and second reading to the application, the applicant may be provided an opportunity to address Council. Council may limit the time permitted.

2. An Official Community Plan amendment or Zoning amendment application where staff do not support the application.

When staff do not support an application, the developer may wish to address Council prior to Council considering first and second readings. In these cases, delegation requests will be accepted on an application to not support, by Legislative Services until 4:00 p.m., the business day prior to the Council meeting.

3. A development variance permit application, Agricultural Land Commission application (requiring notification as per of the *Agricultural Land Commission Act*), or application for a temporary use permit.

Council may support an opportunity for both the applicant and members of the public to briefly address Council prior to Council considering the issuance of a development variance permit, Agricultural Land Commission application (e.g. Agricultural Land Reserve Exclusion application) or, a temporary use permit. Council may support such an opportunity regardless of whether the staff recommendation is to support or not support the application. Council may limit the time permitted.

4. Applications which do not require or allow for public input.

The public or the applicant are not provided an opportunity to address Council prior to Council considering any application which does not require or allow for public input (e.g. Development Permits and Non-Farm Use applications). Council's decision to approve or deny an application must fall within the parameters of enabling legislation and not be based on extraneous factors which would exceed Council's statutory authority.

Previous Revision/s: 2008-APR-22
2018-FEB-27
2024-FEB-27