



COUNCIL REPORT

To: Mayor and Council

Date: February 27, 2024

From: Ron Mattiussi, CAO

File No: P 24-03

Subject: **P 24-03; Fees and Charges Bylaw (No.0028) Amendments**

Report Prepared by: Holden Blue, Planner II

RECOMMENDATION to Consider and Resolve:

THAT Council give first, second and third readings to the “City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.80, 2024.”

BACKGROUND

In 2021, the Fees and Charges Bylaw No.0028 was amended to modernize the Bylaw, create a regionally consistent fee structure, provide clarity and functionality of the Bylaw, introduce new fees and moderately increase select fees for additional cost recovery.

At the time, a number of amendments were made, including a moderate fee increase of 2% annually for select fees in Schedule 3 “Subdivision, Development Engineering and Approving Officer Fees” and Schedule 5 “Planning Fees”. Fees have increased for select categories in Schedule 3 and 5 by 2% annually in accordance with the Bylaw.

DISCUSSION

Proposed Housekeeping Amendments

Annual Fee Increase

Schedules 3 and 5 have been updated to reflect the annual 2% change to 2030. Fees are rounded up to the nearest 10 dollars annually in each category. No new changes are being introduced to the fee structure of the Bylaw, and the proposed amendments are measures to formalize the annual fee increase. This methodology has been clarified in Schedule 3 to be consistent with Schedule 5.

Public Hearing Fees

The Provincial government passed legislation in November 2023 (Bill 44 – *Housing Statutes - Residential Amendment Act, 2023*) which included changes to the *Local*

Government Act to introduce circumstances where local governments must not hold public hearings for certain zoning bylaw amendments related to residential development consistent with the municipalities Official Community Plan. The City's Fees and Charges Bylaw currently includes the cost of public hearings and associated notification in its fee structure and charges an additional fee if a second public hearing is held as part of a development application.

Clarification has been provided in Schedule 5 to indicate that the fee for public hearings included in application fees also applies to scenarios where no public hearing is required. In cases where a public hearing is not held, notification of first reading is still required, and therefore the fee is still applicable as the fee is primarily related to notification requirements. The fee has not been changed, but its intent has been clarified in the Bylaw.

FINANCIAL IMPLICATIONS

Application fees in Schedule 3 and 5 of Bylaw No.0028 will continue to increase 2% annually to aid in cost recovery efforts. A full review of the bylaw and consideration of additional fee changes may be initiated in the future.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
August 24 th , 2021	P 20-23; Fees and Charges Amendment Bylaw; 0028.59	C266/21

Alternate Recommendation to Consider and Resolve:

THAT Council postpone consideration of first, second and third reading of the "City of West Kelowna Fees and Charges Amendment Bylaw No.0028.80, 2024."

Should Council choose to postpone consideration, direction to staff on next steps will be required.

REVIEWED BY

Chris Oliver, Planning Manager

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

Trevor Seibel, Deputy CAO

APPROVED FOR THE AGENDA BY

Ron Mattiussi, CAO

Powerpoint: Yes ☐ No ☒

Attachments:

1. City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.80