

CITY OF KELOWNA

BYLAW NO. 8634

Amendment No. 4 to Development Application Procedures Bylaw No. 8140

A bylaw to amend the "Development Application Procedures Bylaw No. 8140".

The Municipal Council of the City of Kelowna in open meeting assembled, enacts as follows:

1. THAT Development Application Procedures Bylaw No. 8140 be amended by:
 - (a) Replacing the definition of **Building Inspector** in **Subsection - 1.3 Definitions of Section 1 - Introduction** with the following:

"**'Building Inspector'** means the person appointed by **City Council** to administer and enforce the provisions of the City of Kelowna Building Bylaw, 1993, No. 7245; the City of Kelowna Plumbing Regulation Bylaw No. 5968-87; and the City of Kelowna Gas Bylaw No. 6206-88."
 - (b) Replacing paragraph 2.1.3(e) of **Subsection 2.1 Bylaw Amendment Application of Section 2 - Amendment of Official Community Plan or Zoning Bylaw** with the following:

"2.1.3 (e) any additional information the **Director of Planning & Development Services** may require, in order to prepare, evaluate, and make a recommendation concerning the proposed rezoning or **Official Community Plan** amendment in accordance with sub-section 2.1.4."
 - (c) Deleting paragraph 2.7.2 of **Subsection 2.7 - Development Notice Sign of Section 2 - Amendment of Official Community Plan or Zoning Bylaw**.
 - (d) Replacing paragraph 4.2.1 of **Subsection 4.2 - Development Permit Required of Section 4 - Development Permits and Development Variance Permits** with the following:

"4.2.1 Unless otherwise exempted from the requirement to obtain a **Development Permit** by the **Official Community Plan**, an owner of land designated as a **development permit** area in the **Official Community Plan** must obtain and hold a valid **development permit** prior to:

 - (a) subdividing land,
 - (b) constructing, adding to, or altering a building or structure,
 - (c) altering land within an area designated for protection of the natural environment or protection of development from hazardous conditions, or
 - (d) altering land within an area designated for revitalization of an area in which a commercial use is permitted, or altering a building or structure on that land."

- (e) Deleting paragraph 4.7.2 of **Subsection 4.7 - Development Notice Sign of Section 4 - Development Permits and Development Variance Permits.**
- (f) Replacing paragraph 5.1.1 of **Subsection 5.1 - Landscape Plan of Section 5 - Landscaping Information** with the following:

"5.1.1 Where a landscape plan is required, every plan shall provide sufficient information to identify the **site** and any improvements thereon including:

- (a) drawings which show the dimensions and location of footprints for all existing and proposed landscaping relative to the existing and final **site** grades, vehicle areas, property lines, easements, adjacent land uses, building entrances and walkways, exterior lighting, street furniture, hydrants, garbage collection areas, utility poles, and underground utilities;
- (b) drawings which describe the existing and proposed plant materials (including areas of natural vegetation to be retained) identifying common and scientific plant names, quantity, calliper, rootball size, and height at planting and maturity;
- (c) drawings which describe the irrigation systems relative to boulevards, buffer strip and public rights-of-way, direction of drainage, and catch basins and sub-drains marked with proposed rim and invert elevations;
- (d) landscape drawings are to include a north arrow and legend that includes the date, metric scale, revision box, and plant materials list; and/or
- (e) any information required by the **Director of Planning & Development Services.**"

- 2. AND THAT wherever reference is made to the *Municipal Act*, the reference be changed to the *Local Government Act*.
- 3. This bylaw may be cited as "Bylaw No. 8634 being Amendment No. 4 to Development Application Procedures Bylaw No. 8140".
- 4. This bylaw shall come into full force and effect and be 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