
CITY OF KELOWNA

MEMORANDUM

Date: February 28, 2001
File No.: 3360-00
To: City Manager
From: Planning and Development Services
Subject: Amendment to Development Application Procedures Bylaw No. 8140

1.0 RECOMMENDATION

THAT Municipal Council consider amending Development Application Procedures Bylaw as detailed in Attachment 1 appended to the report from the Planning & Development Services Department dated February 28, 2001.

2.0 SUMMARY

The proposed amendments to the Development Application Procedures Bylaw relate to the requirements for posting notices on properties under development applications. The first amendment is the addition of a clause that would exempt properties from being required to post a notice where more than 10 properties owned by more than 10 different owners were under the same application. This is consistent with Local Government Act provisions. The second amendment relates to the information posted on the development notice sign. It has been brought to staff's attention that there may be inconsistencies in the information that is posted on the sign and the proposed amendments will simplify the posting requirements. The revised information will, at minimum, provide enough information so that an interested party can contact the City of Kelowna to find out detailed information.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, A.C.P., M.C.I.P.
Director of Planning & Development Services

ATTACHEMENT 1

- (1) Adding paragraph 2.7.2 to **Subsection 2.7 - Development Notice Sign** as follows:

"2.7.2 The posting of development notice signs outlined in sub-section 2.7.1 is not required if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration."

- (b) Replacing **Schedule "A" - Development Notice Sign Requirements** with a new **Schedule "A" Development Notice Sign Requirements** as follows:

(c)

- (2) Replacing existing Schedule "A" with the following revised Schedule "A":

SCHEDULE "A"

DEVELOPMENT NOTICE SIGN REQUIREMENTS

Where Development Notice Sign(s) are required pursuant to this bylaw, they shall comply with the following:

1. **Location**

All development notice signs shall be placed on property that is subject to an application pursuant to this bylaw so that they are clearly visible from the street, approximately 3.0 m inside the property line.

2. **Number**

One sign is required for each 100 m of street frontage provided that no more than three signs are required for any one **site**.

3. **Sign Content**

The signs shall include the following information, as applicable to the application:

- (a) present and proposed zone of property,
- (b) the **City's** Rezoning, **Development Permit**, **Development Variance Permit** or Temporary Use Permit file number,
- (c) any requested variances of **City** bylaws,
- (d) the dates of the Advisory Planning Commission meeting, **Public Hearing**, **Council** meeting at which the application is proposed to be considered, or the final date for receipt of public input if the **Public Hearing** has been waived; and
- (e) any additional information the **Director of Planning & Development Services** may require.

4. **Sign Installation**

Development notice signs shall be located so as not to interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

5. **Sign Purchase**

Development notice signs shall be purchased from the **City's** Planning & Development Services Department for the required fee.

6. **Sign Removal**

Development notice signs shall remain in place until the conclusion of the **Public Hearing**, until **Council** has considered the **Development Permit**, **Development Variance Permit** or Temporary Use Permit, as applicable, until **Council** has adopted the amending bylaw if the **Public Hearing** has been waived, or until the development application has been abandoned. Development notice signs must be removed within seven days of the conclusion of a **Public Hearing**.

7. **Statutory Declaration Required**

The applicant must provide the **City's** Planning & Development Services Department with a statutory declaration in the approved format that all development notice signs required by this bylaw have been installed on the land involved before the application will be considered at an Advisory Planning Commission meeting, a **Public Hearing** or by **Council**.

8. **Postponement of Consideration of Application**

Failure to post the required development notice sign(s) in accordance with this bylaw shall result in the postponement of the Advisory Planning Commission's consideration of the application, the **Public Hearing**, **Council** consideration of the application or **Council** consideration of the amending bylaw if the **Public Hearing** has been waived. Any costs incurred by the **City** for public notification as a result of such postponement shall be the responsibility of the applicant.