
CITY OF KELOWNA

MEMORANDUM

Date: March 25, 2003
File No.: 3900-20

To: City Manager

From: Director of Works and Utilities

Subject: Subdivision Bylaw Amendments

RECOMMENDATION:

THAT Council approve the proposed amendments to the Subdivision Bylaw as outlined in the report of the Director of Works and Utilities dated March 25, 2003;

AND THAT Council delete Council Policy 263;

AND THAT Council give consideration to the first three readings of Bylaw 8993 to incorporate the recommended changes to the Bylaw.

DISCUSSION:

The following amendments to the Subdivision, Development and Servicing Bylaw are brought forward for Council's consideration. These changes are driven by improved information regarding the areas of proposed change.

Staff recommend that Council delete Policy 263 regarding servicing requirements for building permits and replace with section 9.3 Required Works and Services as outlined in the attached draft bylaw. The proposed changes are based on detailed review of the Local Government Act in combination with actual staff experience with implementing Policy 263. Schedule 7 provides details of how the new bylaw requirements will be interpreted. The revisions indicate that at building permit the City will only ask for those items directly attributable to the proposed permit. Requirements could include pipe system upgrades (water, sewer or drainage) needed to handle the building permit needs or frontage improvements that are needed for safety or integration with existing City infrastructure on one or both sides of the property (i.e. extension of sidewalks, curb and gutter). The proposed Schedule 7 provides information to staff and the development community of how this will be interpreted. It is anticipated that this will result in a reduction in City requirements compared with Policy 263 and puts the City fully in line with the spirit and intent of the Local Government Act. The reason for deleting the Policy and incorporating the changes in the Subdivision Bylaw is on the basis of legal advice.

The other change is to update Schedule 5 of the Bylaw to reflect current industry standards.

John Vos

cc. Development Engineering Manager
City Clerk
Director of Planning and Development Services