
CITY OF KELOWNA

MEMORANDUM

Date: June 15, 2007
File No.: 3730-20
To: City Manager
From: Deputy City Clerk
Subject: Board of Variance Bylaw and Appointment

Report Prepared by: *Legislative Coordinator, C. Boback*

RECOMMENDATION:

THAT Council forward reading considerations for Bylaw No. 9817 being "City of Kelowna Board of Variance Bylaw No. 9817";

AND THAT Council reading considerations for Bylaw No. 9819 being "Amendment No. 20 to Development Application Fees Bylaw No. 8034";

AND THAT Council appoint Ms. Jane Fleming to the Board of Variance for the remainder of the 2005-2008 Council term;

AND FURTHER THAT the Mayor, on behalf of Council, send a letter of thanks to former member Mr. Dick Goldammer.

BACKGROUND:

After reviewing the current Board of Variance Bylaw, staff recognize that the bylaw requires updating. Some of the terminology, procedures and legislation reference are outdated and it is necessary for a replacement bylaw.

Staff recommends that the Board of Variance application fee be the same as the fee for a Development Variance Permit application. The proposed amendment to Development Application Fees Bylaw No. 8034 would increase the current Board of Variance fee from \$250.00 to \$578.00 in order to bring the fees to the same amount. The amount of staff time required to process a Board of Variance application is similar to the amount of time required to process a Development Variance Permit Application. The Board of Variance fee was last increased in 1998.

Due to the resignation of Mr. Dick Goldammer, a vacancy exists on the Board of Variance. Staff recommends that the position be filled by Ms. Jane Fleming. Ms. Fleming has a background in Planning in both the public and private sectors and would complement the existing members of the Board. Staff also recommend that Council formally thank Mr. Goldammer for his years of service on the Board.

LEGAL/STATUTORY AUTHORITY: *Local Government Act* s. 899 (Board of Variance)
Community Charter s. 194 (Municipal fees)

INTERNAL CIRCULATION TO: Manager of Inspection Services

EXISTING POLICY: City of Kelowna Board of Variance Bylaw No. 5994-88

FINANCIAL/BUDGETARY CONSIDERATIONS: Better cost recovery of staff time for processing Board of Variance applications.

Considerations that were not applicable to this report:

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS

PERSONNEL IMPLICATIONS

TECHNICAL REQUIREMENTS

EXTERNAL AGENCY/PUBLIC COMMENTS

ALTERNATE RECOMMENDATION

Submitted by:

S. Fleming, Deputy City Clerk

Approved for Inclusion:



cc:

R. Dickinson, Manager of Inspection Services