

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.26, 2022

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Development Procedures Bylaw 2500, 2011**

The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw No. 2500.26, 2022.”
2. The “Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011” is amended by:
 - (i) adding a new sub-section 8 (Provincial Approvals) under Section 1 (Application Requirements) in Schedule 4 (Application for a Development Variance Permit) to read as follows:
 - .8 Provincial Approvals
 - (a) Where it is proposed to place a building or structure within 4.50 metres of a highway, a copy of an approved Highway Use Permit (Structural Setback) from the Ministry of Transportation and Infrastructure (MoTI) shall be provided.
 - (ii) replacing Section 2 (Processing Procedure) under Schedule 4 (Application for a Development Variance Permit) in its entirety with the following:
 - .2 Processing Procedure**

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

 - .1 Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.

- .2 Development Services staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant.
- .3 Development Services staff will notify the relevant Area Director(s) of an application.
- .4 Development Services staff will notify the application by:
 - a) written notice to property owners and tenants of land within a radius of 30.0 metres of the boundaries of the subject property; and
 - b) posting of application materials on the Regional District's web-site.
- .5 A period of 15 working days from the date of the letter to property owners and tenants will be provided for comments from the public to be submitted electronically or in-person to the Regional District.
- .6 Development Services staff will refer the application to all applicable Regional District departments for comment and *may* conduct a site visit to view the property as part of the evaluation process.
- .7 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies.
- .8 All comments and/or recommendations may then be incorporated into a staff memo and/or a draft development variance permit, as applicable.
- .9 If no representations opposing the requested variance(s) are received within the timeframe specified under sub-section 2.5, the staff memo and draft development variance permit will be considered for delegated approval, in accordance with the Regional District's *Chief Administrative Officer Delegation Bylaw*, by the CAO, or their delegate.
- .10 If approval of the permit is granted by the CAO, or their delegate, Development Services staff will execute the development variance permit.
- .11 Development Services staff will register the Notice of Permit against the title of the property(s) at the Land Title Office.
- .12 A development variance permit application will automatically be (re)considered by the Regional District Board at a forthcoming meeting if the following applies:
 - a) the permit has been denied by the CAO, or their delegate; or
 - b) a representation opposing the requested variance(s) has been submitted to the Regional District within the timeframe specified in sub-section 2.5.
- .13 When a permit is to (re)considered by the Regional District Board, a technical report will be prepared and accompanied by all representations received on the proposed variance(s).

- .14 The applicant is invited to attend the Board meeting at which the variance application will be (re)considered.
- .15 The Board will consider the technical report and may grant the requested permit, or may refer, table, direct back to the APC or deny the application.
- .16 Once the Board minutes have been prepared, the applicant will be notified in writing of the outcome.
- .17 If a development variance permit is granted by the Board, a Notice of Permit will be signed and sealed by the CAO and registered against the title of the property(s) at the Land Title Office.

READ A FIRST AND SECOND TIME this ____ day of _____, 2022.

PUBLIC HEARING held on this ____ day of _____, 2022.

READ A THIRD TIME this ____ day of _____, 2022.

ADOPTED this ____ day of _____, 2022.

Board Chair

Corporate Officer