

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2793.02, 2022

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Chief Administrative Officer Delegation Bylaw No. 2793, 2018**

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 Chief Administrative Officer Delegation Amendment Bylaw No. 2793.02, 2022.”
2. The “Regional District of Okanagan-Similkameen Chief Administrative Officer Delegation Bylaw No. 2793, 2018” is amended by:
 - (i) adding a new Section 3.49 under the sub-heading of “Contract and Agreements” to read as follows and renumbering all subsequent subsections accordingly:

3.49 be delegated authority to issue a development variance permit under Section 498.1 of the *Local Government Act* if, in the opinion of the Chief Administrative Officer (CAO), or their delegate, the development to be authorized by the variance would, relative to development in accordance with the bylaw, be minor and would have no significant negative impact on the use of immediately adjacent or nearby properties. In making this determination the Chief Administrative Officer (CAO), or their delegate, may have regard to the:

 - i) degree or scope of the variance relative to the regulation from which a variance is sought;
 - ii) proximity of the building or structure to neighbouring properties; and
 - iii) character of development in the vicinity of the subject property.
 - (ii) adding a new Section 3.50 under the sub-heading of “Contract and Agreements” to read as follows and renumbering all subsequent subsections accordingly:

3.50 in deciding whether to issue a development variance permit delegated under sub-section 3.49, consider the following guidelines:

- i) if the proposed variance is consistent with the general purpose and intent of the zone;
- ii) if the proposed variance addresses a physical or legal constraint associated with the site (e.g. unusual parcel shape, topographical feature, statutory right-of-way, etc.);
- iii) if strict compliance with the zoning regulation would be unreasonable or un-necessary; and
- iv) if the proposed variance would unduly impact the character of the streetscape or surrounding neighbourhood.

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

ADOPTED this ____ day of _____, 2022.

Board Chair

Corporate Officer