



City of Kelowna  
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# Council Policy

## Sunset Clause Policy for Preliminary Subdivision Layout Review Letters

APPROVED June 22, 1992

RESOLUTION: R375/10/04/26  
 REPLACING: R342/99/04/26; S714/1992/06/22  
 DATE OF LAST REVIEW: April 2010

1. Requests submitted for preliminary layout review will be dealt with actively for a period of one year. If at the end of that one year period a preliminary layout review letter has not been issued, the applicant will be advised that the file will be closed unless the applicant can either provide just cause that the file remain open, or if it can be demonstrated that the file is being actively pursued. One extension period of one year will be permitted if the applicant provides justification for keeping the file open;
2. Once a preliminary layout review letter has been issued, up to two extensions of 180 days each will be granted before a file is closed. The applicant will be advised that a maximum of two extensions are permitted at the time of the original request for a preliminary layout review letter. Further extensions for preliminary layout review may be considered in the case of larger scale, phased subdivisions or if the applicant can demonstrate activity on the file;
3. In the event the cause of delay in issuing a preliminary layout review letter rests with the City of Kelowna (e.g. a development moratorium due to the preparation of a sector plan), the initial one-year processing period will commence at the time of completion of the project causing the delay;
4. This sunset clause policy will be used for reviewing the status of inactive applications.

### **REASON FOR POLICY**

To clarify the sunset clause policy for processing preliminary subdivision layout review letters.

### **LEGISLATIVE AUTHORITY**

Council Resolution.

### **PROCEDURE FOR IMPLEMENTATION**

Subdivision applications are received and processed through the City's Subdivision Approvals Branch.