



LUCT20-0006 / Z20-0065

1521 Sutherland Ave

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC78-1004) and to rezone the subject properties from RU1 – Large Lot Housing zone to C3 – Community Commercial Zone.

Development Process

Aug 5, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing
Second & Third Readings

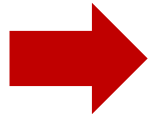


Final Reading



LUC Eliminated (1 year later)

Council
Approvals

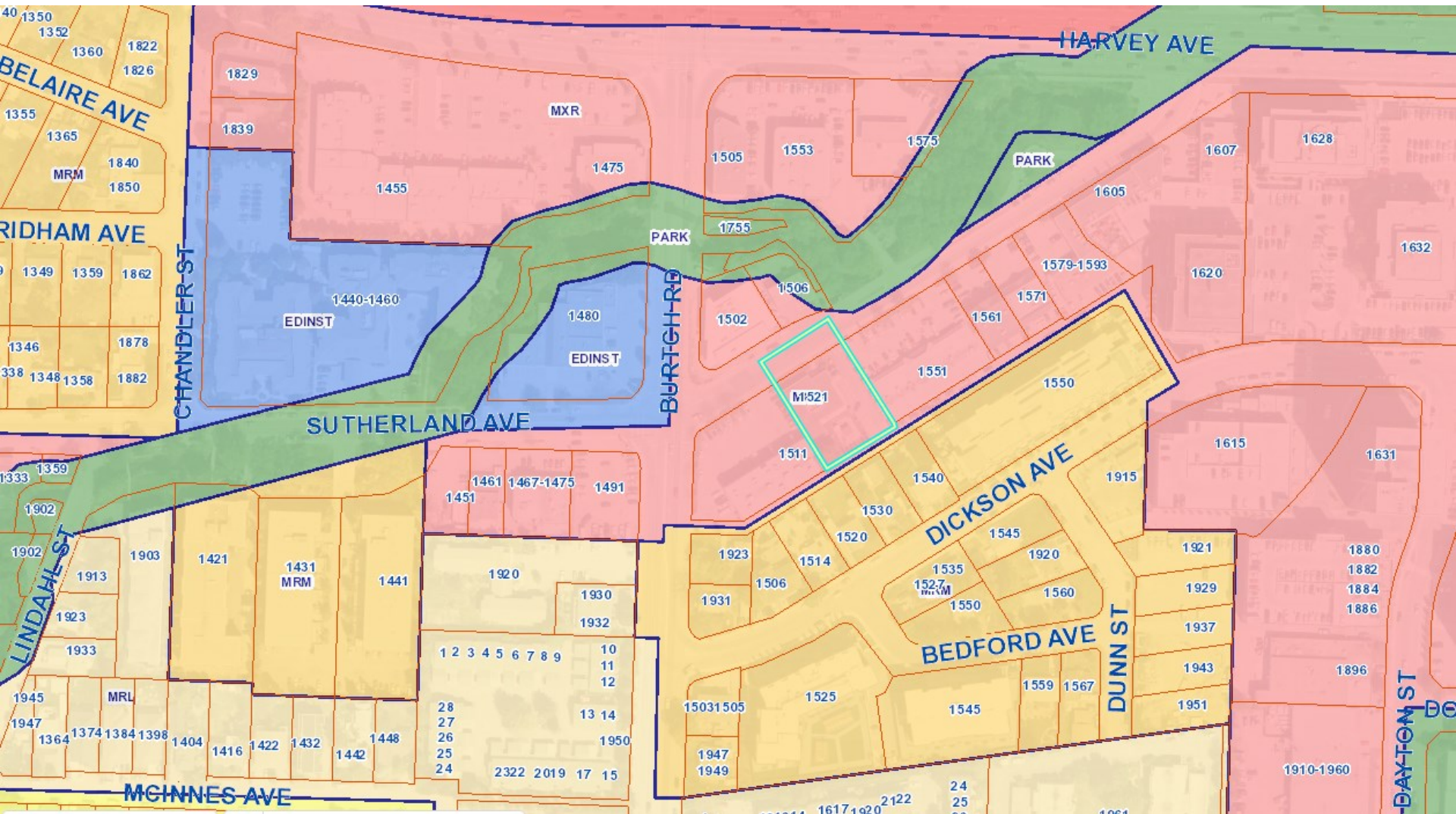


Context Map



City of Kelowna

OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC78-1004 for the subject property.
- ▶ The LUC allows them to operate a major childcare centre and all uses within C3 – Community Commercial in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to adopt C3 – Community Commercial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ C3 zone is appropriate to support existing use and matches the surrounding area.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks