



LUCT20-0019

1574 Harvey Avenue

Land Use Contract Termination



Proposal

- ▶ To terminate the Land Use Contract (LUC78-1021) from the subject property and revert the parcel to the underlying C10 – Service Commercial and C3 – Community Commercial zones.

Development Process



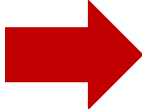
Dec 10, 2020

LUC Termination Initiated by Staff



Dec 18, 2020 &
Jan 10, 2022

Owner Notification Completed



Feb 7, 2022

Initial Consideration



Public Hearing (LUCT)
Second & Third Readings



Final Reading

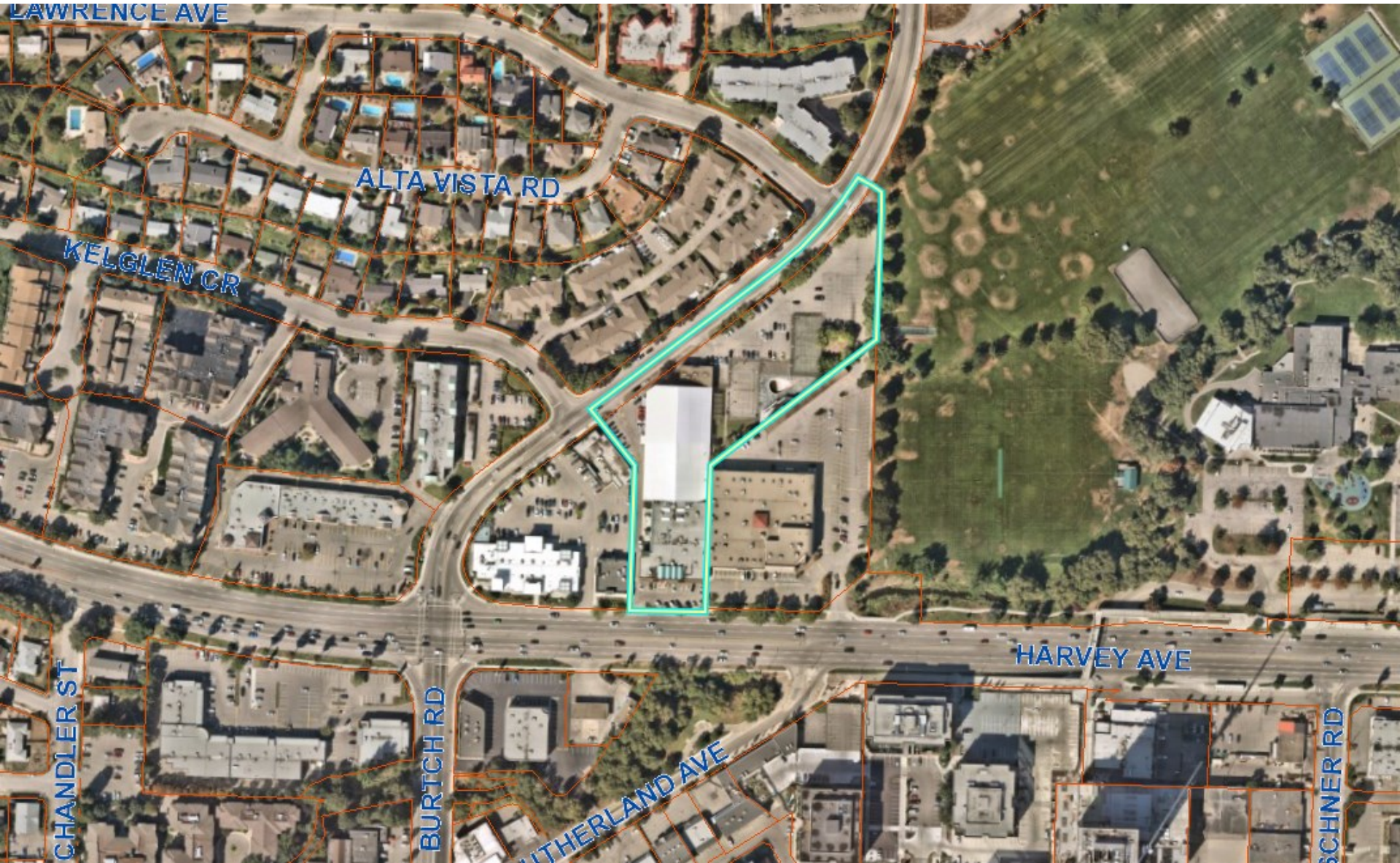


LUC Eliminated (1 year later)



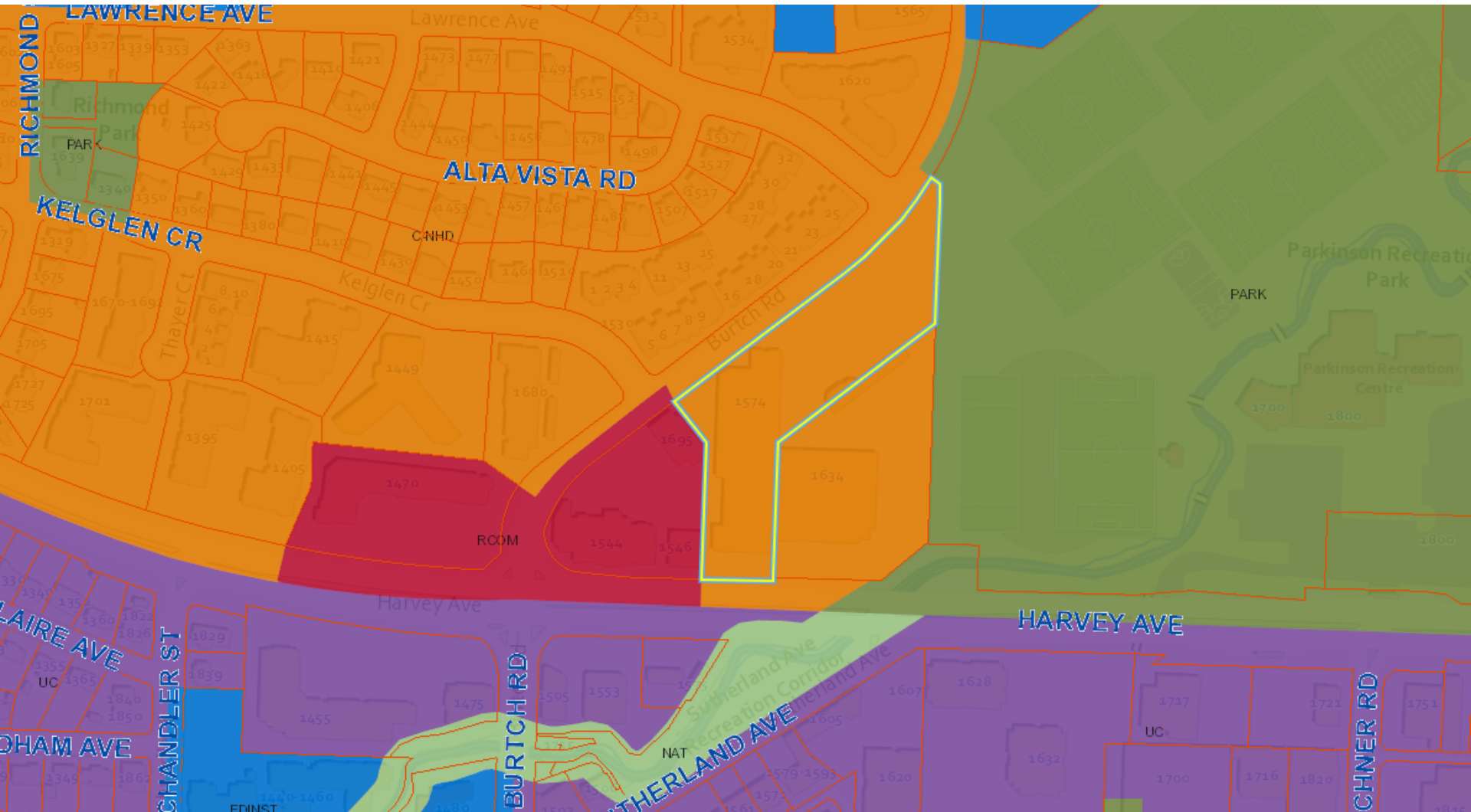
Council Approvals

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.

Project Details

- ▶ Staff initiated the termination of LUC78-1021.
- ▶ Staff are proposing to revert the parcel back to the C₃ – Community Commercial and C₁₀ – Service Commercial zones.
 - ▶ The existing uses are consistent with the underlying zones.
- ▶ If successful, the property will get the full use of current C₄ zone, one year after termination date.

Public Notification Policy #367

- ▶ Staff sent a letter to the property owner of the Proposed Land Use Contract Termination on December 18th, 2020.
 - ▶ A copy of the C3 zone was included in the letter.
- ▶ Staff also restarted the notification process on January 10th, 2022.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed land use contract termination:
 - ▶ The underlying zone is appropriate for the existing uses.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks