



LUCT20-0016

7820 Hwy 33 W & 7840 Hwy 33 W

Land Use Contract Termination



Proposal

- ▶ To terminate the Land Use Contract (LUC76-1055) from the subject property and revert the parcel to the underlying A1 – Agriculture 1 zone.

Development Process

Dec 9, 2020

LUC Termination Initiated by Staff



Dec 18, 2020 &
Mar 29, 2022

Owner Notification Completed



Apr 25, 2022

Initial Consideration



Public Hearing (LUCT)
Second & Third Readings

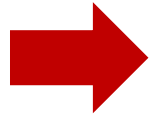


Final Reading



LUC Eliminated (1 year later)

Council
Approvals

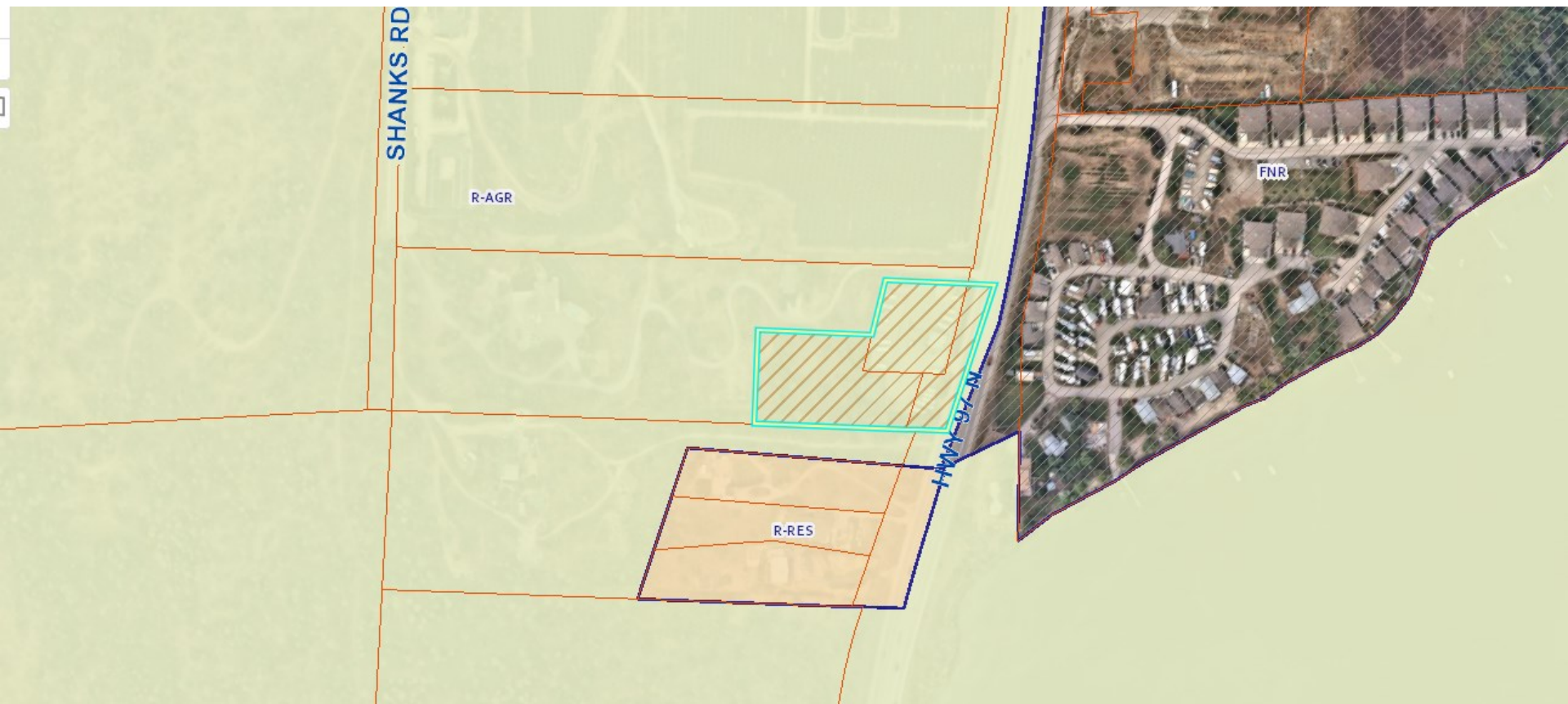


Context Map



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 LUC76-1055.
- ▶ Staff are proposing to revert the parcel back to the A1 – Agriculture 1 zone to match the Future Land Use Designation.
- ▶ This will leave the existing business in a legal non-conforming status.
- ▶ If successful, the property will get the full use of current A1 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 A1 zone was included in the letter.
- ▶ Staff also restarted the notification process on March 29th, 2022.

Staff Recommendation

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



Conclusion of Staff Remarks