



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: July 29, 2019

SUBJECT: Land Use Contract Amendment Bylaw No. 247-04
Zoning Amendment Bylaw No. 871-252 (Z19/01)
Central Okanagan East Electoral Area – Scotty Creek Subdivision

Voting Entitlement: Custom Vote – Electoral Areas & City of Kelowna – 1 Director, 1 Vote

Purpose: To discharge Land Use Contract No. 247 and zone the subject properties as R1 Single Detached Housing, P1 Park and Open Space, or P2 Institutional and Assembly.

Executive Summary:

Land Use Contracts (LUC) are land-use regulatory tools, similar to site-specific zoning bylaws, enacted under legislation established in the 1970's. All LUC's in the Province of British Columbia will automatically be terminated on June 30, 2024, under the *Local Government Act*. The Regional District of Central Okanagan is moving forward with bylaws to discharge LUC's and apply the equivalent land use designation or zone to the parcels.

Of the nine LUC's that affect the RDCO, LUC No. 247 is the fifth to be presented to the Regional Board for discharge. Should this Community Services initiated application be successful, LUC No. 247 will be removed in its entirety from the subject properties and zoning will apply.

Land Use Contract Amendment Bylaw No. 247-04 and Zoning Amendment Bylaw No. 871-252 received first reading on June 24, 2019 and a Public Hearing was held on July 29, 2019.

RECOMMENDATION #1:

THAT Land Use Contract Amendment Bylaw No. 247-04 be given second and third readings;

AND THAT Land Use Contract Amendment Bylaw No. 247-04 be adopted.

RECOMMENDATION #2:

THAT Zoning Amendment Bylaw No. 871-252 be given second and third readings;

AND FURTHER THAT Zoning Amendment Bylaw No. 871-252 be adopted.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Prepared by: Brittany Lange, Planner

Approved for Board's Consideration



Brian Reardon, CAO

Implications of Recommendation:

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| Strategic Plan: | Approval of the amendment bylaws meets the 2015-2018 Strategic Priorities Plan, Strategic Priority #3: Nurture Responsible Growth and Development. |
| Policy: | Approval of the amendment bylaw is in keeping with: <ul style="list-style-type: none">• Regional Growth Strategy Bylaw No. 1336;• Ellison Official Community Plan Bylaw No. 1124;• Land Use Contract Discharge Priority endorsed by the Regional Board on October 9, 2014. |
| Legal/Statutory Authority: | Approval of the amendment bylaws complies with <i>Local Government Act</i> , Part 14, Division 16 – Discharge and Termination of Land Use Contracts. |

Background:

Land Use Contract Amendment Bylaw No. 247-04 and Zoning Amendment Bylaw No. 871-252 received first reading on June 24, 2019 and a Public Hearing was held on July 29, 2019.

The subject properties are located beyond 800 metres of a Controlled Access Highway; therefore, Ministry of Transportation and Infrastructure approval of the amendment bylaws is not required.

Conclusion:

All the requirements identified by the Regional Board for final consideration of the bylaw amendment has been satisfied; therefore, Planning staff recommends that Land Use Contract Amendment Bylaw No. 247-04 and Zoning Amendment Bylaw No. 871-252 be given second and thirds readings, and be adopted.

Considerations not applicable to this report:

- *Financial Considerations*
- *Organizational Issues*
- *External Implications*
- *Alternative Recommendation*

Attachment(s):

- LUC Amendment Bylaw No. 247-04
- Zoning Amendment Bylaw No. 871-252