



LUCT₂₁-0004

1939-1959 Kirschner Rd

Land Use Contract Termination



Proposal

- ▶ To consider an application for the subject property to proceed with the early termination of Land Use Contract LUC76-1052.

Development Process



Oct 29, 2021

Development Application Submitted



Nov 5, 2021

Owner Notification Completed



Dec 6, 2021

Initial Consideration



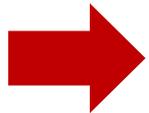
Public Hearing
Second & Third Readings



Final Reading

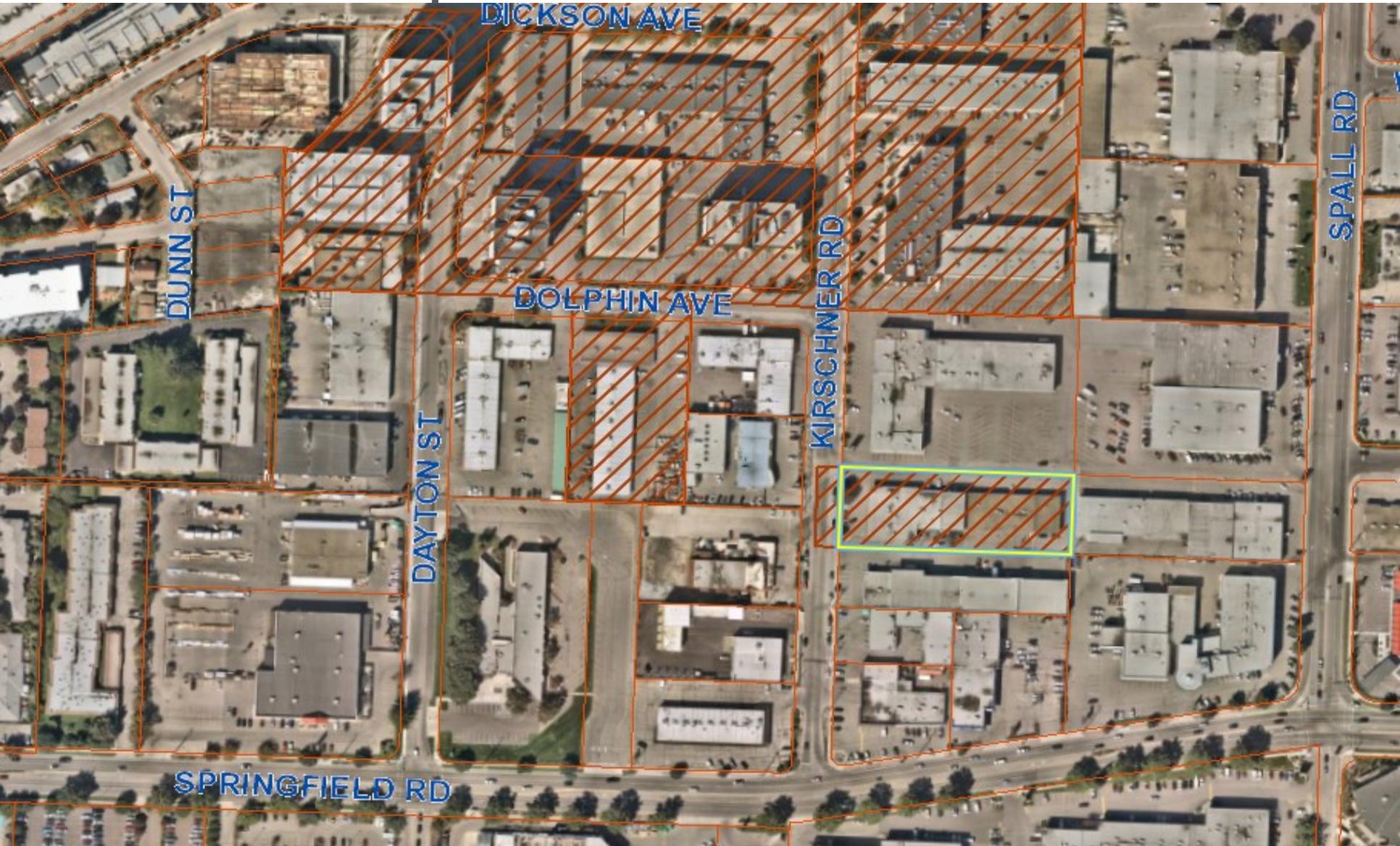


LUC Eliminated (1 year later)



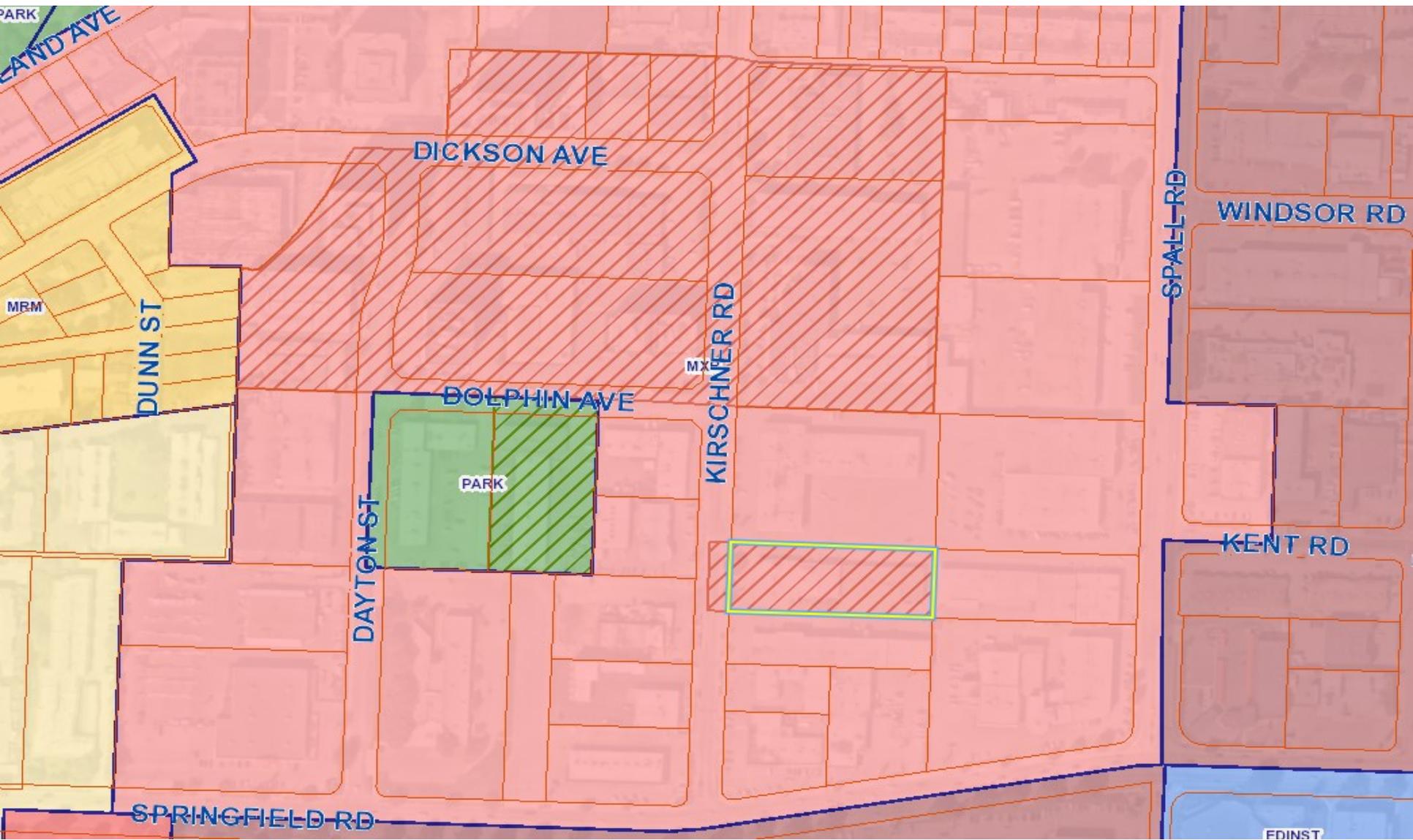
Council
Approvals

Context Map

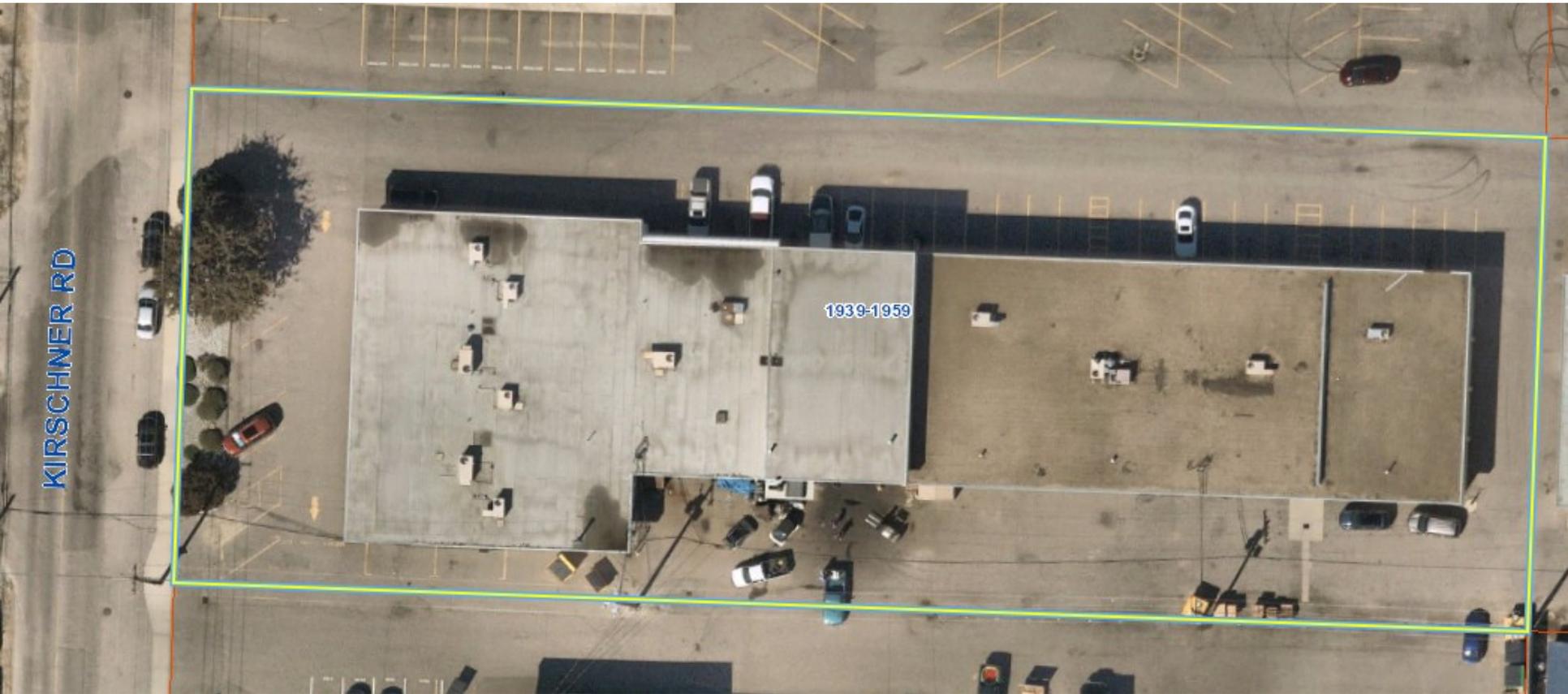


City of Kelowna

OCP Future Land Use / Zoning



Subject Property Map



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development right 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

LUC Update

- ▶ 1 Land Use Contract remaining to be initiated by staff (LUC71-1) which affects several properties in Landmark Urban Centre.
- ▶ There are currently 3 remaining Land Use Contracts currently in stream with Staff to be brought to council at a later date for termination.

Project details

- ▶ Staff initiated termination of LUC76-1052 for the subject property.
- ▶ The LUC permits land uses of warehousing, ancillary offices, electrical & machine shops and other uses permitted in the zone of current bylaw enforced (C10).
- ▶ Staff are proposing to utilize the underline zoning as it is consistent with land uses on site.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to the property owner.
 - ▶ Sent on November 5, 2021
- ▶ 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:
 - ▶ C10 zone is appropriate to support existing use and consistent with neighbourhood context.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks