

Report to Council



Date: July 11, 2022
To: Council
From: City Manager
Subject: ARP21-0001 Plan Area Amendment
Department: Policy & Planning

Recommendation:

THAT Council amend Area Redevelopment Plan ARP21-0001 to include the properties of 399 Bay Avenue and 858 Ellis Street, legally described as Lots B & C, DL9, ODYD, Plan KAP27467.

Purpose:

To amend Area Redevelopment Plan ARP21-0001 to include two additional properties in the Plan Area.

Background:

On December 6, 2021 Council gave authorization to proceed with an Area Redevelopment Plan (ARP) for the former Tolko Mill Site (ARP21-0001) including the properties of 820 and 945 Guy Street and 804 and 814 Manhattan Drive. Protocols for creating an ARP in the City of Kelowna are governed by *Council Policy No. 247 - Hierarch of Plans*. As stated in Council Policy No. 247, the purpose of an ARP is to establish a clear, long-term plan for the redevelopment of a large and/or complex site so that it develops in a manner consistent with established policy, industry best practices and community input.

The Report to Council on December 6, 2021 also recommended the ARP be required to provide high-level direction on two properties immediately to the southeast of the Plan Area, including 399 Bay Avenue and 858 Ellis Street (the former BC Tree Fruits site) (See Figure 1). Further, it was noted that, should these properties be sold in the near future, the new owner(s) of the land would be encouraged to participate in the ARP process and apply to formally include the properties in the ARP Plan Area.

Figure 1. Lands Included in Plan Area of ARP21-0001



Previous Council Resolution

Resolution	Date
<p>THAT Council authorize the preparation of an Area Redevelopment Plan as outlined in the report from the Policy & Planning Department, dated December 6, 2021, for the following properties:</p> <ul style="list-style-type: none"> • Lot 1, DL 9, 5289, 5290 and 5104, ODYD, Plan KAP73053 • Lot D, DL 139, ODYD, Plan KAP71362 • Lot 8, DL 9, ODYD, Plan 2669 • Lot 1, DL9, ODYD, Plan KAP62263 • Lot A, DL9, ODYD, Plan 39328 <p>AND THAT the Area Redevelopment Plan be required to provide high-level direction on the following additional properties:</p> <ul style="list-style-type: none"> • Lots B & C, DL9, ODYD, Plan KAP27467 (BC Tree Fruits Cooperative) • Leased water lot (Provincially owned) north of Lot 1 Plan KAP73053 (DL5291, DL526) 	<p>December 6, 2021</p>

Discussion:

The former BC Tree Fruits site at 399 Bay Avenue and 858 Ellis Street was recently sold to Mission Group Enterprises and they have agreed to participate in the ARP process formally as a co-applicant.

Council Policy No. 247 states that the plan area of an Area Redevelopment Plan must either be outlined in the Official Community Plan (OCP) or authorized by resolution of Council. In this case, the Plan Area for ARP21-0001 is not outlined in the OCP and must therefore be authorized by resolution of Council.

Conclusion:

Should Council resolve to include the two properties at 399 Bay Avenue and 858 Ellis Street within the Plan Area of ARP21-0001, the ARP Plan Area would be amended and the ARP would proceed according to the process previously approved by Council. On that basis, the next Council touch point will be an interim Council check-in to review the co-applicants' proposed Concept Plan(s) for the Plan Area.

Considerations applicable to this report:

Existing Policy:

Council Policy No. 247 – Hierarchy of Plans

Financial/Budgetary Considerations:

The Tolko Mill Site applicant team provided a total of \$125,000 in funding to support the dedication of additional staff resources towards the North End Plan and the Mill Site ARP. These resources have been brought on board and are actively participating in the project. A Planner Specialist has taken the role of project lead, and additional resources have been provided from Communications. As co-applicant on ARP21-0001, Mission Group Enterprises has agreed to contribute to help cover the staff resources serving both the North End Plan and the Mill Site ARP.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

External Agency/Public Comments:

Communications Comments:

Submitted by:

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Approved for inclusion:



J. Moore, Long Range Policy Planning Manager

CC:

R. Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment 1 – Letter from Dialog, dated May 26, 2022