

# Report to Council



**Date:** September 17, 2018  
**File:** 0600-30  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Downtown Kelowna Business Improvement Area – BL11645  
Report Prepared by: C. Boback, Legislative Coordinator

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## **Recommendation:**

THAT Council receives for information, the Certificate of Sufficiency from the City Clerk dated September 17, 2018 pertaining to the establishment of the Downtown Kelowna Business Improvement Area.

AND THAT Bylaw No. 11645 being the Downtown Kelowna Business Improvement Area Bylaw be forwarded for adoption.

## **Purpose:**

To submit the Certificate of Sufficiency for the Downtown Kelowna Business Improvement Area and to advance Bylaw No. 11645 for adoption.

## **Background:**

At the Regular Council Meeting on July 30, 2018, three readings were given to the Downtown Kelowna Business Improvement Area Bylaw No. 11645, which authorizes the continuation of a Business Improvement Area ("BIA") in downtown Kelowna over a 5-year period (January 1, 2019 through December 31, 2023) inclusive.

Under the provisions of the *Community Charter*, notice was advertised in the Daily Courier on August 3<sup>rd</sup> and August 8 and was posted on the Notice Board at City Hall on July 31, 2018. Notices were mailed to the owners of the 453 affected parcels on July 31, 2018 giving a deadline of 4:00 p.m. Monday, September 10, 2018 for receipt of petitions against Bylaw No. 11645.

As of the deadline date, the Office of the City Clerk had received a letter from one tenant expressing feedback from about the BIA/Bylaw and received from property owners twenty-nine (29) valid petitions.

As an insufficient number of valid petitions were received prior to the petition deadline, Council may now consider adoption of the bylaw.

**Internal Circulation:**

Revenue Manager  
City Clerk

**Legal/Statutory Authority:**

*Community Charter*, Sections 94, 211, 212 and 215

**Legal/Statutory Procedural Requirements:** Under the *Community Charter*, notices must be mailed to affected property owners, and advertisements must be placed in a local newspaper and on a public notice board. Petitions against the proposed bylaw must be received by the Officer responsible for Corporate Administration (the City Clerk) by the deadline set by Council, and must be certified as sufficient or not, according to the requirements of the legislation.

**Considerations not applicable to this report:**

**Existing Policy:**

**Financial/Budgetary Considerations:**

**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

**Alternate Recommendation:**

Submitted by:

S. Fleming, City Clerk

cc. Revenue Supervisor