

Report to Council



Date: 2/27/2017
File: 1120-21-010
To: City Manager
From: J. Säufferer, Manager, Real Estate Services
Subject: Project Update – Public Placemaking (Bernard Avenue Laneway)
Report Prepared by: B. Walker, Property Officer II

Recommendation:

THAT Council receives, for information, the Report from the Manager, Real Estate Services dated February 27, 2017, with respect to updating Council on the status of the Bernard Avenue Laneway project;

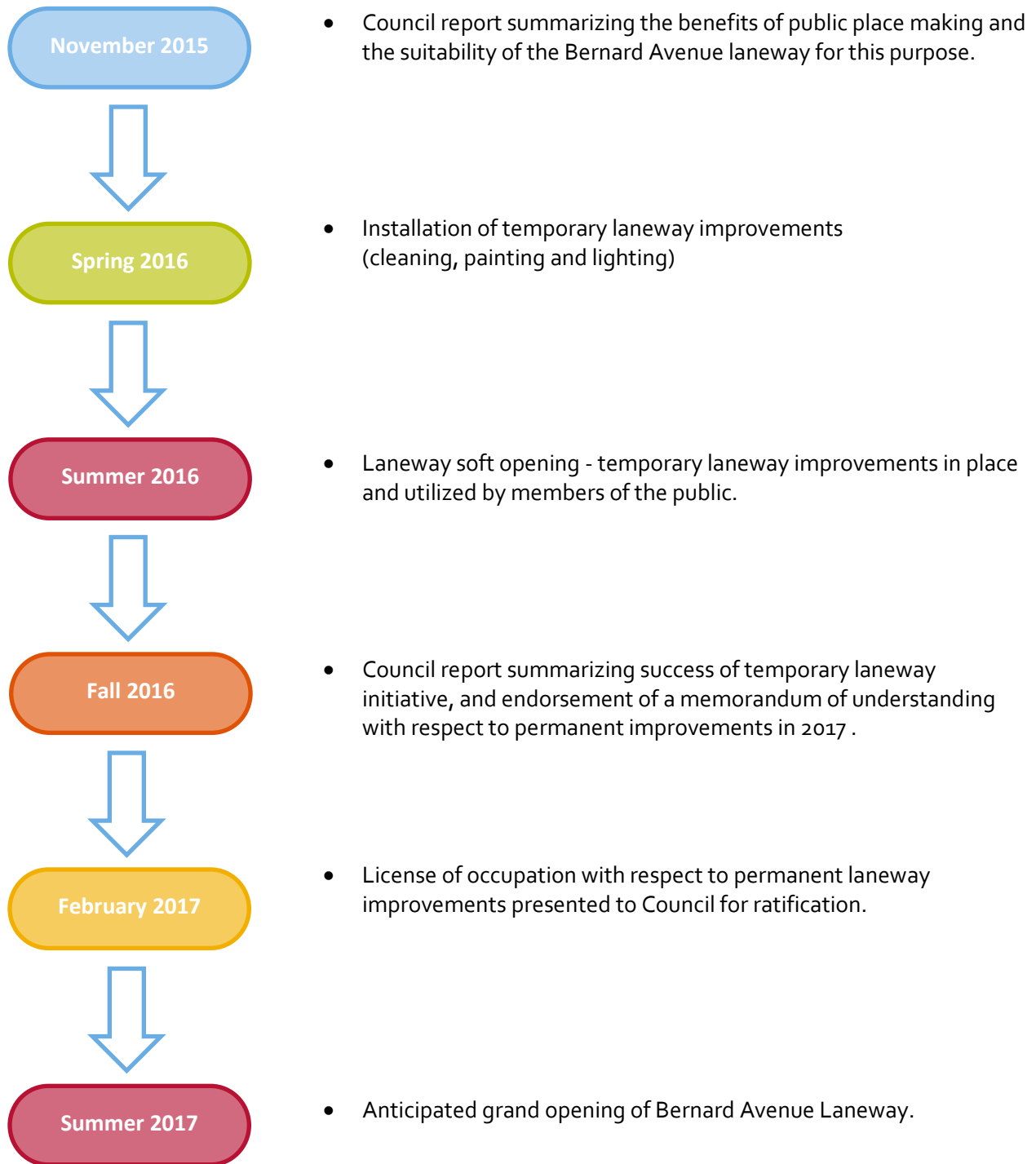
AND FURTHER THAT Council endorse the License of Occupation between the City of Kelowna and Mr. Bill Scutt, dated January 01, 2017 and attached to the Report of the Manager, Real Estate Services, dated February 27, 2017;

Purpose:

To endorse a Licence of Occupation with respect to various permanent site improvements intended to activate, animate and re-vitalize the Bernard Avenue laneway.

Project Background:

The animation and activation of the Bernard Avenue laneway as a key public space in the heart of Downtown Kelowna has been a key staff initiative since the concept was initially presented to – and approved by - council in November 2015 (corresponding council report attached as Schedule “B”). Since that time, Staff and community stakeholders have had extensive discussions in order to make this project a reality. Key milestones to date include the following:



The proposed License of Occupation (the "License") will see Bill Scutt, the owner of the lands adjacent to the laneway, enter into a formalized partnership agreement with the City for the on-going activation, animation and revitalization of the Bernard Avenue laneway. Key aspects of the Licence, a copy of which is attached as Schedule "A", include the following:

- A generally agreed to concept design for the various laneway improvements (see attached Schedule "C"), with the finalized site plan subject to staff approval. Improvements will include new hard surface, lighting, and landscaping.
- Mr. Scutt to fund general site improvements related to construction of the laneway, with total costs estimated to be in the range of \$70,000 (see attached Schedule "D").
- The City to grant a seven-year License of Occupation related to a concession use within the laneway with the following related conditions:
 - Final selected concession contractor to be approved by City;
 - Estimated annual market value of License of Occupation in the range of \$10,000;
 - License area clearly defined to a +/-160 square foot portion at the rear of the laneway, in addition to an associated patio seating area (see Schedule "E"); and,
 - City to waive annual license payments until such a time as the capital costs incurred with respect to the laneway improvement works have been recovered.
- Mr. Scutt and the City to agree to a maintenance program for the license area and the laneway.

Moving Forward

Following the endorsement of the Licence of Occupation by Council, Mr. Scutt will work with a local contractor to determine a construction schedule. Both the City and Mr. Scutt are targeting a Summer 2017 official opening of the Bernard Avenue Laneway.

Public Space Enhancement Program

Given the merits of public place-making, particularly with respect to key underutilized spaces such as laneways, Staff are exploring the potential for a more general Public Space Enhancement Program designed to encourage similar initiatives throughout the City. The program would be intended to provide high-level direction and support to community stakeholders that wish to reclaim unused or underutilized public spaces in their immediate neighborhood via a city-supported 'tool-kit' outlining the process, funding opportunities, potential constraints, etc. Staff anticipate working on this program throughout the majority of 2017, with the intention of providing a formalized report to council in late 2017 or early 2018.

Internal Circulation:

Manager, Urban Planning
Department Manager, Community Planning
Manager, Development Engineering
Department Manager, Integrated Transportation
Manager, Long Range Policy & Planning
Manager, Grants & Partnerships
Manager, Cultural Services
Community Engagement Consultant
Divisional Director, Active Living & Culture
Manager, Accounting Operations

Considerations not applicable to this report:

Financial/Budgetary Considerations:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by: J. Säufferer, Manager, Real Estate Services

Approved for inclusion: D. Edstrom, Director, Enterprise Kelowna

Attachments:

1. Schedule A – Licence of Occupation
2. Schedule B – November 2015 Council Report
3. Schedule C – September 2016 Council Report
4. Schedule D – Landscape Concept and Rendering
5. Schedule E – Cost Estimate
6. Schedule F – Licence Area
7. Schedule G – PowerPoint

cc: T. Barton, Manager, Urban Planning
R. Smith, Community Planning Department Manager
J. Kay, Manager, Development Engineering
R. Pacheco, Integrated Transportation Department Manager
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