
CITY OF KELOWNA

MEMORANDUM

Date: November 22, 2005
File No.: 0930-20-097
To: City Manager
From: City Clerk
Subject: ALTERNATIVE APPROVAL PROCESS – Disposition of City Land – 510 Bernard
(Lot A, District Lot 139, ODYD, Plan 22310)

Report Prepared by: Corinne Boback, Legislative Coordinator

RECOMMENDATION:

THAT an alternative approval process opportunity open to all electors within the City of Kelowna be initiated subject to the Report of the Community Development & Real Estate Manager dated November 21, 2005;

AND THAT **4:00 p.m. Thursday, January 12, 2006** be set as the deadline for receipt of elector responses in the form attached to the November 22, 2005 report of the City Clerk in relation to the City of Kelowna proceeding with the agreement for a Licence of Occupation between the City of Kelowna and 0726550 B.C. Ltd for the disposition of City land located at 510 Bernard Avenue (known as Lot A, DL 139, ODYD, Plan 22310) for 25 years as outlined in the Report of the Community Development & Real Estate Manager dated November 21, 2005;

BACKGROUND:

The alternative approval process (previously referred to in the *Local Government Act* as the “Counter-Petition process”) is open to all qualified electors in the City, which is estimated to be 82,080, based upon the most recently available census data for Kelowna.

Advertisement for the alternative approval process will be posted on the public notice board at City Hall, will run in the Kelowna Daily Courier on Thursday, December 1st and 8th, 2005 and Friday, December 2nd and 9th, 2006 in the Capital News; and will be posted on the City’s website. Approval of the electors will be obtained if the number of elector responses received by the end of the alternative approval process is less than 10% of the number of electors (8,208).

A. Flack, City Clerk

cc: Community Development & Real Estate Manager

DISPOSITION OF CITY OWNED LAND 510 BERNARD AVENUE

ALTERNATIVE APPROVAL PROCESS ELECTOR RESPONSE FORM

I am **OPPOSED** to the City of Kelowna entering into an Agreement for a Licence of Occupation with 0726550 B.C. Ltd to allow the Licencee to use a portion of the Dedicated Road in order to complete the building façade renovations for the building located at 510 Bernard Avenue (the Land known as Lot A, DL 139, ODYD, Plan 22310) for a term of 25 years.

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been the registered owner of real property (and have been designated as the elector in regard to that property) in, the City of Kelowna for at least thirty days; and
- I am not disqualified by the *Local Government Act* or any other enactment or otherwise disqualified by law from voting in local elections; and
- I am entitled to sign this alternative approval process elector response form and have not previously signed an alternative approval process elector response form for the proposed Agreement.

All alternative approval process elector response forms must be received by the City Clerk, 3rd Floor, City Hall, 1435 Water Street, Kelowna, B.C., V1Y 1J4 on or before 4:00 p.m. on Thursday, January 12, 2006.

ELECTOR'S <u>FULL</u> NAME (Print – NO initials)	RESIDENTIAL ADDRESS (or address of real property in Kelowna owned by elector if not resident)	SIGNATURE OF ELECTOR

NOTE: A person must not sign any alternative approval process elector response form more than once and may not withdraw his or her name from the alternative approval process elector response form after the deadline for submission of the petitions has passed.

The number of electors of the City of Kelowna is estimated to be 82,080. If 10% (8,208) of the estimated number of electors of the City of Kelowna sign an alternative approval process elector response form opposing the noted transactions, City Council will not be able to proceed without then receiving the assent of the electors by referendum.