
City of Kelowna

MEMORANDUM

DATE: June 21, 2006

FILES: 2390-20-008
0550-01

TO: City Manager

FROM: Manager Community Development & Real Estate

SUBJECT: LICENCE OF OCCUPATION – 520-526 BERNARD AVENUE – DEHL HOLDINGS LTD.

REPORT PREPARED BY: DOUG GILCHRIST, PROPERTY OFFICER

RECOMMENDATION:

THAT Council approve the occupation of a dedicated roadway to accommodate the restoration of a building at 520 – 526 Bernard Avenue (Lots 1 – 3, Plan KAS12) as per the terms and conditions outlined in the attached Licence;

AND THAT Council direct staff to post notice of the agreement between the City of Kelowna and Dehl Holdings Ltd., 666073 B.C. Ltd., Gebhard Wager and Kenneth Dickson advising of the disposition of City-owned land located adjacent to 520 – 526 Bernard Avenue for a term of twenty-five (25) years;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this transaction;

BACKGROUND & COMMENTS:

A development application was submitted for the restoration and redevelopment of a building located at 520 – 526 Bernard Avenue, legally known and described as Lots 1 – 3, Plan KAS12 (the “Property”). In order to complete the proposed structural restoration, which is supported by the City’s Planning Department, the owners of the Property (the “Developer”) wish to construct façade improvements which will encroach onto City dedicated roadway (ie. sidewalk) in the amount of approximately eight (8) inches (0.2 meters).

On November 14, 2005, Council adopted Policy #329 – Downtown Commercial Building Encroachment Policy (attached) to allow for this type of proposed encroachment on City

dedicated roadway in an attempt to help facilitate the revitalization of aging buildings in the downtown core.

In light of the above, the Community Development & Real Estate Division would request Council's support of this acquisition.

Doug Gilchrist



Director of Corporate Services

DG/sh
Encl.

cc: Transportation Manager (*via e-mail*)
cc: Acting Development Services Manager (*via e-mail*)