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CITY OF KELOWNA

**MEMORANDUM**

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**Date:** July 17, 2007  
**File No.:** Bylaw 9813, 1970-02  
**To:** City Manager  
**From:** Acting Revenue Manager  
**Subject:** ESTABLISHMENT OF THE UPTOWN RUTLAND BUSINESS IMPROVEMENT AREA  
BYLAW

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**RECOMMENDATION:**

THAT Council approve a specified area for the purpose of annually funding, over a 5 year period, the Uptown Rutland Business Improvement Area pursuant to Sections 215 of the Community Charter, for the properties included within the boundary as outlined on Schedule "A" attached;

AND THAT Bylaw 9813 to establish the specified area be advanced to Council for first three readings of the bylaw;

AND FURTHER THAT 4:00 p.m., Tuesday, September 4, 2007 be set as the deadline for receipt of petitions against the proposed Uptown Rutland Business Improvement Area bylaw.

**BACKGROUND:**

Section 215 of the Community Charter permits Council, by bylaw, to grant funds to an organization that has as one of its aims, function or purposes, the planning and implementation of a business promotion scheme. Council may raise the necessary funding by levying and imposing a tax on the benefiting properties.

The boundary of the proposed BIA is similar to that as put forth by the City of Kelowna's initiative to rezone the Rutland Town Centre for C7 designation. This area has been considered to sufficiently represent the Rutland business district and town centre. It consists of approximately 250 businesses, which will provide a viable tax base to sustain the new BIA organization.

The Uptown Rutland Business Association Society wishes the City to raise the annual grant by levying a tax on the land and improvement for those properties assessed as Class 5 (Light Industrial) and Class 6 (Business) with the exception of Federal, Provincial and Municipal owned properties used for government purposes. Government properties leased out for private commercial use will be subject to the levy.

The bylaw authorizes Council to grant to the Society, to a maximum dollar value, an amount equal to its annual budget. For the term of the bylaw, the amounts are:

2008	-	\$122,000
2009	-	\$128,000
2010	-	\$134,000
2011	-	\$141,000
2012	-	\$148,000

A report to Council will be prepared for approval of the grant prior to each fiscal year covered in the bylaw. The 5-year term of the bylaw will conclude on December 31, 2012.

A representative from the Uptown Rutland Business Association Society will make a brief presentation at the Council meeting and answer any questions.

Considerations that was not applicable to this report:

**INTERNAL CIRCULATION TO:**  
**LEGAL/STATUTORY AUTHORITY:**  
**LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:**  
**EXISTING POLICY:**  
**FINANCIAL/BUDGETARY CONSIDERATIONS:**  
**PERSONNEL IMPLICATIONS:**  
**TECHNICAL REQUIREMENTS:**  
**EXTERNAL AGENCY/PUBLIC COMMENTS:**  
**ALTERNATE RECOMMENDATION:**

Submitted by:

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*GL King, CMA*

Approved for Inclusion:



*[Paul Macklem, CMA, Director of Financial Services]*

SCHEDULE A – Map

