

**1. WESTBORO VILLAGE BUSINESS IMPROVEMENT AREA BOUNDARY  
ADJUSTMENT**

**AJUSTEMENT DES LIMITES DE LA ZONE D'AMÉLIORATION  
COMMERCIALE DU VILLAGE WESTBORO**

**COMMITTEE RECOMMENDATIONS AS AMENDED**

**That Council:**

- 1. Designate the area described by Document 1 as an expanded Business Improvement Area, under Sections 204 and 209 of the *Municipal Act, 2001*;**
- 2. Authorize and direct the City Clerk and Solicitor to send out a notice of Council's intention to pass a by-law to alter the existing Business Improvement Area boundaries, as described in Document 1, in accordance with Section 210 of the *Municipal Act, 2001*;**
- 3. Authorize and direct the City Clerk and Solicitor to prepare a by-law to designate the area as an expanded Business Improvement Area, as described in Document 1, in accordance with Sections 204 and 209 of the *Municipal Act, 2001*; and**
- 4. Enact the aforementioned by-law in accordance with Section 204 and 209 of the *Municipal Act, 2001*, subject to the City Clerk and Solicitor receiving favourable results on the notices referred to in Recommendation 2, advising of the intention to pass a by-law expanding the boundary.**
- 5. Approve that Document 1 of the report (*Westboro Village Business Improvement Area Boundary - ACS2016-PIE-EDI-0009*) be replaced with the attached new map, and the Financial Implications section of the report be updated as follows:**

**The 2018 draft budget will include any required financial adjustments upon approval of a boundary change.**

## RECOMMANDATIONS DU COMITÉ , TELLES QUE MODIFIÉES

Que le Conseil municipal :

1. Désigne le secteur décrit au document 1 comme étant une zone d'amélioration commerciale élargie, en vertu des articles 204 et 209 de la *Loi de 2001 sur les municipalités*;
2. Autorise le greffier municipal et chef du contentieux à publier un avis de l'intention du Conseil d'adopter un règlement municipal modifiant les limites actuelles de la zone d'amélioration commerciale, comme le décrit le document 1, conformément à l'article 210 de la *Loi de 2001 sur les municipalités*, et de le charger de le faire;
3. Autorise le greffier municipal et chef du contentieux à rédiger le texte d'un règlement municipal désignant le secteur décrit au document 1 comme zone d'amélioration commerciale élargie, en vertu des articles 204 et 209 de la *Loi de 2001 sur les municipalités*, et de le charger de le faire;
4. Adopte le règlement municipal susmentionné, en vertu des articles 204 et 209 de la *Loi de 2001 sur les municipalités*, à condition que le greffier municipal et chef du contentieux reçoive des réponses favorables à l'avis mentionné à la recommandation 2, au sujet de l'intention d'adopter un règlement municipal élargissant la zone d'amélioration commerciale.
5. Approuve que le document 1 du rapport Ajustement des limites de la zone d'amélioration commerciale du village de Westboro (ACS2016-PIE-EDI-0009) soit remplacé par la carte ci-jointe et que la section Répercussions financières soit mise à jour comme suit :

Les prévisions budgétaires 2018 tiendront compte de tout rajustement financier requis au moment de l'approbation d'un ajustement des limites.

DOCUMENTATION/DOCUMENTATION

1. General Managers report, Planning, Infrastructure & Economic Development , dated 12 October 2016 (ACS2016-PIE-EDI-0009)

Rapport du Directeur général, Services de la planification, de l'infrastructure et du développement économique daté le 12 octobre 2016 (ACS2016-PIE-EDI-0009)

2. Extract of draft Minutes, Finance and Economic Development Committee, 2 May 2017.

Extrait de l'ébauche du procès-verbal, Comité des finance et du développent économique, le 2 mai 2017.

**Report to  
Rapport au:**

**Finance and Economic Development Committee  
Comité des finances et du développement économique  
4 October 2016 / 4 octobre 2016**

**and Council  
et au Conseil  
12 October 2016 / 12 octobre 2016**

**Submitted on September 27, 2016  
Soumis le 27 septembre 2016**

**Submitted by  
Soumis par:**

**John L. Moser, General Manager, Planning, Infrastructure & Economic  
Development / Directeur général, Services de la planification, de l'infrastructure et  
du développement économique**

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**Personne ressource:**

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**Ward: KITCHISSIPPI (15)**

**File Number: ACS2016-PIE-EDI-0009**

**SUBJECT: WESTBORO VILLAGE BUSINESS IMPROVEMENT AREA BOUNDARY  
ADJUSTMENT**

**OBJET: ADJUSTEMENT DES LIMITES DE LA ZONE D'AMÉLIORATION  
COMMERCIALE DU VILLAGE WESTBORO**

## REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee recommend Council:

1. Designate the area described by Document 1 as an expanded Business Improvement Area, under Sections 204 and 209 of the *Municipal Act, 2001*;
2. Authorize and direct the City Clerk and Solicitor to send out a notice of Council's intention to pass a by-law to alter the existing Business Improvement Area boundaries, as described in Document 1, in accordance with Section 210 of the *Municipal Act, 2001*;
3. Authorize and direct the City Clerk and Solicitor to prepare a by-law to designate the area as an expanded Business Improvement Area, as described in Document 1, in accordance with Sections 204 and 209 of the *Municipal Act, 2001*; and
4. Enact the aforementioned by-law in accordance with Section 204 and 209 the *Municipal Act, 2001*, subject to the City Clerk and Solicitor receiving favourable results on the notices referred to in Recommendation 2, advising of the intention to pass a by-law expanding the boundary.

## RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil municipal :

1. De désigner le secteur décrit au document 1 comme étant une zone d'amélioration commerciale élargie, en vertu des articles 204 et 209 de la *Loi de 2001 sur les municipalités*;
2. D'autoriser le greffier municipal et chef du contentieux à publier un avis de l'intention du Conseil d'adopter un règlement municipal modifiant les limites actuelles de la zone d'amélioration commerciale, comme le décrit le document 1, conformément à l'article 210 de la *Loi de 2001 sur les municipalités*, et de le charger de le faire;
3. D'autoriser le greffier municipal et chef du contentieux à rédiger le texte d'un règlement municipal désignant le secteur décrit au document 1

**comme zone d'amélioration commerciale élargie, en vertu des articles 204 et 209 de la *Loi de 2001 sur les municipalités*, et de le charger de le faire;**

- 4. D'adopter le règlement municipal susmentionné, en vertu des articles 204 et 209 de la *Loi de 2001 sur les municipalités*, à condition que le greffier municipal et chef du contentieux reçoive des réponses favorables à l'avis mentionné à la recommandation 2, au sujet de l'intention d'adopter un règlement municipal élargissant la zone d'amélioration commerciale.**

## **BACKGROUND**

Formed in 1979, the Westboro Village Business Improvement Area (BIA) represents businesses on Richmond Road between Island Park Drive and Golden Avenue as well as along Picton and Danforth Avenues. A BIA is an association of commercially assessed property owners and their tenants within a specified geographic area who join together, with approval of the City under Section 204 of the *Ontario Municipal Act, 2001*, in a self-funded program aimed at attracting shoppers and tourists to the area, and undertaking beautification projects.

The Westboro Village BIA Board of Management submitted a letter (Document 2) to the Planning, Infrastructure and Economic Development Department officially requesting that City Council adopt a by-law to adjust the boundaries of the BIA. The request involves expanding the boundaries to include additional properties as well as removing two properties from the existing boundary, as identified in Document 1. A previous expansion of the Westboro Village BIA in 2008 extended the BIA boundary eastward along Richmond Road to Island Park Drive (link to report [ACS2008-PTE-ECO-0004](#)).

Pursuant to Section 210 of the *Ontario Municipal Act, 2001*, the next step in the process is a requirement that Council authorize the City Clerk and Solicitor to send out a notice of intention (Document 3) to designate the area as a BIA to all property owners in the existing BIA area as well as the proposed expansion area. The property owner must, within 30 days after the notice is mailed, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property.

For the purpose of defeating the by-law, the municipality's period for receiving sufficient objections is 60 days from the latest day of mailing of the notice by the municipality.

Council cannot pass a proposed BIA by-law if the municipality receives a petition signed by at least one-third of the total number of persons entitled to the notice, and the objectors are responsible for, in the case of a proposed addition to an existing improvement area, at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area, or at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the geographic area the proposed by-law would add to the existing improvement area.

## **DISCUSSION**

Expansion of the Westboro Village Business Improvement Area (BIA) boundary would result in northward extension of the BIA along McRae Avenue from Richmond Road to Scott Street, westward extension along the south side of Scott Street to Churchill Avenue, and southward extension along Churchill Avenue from Scott Street to Richmond Road and from Richmond Road, midway to Kenwood Avenue. The expanded boundary also includes 114 Richmond Road, 376 Madison Avenue, and 393-399 Winston Avenue, all of which have underlying Traditional Mainstreet zoning.

An expansion would enable the Westboro Village BIA to beautify and maintain the newly expanded area with the same programming elements that are found in the existing BIA such as graffiti removal, flower planters and pageantry. The extended boundary would also allow the Westboro Village BIA to enhance the marketing capacity of these new potential members through the BIA's website and business directory and act as a collective voice for future development projects, such as the Western LRT.

In addition to expanding the BIA area, the BIA has requested the removal of two residentially assessed and zoned properties from the existing boundary—401 Edgewood Avenue and 405 Tweedsmuir Avenue.

## **RURAL IMPLICATIONS**

There are no rural implications associated with the recommendations of this report.

## **CONSULTATION**

The Westboro Village BIA has been reviewing and researching a boundary expansion since July, 2015. Several letters and information packages have been emailed or hand

delivered to business and property owners in both the existing BIA and proposed expansion area, informing owners of the BIAs desire to alter their boundary.

A third party consultant was retained by the BIA to consult businesses within the proposed expansion area from April to September, 2016. The consultant sought feedback via in-person interviews as well as surveys. Each business was contacted at least once (the majority two or three times), with more than 45 in-person interviews conducted. Of the 86 businesses within the proposed expansion area, 33 businesses indicated that they are in favour of joining the BIA, 11 businesses indicated that they are not in favour of joining the BIA and 42 businesses provided no response.

In addition to consulting proposed BIA members, the Westboro Village BIA Board Members and Executive Director reached out to existing members and other area stakeholders including the local community associations. A public meeting with Members was held in June, 2016 to discuss the initiative, provide further information on the BIA and its programs, and to explain the expansion process. One hundred and forty-five of the current BIA members submitted letters of support for the expansion.

Economic Development staff has consulted with the Westboro Village BIA Executive Director and Board Members leading up to the formal request to the City to expand the boundaries of the BIA.

### **COMMENTS BY THE WARD COUNCILLOR(S)**

Councillor Leiper provided the following comments: “The Westboro Village BIA is a key community-building partner in Kitchissippi. I have consulted several times with the BIA, and congratulate them on their efforts to ensure broad awareness of this proposal prior to requesting that the City send out its notice of intention. As noted in the staff report, the next step will be the distribution of those notices to all property owners to determine whether there are enough objecting parties to defeat the proposed by-law. I will watch that process carefully, and support whatever decision is made by the merchants.”

### **LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations in this report.



## RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

## ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications.

## FINANCIAL IMPLICATIONS

The 2017 draft budget will include any required financial adjustments upon approval of a boundary change.

## ACCESSIBILITY IMPACTS

There are no accessibility implications.

## TERM OF COUNCIL PRIORITIES

The recommendations in this report support the following strategic priority of City Council:

***Economic Prosperity (EP)*** – Use Ottawa’s unique combination of recreational, social, cultural and business assets, and natural environment and physical infrastructure to attract enterprises, visitors and new residents, while at the same time developing and retaining local firms and talent.

## SUPPORTING DOCUMENTATION

Document 1 Proposed Boundary Expansion Map (*Held on file with the City Clerk*)

Document 2 Letter from Westboro Village BIA to Planning, Infrastructure and Economic Development Department (*Held on file with the City Clerk*)

Document 3 Letter from City Clerk to Property Owners (*Held on file with the City Clerk*)

## DISPOSITION

City Clerk will forward notices to affected property owners as provided for in the *Ontario Municipal Act, 2001*.

Legal Services Branch will prepare a by-law to designate the area as an expanded Business Improvement Area, as described in Document 1, in accordance with Sections 204 and 209 of the *Ontario Municipal Act, 2001*, and place the aforementioned by-law on the Orders of the Day, subject to the responses to the aforementioned notices. Economic Development staff will report back on the results of the circulation, and whether the expansion was successful.