

**3. BANK STREET BUSINESS IMPROVEMENT AREA BOUNDARY
ADJUSTMENT**

**AJUSTEMENT DES LIMITES DE LA ZONE D'AMÉLIORATION
COMMERCIALE DE LA RUE BANK**

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Designate the area described by Document 1 as an expanded Business Improvement Area (BIA), 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 BIA 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 COMITÉ

Que le Conseil municipal :

1. Désigne le secteur décrit au document 1 comme étant une zone d'amélioration commerciale (ZAC) 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 ZAC, 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 ZAC.

DOCUMENTATION / DOCUMENTATION

Kent Kirkpatrick, City Manager, report dated 29 September 2015 / Directeur Municipal, rapport daté du 29 septembre 2015 (ACS2015-CMR-OCM-0025)

**FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
REPORT 8
14 OCTOBER 2015**

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**COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
RAPPORT 8
LE 14 OCTOBRE 2015**

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
6 October 2015 / 6 octobre 2015**

**and Council
et au Conseil
14 October 2015 / 14 octobre 2015**

**Submitted on September 29, 2015
Soumis le 29 septembre 2015**

**Submitted by
Soumis par:
Kent Kirkpatrick, City Manager / Directeur Municipal**

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Ward: SOMERSET (14)

File Number: ACS2015-CMR-OCM-0025

SUBJECT: Bank Street Business Improvement Area Boundary Adjustment

**OBJET: Ajustement des limites de la Zone d'amélioration commerciale de la
rue Bank**

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 (BIA), 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 BIA 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 (ZAC) 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 ZAC, 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 ZAC.**

BACKGROUND

Formed in 1977, the Bank Street BIA represents businesses on Bank Street between Wellington Street and Gladstone Avenue. 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, 2011*, in a self-funded program aimed at attracting shoppers and tourists to the area, and undertaking beautification projects.

The Bank Street BIA Board of Management has submitted a letter (Document 2) to the Economic Development and Innovation Department officially requesting that City Council adopt a by-law to expand the boundaries of the BIA. This would mean expanding the boundaries to include additional properties as identified in the map in Document 1. Pursuant to Section 210 of the *Ontario Municipal Act, 2011*, 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 affected 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 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 Bank Street BIA boundary would result in southward extension of the BIA along Bank Street from Gladstone Avenue to the Queensway, enabling the Bank Street BIA to beautify the newly expanded area with the same programming elements that are found in the existing BIA. The extended boundary would also allow the Bank Street BIA to enhance the marketing capacity of these new potential members.

RURAL IMPLICATIONS

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

CONSULTATION

The Bank Street BIA has undertaken a variety of consultation activities over the past 18 months. Several letters and information packages have been mailed or hand delivered to property and business owners in both the existing BIA and proposed expansion area, informing them of the BIAs desire to expand their boundary. One public meeting was held to discuss the initiative, and to provide further information on the BIA and its programs, and to explain the expansion process.

Economic Development and Innovation staff has consulted with the Executive Director of the Bank Street BIA leading up to the formal request to the City to expand the boundaries of the BIA.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor McKenney provided the following comments: "I support the expansion of the Bank St BIA boundary."

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 2016 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 (*Distributed separately and held on file with the City Clerk.*)

Document 1 Proposed Boundary Expansion Map

Document 2 Letter from Bank Street BIA to Economic Development and Innovation
Department

Document 3 Letter from City Clerk to Property Owners

DISPOSITION

City Clerk and Solicitor 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 and Innovation staff will report back on the results of the circulation, and whether the expansion was successful.