

DATE OF MEETING APRIL 19, 2021

AUTHORED BY SHEILA GURRIE, DIRECTOR, LEGISLATIVE SERVICES

SUBJECT BUSINESS IMPROVEMENT AREA BYLAW 2021 NO. 7317

OVERVIEW

Purpose of Report:

To provide the results of the petition against process on Council initiative for Bylaw 7317.

BACKGROUND

In January 2020, the City was approached by the Downtown Nanaimo Business Association (DNBA) to establish a business improvement area as a Council Initiative in the downtown core.

At the 2021-FEB-01 regular meeting of Council, Council approved the 2020-NOV-18 Finance and Audit Committee motion to:

1. *Direct Staff to work with the Downtown Nanaimo Business Association leading to the establishment the New Downtown Business Improvement Area for a term of 5 years starting in 2021; and,*
2. *Undertake the new Downtown Business Improvement Area as a Council initiative petition- against.*

The motion carried unanimously

At the 2021-MAR-01 regular meeting of Council, "Business Improvement Area Bylaw 2021 No. 7317" passed first, second and third readings. This step by Council initiated the "local area service on council initiative - subject to petition against" process in accordance with section 213 of the *Community Charter*. The deadline for receipt of petitions against the adoption of the above noted bylaw was Monday, 2021-APR-12. |

DISCUSSION

As per section 212 of the Community Charter, "in order for a petition for a local area service to be certified as sufficient and valid,

- a) the petition must be signed by the owners of at least 50% of the parcels that would be subject to the local service tax; and
- b) the persons signing must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the local service tax."

BUSINESS IMPROVEMENT AREA BYLAW 2021 NO. 7317

% of Owners Against	22%	30 of 138 Parcels
% of Total Assessment Against	8.75%	\$15,901,700 of \$181,831,150

The submission of petitions against Bylaw No. 7317 by 22% of the property owners representing 8.75% of the total assessed value of land and improvements within the proposed area, is not deemed to be a "sufficient petition".

In accordance with section 211 of the *Community Charter*, Council may proceed with the adoption of "Business Improvement Area Bylaw 2021 No. 7317" if they so choose. The bylaw is provided to Council under the "Bylaws" section of the agenda. |

CONCLUSION

Sufficient petitions against the adoption of "Business Improvement Area Bylaw 2021 No. 7317" have not been received. Therefore Council may proceed with this bylaw. |

SUMMARY POINTS

- The Downtown Nanaimo Business Association (DNBA) approached the City to establish a business improvement area as a Council Initiative in the downtown core in 2020.
- The deadline for receipt of petitions against the adoption of the bylaw was Monday, 2021-APR-12.
- 22% of the property owners representing 8.75% of the total assessed value of land and improvements within the proposed area was received
- The submission of petitions against Bylaw No. 7317 is not deemed to be a "sufficient petition and the local area service initiative will be levied on the 2021 City of Nanaimo Tax Notice.

ATTACHMENTS

Attachment A: Certificate of Sufficiency |

Submitted by: |

Sheila Gurrie
Director, Legislative Services|