

DATE OF MEETING FEBRUARY 7, 2022

AUTHORED BY JAMIE SLATER, MANAGER, REVENUE SERVICES

SUBJECT OLD CITY QUARTER BUSINESS IMPROVEMENT AREA

OVERVIEW

Purpose of Report

To provide information regarding the proposed new Old City Quarter Business Improvement Area bylaw and obtain Council approval to conduct a local area service on Council initiative utilizing the 'petition-against' process. |

Recommendation

1. That "Old City Quarter Business Improvement Area Bylaw 2022 No. 7339" (To establish a Business Improvement Area in the Old City Quarter) pass first reading;
2. That "Old City Quarter Business Improvement Area Bylaw 2022 No. 7339" pass second reading; and,
3. That "Old City Quarter Business Improvement Area Bylaw 2022 No. 7339" pass third reading.
4. Direct Staff to proceed with notice of intention to conduct a local area service on a Council initiative, subject to a **"petition against"** process; and
5. Direct Staff to carry out the **"petition against"** process.

BACKGROUND

From 2017 to 2021, the Old City Quarter Association (OCQA) has administered a Business Improvement Area (BIA), which was previously established in 2017 through the "Old City Quarter Business Improvement Area Bylaw 2017 No. 7245." This bylaw had an expiration date of 2021-DEC-31.

Activities of the Old City Quarter Association have included marketing, promotion, and special events, in addition to advertising, design and production of marketing materials, maintenance of the Old City Quarter website, special event development and production, volunteer management, and target market research.

The Old City Quarter Association has requested that Council establish a Business Improvement Area under the provisions in section 210-215 of the *Community Charter*. The Business Improvement Area Bylaw would have a five-year term that would be effective from 2022 through 2026, subject to a petition process as discussed below. |

DISCUSSION

Business Improvement Areas are provided for in the *Community Charter* in sections 210 through 215. They are a local service area tax that can be established in one of two ways as Council initiatives:

- 1) “Petition Against” – owners of at least 50% of the parcels in the area representing at least 50% of the assessed value of land and improvements must sign a petition in opposition to the local service area tax.
- 2) “Petition For” – at least 50% of the parcels in the area representing at least 50% of the assessed value of land and improvements must sign a petition in favour of the local area service tax.

Staff have been working with the Old City Quarter Association representatives to determine the boundaries of the proposed Business Improvement Area. A map of the proposed area is included in the bylaw.

It has been determined that the “petition against” process is preferred, as this is the most commonly used provision in the *Community Charter* to successfully create Business Improvement Areas.

If the ‘petition against’ process is successful, the bylaw will be adopted and a BIA levy will appear on the applicable property tax notices for the term of the bylaw. If the ‘petition against’ process is not successful, no BIA will exist and there will be no funds collected or distributed to the Old City Quarter Association.

The following are highlights of the proposed BIA terms:

- Five-year term from 2022 through 2026
- Estimated total taxes to be collected in 2022 would be \$50,000
- After 2022, the taxes collected would increase by 2.5% for inflation each year

The Old City Quarter Association would administer the new BIA.

If Council proceeds with three (3) readings of the BIA bylaw, the following is the proposed process:

Task	Dates
Mail out petition process	February 14, 2022
Advertise in Week 1 (Public Notice)	February 16, 2022
Advertise in Week 2 (Public Notice)	February 23, 2022
Deadline for receipt of petitions	March 25, 2022
Consideration for Adoption of the Bylaw	April 25, 2022

OPTIONS

1. That “Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” (To establish a Business Improvement Area in the Old City Quarter) pass first reading;

That ‘Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” pass second reading;

That ‘Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” pass third reading.

Direct Staff to proceed with notice of intention to conduct a local area service on a Council initiative, subject to a “**petition against**” process; and,

Direct Staff to carry out the “**petition against**” process.

- **Financial Implications:** There would be no financial implications to the City as the City would collect the local service area taxes and would remit them to the Old City Quarter Association. The City would receive a one-time administration fee in 2022 for \$1,250. There are no matching grant amounts provided by the City.
- **Other Implications:** The advantage of this option is that businesses in the Old City Quarter area will get to provide their feedback on whether they would like to establish a Business Improvement Area.

2. That Council deny the request from the Old City Quarter Association.

- **Implications:** Businesses in the Old City Quarter Area will not get to provide their feedback on whether they would like to establish a Business Improvement Area, and the Old City Quarter Association will no longer receive any funding.

3. That “Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” (To establish a Business Improvement Area in the Old City Quarter) pass first reading;

That ‘Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” pass second reading;

That ‘Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” pass third reading;

Direct Staff to proceed with notice of intention to conduct a local area service on a Council initiative, subject to a “**petition for**” process; and,

Direct Staff to carry out the “**petition for**” process.

- **Financial Implications:** There would be no financial implications to the City as the City would collect the local service area taxes and would remit them to the Old City Quarter Association. The City would receive a one-time administration fee in 2022 for \$1,250. There are no matching grant amounts provided by the City.

- **Other Implications:** The disadvantage of this option is that the “petition for” process is generally less likely to be successful in creating a Business Improvement Area. The advantage of this option is that businesses in the Old City Quarter area will get to provide their feedback on whether they would like to establish a Business Improvement Area.

SUMMARY POINTS

- The Old City Quarter Association has requested that Council establish a new BIA in the Old City Quarter area.
- The estimated tax to be collected in 2022 is \$50,000.
- The bylaw will be valid for 5 years.
- Adoption of the bylaw requires the completion of a petition process.

ATTACHMENTS:

Old City Quarter Business Improvement Area Bylaw 2022 No. 7339 |

Submitted by:

Jamie Slater
Manager, Revenue Services

Concurrence by:

Laura Mercer
Director, Finance

Sheil