

Staff Report



Development Services Department

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REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: September 16, 2024

SUBMITTED BY: Cory Bluhm, Executive Director Economic Development
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WARD(S) INVOLVED: Ward(s) 8 & 9

DATE OF REPORT: September 5, 2024

REPORT NO.: DSD-2024-372

SUBJECT: Belmont BIA Boundary Expansion

RECOMMENDATION:

That pursuant to Section 209 of the Municipal Act, 2001, notice of the proposed by-law to alter the boundaries of the Belmont Business Improvement Area (BIA) be sent to every person who is assessed for rateable property that is in a prescribed business property class which is located within the existing and newly proposed boundaries, as outlined in Attachment 'A' of report DSD-2024-372.

REPORT HIGHLIGHTS:

- The purpose of this report is to present the proposed boundary expansion for the Belmont BIA, outline the rationale of the proposed boundary change and initiate the approval process as defined by Section 209 of Municipal Act, 2001.
- The key findings of this report are the boundary expansion will transform the BIA through the acquisition of dedicated human resources, support new business growth through improved programing and facilitate new strategic partnerships amongst BIA members.
- The financial implication of expanding the BIA boundary could lead to an increase in the levy by approximately \$300,000 (estimate only). These additional funds will be collected through the BIA levy, which is separate from municipal property taxes, so there will be no extra cost to the City. The Belmont BIA will be responsible for the costs associated with sending registered mail to each property owner.
- Community engagement efforts featured a public information session on February 22nd, 2024, individual meetings with key property owners, and a business networking event to be held in October 2024.
- This report supports **Creating an Economically-Thriving City Together: Focuses on growing an agile, diverse local economy powered by talented entrepreneurs, workers & artists; creating opportunities for everyone and a resilient future that propels our city forward.**

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

BACKGROUND:

A Business Improvement Area (BIA) is a designated geographic zone within a municipality where businesses are subject to an additional levy on top of their regular municipal property taxes. The levied funds are managed by a board of management and typically used to fund initiatives relating to marketing, promotions, beautification projects and community events. The Belmont BIA was established in August 1977 with the approval of the municipal bylaw #77-103-P.

The Belmont BIA boundary has remained the same since its inception forty-seven (47) years ago. The current boundary includes all properties which are located along Belmont Avenue West between Union Boulevard and Glasgow Street. The local economy has experienced significant growth extending outside the BIA boundary: east along Glasgow St. (Catalyst 137), south along Belmont Ave. W, (eg: Schreiter's Furniture Store) and west along Gage Avenue. The growth of the Belmont business community is projected to continue with the potential construction of mixed used developments in the area.

REPORT:

Belmont Village ('the Village') is a vibrant gem nestled between Downtown Kitchener and Uptown Waterloo. One of two BIAs in Kitchener, the Village is home to independent shops, services and eateries. As commercial and residential developments increase in the surrounding area, the Village will continue to be a central gathering place for a growing community. The BIA already serves as a galvanizing body to support collaboration among business in the village. An expansion would enable the BIA to serve and support many more businesses within the surrounding area.

The Board of Director's for the Belmont BIA provide the following rationale for the proposed boundary expansion:

- i) To align the BIA boundary with current and future growth of the local business community.
- ii) To transform the operation of the BIA from a working board to a governing board of directors with dedicated human resources. The acquisition of human resources will increase the BIA's capacity to deliver more complex and effective programming.
- iii) To provide enhanced services within the BIA boundary, i.e., enhanced beautification and improvement projects, improved marketing, more community events, and foster collaboration amongst BIA businesses.
- iv) To promote opportunities for engagement with BIA membership on strategic planning and directions.
- v) To address inquiries from property owners and businesses requesting membership in the Belmont BIA.

The proposed boundary expansion would add approximately 35 additional commercial properties to the BIA.

Municipal Act Powers & Process

Section 209 of the Municipal Act, 2001 empowers a municipality to alter the boundaries of an improvement area. Before a by-law may be passed to alter the boundaries of the BIA, notice of the proposed by-law shall be sent by prepaid mail to every person who is assessed for rateable property that is in a prescribed business property class which is located within

the existing boundaries of the BIA; as well as in the geographic area the proposed by-law would add to the improvement area.

Within thirty (30) days all persons who received the notice are required to provide a copy of it 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. In addition, within that thirty (30) day timeframe they are required to provide the Clerk with a list of all such tenants and the share of the taxes that each tenant is required to pay; as well as the share that the property owner is required to pay.

A municipality is not permitted to pass a by-law to expand the boundaries of an improvement area if written objections are received by the Clerk within sixty (60) days after the last day of mailing of the notices; and, those objections have been signed by at least one-third of the total number of persons entitled to notice and/or those tenants that pay all or part of the taxes of an effected property. To prevent the passage of the boundary expansion by-law, those objectors must account for at least one-third of the taxes levied for purposes of the general local municipal levy on rateable property in all prescribed business property classes in the improvement area; or at least one-third of the taxes levied in the geographic area the proposed by-law would add to the existing improvement area. The Municipal Act assigns responsibility to the Clerk to determine as to whether the objections to the proposed boundary expansion meet the stipulated thresholds. If the prescribed thresholds are met, then the by-law would not be put forward for Council's consideration and the Belmont BIA's boundaries would retain their existing configuration.

If no objections are received, or the number of objections does not meet the requirements set out in the Municipal Act, then it is anticipated that a by-law would be brought forward in the first quarter of 2025 to expand the Belmont BIA's boundaries as proposed in Attachment A of this report.

STRATEGIC PLAN ALIGNMENT:

This report supports **Creating an Economically-Thriving City Together: Focuses on growing an agile, diverse local economy powered by talented entrepreneurs, workers & artists; creating opportunities for everyone and a resilient future that propels our city forward.**

FINANCIAL IMPLICATIONS:

The proposed boundary expansion could result in an increase in the BIA levy by up to \$300,000. These additional funds will be collected through the BIA levy, which is separate from municipal property taxes, so there will be no extra cost to the City. The Belmont BIA will be responsible for the cost of the registered mailing to each property owner.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

CONSULT – The proposed boundary expansion was considered at the May 30, 2023, Belmont BIA Board of Directors meeting at which time the Board endorsed the recommendation contained within report DSD-2024-372. At the November 28, 2023, Annual

General Meeting of the BIA members, the membership unanimously endorsed the proposed boundary expansion.

Request by the Belmont BIA

The Belmont BIA formally requests the endorsement of Council to expand the boundary of the BIA as presented in Attachment A to Report DSD-2024-372 and proceed with the formal consultation process as described by the Municipal Act, 2001.

In addition to the prescribed engagement process of the Municipal Act, 2001, the BIA has undertaken the following additional outreach:

- A public information session was held February 22nd at 660 Belmont Ave.
- Individual meetings with key property owners and businesses have been ongoing since the public information session.
- A business networking event will be held for all proposed BIA members in October to discuss the boundary expansion and answer any questions.

PREVIOUS REPORTS/AUTHORITIES:

- *Municipal Act, 2001*

APPROVED BY: Justin Readman, General Manager Development Services

ATTACHMENTS:

Attachment A – Map of Proposed Belmont BIA Boundary Expansion