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**SENT VIA EMAIL**

January 20, 2025

JD Zehr  
Chair, Belmont Business Improvement Area (BIA)  
678 Belmont Avenue West | Suite 301  
Kitchener, ON N2M 1N6

**RE: Request from Belmont Business Improvement Area (BIA) to Expand**

The Board of Management of the Belmont Business Improvement Area (“the Board”) passed a motion requesting that City of Kitchener Council proceed with the process to expand the Belmont Business Improvement Area (“BIA”) on November 28, 2023. Kitchener Council received the request and passed the following motion at a meeting on September 30, 2024:

*That pursuant to Section 209 of the Municipal Act, 2001 (the Act), 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.*

In accordance with section 210 of the Act notice of the proposed by-law was 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.

A municipality shall not approve the expansion of a Business Improvement Area, following notice, if:

- written objections are received by at least one-third of the total number of persons entitled to notice, **and**,
- those who have objected represent;
  - 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, or
  - in all other cases, 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.

**Results of the Request to Expand**

The City issued 140 notices and received 49 objections from those entitled to notice. To satisfy the first condition of the Act, a total of 46 objections was required. As outlined in the chart below, based on the responses received the first condition, not to expand, was met.

<b>Notices</b>	<b>Responses Received by December 14</b>
Notices Issued pursuant to Section 210(1) (Property Owners and Board Members)	60
Notices Issued pursuant to Section 210(2) (Tenants)	80
Total Number of Persons Entitled to Notice	140
1/3 needed pursuant to Section 210(3)(b)	46
Total Responses Received from Property Owners, Board and Tenants	49

To satisfy the second condition pursuant to the Act, the required total taxes payable must exceed \$1,547,616. The total taxes payable by those that submitted objections was \$2,662,139. As outlined in the chart below, the second condition, not to expand, was met.

<b>2024 Taxes Levied (For City Purposes)</b>	
Total Taxes for Purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area Section 210(3)(c)(i)(A)	\$ 4,642,850.31
Total 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 Section 210(3)(c)(i)(B)	\$3,976,784.89
1/3 of Taxes needed to object under Section 210(3)(c)(i)(A)	\$1,547,616.77
1/3 of Taxes needed to object under Section 210(3)(c)(i)(B)	\$1,325,594.96
Total Taxes of Property Responses Received	\$2,662,139.42

Based on the responses received, the conditions required by the Act to expand the BIA were not satisfied and therefore the request by the Board is not supported. In accordance with the Act, City Council is therefore not permitted to expand the boundary of the BIA.

Sincerely,

Amanda Fusco  
Director of Legislated Services & City Clerk