



**KERR VILLAGE BUSINESS IMPROVEMENT AREA  
BOARD OF DIRECTORS MEETING**

**Location: B-363 KERR STREET, OAKVILLE, ON  
Date & Time: Thursday, November 28, 2019-8am**

**DRAFT  
AGENDA**

<b>BOARD MEMBERS</b>	Dean MacLean, Dr. Brett Warren, Ray Chisholm, Dr. Theresa Bankey, Robert Nashat, Tracey Dreesen, Noel Lourenco, Don Wilson, Dave Walsh, Chris Stadnik, Bob de Hoog, Joe Martineau
<b>PRESENT</b>	
<b>PROXY</b>	
<b>REGRETS</b>	
<b>GUESTS</b>	Jason Speers, Film ca Cinemas
<b>Item #</b>	<b>Item Description</b>
1.	<b>Call to Order:</b>
2.	<b>Approval of Agenda:</b>
3.	<b>Declaration of Pecuniary Interest:</b>
4.	<b>Approval of Previous Meeting Minutes:</b>
5.	<b>Request:</b> Re-visit removal request Film ca Cinemas 171 Speers Rd
6.	<b>Special Events &amp; Sponsorship:</b> Tree Lighting & Holiday Market
7.	<b>Streets Scaping:</b>
8.	<b>Strategic Planning:</b> Update
9.	<b>Executive Director Report:</b> Doug Sams
10.	<b>New Business:</b>
11.	<b>Adjournment:</b>
12.	<b>Next Meeting Dates:</b> Wed Dec 4 Open House 4-9pm; Wed Dec 11 Holiday Social at The Boot 6-9pm; January 23 8am Board Meets

**Report to:** Kerr Village BIA Board

**Submitted by:** Doug Sams Executive Director

**Date:** November 28, 2019

**Subject:** The matter of reconsideration for the removal of 171 Speers Road from the Kerr Village BIA.

**Summary:** The Municipal Act, 2001 provides the Council of a municipality may pass by-laws designating an area as an improvement area. In 2005, the Town of Oakville passed By-law 2005-018 to designate a certain area as the Kerr Street Business Improvement Area. The request to establish the Business Improvement Area was initiated by the Kerr Street Community Association in 2003. The boundaries of the BIA were established by the Kerr Street Village Revitalization Study. The Town gave notice to all those entitled to receive notice and as a result although there were 20 valid written objections received, the required benchmark was not reached to stop the designation and it was Council's decision to pass the by-law establishing the Kerr Street BIA.

Under sections 209/210 of the *Municipal Act, 2001*, Council may alter the boundaries of an improvement area however in accordance with the Municipal Act, removal of any property from a BIA (change in boundary) must be preceded by notice of the proposal to all members and the Board members. If one third of the total number of persons entitled to receive notice object and the objectors are responsible for at least one-third of the taxes levied on the rateable properties within the improvement area, then the by-law shall not be enacted by Council. This would be the responsibility of the Clerk's department of the Town of Oakville should they receive a formal request to alter the boundary.

In consideration of the recent request received by the Board to remove 171 Speers Road from the Kerr Village BIA, the Board of Directors must consider the impact this may have on the role and value of the BIA, the BIA's Strategic Commitments, the financial implications, and the fact that this could set a precedent for future requests which may in turn, undermine the economic viability of the area.

The Kerr Village BIA carries out its purposes, to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area and to promote the area as a business or shopping area and relies on the Town of Oakville to raise the amount required through a special charge levied upon rateable property within the BIA.

A BIA is integral to advancing a distinct, livable, vibrant and resilient business district in its local community. The Kerr Village BIA's role is to promote the business improvement area through advertising and marketing efforts and provide support to special events in the area. Other key functions of the Kerr Village BIA include:

- To maintain business improvement area-initiated streetscaping and capital assets within the business improvement area.
  - To assist in solving graffiti and waste issues when and where needed.
-



- To undertake safety and security initiatives within the business improvement area.
- To undertake strategic planning necessary to address business improvement area issues.
- To advocate on behalf of the interests of the business improvement area.
- Business Recruitment
- Communication with municipality, region, province, community groups, and institutions. Can also provide feedback on issues that affect businesses and the community at large.
- Provide a vibrant business area to benefit all business operators, property owners, surrounding neighbourhoods and the wider community.

Under the *Municipal Act*, Town Council is required each year to adopt estimates of all sums required during the year for its own purposes and those of its local boards. The budget that is approved by the BIA Board annually at the annual general meeting is submitted to the Town of Oakville for Council approval. The Town is then responsible for giving final approval and calculating tax rates. Tax rates are determined by both the amount of the levy requirement and the assessment subject to taxation. The 2019 tax levy was \$412,511 reflecting a 2.5% increase over 2018

Revenues that come in from sponsorships and events help to offset costs such as hosting festivals and special events. Marketing and advertising continues to promote the Kerr BIA Village through digital and social media. More advertising streams aimed to increasing traffic in the Kerr Village area, including Digital Mainstreet assists business owners to have a greater online presence.

The total 2019 Kerr assessment is \$223,555,680 producing a tax rate for 2019 of 0.184523%. If 171 Speers Rd was not included in the 2019 assessment, the total assessment would be \$221,024,048 producing a tax rate of 0.186636% for 2019. The BIA levy collected in 2018 from 171 Speers Road totaled \$5,127 and \$4,671 in 2019. According to the current MPAC's property valuation for 171 Speers Rd, assessment-wise this property is split exempt for the school portion and commercial class for the theatre portion only. The only taxable portion is the theatre at an assessment of \$2,661,100. The remainder of the property is assessed at \$6,534,900 and is not taxable.

The removal of one property from the BIA could set a precedent that could undermine the viability of the BIA by encouraging future requests from other businesses. *In discussions with the Ontario Business Improvement Area Association (the "OBIAA")* it was clear that removing properties from the BIA, or "Opting out" is generally not supported. A property removed from the BIA would continue to receive the benefits resulting from BIA membership such as advertising and marketing and special event support without making any contribution which would be unfair.

Should the Board wish to consider altering the boundaries to remove all of the Speers Road properties rather than creating a hole in the middle of the BIA, there would be a significant impact to the budget and the tax rate would jump to 0.2229% and all businesses would be negatively affected.

The current tax levy, compared to other Oakville BIAs is illustrated below:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020 Projection</u>
Kerr Village	0.223%	0.218%	0.2128%	0.2134%	0.184523%	0.184%
Downtown	0.355%	0.3345%	0.357%	0.354%	0.345362%	0.337%
Bronte	0.3815%	0.3701%	0.3749%	0.374%	0.384726%	0.387%

As noted above, the current tax rate for Kerr Village BIA remain substantially lower than the other BIAs in Oakville and continue to achieve their strategic commitments.



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2005-018

A by-law to designate a certain area as an improvement area (Kerr Street)

THE COUNCIL ENACTS AS FOLLOWS:

WHEREAS the *Municipal Act, 2001* provides that the Council of a municipality may pass by-laws designating an area as an improvement area;

AND WHEREAS notice of intention of the Council to pass a by-law designating the area, hereinafter described as a business improvement area was sent to every person occupying or using land for the purpose of or in connection with any business in the area who was shown on the last revised assessment roll of the Town as being assessed for rateable property that is in a prescribed business property class;

AND WHEREAS no sufficiently signed petition objecting to the passing of the By-law has been received within the time limited to prohibit the passing of the By-law;

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. The area comprised of those properties assessed for rateable property that is in a prescribed business property class outlined in the area designated in Schedule "A" hereto is designated as an improvement area within the meaning of Section 204 of the *Municipal Act, 2001* to be known as the "Kerr Street Business Improvement Area".
2. A Board of Management for the business improvement area is hereby established and shall be composed of twelve (12) directors, with:
  - (a) one director appointed directly by Council; and
  - (b) the remaining directors selected by a vote of the membership of the improvement area and appointed by Council.

PASSED by the Council this 7th day of February, 2005.



MAYOR



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2005-059


A by-law to appoint the Board of Management for the  
Kerr Street Business Improvement Area.

THE COUNCIL ENACTS AS FOLLOWS:

That By-law 2005-059, a by-law to make appointments to the Board of  
Management for the Kerr Street Business Improvement Area, appoint the  
following members to hold office until November 30, 2006.

Rozanne Brown  
Mike Colis  
Rose Collella Paladino  
Domenico De Fazio  
Peter Fredricks  
Mike Jasnich  
Allan Kowall  
Iona McCoppen  
Richard Messer  
Peter Natyshak  
Yvonne Robinson  
Councillor Cathy Duddeck

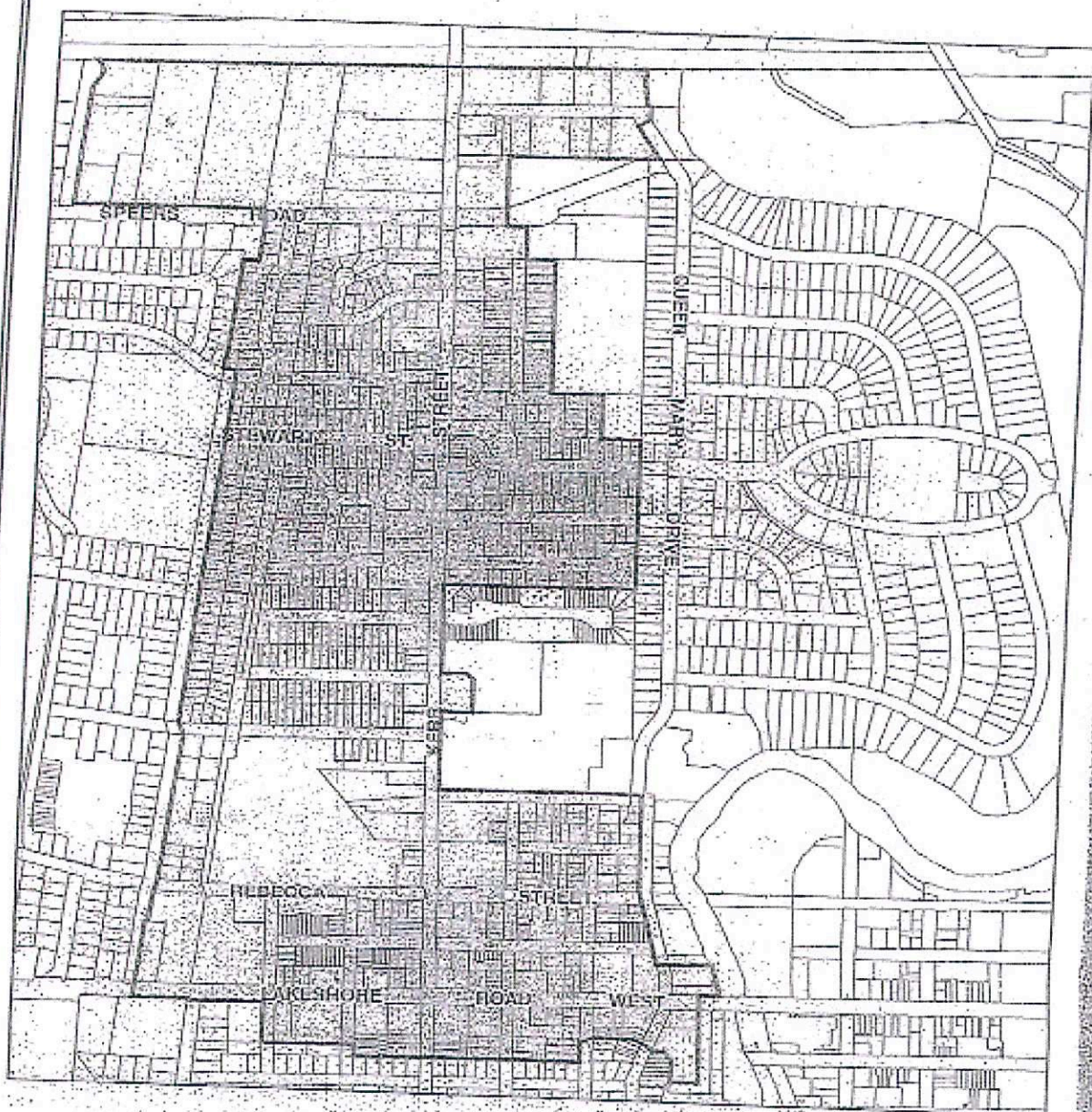
PASSED by the Council this 2nd day of May, 2005.


  
MAYOR

  
CLERK




SCHEDULE "A"  
To By-law 2005-018



 Kerr Street Business Improvement Area

This is Schedule "A" to By-law 2005-018 passed by the Council this 7th day of February, 2005.

  
MAYOR

  
CLERK



## **Role of the B.I.A.**

### Functions:

- Work in conjunction with the Town regarding improvement, beautification, and maintenance of municipally owned land, buildings and structure in the area beyond that provided at the expense of the municipality.
- Promote the area as a business or shopping area.
- To maintain business improvement area-initiated streets aping and capital assets within the business improvement area.
- To assist in solving graffiti, waste issues, snow removal when and where needed.
- To undertake safety and security initiatives within the business improvement area.
- To undertake strategic planning necessary to address business improvement area issues.
- To advocated on behalf of the interests of the business improvement area.
- Revitalization and Maintenance
- Marketing and Promotion
- Special Events
- Business Recruitment
- Communication with municipality, region, province, community groups, and institutions. Can also provide feedback on issues that affect businesses and the community at large.
- Business operators, property owners, surrounding neighbourhoods and the wider community all benefit from a vibrant business area.

## **Value of a B.I.A**

A BIA is integral to advancing a distinct, livable, vibrant and resilient business district in its local community.

### Downtowns:

- Represent sustainable development, making the best use of our existing infrastructure and creating compact communities that encourage walking, cycling and transit use
- Have historic connections to the origins of the community
- Have symbolic significance as the centre of civic life
- Are a central hub for festivals and celebrations
- Reflect a positive image of the entire city
- Provide opportunities for local and incubator businesses
- Offer an experience not found in new malls, plazas

Some BIAs in Ontario are tourism districts, financial districts, industrial and repurposed manufacturing areas. Not all BIAs are located in downtown(s).

### What B.I.A's Do:



- Oversee the improvement, beautification and maintenance of municipally owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- Promote the area as a business or shopping area. (Municipal Act 2001, c. 25, s. 204 (1))

Who Benefits?

**Business Operators**

- Improved atmosphere and ambience
  - Retail
  - Service
  - Professional

**Property Owners**

- Potential to increase property values and occupancy

**The Community**

- More vibrant community
- Prosperous local economy
- Potential to increase property values

**Municipality and Province**

- BIAs are strong local economic engines

Partnership Opportunities

**Access to:**

- Municipal Programs (CIPs)
- Provincial Revitalization Programs (OMAFRA)
- Product /Service Suppliers
- Partnerships and Networking opportunities with other BIAs
- Government Agencies/Associations
- Local Organizations
- Ontario BIA Association Membership

**BIAs can partner to:**

- Develop common goals and vision
- Be a unified voice for local business issues
- Be a forum for discussion

**Funding:**

- Grants (Celebrate Ontario, Music & Heritage)
  - Sponsorship
  - Event Revenues
-

**Strategic Commitment:**

By evaluating the bottom line, (community, environment and economic implications) we can make choices that create value across the board and move us closer to the vision for a vibrant and sustainable community.

**Community Well-Being is enhanced:**

B.I.A. members are involved in developing and implementing local solutions=community issues.

**Environmental Well-Being is enhanced:**

B.I.A. initiatives help create an attractive business district that extends to the local residents through the creation of safer, cleaner and more aesthetically attractive districts with positive results in the quality of life of its residents=improvements when and where possible.

**Economic Well-Being is enhanced:**

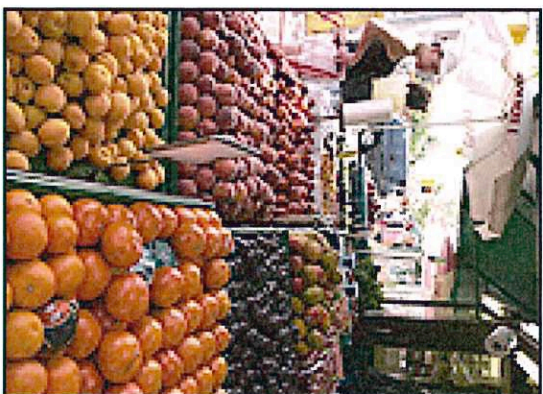
B.I.A initiatives help retain and attract businesses and investment in our community=vibrancy

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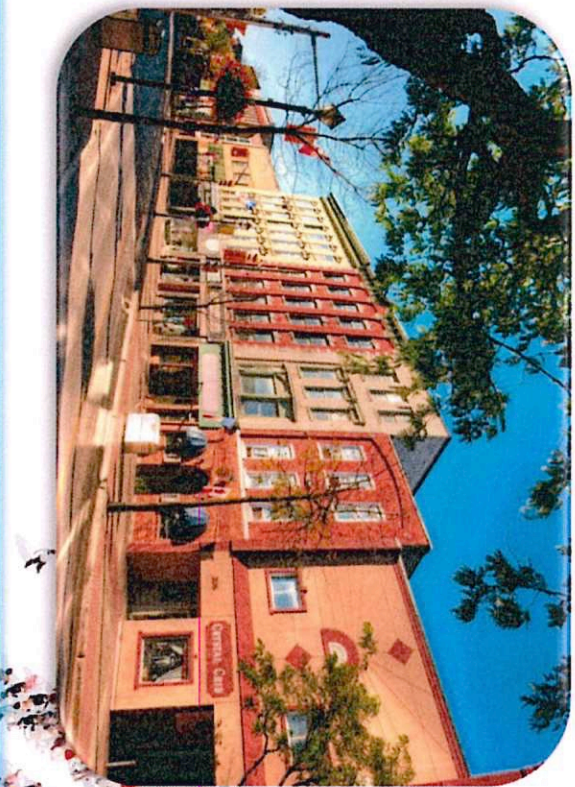


ONTARIO BUSINESS IMPROVEMENT AREA ASSOCIATION

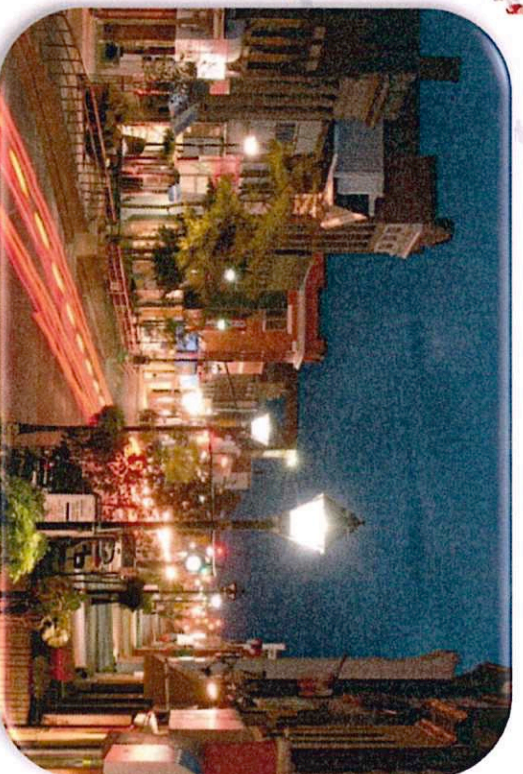
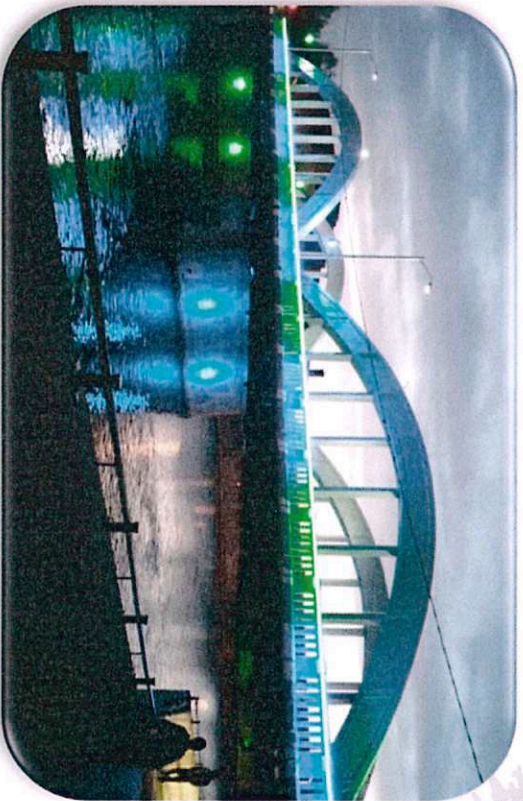


# THE VALUE OF BIAS





A BIA is integral to advancing a distinct, livable, vibrant and resilient business district in its local community.





# Downtowns Matter

## Downtowns:

- Represent sustainable development, making the best use of our existing infrastructure and creating compact communities that encourage walking, cycling and transit use
- Have historic connections to the origins of the community
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- Are a central hub for festivals and celebrations
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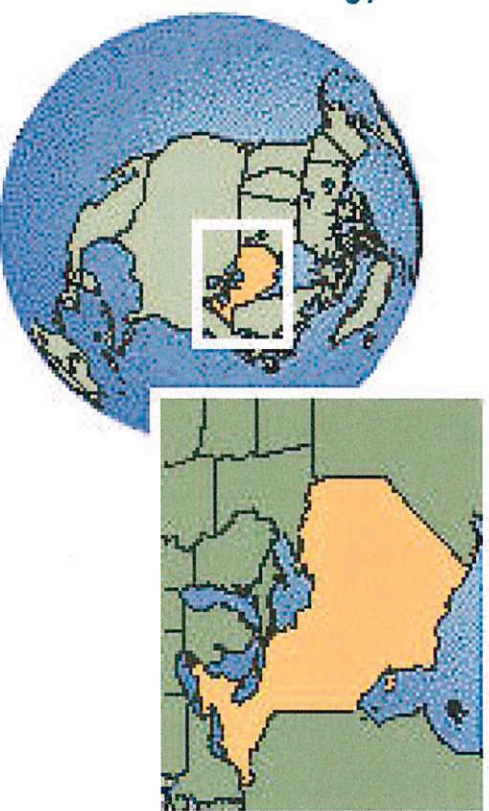
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“Downtowns matters. It matters to the overall health of the city. Research and the literature consistently report on the connection between a healthy downtown and a healthy city.”



# BIAs Quick Facts

- Legislation first created in **1970**
- First BIA in the world – Bloor West Village
- Currently about **310+** BIAs in Ontario
- **84** in Toronto
- More than **70%** of Ontario's BIAs are members of OBIAA
- BIAs represent over **60,000** Businesses across Ontario
- Accumulated Levy of Ontario's BIAs – **more than \$50M**
- Employment by BIAs is over **125** part-time staff and **175** full-time staff





# What do BIAs do?

- Oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- Promote the area as a business or shopping area. (Municipal Act 2001, c. 25, s. 204 (1))





# The ROI of BIA's



## BUSINESS MIX



## ASSESSED PROPERTY VALUE

100,000 - 500,000 POPULATION CITIES **25%** HIGHER AVERAGE

**\$ 216,428,280**

500,000 - 1,000,000 POPULATION CITIES **125%** LOWER

## EVENTS



## VACANCY



## EMPLOYMENT

**INCREASE IN POPULATION UP TO 828%**



## FAÇADE GRANTS

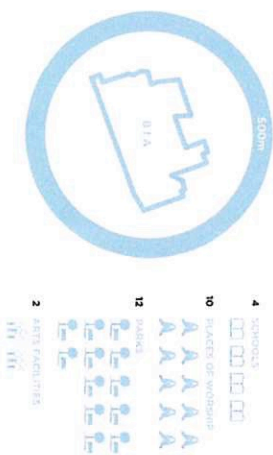
AVERAGE BIA: **1:2.5** PERCENT CONTRIBUTION PRIVATE SECTOR SERVICE PER CAPITA SPENDING = \$0.17

UNDER 100,000 POPULATION: **1:6.6** PERCENT CONTRIBUTION PRIVATE SECTOR SERVICE PER CAPITA SPENDING = \$2.53

## BUILDING PERMITS



## PLACEMAKING ASSETS



# Who Benefits?

## Business Operators

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  - Retail
  - Service
  - Professional

## Property Owners

- Potential to increase property values and occupancy

## The Community

- More vibrant community
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## Municipality and Province

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# Partnership Opportunities

## Access to:

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- Partnerships and Networking opportunities with other BIAs
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- Ontario BIA Association Membership

## BIAs can partner to:



- Develop common goals and vision
- Be a unified voice for local business issues
- Be a forum for discussion



## Funding:

- Grants (Celebrate Ontario, Music & Heritage)
- Sponsorship
- Event Revenues



# OBIAA's Mission Statement

*"OBIAA is the network that represents unique and vibrant BIAs across Ontario. The Association supports and advocates on behalf of its members through the building and nurturing of strong relationships and partnerships."*

*OBIAA is a leader in the development and sharing of information, tools, resources and best practices, and is the ONE voice on common issues."*





Bringing it all together...

**ONTARIO BUSINESS IMPROVEMENT AREA ASSOCIATION**

92 Lakeshore Road East, Suite 201

Mississauga, ON L5G 4S1

**Phone:** 905-271-7222 or 1-866-807-2227

**Email:** [info@obiaa.com](mailto:info@obiaa.com)

[www.obiaa.com](http://www.obiaa.com)