



**KERR VILLAGE BUSINESS IMPROVEMENT AREA
BOARD OF DIRECTORS MEETING
Location: B-363 KERR STREET, OAKVILLE, ON
Date & Time: Thursday, November 28, 2019-8am**

MINUTES

BOARD MEMBERS	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
PRESENT	Dean MacLean, Dr. Brett Warren, , Dr. Theresa Bankey, , Tracey Dreesen, Noel Lourenco, Don Wilson, Dave Walsh, , Bob de Hoog, Joe Martineau
PROXY	Chris Stadnik, Robert Nashat
REGRETS	Ray Chisholm
GUESTS	Jason Speers, Film ca Cinemas
Item #	Item Description
1.	Call to Order: 8:04am
2.	Approval of Agenda: Joe, Tracy
3.	Declaration of Pecuniary Interest:
4.	Approval of Previous Meeting Minutes: Noel, Tracy
5.	Discussion Item: Re-visit removal request regarding Film ca Cinemas 171 Speers Rd Motion was made for the board to rescind the actions of the board regarding 171 Speers Rd at the AGM. Made by Joe, second by Dave Motion was made that that the board does not support removal of 171 Speers Road. Motion by Noel, second by Bob. Motion Passed.
6.	Special Events & Sponsorship: Tree Lighting & Holiday Market Start times Holiday Market and Tree Lighting and event programming was reviewed. Board Members and dignitaries to be introduced at 7pm.
7.	Streets Scaping: Report was given with regards to the wreaths, tree, lights and banners. The red lights on the wreaths look good and offsets the white tree lights.
8.	Strategic Planning: Summary will be given at the January 23, 2020 meeting. Final comments will be given at that time.
9.	Executive Director Report: Doug Sams Motion was made to accept the Executive Directors report including report on 171 Speers Rd. Made by Noel, second by Bob. Motion passed.
10.	New Business: None
11.	Adjournment: Motion to adjourn made by Joe, second by Dave.
12.	Next Meeting Dates: Wed Dec 4 Open House 4-9pm; Wed Dec 11 Holiday Social at The Boot 6-9pm; January 23 8am Board Meets



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EXECUTIVE DIRECTOR REPORT

- November Visit by Accountant
- Installation of Wreaths on Kerr Street
- Installation of Tree (weekday), lights and ornament (weekend)
- Preparation of Wreaths for installation
- Attended Planning & Development Meeting Town Hall clarified Street Lights
- OBIAA Advocacy & Communication Phone Conference
- Kerrfest met with Moosehead
- Attended Santa Claus Parade Meeting
- Santa Claus Parade Marshall (weekend)
- Talked to Urban Design Manager
- Finalized ops plan for Tree Lighting & Holiday Market with Town Staff
- Attended Visit Oakville Meeting & AGM
- Visited with Omari Music
- Wrote report as per request from Town for 171 Speers Rd.
- Met with Town Clerk twice
- Visited Zucchini Restaurant
- Up dated Business Directory
- Made movie promos for Tree Lighting, Tree Instal, Toys for Tots
- Kerrfest Committee Meeting
- Visited Cleas Gallery, Wool Bin, Fratelli, Nursall Group, Fantastico
- Met with Town financial staff re: 2020 Budget
- Met with prospective Kerrfest Sponsor
- Meeting at MPP Crawford's Office regarding We Love Oakville
- Provided direction for social media posts
- Edited sponsorship package for 2020 Kerrfest
- Preparations for Tree Lighting & Holiday Market arrangements and logistics: Tents, lights, weights, performers, dignitaries, food.



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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.



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- 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 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 inequitable.

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, and the accomplishments of the BIA, would be negatively affected.

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

BIA	2015	2016	2017	2018	2019	2020 Projection
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 remains substantially lower than the other BIAs in Oakville and continues to achieve their strategic commitments.



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RECOMMENDATION:

The Board of the Kerr Village BIA does not support the removal of 171 Speers Road from the Kerr Village BIA.