

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015

Item 10, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 20, 2015.

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**KLEINBURG BUSINESS IMPROVEMENT AREA
BY-LAW AMENDMENT, BOARD APPOINTMENTS, BUDGET AND LEVY
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Financial Services and the City Clerk, dated October 7, 2015:

Recommendation

The Director of Financial Services and the City Clerk, in consultation with the Deputy City Clerk and the Manager of Property Tax & Assessment, recommends:

- 1) That Council approve the Kleinburg Business Improvement Area (KBIA) Board of Management's request to increase the minimum and maximum special charges for four (4) years commencing in 2015, as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum
- 2) That By-law Number 169-84, as amended, be further amended to reflect the increase in the minimum and maximum special charges for four (4) years commencing in 2015.
- 3) That the appointments to the KBIA Management Board and Executive as submitted in Attachment 2 by the KBIA Chair, be approved; and
- 4) That in accordance with the request from the Board of Management, Council approve the 2015 KBIA budget in the amount of \$40,000 and these funds be forwarded accordingly.

Contribution to Sustainability

N/A

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

Council's decision will be communicated to the Chair of the KBIA. The City, on behalf of the KBIA, will issue levying invoices to each KBIA member detailing the new minimum and maximum special charges and the amount to be remitted.

Purpose

The purpose of this report is to bring forward for Council's consideration and approval an increase to the minimum and maximum special charges for the KBIA for four (4) years commencing in 2015. As insufficient objections to the proposed increase were received following the Notice and Objection period set out in subsections 210(1) and (3) of the Municipal Act, Council may now pass a By-law to reflect these changes.

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This report also brings forward for Council's consideration the appointment of the KBIA Management Board members submitted by the KBIA Chair, approval of the KBIA budget and authorization for staff to remit, levy, and collect the special charge related to the KBIA. The budget will provide funds for promotion and visual enhancement of the area, advertising and special events. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Background - Analysis and Options

In dealing with the request received from the KBIA Board of Management to increase the minimum and maximum special charges for four (4) years commencing 2015, Council directed staff to send out the required notice (Attachment 1 – Council Extract, Item 17, Committee of the Whole Report No. 24).

Pursuant to subsection 210(1) of the Municipal Act (the Act) notices were sent to thirty-eight (38) Kleinburg Business Improvement Area members on July 2, 2015, notifying them of the Board of Management's request, including the conditions for when a municipality cannot pass a by-law such as the proposed by-law amendment to increase the minimum and maximum special charges.

KBIA members had 60 days from the date the notice was mailed to send in their written objections. Written objections had to be received by the City Clerk by no later than 4:30 p.m. on August 31, 2015. One (1) objection was received by the deadline.

Subsection 210(3) sets out the following conditions for when a municipality cannot pass a by-law such as the proposed by-law amendment to increase the minimum and maximum special charges:

- written objections are received by the Clerk of the municipality within 60 days after the last day of mailing of notices;
- the objections have been signed by at least one-third of the total number of persons entitled to notice; and
- the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on ratable property in all prescribed business property classes in the improvement area.

In accordance with subsection 210(5) of the Act, the City Clerk has determined that since insufficient objections were received within the 60-day objection period the conditions as set out in subsection 210(3) were not met. The municipality may therefore pass a by-law to increase the minimum and maximum special charges. The amounts proposed by the KBIA Board of Management, as approved in their Annual General Meeting (AGM), as minimum and maximum amounts for the four (4) year period commencing in 2015, are as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum

Each year the KBIA submits a budget for Council's approval, which is required for the purposes of the KBIA. In accordance with section 208 of the Act, the municipality is then required to annually raise this amount from the BIA. The budgeted amount is apportioned, based on a minimum and maximum amount, on all commercial property within the KBIA boundary, utilizing the taxable commercial assessment of such property. The minimum/maximum is a method of apportionment of the annual budgeted amount. This approach, which has been used for many years, provides for a more fair distribution of the budgeted amount.

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The KBIA held their AGM in March 2015 at which the Board of Management members were appointed. The KBIA Chair has submitted the names of eleven (11) voting members plus four (4) Executive Members for Council's approval (Attachment 2).

Further, each year the KBIA submits a budget for Council's approval. The 2015 budget amount of \$40,000 was approved by the Board of Management and accepted by the KBIA membership at the AGM (Attachment 3). The amount is levied to all commercial property within the BIA boundary, utilizing the taxable commercial assessment of each property.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional Implications in this Report.

Conclusion

Council's consideration of the recommendations set out in this report is requested.

Council approval of the proposed budget provides funds to the KBIA and authorizes staff to remit, levy, and collect the funds. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Attachments

Attachment 1 – Council Extract, Item 17, Committee of the Whole Report No. 24

Attachment 2 – 2015 Board of Management Voting Members and Executive

Attachment 3 – KBIA 2015 Budget

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)