

**Community Services Report to
SPC on Community and Protective Services
2019 September 11**

**ISC: UNRESTRICTED
CPS2019-1040**

**Change to the 17th Avenue Retail & Entertainment District Business Improvement
Area Boundary**

EXECUTIVE SUMMARY

The 17th Avenue Retail & Entertainment District Business Improvement Area (17th Ave RED BIA) board has requested a change to its boundary. An amendment to the 17th Ave RED Bylaw 39M84 is required to make these changes. The request to change the boundary complies with the provincial legislation. The 17th Ave RED BIA has additionally conducted engagement activities to inform current and potential new taxpayers of the proposed boundary change. Administration is recommending that Council give three readings to amend Bylaw 39M84 (Attachment 1) to make the change requested by the 17th Ave RED BIA board.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommend that Council give three readings to the proposed Bylaw to amend the 17th Avenue Retail & Entertainment District Business Improvement Area Bylaw 39M84 with respect to the identified boundaries (Attachment 1).

PREVIOUS COUNCIL DIRECTION / POLICY

On 1984 September 18 Council approved Clause C84-93 Proposed 17th Avenue Business Revitalization Zone and Bylaw 38M84.

BACKGROUND

The *Municipal Government Act* Alberta (MGA) sets out the purposes of the BIA in section 50, to: improve, beautify and maintain property in the area; develop, improve and maintain public parking; and promote the areas as a business or shopping district.

Business Improvement Area Regulation Section 8(1) of the Regulation requires that before Council approves a bylaw that changes a BIA boundary, (1) the BIA's board must consent to the change and (2) taxable businesses in the existing area and businesses who would be taxpayers under the change in boundary must be provided with an opportunity to make representations concerning the change to Council.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

On 2019 March 26 a request to expand the BIA's boundary was submitted on behalf of the 17th Ave RED BIA board in compliance with Section 8(1)(a) of the Regulation. The new boundary will allow taxable businesses in the area to participate and benefit from the 17th Ave RED BIA's activities that promote, revitalize and beautify the district.

17th Ave RED BIA has been contacted by a number of merchants in the area with the request to be part of the BIA. The 17th Ave RED BIA is requesting the change in boundary in order to respond to this need. The 17th Ave RED BIA intends to support current and future businesses with continued promotion of the BIA area through event initiatives, marketing strategies, and collaboration with The City of Calgary and other organizations. The proposed initiatives fall within section 50 of the MGA. There is approximately 145 new businesses included in the proposed change in boundary.

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The following outlines the process followed by the 17th Ave RED BIA board to initiate a change in the boundary and the actions required by Administration to facilitate this change.

1. In compliance with Section 8(1)(a) of the Regulation, the 17th Ave RED BIA board submitted a request to Administration on 2019 May 18 (Attachment 2) which included proof of the board's consent to the change in boundary. A summary map of the proposed boundary change is in Attachment 3. The potential expansion area include (from west to east):
 - a. North and south sides of 17 AV SW, west of 14 ST SW to 16 ST SW
 - b. North on 14 ST SW (east and west sides) to 15 AV SW
 - c. North on 11 ST SW to 15 AV SW on east side
 - d. 16 AV SW between 8 ST SW and 9 ST SW
 - e. North on 8th ST SW (east and west sides) to 14th AV SW
 - f. 17th AV south side east of 4 ST SW to 2 ST SW
2. Attachment 4 summarizes the engagement activities conducted by the BIA board and Executive Director to notify, communicate, and provide information about the proposed boundary expansion to current taxpayers in the area and people who would be taxpayers under the change in boundaries. The activities commenced in early 2019 and continued up to the submission of this report.
3. Subsequently, as required by Section 8(2) of the Regulation, Administration mailed a notice on 2019 August 29 to the taxable businesses in the existing area, and the businesses who would be taxpayers under the proposed change in boundary, detailing their opportunity to present to Council concerning the change (Attachment 5).

Stakeholder Engagement, Research and Communication

As required under section 8(1)(a) of the Regulation, The 17th Ave RED BIA board has consented to the change in boundaries. Stakeholder engagement activities leading up to and following the submission of the board's request to change the BIA boundary was also completed. As required by Section 8(2) of the Regulation, a notice was mailed by Administration on 2019 August 29 to taxpayers in the area and people who would be taxpayers under the change in boundary detailing the opportunity present to Council concerning the change (Attachment 5).

Strategic Alignment

BIAs encompass networks of businesses that support *Calgary in the New Economy: An Economic Strategy for Calgary*, more specifically the Business Environment Area of Focus, through activities that support local economic development, placemaking and revitalization. Their activities also contribute to the *Cultural Plan for Calgary* and Tourism Calgary's *Destination Strategy*. BIA's located in the downtown contribute to implementation of The City's Downtown Strategy.

The BRZ/BIA 2015-2018 Business Plan identifies the growth of new BIAs as a key outcome.

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Social, Environmental, Economic (External)

BIAs provide an opportunity to promote Calgary, support local economic activity and enhance neighbourhood revitalization. Under *One Calgary*, BIAs are within the Economic Development and Tourism line of service and support the implementation of *Calgary in the New Economy: An economic strategy for Calgary*, The City's Downtown Strategy, the *Cultural Plan for Calgary*, *Centre City Plan* and *Resilient Calgary Strategy*.

BIA board members are local business community volunteers appointed by Council under the terms of The City's bylaw that established the BIA. The board is responsible for addressing the needs of the defined area as identified by the business owners that pay the BIA tax.

Financial Capacity

Current and Future Operating Budget:

There are no operating budget implications for The City associated with this report. The revenue raised as a result of the additional levies paid by any new taxpayers that fall within the expanded BIA boundary will be transferred directly to the 17th Ave RED BIA.

Current and Future Capital Budget:

There are no capital budget implications as a result of this report.

Risk Assessment

Compliance with the requirements of the Regulation mitigates potential risks associated with a change to the boundary of the 17th Ave RED BIA. This includes mitigation of the risk associated with stakeholder engagement. Ensuring the notice of the boundary expansion request was mailed by Administration to taxpayers in the area, and people who would be taxpayers under the change in boundary, detailing the opportunity to make representations concerning the change to Council (Attachment 5) is an important requirement to reduce risk. Similarly, ensuring that the affected taxpayers are given an opportunity to present to Council prior to Council giving second reading to the proposed Bylaw ensure that the Bylaw is enacted in compliance with requirements in the Regulation.

REASON(S) FOR RECOMMENDATION(S):

The request to change the 17th Ave RED BIA boundary complies with the provincial legislation. BIAs are a defined geographical area that come together to improve said area. Under the MGA, the purposes of a BIA are to improve, beautify and maintain property in the area; develop, improve and maintain public parking; and promote the areas as a business or shopping district. An amendment to the 17th Ave RED BIA Bylaw 39M84 is required to make these changes.

ATTACHMENT(S)

1. Attachment 1 – Proposed bylaw
2. Attachment 2 – Documents relating to the request for expansion
3. Attachment 3 – Map of proposed boundary changes to the 17th Ave RED BIA
4. Attachment 4 – Summary of 17th Ave RED BIA communications and engagement

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5. Attachment 5 – Administration notice of request of 17th Ave RED BIA boundary