

Community Services Report to  
Public Hearing Meeting of Council  
2023 October 03

ISC: UNRESTRICTED  
C2023-0891

## **Business Improvement Areas - Change in Boundaries Requests**

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### **PURPOSE**

The purpose of this report is to recommend three proposed bylaws for Council's consideration to amend the boundaries of three Business Improvement Areas (BIAs): 17<sup>th</sup> Avenue Retail & Entertainment District BIA, Crescent Heights Village BIA, and Marda Loop BIA. These proposed boundary changes come at the request of the BIAs. The *Business Improvement Area Regulation* (AR 93/2016) (the "BIA Regulation") sets out the requirements that need to be met before the proposed bylaws receive second reading by Council, these include: (i) formal board consent to the change in the boundaries; and (ii) an opportunity is provided to all current and would-be taxpayers to make representations to Council concerning the change in boundaries. The Regulation also requires the municipality to take reasonable steps to give notice to all current and would-be taxpayers. These requirements have been met, and Administration is in receipt of formal requests to have the changes to each of the three BIAs boundaries considered by Council.

### **PREVIOUS COUNCIL DIRECTION**

There is no previous Council direction as the changes in boundaries were requested by the BIAs. Prior Council decisions, including establishing bylaws, background and guiding legislation are in Attachment 1.

### **RECOMMENDATION:**

That Council:

1. Provide an opportunity, before second reading, for current and would-be taxpayers in the area to make representations to Council concerning the proposed change in boundaries;
2. Give three readings to Proposed Bylaw 41M2023 to amend the 17<sup>th</sup> Avenue Retail & Entertainment District Business Improvement Area Bylaw 39M2017 with respect to the identified boundaries (Attachment 2);
3. Give three readings to Proposed Bylaw 42M2023 to amend the Crescent Heights Village Business Improvement Area Bylaw 32M2019 with respect to the identified boundaries (Attachment 3); and
4. Give three readings to Proposed Bylaw 43M2023 to amend the Marda Loop Business Improvement Area Bylaw 37M2017 with respect to the identified boundaries (Attachment 4).

### **CITY MANAGER/GENERAL MANAGER COMMENTS**

GM Katie Black concurs with this report.

### **HIGHLIGHTS**

- BIAs benefit all Calgarians by driving local economic development through achieving their legislative purpose of improving, beautifying and maintaining property in the BIA; developing, improving and maintaining public parking; and promoting the BIA as a business or shopping area.
- Any requests to change an established BIA's boundaries must follow the process outlined in the provincial BIA Regulation.

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- Three BIAs are seeking expansion into commercial areas adjacent to their current boundaries.
- As required under the BIA Regulation, The City notified current and would-be taxpayers within each of the three BIAs about these requests for changes and provided information about how to make representations to Council concerning the changes.
- Each BIA has engaged would-be taxpayers to prepare for this request and provided Administration with all required information.
- Background and Previous Council Direction is included as Attachment 1.

**DISCUSSION**

The *Municipal Government Act* sets how the boundaries of a BIA are established and amended. Section 8 of the BIA Regulation sets out the requirements for Council to pass an amending bylaw that changes the boundaries in an established BIA.

The BIA Regulation requires that before Council can pass a bylaw changing the boundaries of a BIA:

- The BIA Board must give consent to the change; and
- An opportunity is provided to all current and would-be taxpayers to make representations to Council concerning the change in boundaries.

The Regulation further requires the municipality to take reasonable steps to give notice to all current and would-be taxpayers about:

- The proposed bylaw and a description of the change to the BIA boundaries;
- The ability to make representations to Council about the bylaw; and
- Where and when they may make these representations.

All these requirements have been met for all three BIAs and can be referenced in the information packages for each BIA in Attachments 5,7 and 9, including the letter Administration issued to all current and would-be taxpayers. This report is being brought forward now so that if approved, there is adequate time to allow Administration to process the accounts of new taxpayers for inclusion in the 2024 BIA tax roll.

**17<sup>th</sup> Avenue Retail & Entertainment District BIA**

The 17<sup>th</sup> Avenue Retail & Entertainment District BIA informed Administration of its request to expand its boundaries on March 30, 2023, and provided board minutes with the record of the board's decision. The BIA engagement included email and hand-delivered letters to would-be taxpayers in the proposed expanded area, two online open house sessions hosted, and a new webpage launched. Messaging about the expansion was also included in the BIA's regular newsletter to existing taxpayers. Information can be found in Attachment 5 and a map identifying the new areas to be included in the BIA's boundaries if approved is included in Attachment 6.

**Crescent Heights Village BIA**

The Crescent Heights Village BIA informed Administration of its request to expand its boundaries on March 23, 2023 and provided board minutes with the record of the board's decision. The BIA undertook significant engagement which included meeting with individual businesses, three open houses, engaging the area community associations, and a

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communication campaign which included a new webpage and social media posts and a mailout of brochures and letters, amongst other tactics. Information can be found in Attachment 7 and a map identifying the new areas to be included in the BIA's boundaries if approved is included in Attachment 8.

### **Marda Loop BIA**

The Marda Loop BIA informed Administration of its request to expand its boundaries on March 29, 2023 and provided board minutes with the record of the board's decision. The BIA reached out directly to each would-be taxpayer in the proposed expansion area and throughout 2023 the BIA included these would-be taxpayer businesses in their promotions and events. The BIA also launched a new webpage, emailed and/or mailed information about the proposed expansion to existing and would-be taxpayers and engaged property owners and developers in the proposed expansion area. Information can be found in Attachment 9 and a map identifying the new areas to be included in the BIA's boundaries if approved is included in Attachment 10.

## **EXTERNAL ENGAGEMENT AND COMMUNICATION**

- |                                     |   |                                     |   |
|-------------------------------------|---|-------------------------------------|---|
| <input type="checkbox"/>            | Public engagement was undertaken        | <input checked="" type="checkbox"/> | Dialogue with interested parties was undertaken     |
| <input checked="" type="checkbox"/> | Public/interested parties were informed | <input type="checkbox"/>            | Public communication or engagement was not required |

As required under the Regulation, Administration sent a notification letter to all current and would-be taxpayers for each BIA on August 28, 2023 informing them of the change in boundaries request and providing information about how to make representations to Council.

## **IMPLICATIONS**

### **Social**

Programs and services offered by BIAs support community vibrancy, enhance public spaces, and support overall increased quality of life in the area for residents and visitors. Expanded BIA boundaries can help increase the overall community and social impacts of a BIA and engage an increased number of residents and visitors.

### **Environmental**

BIAs support improved walkability and an enhanced public realm. This helps in the reduction of local residents', visitors' and customers' carbon footprints. Expanded BIA boundaries can help increase the impact of the environmental benefits of a BIA.

### **Economic**

BIAs contribute to a strong and vibrant local business community by supporting businesses within their boundaries and contributing to the local economy, supporting jobs and economic growth. BIA operations contribute to the implementation of Calgary in the New Economy: An Economic Strategy for Calgary. Expanded BIA boundaries can help engage additional businesses in local economic development initiatives.

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**Service and Financial Implications**

**No anticipated financial impact**

\$0

**RISK**

The risk of negative taxpayer feedback is mitigated through the engagement of current and would-be taxpayers by the BIAs, and The City's steps for the notification process required under the Regulation. All City obligations under the Regulation for the request have been met through actions to date, and in the approval of the recommendations contained in this report. A risk of not approving these requests is that businesses adjacent but not within a particular BIA's boundaries will not have the opportunity to participate in BIA activities, or guide the strategic decisions of a BIA that impact their surrounding area.

**ATTACHMENTS**

1. Background and Previous Council Direction
2. Proposed Bylaw 41M2023 to amend the 17<sup>th</sup> Avenue Retail & Entertainment District BIA Bylaw 39M2017
3. Proposed Bylaw 42M2023 to amend the Crescent Heights Village BIA Bylaw 32M2019
4. Proposed Bylaw 43M2023 to amend the Marda Loop BIA Bylaw 37M2017
5. 17<sup>th</sup> Avenue Retail and Entertainment District BIA Information Package
6. 17<sup>th</sup> Avenue Retail and Entertainment District BIA Proposed Map
7. Crescent Heights Village BIA Information Package
8. Crescent Heights Village BIA Proposed Map
9. Marda Loop BIA Information Package
10. Marda Loop BIA Proposed Map
11. Presentation
12. Public Submission

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Carla Male	Corporate Planning & Financial Services	Inform
Jill Floen	Law, Legislative Services & Security	Inform

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