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STAFF REPORT:



REPORT TO: Committee of the Whole
MEETING DATE: November 13, 2013
REPORT NO.: A.13.09
SUBJECT: Requested Expansion to the Thornbury Business Improvement Area Boundaries
PREPARED BY: Corrina Giles, Town Clerk

A. Recommendations

THAT Council receive Staff Report A.13.09 “Requested Expansion to the Thornbury Business Improvement Area Boundaries (“BIA”); and

THAT Council acknowledge receipt of the Thornbury BIA Board of Management motion of October 8, 2013 requesting Council consider expanding the boundaries of the Thornbury Business Improvement Area with such boundaries to be consistent with the Community Improvement Plan for the Town of Thornbury; and

THAT Council direct staff to provide notice to the owners of commercial or industrial assessed property within the existing and proposed expanded Thornbury Business Improvement Area of Council’s intention to alter the boundaries of the Thornbury Business Improvement Area to be consistent with the Community Improvement Plan area for the Town of Thornbury;

AND THAT, following provision of Notice, the Town Clerk shall make a determination as to whether the conditions set out in the Municipal Act have been met to alter the existing boundaries of the Thornbury Business Improvement Area.

B. Background

At the October 8, 2013 Thornbury BIA Board of Management meeting, the following motion was made:

Moved by: Meredith Brown Seconded by: Leslie Lewis

THAT the Board of Management of the Thornbury Business Improvement Area (BIA) request that Council of the Town of The Blue Mountains consider expanding the boundaries of the Thornbury BIA with such boundaries to be consistent with the Community Improvement Plan, Carried.

In accordance with the *Municipal Act*, the steps required to change the boundary of a business improvement area are as follows:

1. The area proposed to be a part of the Thornbury BIA has been identified as the area included in the Community Improvement Plan (“CIP”) for the Town of Thornbury.
2. Before Council can pass a by-law to alter the boundaries of an improvement area, notice of the proposed by-law shall be sent by prepaid mail to the BIA Board of Management and to every person who, on the last returned assessment roll, is assessed for rateable property (commercial or industrial assessment) in the improvement area and in the geographic area the proposed by-law would add to the improvement area.
3. The *Municipal Act* states that a person who receives a notice as referenced in #2 above shall, within 30 days after the notice is mailed:
 - (a) give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property; and
 - (b) give the clerk of the municipality a list of every tenant described in clause (a) above and the share of the taxes that each tenant is required to pay and the share that the person is required to pay.
4. A by-law to alter the BIA boundaries shall not be passed if, within 60 days from the date the notices have been mailed, the clerk of the municipality receives:
 - (a) written objections from at least one-third of the total number of persons entitled to notice; and
 - (b) the objections are responsible for:
 - i) at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the proposed improvement area; or
 - ii) at least one third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the geographic area the proposed by-law would add to the existing improvement area.

Objections can be withdrawn, and following the 60 day period, the clerk will review the objections received (if any) and determine whether the by-law is to be passed. The clerk will report back to Council following the 60 day period. It should be noted that if objections are received sufficient **not** to continue with the expansion of the BIA boundaries, that the expansion will not proceed, but that the BIA shall continue with the original boundaries in place.

If the clerk makes a determination that the conditions have been met to alter the boundaries of the Thornbury BIA, she shall issue a certificate affirming that fact.

C. The Blue Mountains' Strategic Plan

Goal 6. Providing a strong, well managed municipal government

D. Environmental Impacts

None

E. Financial Impact

1. Staff time to prepare a notice and the postage required to mail notice to the business property owners in the expanded and existing business area

F. In Consultation With

1. Troy Speck, CAO
2. Robert Cummings, Director of Finance and IT Services
3. Ruth Prince, Manager of Revenue

G. Attached

1. Town of The Blue Mountains Community Improvement Plan, Thornbury Study Area

Respectfully submitted,

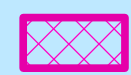
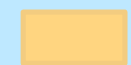

Corrina Giles, Town Clerk
519-599-3131 ext 232
cgiles@thebluemountains.ca

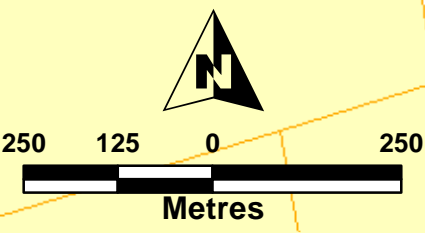
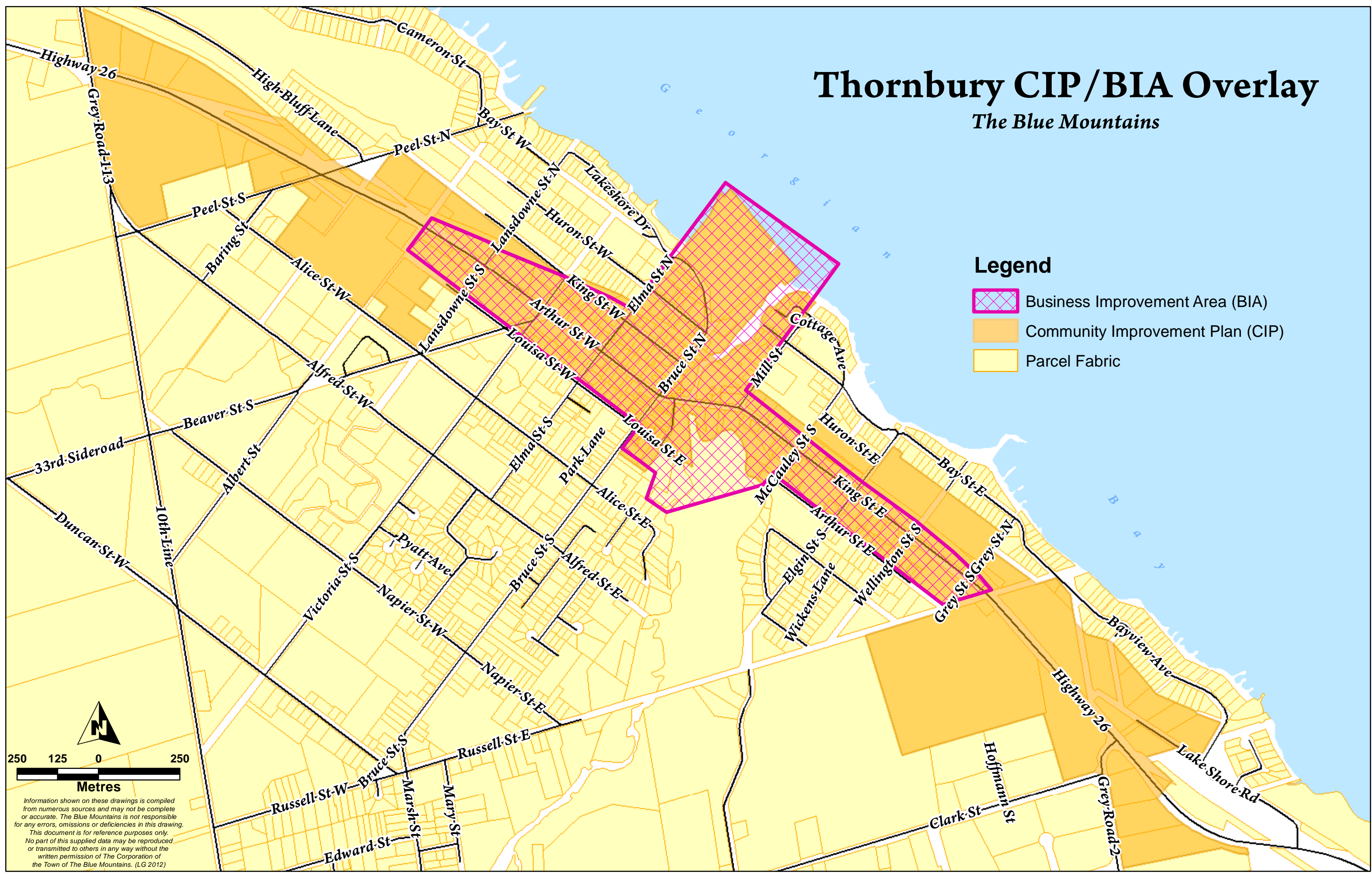
Troy Speck, Chief Administrative Officer
519-599-3131 ext 234
tspeck@thebluemountains.ca

Thornbury CIP/BIA Overlay

The Blue Mountains

Legend

-  Business Improvement Area (BIA)
-  Community Improvement Plan (CIP)
-  Parcel Fabric



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