A. Recommendations

THAT Council receive Staff Report FAF.19.118, entitled “Process and Legislative Requirements to Alter a Designated Business Improvement Area” for information.

B. Overview

This report provides Council with the requested information on the process and legislative requirements to alter a business improvement area (“BIA”) within the municipality.

C. Background

At the May 27, 2019 Special Committee of the Whole Meeting, the Committee received correspondence from Thornbury Auto, Diversified Transportation Services and Lakeshore Manufacturing requesting that Council remove their immediate area from the Thornbury BIA catchment area (see Attachment #1). At the June 3, 2019 Council Meeting, Council considered the May 27, 2019 Special Committee of the Whole recommendation and resolved as follows:

THAT Council receive correspondence Item B.5.1 Thornbury Auto, Diversified Transportation Services and Lakeshore Manufacturing Re: Request for consideration to remove businesses from the Thornbury Business Improvement Area (BIA) Levy By-law 2016-39 from Thornbury Auto, Diversified Transportation Services and Lakeshore Manufacturing;

AND THAT Council direct staff to provide a report outlining the process and legislative requirements to alter a designated BIA boundary;

AND THAT Council refer Correspondence Item B.5.1 Thornbury Auto, Diversified Transportation Services and Lakeshore Manufacturing Re: Request for consideration to remove businesses from the Thornbury Business Improvement Area (BIA) Levy By-law 2016-39 to the BIA for their information, CARRIED.
The correspondence from the Thornbury Auto, Diversified Transportation Services and Lakeshore Manufacturing was included on the September 4, 2019 Thornbury Business Improvement Area Agenda for discussion. In response to the correspondence, the Thornbury Business Improvement Area Board passed the following motion:

THAT the Thornbury Business Improvement Area Board of Management receives the correspondence from Thornbury Auto, Diversified Transportation Services and Lakeshore Manufacturing date stamped May 1, 2019, requesting that their area be removed from the Thornbury Business Improvement Area catchment area;

AND THAT in response to this correspondence, the Thornbury Business Improvement Area Board of Management confirms that it does not support the requested change to the Thornbury Business Improvement Area catchment area, CARRIED.

By way of background, the Thornbury BIA boundaries were expanded in 2014 in response to the request from the Thornbury BIA. Attachment #2 is Staff Report A.14.2 “Requested Expansion to the Thornbury Business Improvement Area Boundaries – Followup” that provides the process followed to expand the boundaries. Attachment #3 is a copy of By-law 2014-30 “Being a By-law repealing the previous BIA Boundary and to designate an area as an improvement area within the Town of Thornbury and to establish a board of management”. The BIA boundaries were expanded to be consistent with the Town of Thornbury Community Improvement Plan.

The process to alter the BIA boundaries has not changed since 2014.

If a change in the BIA boundaries is being considered, Council may also wish to consider the option to set minimum and maximum BIA levy charges. Currently, each BIA member pays the same BIA levy regardless of their property assessment. Section 208(3) of the Municipal Act provides that:

Minimum and maximum charges
208(3) The municipality may establish a minimum or maximum charge or both, expressed for one or more separately assessed properties or categories of separately assessed properties in a prescribed class, as,
   (a) percentages of the assessed value of rateable property in the improvement area that is in a prescribed business property class;
   (b) dollar amounts; or
   (c) percentages of the board of management’s annual budget.

In accordance with the Municipal Act, the steps required to change the boundary of a business improvement area and/or to change the way in which the BIA levy is calculated are as follows:
1. The area proposed as the Thornbury BIA catchment area is identified by Council. If Council wishes to make a change to the way in which the BIA levy is calculated, this is also set by Council.

2. Before Council can pass a by-law to alter the boundaries of an improvement area or change the BIA levy calculation, 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 or change the BIA levy calculation 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. 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 the objections received are sufficient not to continue with the expansion of the BIA boundaries or change the BIA levy calculation, that the changes will not proceed, and the BIA will remain status quo.

If the clerk makes a determination that the conditions have been met to alter the boundaries of the Thornbury BIA and/or change the BIA levy calculation, she shall issue a certificate affirming that fact.
D. Analysis

Currently all businesses within the BIA catchment area pay an annual BIA levy. The BIA levy is determined by equally dividing the Thornbury BIA annual budget between the number of businesses. In 2019, there are 120 businesses in the BIA catchment area, with each business billed $900 for the 2019 BIA levy.

It should be noted that if a change to the BIA boundary occurs, that the number of businesses in the BIA catchment area may be reduced. It should also be noted that if minimum and maximum charges are set based on property assessment, that some businesses will see a reduction in their BIA levy, where other businesses will see an increase in their BIA levy.

This staff report has been provided to the Thornbury BIA for information.

E. The Blue Mountains Strategic Plan

Goal #1: Create Opportunities for Sustainability
Objective #1 Retain Existing Business
Objective #2 Attract New Business

Goal #2: Engage Our Communities & Partners
Objective #1 Improve External Communication with our Constituents
Objective #3 Strengthen Partnerships

F. Environmental Impacts

None

G. Financial Impact

Staff time to prepare the within report and, if directed by Council, postage to mail notices to the business property owners in the proposed and current BIA catchment area.

H. In consultation with

1. Shawn Everitt, Chief Administrative Officer
2. Ruth Prince, Director of Finance & IT
3. Thornbury Business Improvement Area Board of Management
I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Corrina Giles, Town Clerk, townclerk@thebluemountains.ca. If changes to the BIA boundaries is considered and/or if a change in the way in which the BIA levy is charged, notice will be provided to those businesses within the current and proposed BIA boundaries.

J. Attached

1. Thornbury Auto, Diversified Transportation Services, Lakeshore Manufacturing correspondence received at the May 27, 2019 Committee of the Whole Meeting
2. Staff Report A.14.2 Requested Expansion to the Thornbury Business Improvement Area Boundaries – Follow-up
3. 2014-30 By-law to Designate Business Improvement Area

Respectfully Submitted,

______________________________
Corrina Giles,
Town Clerk

______________________________
Shawn Everitt
Chief Administrative Officer

For more information, please contact:
Corrina Giles, Town Clerk
townclerk@thebluemountains.ca
519-599-3131 extension 232
To: Mayor and Council  
Town of The Blue Mountains

Re: Removal of Business East End  
Businesses from BIA

I am writing this request on behalf of  
Thornbury Auto  
Diversified Transportation Services  
Lakeshore Manufacturing

in order to effect the removal of the area in which we are located from the defined area as designated as the  
"Thornbury Business Improvement Area" under the authority of Section 204 of the Municipal Act. The area  
indicated is located on the eastern extremity of the Thornbury urban area and north of the Georgian Trail. The  
location is both isolated from other business locations in the Thornbury area and isolated from general visual  
and access capability due to its location.

I would indicate that the isolation from the primary business and visual area is a significant issue in our request  
along with the fact that we are not listed as a business in the BIA literature. As a business purportedly within  
the BIA, I recently made application for grant funding from the Province only to be told by the review agent  
that our location outside of the downtown exempts us from being eligible for Provincial grants. We do not meet  
the requirements of the Province with respect to a downtown main street business or BIA based on their  
findings.

In addition, and due to our isolated location, we feel that we cannot take advantage of the traffic generation  
capabilities of the more visible and more readily decorated portions of the BIA. It is our position that the funds  
required by the BIA could be used to our own much better business advantage.

With this request we strongly note that we see no positive advantage in remaining within the BIA or the BIA  
program and reiterate our request for removal from the area as defined by the BIA by-law.

Respectfully provided by

Thornbury Auto

Diversified Transportation Services

Lakeshore Manufacturing
STAFF REPORT:

REPORT TO: Council
MEETING DATE: April 23, 2014
REPORT NO.: A.14.2
SUBJECT: Requested Expansion to the Thornbury Business Improvement Area Boundaries – Follow-up
PREPARED BY: Corrina Giles, Town Clerk

A. Recommendations

THAT Council receive Staff Report A.14.2 “Requested Expansion to the Thornbury Business Improvement Area Boundaries (“BIA”) – Follow-up”; and

THAT Council receive notice from the Town Clerk that in response to the Notice of Proposed Expansion to the Thornbury Business Improvement Area Boundaries that objections have not been received by at least one-third of the total number of persons entitled to notice (being the current BIA members and those in the proposed expanded BIA area) under the conditions set out in the section 210(3)(b) Municipal Act; and

THAT Council advise staff to provide notice to the owners of commercial or industrial assessed property within the current and the proposed expanded BIA boundaries that the Thornbury BIA boundaries shall be expanded to be consistent with the Community Improvement Plan for the Town of Thornbury;

THAT Council direct staff to bring forward a by-law to repeal the former Town of Thornbury BIA by-law designating and establishing the Thornbury BIA and replace it with an updated by-law noting the current and expanded Thornbury BIA boundaries.

B. Background

At the November 25, 2013 Council Meeting, Council received Staff Report A.13.09 “Requested Expansion to the Thornbury Business Improvement Area Boundaries” (see Attachment #1), and resolved that:

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, CARRIED.

As directed by Council, on January 17, 2014, Notice of the proposed expansion to the Thornbury Business Improvement Area Boundaries was sent 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. 84 notices were sent. A copy of the Notice is attached as Attachment #2.

In response to the Notice, Objections were received by seven property owners/tenants before the March 18, 2014 deadline, and one additional objection was received on March 26, 2014. Section 210(3)(b) of the Municipal Act states that:

Objections

(3) A municipality shall not pass a by-law referred to in subsection (1) if,

(b) the objections have been signed by at least one-third of the total number of persons entitled to notice under subsection (1) and under clause (2)(a);

In order to comply with the provisions of the Municipal Act, 28 objections were required to be received on or before March 18, 2014, and those 28 objectors would have been responsible for:

(c) the objectors are responsible for,

(i) in the case of a proposed addition to an existing improvement area,

(A) 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 improvement area, or

(B) 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.
Because just seven objections were received, the calculation of taxes levied in accordance with Section 210(3)(c) noted above is unnecessary.

In accordance with Section 210(5) and (6) of the Municipal Act, the clerk shall determine whether the conditions set out in subsection (3) have been met, and if they are, shall issue a certificate affirming the fact. The determination of the clerk is final.

By-law

The former Town of Thornbury By-law 25-1981, being “A By-Law to designate an improvement area within the Town of Thornbury and to Establish a Board of Management for the Area” will be repealed and replaced with a new updated Town of The Blue Mountains By-law designating the Area and to establish a Board of Management for the Area. Attachment #3 Town of Thornbury By-Law 25-1981. Attachment #4 draft Town of The Blue Mountains By-law.

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 and postage to mail notices to the business property owners in the expanded and existing business improvement area

F. In Consultation With

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

G. Attached

1. Staff Report A.13.09 “Requested Expansion to the Thornbury Business Improvement Area Boundaries” dated November 13, 2013
2. Notice to Proposed Expansion to the Thornbury Business Improvement Area Boundaries dated January 17, 2014
4. Draft Town of The Blue Mountains By-law designating an area as an improvement are within the Town of Thornbury
Respectfully submitted,

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

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

Troy Speck, Chief Administrative Officer  
519-599-3131 ext 234
Information shown on these drawings is compiled from numerous sources and may not be complete or accurate. The Blue Mountains is not responsible for any errors, omissions or deficiencies in this drawing. This document is for reference purposes only. No part of this supplied data may be reproduced or transmitted to others in any way without the written permission of The Corporation of the Town of The Blue Mountains. (LG 2012)
January 17, 2014

Dear Property Owner,

Re: Proposed Expansion to the Thornbury Business Improvement Area Boundaries

I enclose for your information and action, the Notice issued in accordance with the Municipal Act in response to the motion made by Council at the November 25, 2013 Council Meeting, as follows:

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, CARRIED.

I confirm that if objections are received sufficient not to proceed with the expansion of the Thornbury BIA boundaries, that the expansion will not proceed, but that the Thornbury BIA shall continue with the original boundaries in place.

Kindly review and follow the instructions as contained in the enclosed Notice. If you have any questions, please feel free to contact me.

Kind regards,

[Signature]

Corrina Giles
Town Clerk
Encl.
cgiles@thebluemountains.ca
Notice

Issued in accordance with the Municipal Act, 2001, S.O 2001, Chapter 25
Failure to act before March 18, 2014 in response to this notice may obligate you to pay a special levy

In accordance with the Municipal Act, notice is hereby given that the Council of The Corporation of the Town of The Blue Mountains, will consider the adoption of a by-law which would expand the boundaries of the Thornbury Business Improvement Area ("BIA").

This notice is being served on all property owners within the current and proposed Thornbury BIA boundary areas that pay commercial or industrial property taxes (see attached "Proposed Expanded Thornbury BIA Boundaries" for details of the proposed expansion). If the by-law is approved, the Thornbury BIA boundaries will be expanded and commercial and industrial property owners, and/or their tenants, would be obligated to pay a special BIA levy.

NOTE: The BIA levy is determined by the budget proposed by the BIA Board of Management and is approved by Council. The BIA Board of Management is elected by the BIA Membership (landlords and tenants within the proposed BIA boundaries)

1. Duties of Landlords (on or before February 18, 2014)

A person who receives this notice shall, within 30 days after the date of the mailing date of the notice, undertake the following:

   (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) complete Appendix 1 attached to provide 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.
2. **Objections May Be Filed** (on or before March 18, 2014)

A municipality shall not pass a BIA By-law if,

(a) written objections (Appendix 2) are received by the clerk of the Town of The Blue Mountains within 60 days after the last day of mailing of the notices (on or before March 18, 2014);

(b) the objections have been **signed by at least one-third** of the total number of persons entitled to notice; and

(c) the objectors 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 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

If you agree with the expansion of the Thornbury Business Improvement Area boundaries, no further action is required by you. If you wish to object, you may complete Appendix 2 enclosed and ensure it is **received** by the clerk of the Town of The Blue Mountains no later than March 18, 2014.

**If you have questions, please contact:**
Corrina Giles, Town Clerk
Town of The Blue Mountains
32 Mill Street
P.O. Box 310
Thornbury, ON NOH 2P0
Tel: 519-599-3131 ext 232
Appendix 1
List of Tenants
(to be provided by February 18, 2014)

I, ___________________________________________ (property owner)
of ___________________________________________ (roll number)
in accordance with Section 210(2) of the Municipal Act, confirm I have provided a copy
of this Notice to each tenant of the property to which this notice relates at __________

(property address)

The tenant(s) of the above noted property are listed below, together with the share of
the taxes that each tenant is required to pay, and the share of the taxes that I am
required to pay:

<table>
<thead>
<tr>
<th>Landlord:</th>
<th>Share of Taxes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenant:</td>
<td>Share of Taxes:</td>
</tr>
<tr>
<td>Tenant:</td>
<td>Share of Taxes:</td>
</tr>
<tr>
<td>Tenant:</td>
<td>Share of Taxes:</td>
</tr>
</tbody>
</table>

Mail to:
Town of The Blue Mountains
32 Mill Street
P.O. Box 310
Thornbury, ON N0H 2P0
Attention: Town Clerk, Corrina Giles
Appendix 2
Letter of Objection
(to be provided by March 18, 2014)

In accordance with Section 210(3) of the Municipal Act, please accept this letter of objection for the expansion of the Thornbury Business Improvement Area.

<table>
<thead>
<tr>
<th>Landlord and/or Tenant Name</th>
<th>First name and Last Name</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Assessed Property Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Number, Street Name, Lot Number</td>
</tr>
<tr>
<td>Municipality, Province</td>
</tr>
<tr>
<td>Postal Code</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Phone:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>For the assessed property specified above, are you:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Circle one)</td>
</tr>
<tr>
<td>• a tenant; or</td>
</tr>
<tr>
<td>• a landlord.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For the assessed property specified above, the levy for this property is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$______________________/year</td>
</tr>
</tbody>
</table>

I, ______________________________, hereby object to the expansion of the Thornbury Business Improvement Area.

Print and sign your name

Mail to:
Town of The Blue Mountains
32 Mill Street
P.O. Box 310
Thornbury, ON N0H 2P0
Attention: Town Clerk, Corrina Giles
THE CORPORATION OF THE TOWN OF THORNBURY

BY-LAW NO. 25-1981

A BY-LAW TO DESIGNATE AN IMPROVEMENT AREA WITHIN THE TOWN OF THORNBURY AND TO ESTABLISH A BOARD OF MANAGEMENT FOR THE AREA.

WHEREAS pursuant to Section 217 of the Municipal Act, R.S.O. 1980, Chapter 302, the Council of the Corporation of the Town of Thornbury may pass a by-law to designate an improvement area within the Town of Thornbury and establish a Board of Management for the area;

AND WHEREAS notice of Council's intention to pass such a by-law was given pursuant to the said Act on October 14th, 1981;

AND WHEREAS no sufficient petition objecting to the passing of the by-law has been received within the time limit prescribed by the said Act.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF THORNBURY HEREBY ENACTS AS FOLLOWS:

1. THAT the area described herein is hereby designated an improvement area within the meaning of Section 217 of the Municipal Act, R.S.O. 1980, Chapter 302;

All and singular that certain parcel or tract of land and premises situate, lying and being in the Town of Thornbury, in the County of Grey and province of Ontario and being composed of that part of the Town of Thornbury lying within the following boundaries.

Commencing at the angle formed by the easterly limit of Elma Street and the southern margin of Nottawasaga Bay.

Thence southerly along the easterly limit of Elma Street to the intersection thereof with the southern limit of the Canadian National Railways right-of-way to the intersection thereof with the easterly limit of Elma Street.

Thence southerly along the easterly limit of Albert Street to the intersection thereof with the northerly limit of Louisa Street.

Thence easterly along the northerly limit of Louisa Street to the intersection thereof with the easterly limit of Bruce Street.

Thence southerly along the easterly limit of Bruce Street 995+ feet to the southern boundary of lot one (1)

Thence easterly 714+ feet along the southern lot lines of lots one (1), eight (8), nine (9), ten (10), to the westerly limit of lot line lot ten (10).

Thence southerly 33+ feet and easterly 75+ feet comprising lot ten (10) to the westerly marge at the Beaver River.

Thence northeasterly across the Beaver River mill pond to the westerly limit of McAuley Street.
Thence northerly along the westerly limit of McAuley Street 100 feet to the intersection thereof with the northerly limit of Arthur Street.

Thence westerly along the northerly limit of Arthur Street to the intersection thereof with the westerly limit of Russell Street.

Thence north-easterly to the intersection of the southern limit of the Canadian National right-of-way.

Thence westerly along the southerly limit of the Canadian National Railways right-of-way to the westerly limit of Mill Street and the Canadian National Railways right-of-way.

Thence northerly along the western limit of Mill Street to the intersection thereof with the southerly marge at Nottawasaga Bay.

Thence westerly along the southern marge at Nottawasaga Bay to the intersection thereof with the easterly limit at Elma Street. Being the point of Commencement.

Lands described are further shown in the heavy outline on the attached plan and marked as schedule "A" hereto attached.

2. THAT a Board of Management is hereby established for the area designated in Clause 1 herein;

3. THAT the Board of Management shall be a body corporate and shall consist of six members at least one of whom shall be a member of Council and the remaining members shall be appointed by Council and shall be persons qualified to be elected as members of Council, assessed for business assessment in respect of lands in the designated area or nominees of corporations so assessed;

4. THAT the Board of Management shall be known as the "Board of Management of the Thornbury Business Improvement Area" (hereinafter referred to as the Board).

5. THAT the short title for the board shall be the Thornbury Downtown Management Board."

6. THAT the Board is hereby entrusted with the improvement, beautification and maintenance of lands, buildings and structures in the designated area owned by the Town of Thornbury beyond such improvement beautification and maintenance as is provided at the expense of the municipality at large and the promotion of the area as a business or shopping area.

7. THAT each member of the Board shall hold office for a period of one (1) year from the time appointed, provided that he or she continues to be qualified as provided in Clause 3 herein.

8. THAT where a vacancy occurs from any cause, the Council shall appoint a person qualified as set out in Clause 3 herein, to be a member who shall hold office for the remainder of the term for which his predecessor was appointed.

9. THAT the members shall hold office until their successors are appointed and are eligible for re-appointment on the expiration of their term of office.

10. THAT the Board shall, as soon as possible, after its members are appointed in each year, elect a chairman and vice-chairman and appoint a secretary who may or may not be a member of the Board.
11. THAT the Secretary of the Board shall keep proper minutes of every meeting of the Board and shall be responsible for keeping all of the records of the Board with the exception of the accounting records.

12. THAT the Board may appoint such other persons as it may deem necessary to properly conduct the business of the Board during the said year, provided that any remuneration paid to such persons shall have been included in the current estimates of the said Board which have been approved by Council.

13. THAT the Treasurer of the Board shall be the Treasurer of the Corporation of the Town of Thornbury who shall be responsible to keep the books and accounts of the Board and to assist the Board in the preparation of annual estimates and financial statements.

14. THAT the Auditors of the Town shall be the Auditors of the Board and all books, documents, transactions, minutes and accounts of the Board shall, at all times, be open to their inspection.

15. THAT the fiscal year of the Board shall be the fiscal year of the Town.

16. THAT on or before the first day of March each year, the Board shall submit its annual report for the preceding year to Council, including a complete audited and certified financial statement of its affairs, with a balance sheet and revenue and expenditures statement.

17. THAT the Board shall submit to the Council an annual budget in a form satisfactory to the Treasurer of the Town on a date to be determined from time to time by Council.

18. THAT with the submission of its annual budget, the Board shall submit details of its improvements, beautification and/or maintenance proposals for all town-owned land, buildings and structures in the area and the Council shall within 45 days notify the Board, if in the opinion of Council, any project may adversely affect the use or function of any Town-owned property and upon such notification, the Board shall delete the project or alter the project to the satisfaction of the Council.

19. THAT the Board shall adequately insure itself against public liability and property damage in respect of all of the activities of the Board and shall deposit copies of such insurance policies with the Clerk of the Town. Such insurance policies shall indemnify the Town of Thornbury against liability for the actions of the Board.

20. THAT this By-law shall not come into force or effect until it has been approved by the Ontario Municipal Board.

READ A FIRST AND SECOND TIME this 1st day of December, 1981.

Mayor

Clerk

READ A THIRD TIME AND FINALLY PASSED this 14th day of December, 1981

Mayor

Clerk
BOUNDARY

TOWN OF THORNbury

MANAGEMENT FOR THE AREA

IN THE TOWN OF THORNbury A TO ESTABLISH A BOARD OF
BEING A BY-LAW TO DESCRIBE AN IMPROVEMENT AREA WITH
IN THE MATTER OF Section 217 of The Municipal Act (R.S.O. 1980, C. 302)
- and -
IN THE MATTER OF an application by The Corporation of the Town of Thornbury for approval of By-law 25-1981, passed on the 14th day of December, 1981, being a by-law to designate a certain area as a Business Improvement Area

BEFORE:
A.H. ARRELL, Q.C.]
Vice-Chairman
- and -
D.H. McROBB
Member

Thursday, the 22nd day
of April, 1982

UPON IT APPEARING that notice of application to pass By-law 25-1981 was given as required by statute and upon considering the material filed with the Board;

THE BOARD ORDERS that this application is hereby granted and By-law 25-1981, passed by Council of the Corporation of the Town of Thornbury, designating a certain area described in Schedule "A" attached hereto, as a Business Improvement Area, is hereby approved.

SECRETARY

ENTERED
O. D. No. M 401
Folio No. 26

MAY 6, 1982
All and singular that certain parcel or tract of land and
premises situate, lying and being in the Town of Thornbury,
in the County of Grey and Province of Ontario and being
composed of that part of the Town of Thornbury lying
within the following boundaries:

Commencing at the angle formed by the easterly limit
of Elma Street and the southern marge of Nottawasaga Bay.

Thence southerly along the easterly limit of Elma
Street to the intersection thereof with the southern limit
of the Canadian National Railways right-of-way.

Thence westerly along the southern limit of the
Canadian National Railways right-of-way to the intersection
thereof with the easterly limit of Elma Street.

Thence southerly along the easterly limit of Albert
Street to the intersection thereof with the northerly limit
of Louisa Street.

Thence easterly along the northerly limit of Louisa
Street to the intersection thereof with the easterly limit
of Bruce Street.

Thence southerly along the easterly limit of Bruce Street
995+ feet to the southern boundary of lot one (1).

Thence easterly 714+ feet along the southern lot lines
of lots one (1), eight (8), nine (9), ten (10), to the
westerly limit of lot line lot ten (10).

Thence southerly 33+ feet and easterly 75+ feet
comprising lot ten (10) to the westerly marge at the Beaver
River.

Thence northeasterly across the Beaver River mill pond
to the westerly limit of McAuley Street.

Thence northerly along the westerly limit of McAuley Street
100+ feet to the intersection thereof with the northerly limit
of Arthur Street.
Thence westerly along the northerly limit of Arthur Street to the intersection thereof with the westerly limit of Russell Street.

Thence northeasterly to the intersection of the southern limit of the Canadian National right-of-way.

Thence westerly along the southerly limit of the Canadian National Railways right-of-way to the westerly limit of Mill Street and the Canadian National Railways right-of-way.

Thence northerly along the western limit of Mill Street to the intersection thereof with the southerly marge at Nottawasaga Bay.

Thence westerly along the southern marge at Nottawasaga Bay to the intersection thereof with the easterly limit at Elma Street. Being the point of Commencement.
May 6, 1982

Dear Sir:

Re: Designation of an Improvement Area
    Town of Thornbury - By-law 25/1981

Enclosed is documentation as follows:

☐ Copy of Decision dated
☐ Duplicate Original of Decision dated
☐ Board's Order made April 22, 1982, together with invoice covering fee
☐ Appointment for Hearing
☐ Certified copy of Board's Order made
☐ Report to the Minister made

Yours truly,

[Signature]

C. Saruyama
Supervisor
Planning Administration

Enclosure
THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2014 –

Being a By-law to repeal the Town of Thornbury By-Law No. 25-1981 and to designate an area as an improvement area within the Town of Thornbury and establish a board of management

WHEREAS Council of the Town of The Blue Mountains repeals Town of Thornbury By-Law 25-1981, being a “By-Law to Designate an Improvement Area within the Town of Thornbury and to establish a board of management for the area”;

AND WHEREAS in accordance with Section 204(1) of the Municipal Act, S.O. 2001 a local municipality may designate an area as an improvement area and may establish a board of management to oversee the improvement, beautification, and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally and to promote the area as a business or shopping area;

AND WHEREAS Council of the Town of The Blue Mountains has provided notice of its intention to alter the boundaries of the Thornbury Business Improvement Area pursuant to the Municipal Act;

NOW THEREFORE the Council of The Corporation of the Town of The Blue Mountains enacts as follows:

1. THAT the area identified on Schedule “A” to this By-law is designated as the Thornbury Business Improvement Area within the meaning of Section 204 of the Municipal Act.

2. THAT the membership of an improvement area consists of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

3. THAT a “Board of Management” is established for the area designated in clause 1 of this By-law and attached as Schedule “A”, and shall be known as the “Board of Management of the Thornbury Business Improvement Area”.

4. THAT the Board of Management is a corporation consisting of six directors established by the municipality, and shall be composed of:
   
   a. at least director shall be a member of Council; and
   
   b. the remaining directors shall be selected by a vote of the membership of the improvement area and appointed by the municipality.

5. THAT the term of the directors of the Board of Management is the same as the term of the Council of the Town of The Blue Mountains but continues until their successors are appointed. Directors are eligible for reappointment.

6. THAT if a vacancy occurs for any cause, the municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.

7. THAT the Board of Management shall, as soon as possible after its directors are appointed, elect a chairman and vice-chairman and appoint a secretary who may or may not be a member of the Board of Management.
8. THAT the Secretary of the Board shall keep proper minutes of every meeting of the Board and shall be responsible for keeping all of the records of the Board with the exception of the accounting records.

9. THAT the Board may appoint such other persons as it may deem necessary to properly conduct the business of the Board during the said year, provided that any remuneration paid to such persons shall have been included in the current estimates of the said Board as approved by Council.

10. THAT the Treasurer of the Board shall be the Treasurer of The Corporation of the Town of The Blue Mountains who shall be responsible to keep the books and accounts of the Board and to assist the Board in the preparation of annual estimates and financial statements.

11. THAT the Auditors of the Town shall be the Auditors of the Board of Management and all books, documents, transactions, minutes and accounts of the Board shall, at all times, be open to their inspection.

12. THAT the fiscal year of the Board of Management shall be the fiscal year of the Town.

13. THAT the Board of Management shall prepare a proposed budget for each fiscal year by the date and in the form required by the municipality and shall hold one or more meetings of the members of the improvement area for discussion of the proposed budget.

14. THAT the Board of Management shall submit the budget to Council by the date and in the form required by the municipality and the municipality may approve it in whole or in part but may not add expenditures to it.

15. THAT this By-law shall come into force and effect upon repeal of the former Town of Thornbury By-law 25-1981.

ENACTED AND PASSED THIS DAY OF , 2014.

_________________________________  __________________________
Ellen Anderson, Mayor               Corrina Giles, Town Clerk
THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2014 – 30

Being a By-law to repeal the Town of Thornbury By-Law No. 25-1981 and to designate an area as an improvement area within the Town of Thornbury and establish a board of management

WHEREAS Council of the Town of The Blue Mountains repeals Town of Thornbury By-Law 25-1981, being a “By-Law to Designate an Improvement Area within the Town of Thornbury and to establish a board of management for the area”;

AND WHEREAS in accordance with Section 204(1) of the Municipal Act, S.O. 2001 a local municipality may designate an area as an improvement area and may establish a board of management to oversee the improvement, beautification, and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally and to promote the area as a business or shopping area;

AND WHEREAS Council of the Town of The Blue Mountains has provided notice of its intention to alter the boundaries of the Thornbury Business Improvement Area pursuant to the Municipal Act;

NOW THEREFORE the Council of The Corporation of the Town of The Blue Mountains enacts as follows:

1. THAT the area identified on Schedule “A” to this By-law is designated as the Thornbury Business Improvement Area within the meaning of Section 204 of the Municipal Act.

2. THAT the membership of an improvement area consists of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

3. THAT a “Board of Management” is established for the area designated in clause 1 of this By-law and attached as Schedule “A”, and shall be known as the “Board of Management of the Thornbury Business Improvement Area”.

4. THAT the Board of Management is a corporation consisting of six directors established by the municipality, and shall be composed of:

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   b. the remaining directors shall be selected by a vote of the membership of the improvement area and appointed by the municipality.

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14. THAT the Board of Management shall submit the budget to Council by the date and in the form required by the municipality and the municipality may approve it in whole or in part but may not add expenditures to it.

15. THAT this By-law shall come into force and effect upon repeal of the former Town of Thornbury By-law 25-1981.

Enacted and passed this 12th day of May, 2014.

"Original Signed"  "Original Signed"

Ellen Anderson, Mayor  Corrina Giles, Town Clerk