

COMMITTEE OF THE WHOLE STAFF REPORT TO COUNCIL

DATE: April 10, 2024

TO: COMMITTEE OF THE WHOLE

NAME AND TITLE: Ethan Anderson, Corporate Officer / Manager of Legislative Services

SUBJECT: Downtown Business Improvement Area Bylaw No. 8929, 2018

ATTACHMENT(S): Bylaw No. 8929, 2018

RECOMMENDATION(S):

That the Committee of the Whole refers the report dated April 10, 2024 and titled, "Downtown Business Improvement Area Bylaw No. 8929, 2018" as well as the presentation provided by Downtown Prince George to Council for consideration and decision.

PURPOSE:

The purpose of this report is to provide Council with information regarding the request from Downtown Prince George to renew the bylaw that establishes the Prince George Downtown Business Improvement Area. The current bylaw, City of Prince George Downtown Business Improvement Area Bylaw No. 8929, 2018, expires on March 31, 2025.

The bylaw renewal can be conducted through one of two ways:

- a local area service on Council initiative subject to petition against process as per S.213 of the Community Charter; or
- a local area service on petition as per S.212 of the Community Charter.

BACKGROUND:

A Business Improvement Area (BIA) is an area designated by municipal Council in which businesses and property owners can finance marketing, promotional and revitalization programs for the area. Annual BIA budgets are funded through a local improvement tax on commercial properties within the designated BIA boundaries. A BIA must be established through a local area service bylaw. The bylaw establishes a method and geographic area for collection of a BIA levy through the property tax system. The levy is then provided to the BIA association to administer promotional and marketing projects.

A local area service bylaw for a BIA is obtained through one of two options as provided in the *Community Charter*: i) Petition for local area service; and, ii) Local area service on council initiative subject to petition against.

S.212 Process

If Council requests DPG undertake the s.212 method (petition for local area service), DPG will be required to undertake a petition of the specified area (current area can be seen on Attachment A), having owners of parcels sign the petition that represent at least:

- 50% of the parcels subject to the local service tax
- 50% of the assessed value of the land and improvements subject to the local service tax.

This option is not likely to be favourable to DPG due to the limitations of the ability to contact owners of each parcel.

S.213 Process

The steps involved in a s.213 Council-initiative counter petition process, following first three readings of proposed Bylaw are as follows:

- Notice must be given in accordance with Section 94 of the *Community Charter* and to the owners of the parcels that would be subject to the local service tax. The notification is dictated by the City of Prince George Public Notice Bylaw No. 9329, 2022. The notice will include a description of the service in general terms, the boundaries of the local area service, an estimate of the costs of the service, and indicates that Council may proceed with establishing the service unless a petition against the service is presented within 30 days after notice has been given.
- The Corporate Officer mails the notice to the applicable addresses as set out in the last revised assessment roll.
- Council may proceed with the local area service in accordance with the notice unless it receives a sufficient petition against the service within 30 days after the publication of notice. Sufficient petition against includes at least 50% of the owners of the parcels within the local area service area, and at least 50% of the assessed value of land and improvements that would be subject to the local service tax.
- If sufficient petition against is received, Council is unable to propose the same service on its own initiative within a period of one year after the presentation of the petition.

The following tables outlines the dates that would align with the regulations of the *Community Charter* noted above if Council wished to undertake the S.213 process:

Date	Event
Wednesday, May 8, 2024	Mayor & Council (Committee of the Whole Meeting)
May 27, 2024	Report to request direction from Council
Monday, October 7, 2024	Staff Report to Council & Proposed Bylaw for First 3 Readings
Friday, October 11, 2024	Notice and Letters mailed to Property Owners
Saturday, October 12, 2024	30-day period begins for Owners to Petition Against the Bylaw
Tuesday, November 12, 2024	30-day period ends for Owners to Petition Against the Bylaw

Monday, December 2, 2024	Certified Results of the Petition are presented to Council and Decision on Final Reading of Bylaw
Monday, March 31, 2025	Current Levy Bylaw #8929 Expires

A report will be provided to Council on May 27th, 2024 to request whether the Council wishes to request DPG undertake a S.212 process, or if Council wishes to initiate the process under S.213.

STRATEGIC PRIORITIES:

- Market Prince George as a place to invest, live, and visit.
 - Promote presence and use of local assets and amenities in a way that aligns with growth goals.
- Build a strong, resilient, and diverse economy for Prince George.
 - Identify and support the development of catalysts that enable and expedite the diversification of the economy.

SUMMARY AND CONCLUSION:

This report provides Council with information and the procedure necessary to facilitate the renewal of City of Prince George Downtown Business Improvement Area Bylaw through a local area service on Council initiative subject to petition against process.

RESPECTFULLY SUBMITTED:

Ethan Anderson, Corporate Officer / Manager of Legislative Services

APPROVED BY:

Walter Babicz, City Manager

MEETING DATE: May 8, 2024