TO: Chair and Members  
Economic Development and Planning  
Committee  

WARD(S) AFFECTED: WARD 2

COMMITTEE DATE: March 23, 2010

SUBJECT/REPORT NO:  
Downtown Hamilton Business Improvement Area (B.I.A.) Expansion of Boundaries  
(PED10068)

SUBMITTED BY:  
Tim McCabe  
General Manager  
Planning and Economic Development  
Department

PREPARED BY:  
Eileen Maloney 905-546-2632

SIGNATURE:

RECOMMENDATION:

a) That the Downtown Hamilton B.I.A. boundaries be expanded as identified in Appendix ‘A’ to Report PED10068;

b) That the City Clerk’s Division be authorized and directed to circularize the existing and proposed expansion area with the notice of intent to amend the designating by-law in accordance with Sections 209, 210, 212 and 213 of the Municipal Act;

c) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

EXECUTIVE SUMMARY

Report PED10068 recommends the expansion of the Downtown Hamilton B.I.A. boundaries.

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
“Alternatives for Considerations – Not Applicable”

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS** (for Recommendation(s) only)

**Financial:** The expansion of the Downtown Hamilton B.I.A. will have no financial implication for the City of Hamilton as the operating budget for the B.I.A. will be totally derived through levying the B.I.A. members.

**Staffing:** The expansion of the Downtown Hamilton B.I.A. will have no staffing implications for the City of Hamilton.

**Legal:** The Municipal Act, Section 209 provides legislative authority to expand a B.I.A. The process for expanding a B.I.A. is dictated by the Municipal Act, Section 210, Subsections (1), (2), (3), (4), (5) and (6); Section 212 (a), (b) and (c); and, Section 213. If sufficient objections to the expansion are not received by the clerk of the municipality, the by-law to expand the boundaries of the Downtown Hamilton B.I.A. will be forwarded for consideration by City Council at a later date.

**HISTORICAL BACKGROUND** (Chronology of events)

The Downtown and Community Renewal Division, Planning and Economic Development Department, received correspondence from the Downtown Hamilton B.I.A. dated December 16, 2009 requesting that the boundaries of the B.I.A. be expanded as per Appendix ‘A’ to Report PED10068. The Downtown Hamilton B.I.A. had previously received requests from the property owners that they become part of the Downtown Hamilton B.I.A. The Downtown Hamilton B.I.A. and staff from Downtown and Community Renewal Division have consulted with the property owners and have provided information about the B.I.A.

**POLICY IMPLICATIONS**

The proposed expansion area already is permitted to have commercial uses as it is designated Mixed Use in the Downtown Hamilton Secondary Plan and zoned Downtown Local Commercial (D4). It already is contained within the Downtown Hamilton Community Improvement Project Area, so amendments to the Downtown and Community Renewal Community Improvement Plan and associated Project Area by-law are not required. Once the expansion properties become part of the B.I.A., they will be eligible to apply to financial incentive programs offered through the Community Improvement Plan that are specifically for B.I.A.s, such as the Commercial Property Improvement Grant Program, subject to meeting other program criteria.
RELEVANT CONSULTATION

The Downtown Hamilton B.I.A. and property owners within the proposed expanded area.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The current boundaries of the Downtown Hamilton B.I.A. include a portion of the block which is bound by James Street North, Wilson Street, Hughson Street North and Rebecca Street. The properties within the proposed expansion are located within that block. The expansion of the boundaries would allow the property/business owners to receive the benefits that would be available to them as a member of the Downtown Hamilton B.I.A.

The Downtown Hamilton B.I.A. has received requests from the property owners outside of the B.I.A. to expand the B.I.A. boundaries to include their properties as reflected in Appendix ‘A’ to Report PED10068.

ALTERNATIVES FOR CONSIDERATION:

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Not applicable.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)


Growing Our Economy

- B.I.A. initiatives help retain and attract businesses

Healthy Community

- B.I.A. members are involved in developing and implementing local solutions

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APPENDICES / SCHEDULES


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