

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: March 25, 2024

TO: Mayor and Council

FROM: Tracey Arthur, Director of Corporate Administration &
Candice Gartry, Director of Financial Services

SUBJECT: White Rock Business Improvement Area Bylaw

RECOMMENDATIONS

THAT Council:

1. Receive for information the corporate report dated March 25, 2024, from the Director of Corporate Administration and the Director of Financial Services, titled “White Rock Business Improvement Area Bylaw;”
 2. Provide direction to staff to:
 - a) bring forward a new White Rock Business Improvement Area Bylaw for consideration, with a five-year mandate; and
 - b) Provide direction with regards to the annual amount to be collected in accordance with the bylaw from White Rock Business Improvement Association levies for each year of the five-year term; or,
 3. Provide alternate direction to staff.
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EXECUTIVE SUMMARY

The White Rock Business Improvement Area Bylaw, 2019, No. 2311 (Attachment A) is currently in effect and will remain so until December 31, 2024. In order for the White Rock Business Improvement Association (BIA) to continue to exist following the end of 2024 a new bylaw must be established. The BIA have requested a new mandate under a similar Bylaw for the next five (5) years (Attachment B). This corporate report provides the BIA's proposal, staff comments, and describes options for the statutory process required before the final reading of the Bylaw.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2019-314 September 9, 2019	<i>THAT Council:</i> <ol style="list-style-type: none">1. <i>Receives for information the corporate report dated September 9, 2019, from the Directors of Financial Services</i>

	<p><i>and Corporate Administration titled “White Rock Business Improvement Area Bylaw”;</i></p> <ol style="list-style-type: none"><li data-bbox="581 310 1427 457">2. <i>Directs staff to bring a forward a new White Rock Business Improvement Area Bylaw for consideration, with a five-year mandate, adding the Foster-Martin property into the White Rock Business Improvement Area; and</i><li data-bbox="581 472 1427 619">3. <i>Endorses staff to come forward with a proposed annual amount of 4% to be collected in accordance with the bylaw from BIA levies for each year of the five-year term (as it can be amended prior to consideration).</i> <p style="text-align: right;">Carried</p>
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INTRODUCTION/BACKGROUND

The *Community Charter* outlines the requirements for business improvement area service bylaws. Before adopting these bylaws, certain processes must be followed. There are two (2) options for these processes. According to Section 212 of the *Community Charter*, a business improvement area service can be established by a petition from the owners of parcels that would be subject to the local area service tax. Alternatively, in accordance with Section 213 of the *Community Charter*, Council can undertake a local area service on its own initiative through a counter petition process.

The White Rock Business Improvement Area Bylaw, 2019, No. 2311, and all prior City Business Improvement Area Bylaws were initiated and adopted by Council following a counter petition process, in accordance with Section 213 of the *Community Charter*.

ANALYSIS

The BIA has proposed another five (5) year mandate, from 2025 to 2029, with an annual levy increase of at least 2% per annum with notation that additional revenue of a further 2% (4% total) would allow the BIA to sustainably continue successful pilot projects and launch new initiatives.

The BIA is promoting a collaborative relationship with the City benefiting both local businesses and the community overall. Core functions during this mandate have been noted to involve the following:

1. Festivals and Events;
2. Street Beautification and Enhancement;
3. Marketing, Advertising and Promotion;
4. Communications;
5. Community Relations and Advocacy; and
6. Member Services and Education.

Past BIA levies have reflected inflationary increases each year. The 2024 BIA levy will be \$364,037 and it will be assessed to 282 business properties in the BIA Area. For 2025, if the BIA levy was increased by 2% that would represent and increase of \$7,263 and a 4% increase would

represent an increase of \$14,563. Subsequent years would be increased by either 2% or 4% depending on which proposal is accepted.

The current BIA Area shown on the attached as Appendix A. The proposal from the BIA is attached as Appendix B.

Staff Comments

The BIA levy amounts, assuming a 2% or 4% annual increases, would be as follows:

Year	2 % inflationary increases	4 % (sustainably continue pilot projects and launch new initiatives)
2025	\$371,300	\$378,600
2026	\$378,700	\$393,700
2027	\$386,300	\$409,400
2028	\$394,000	\$425,800
2029	\$401,900	\$442,800

Increases for each property will vary as this levy is based off of the assessed value of each property.

Statutory Process

Council has two (2) options for establishing the business improvement service area. The "*White Rock Business Improvement Area Bylaw, 2311*" and all previous City Business Improvement Area Bylaws were initiated and adopted by Council following a counter-petition process according to Section 213 of the *Community Charter*.

Section 212 (Petition for local area service) of the *Community Charter* enables the bylaw to be adopted only if a petition in favour of it is signed by the owners of at least 50% of the parcels within the designated area, and the persons signing represent at least 50% of the assessed value of the properties in the area. This requires the BIA to develop the petition, contact all owners of parcels within the proposed area and obtain the required signatures.

Section 213 (Local area service on Council initiative – subject to petition against) of the *Community Charter* requires public notification of Council's intent to adopt the bylaw, and notification to be mailed to all property owners of parcels within the designated area. Unless a petition against it (counter-petition), signed by owners of at least 50% of the parcels, representing at least 50% of the assessed value of the designated area, is received within 30 days after the second public notification of Council's intent or when the last notice was mailed, the bylaw can proceed for adoption. If prevented by counter-petition, the same initiative cannot be proposed for one (1) year unless it is for a lower levy or of a different scope.

Creating the business improvement service area in accordance with Section 213, by Council initiative, is considered more effective and expedient than pursuant to Section 212, as it requires a counter petition process, which is a negative vote. This process is widely used by other municipalities and is more likely to result in the enactment of the bylaw. Therefore, it is recommended.

FINANCIAL IMPLICATIONS

There are no financial implications to the City. The City levies the Taxable Properties on the annual tax notice and then remits the collected funds to the BIA as per the payment schedule (noted above) to be outlined in the Bylaw.

CONCLUSION

It is recommended that staff bring forward a new White Rock Business Improvement Area Bylaw for consideration, with a five-year mandate. Staff are recommending that the BIA levies would not exceed an annual amount starting at \$371,300 in 2025 at 2% increase or \$378,600 at 4% increase and then further increased by 2% or 4% annually to \$401,900 at 2% increase or \$442,800 at 4% increase in 2029.

Respectfully submitted,



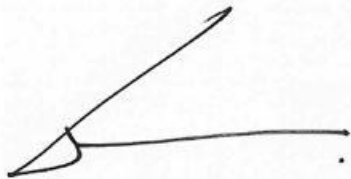
Tracey Arthur
Director of Corporate Administration



Candice Gartry
Director of Financial Services

Comments from the Chief Administrative Officer

This report is provided to Council for consideration and direction to staff.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: Current designated BIA, Bylaw 2311
Appendix B: BIA Proposal, March 8, 2024