

KLEINBURG BUSINESS IMPROVEMENT AREA – BUDGET APPORTIONMENT CHANGE – WARD 1

Recommendation

The Director of Financial Services and the City Clerk recommend:

- 1) That Council authorize and direct the City Clerk in accordance with subsection 210(1) of the *Municipal Act, 2001*, as amended, to send out the required notice to all Kleinburg Business Improvement Area (KBIA) Commercial/Industrial owners of the request from the Board of Management of the KBIA to pass a By-law to amend By-law Number 169-84 by increasing the minimum and maximum special charge commencing 2012 as follows:

2012	\$400 minimum / \$4000 maximum
2013	\$450 minimum / \$4500 maximum
2014	\$500 minimum / \$5000 maximum”

- 2) That a report be brought back to a Council meeting following the expiry of the time for filing objections (60 days) under subsection 210(3) of the *Municipal Act, 2001*.

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

The KBIA Board of Management and every person assessed for rateable property in the prescribed business or commercial class within the improvement area will be notified of the proposed by-law amendment to increase the minimum/maximum charge commencing in 2012.

Purpose

The purpose of this report is to fulfill the request received from the Board of Management of the KBIA to change the special charge by increasing the minimum and maximum amount that is levied to each applicable property within the Kleinburg Business Improvement Area (“KBIA”) boundary, according to Section 210(1) of the Act.

Background - Analysis and Options

Each year the KBIA submits a budget for Council’s approval, which is required for the purposes of the KBIA. In accordance with section 208 of the Act, the municipality is then required to annually raise this amount from the BIA. The budgeted amount is apportioned, based on a minimum and maximum amount, on all commercial property within the KBIA boundary, utilizing the taxable commercial assessment of such property. The minimum/maximum is a method of apportionment of the annual budgeted amount. This approach, which has been used for many years, provides for a more fair distribution of the budgeted amount.

The Board has requested that the levy charged to each property be amended to reflect an increase in the minimum and maximum amounts currently being used. In 2007, By-law number 169-84 was amended to reflect new minimum and maximum charges:

2007	\$300 minimum / \$1500 maximum
2008	\$300 minimum / \$2000 maximum
2009	\$350 minimum / \$2500 maximum
2010	\$350 minimum / \$3000 maximum
2011	\$350 minimum / \$3500 maximum

Now that the above noted minimum/maximum charges have expired, the by-law must be amended to reflect a new minimum/maximum structure.

The amounts proposed by the KBIA Board of Management, as approved in their General meeting, as minimum and maximum amounts for the 3 year period commencing in 2012, are as follows:

2012	\$400 minimum / \$4000 maximum
2013	\$450 minimum / \$4500 maximum
2014	\$500 minimum / \$5000 maximum

In order for the City to approve the revision, the notice requirements set out in section 210(1) of the Act, as amended, requires notices of the proposed by-law to the Board of Management of the KBIA and to every person assessed for rateable property in the prescribed business or commercial class within the improvement area.

Should no objection be received and should the conditions otherwise set out in subsections 210(3), (4) and (5) be met, the City may proceed to enact the amendment to By-law No. 169-84.

A report will be brought back to Council at the expiration of the period for filing objections, which will be approximately three months from Council's adoption of the recommendations in this report, setting out particulars of objections filed, if any, and the Determination by the Clerk in accordance with subsection 210(5) of the Act. The report will also indicate the amount to be billed to each property owner as applicable and the amount will be levied at that time.

Petition to remove the KBIA by-law from Kleinburg Property Owners

It should be noted that the City is in receipt of a petition to remove the KBIA by-law in Kleinburg. The petition did not include all the information mandated in the Act. All those who signed the petition have been informed of the requirements as set out in the legislation and that no further action would be taken at this time. In the event the petition is resubmitted in accordance with the legislation, staff will bring a report to Council informing them of any changes that may be required with respect to the by-law amendment process that will be initiated following adoption of the recommendations in this report.

Dissolution of Board

In accordance with section 214(1) of the Act, should the petition to remove the KBIA by-law be successful, the board of management is dissolved and the assets and liabilities of the board become the assets and liabilities of the municipality.

Timing

Municipal Act Section 211(5) - The repealing by-law must come into force on or before December 31 of the year in which it is passed.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional Implications in this Report.

Conclusion

After the notification process and the results are known, Council can proceed to enact the By-law to change the minimum and maximum special charge if required and staff can bill the 2012 amount to each KBIA member. Staff will bring back a report should any changes be necessary as a result of the outstanding petition.

Attachments

Attachment 1 - Board of Management Letter of request

Report prepared by:

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Manager, Property Tax & Assessment
Ext. 8268

Respectfully submitted,

Barry E. Jackson, CGA
Director of Financial Services

Jeffrey A. Abrams
City Clerk



The Village of Kleinburg
Business Improvement Association
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Ms. Maureen Zabuik
City of Vaughan
2141 Major Mackenzie Dr.,
Vaughan, ON L6A 1T1

April, 4, 2012

RE: Kleinburg BIA Fee Structure

Dear Ms. Zabuik,

Please be advised that the Kleinburg BIA Board of Directors has approved the terms for the BIA Fee structure commencing in 2012 as follows:

Maximum and Minimum Charges

2012	\$400 minimum / \$4,000 maximum
2013	\$450 minimum / \$4,500 maximum
2014	\$500 minimum / \$5,000 maximum

Approved by the BIA Board March 21, 2012

If you have any questions, please feel free to call me at anytime. Thank You.

Sincerely,

A handwritten signature in cursive script that reads 'Louise Zembal'.

Louise Zembal, BIA Chair

cc Ms. Maria Furlano, BIA Co-secretary
Ms. Giovanna Luciani-Lamb, BIA Co-secretary