

Date: 2023-08-18

Subject: **Status Update - Downtown Brampton Business Improvement Area (DBBIA) Boundary Modification , Wards 1 & 3, RM# 6/2023**

Contact: **Paul Aldunate, Expeditor, Economic Development**

Report Number: CAO's Office-2023-728

Recommendations:

1. THAT the report Paul Aldunate, Expeditor, dated August 18, 2023, to the Committee of Council Meeting of September 6, 2023 re: **"Status Update - Downtown Brampton Business Improvement Area (DBBIA) Boundary Modification,"** be received.

Overview:

- On March 1, 2023, Council (CW059-2023) directed that staff report back to Council on the steps required to adjust the Downtown Brampton BIA (DBBIA) boundary, potentially with suggestions on revisions to the boundary in consultation with the DBBIA.
- The purpose of the report is to summarize the steps necessary to revise the DBBIA boundary, in accordance with the requirements of the Municipal Act, 2001.
- This report also outlines the potential for using the Brampton GO (Downtown) Major Transit Station Area (MTSA) boundary to serve as the new DBBIA boundary and suggests further consultation with DBBIA in that regard.
- Downtown Brampton is anticipated to grow significantly as depicted in the preliminary land-use framework for the Brampton GO (Downtown) MTSA that was presented at a public meeting on August 28, 2023.
- The preliminary land-use framework for the Brampton GO (Downtown) MTSA shows a greater density, height and mix of uses, including significant commercial opportunities that go beyond the current DBBIA boundary.

Background:

The BIA for downtown Brampton was first established through by-law 220-76. The last time the boundary was modified was in 1988 through by-law 276-288, which expanded the boundary to its current configuration (Appendix 1). On March 1, 2023, Council directed staff to report back to Council on the steps required to adjust the Downtown Brampton BIA boundary with potential modifications.

Steps for Modifying the DBBIA Boundary:

As per the Municipal Act of 2001, the City Council must pass a by-law to expand the boundaries of a Business Improvement Area (BIA). The board of management, every person in the current BIA boundary area and the proposed area must receive a notice of the Council's intention.

Property owners are responsible for providing a copy of the notice to their tenants within 30 days and handing a list of tenants to the City Clerk. If written objections are received within 60 days, signed by at least one-third of the persons entitled to notice and representing at least one-third of the taxes levied, the by-law cannot be enacted.

The City Clerk is responsible for determining whether the objection conditions are met. If the by-law is not enacted, the preceding by-law remains in effect. If the proposal progresses, City staff will draft a by-law to modify the DBBIA boundary area, which will be brought back to Council for approval.

If the DBBIA boundary is expanded the levy would only be charged upon a “rateable property in the improvement area that is in a prescribed business property class”. Residential property owners are not charged unless there is a commercial component that has been assessed as such.

When a municipality expands or redefines the boundaries of a BIA, the board of management for the area would usually continue as the board of management for the altered area. The current board may wish to seek a board representative(s) from the new area in the case of a BIA expansion.

Brampton GO (Downtown) MTSA:

One option for modifying the BIA boundary could evolve around the merging land-use policy framework for the Brampton GO (Downtown) MTSA. On August 28, 2023, a statutory public meeting was held to share the proposed land use schedules and land use policies for Brampton's 14 “Primary” MTSAs. MTSA's are to be planned to create a compact urban form with a diverse mix of land uses, varied housing types, tenures, and affordability, employment and amenities in close proximity that supports existing and planned transit and active transportation infrastructure. The intent is to incorporate the

MTSA land-use schedules and policies within Brampton Plan, which will be forwarded to Council for adoption on November 1, 2023 in order to meet Provincial requirements.

The Brampton GO (Downtown) MTSA proposed land-use schedule is attached as Appendix 2. The Brampton GO (Downtown) MTSA will have the greatest variety and intensity of uses in the City, from residential to commercial, cultural, recreation, public service facilities, office and other employment uses. This plan aims to create a more compact urban form that includes a diverse mix of land use, varied housing options, and affordability. The new boundary will also incorporate employment opportunities and amenities that are easily accessible by existing and planned transit and active transportation infrastructure. This will help create a more sustainable and environmentally-friendly downtown area that is accessible to everyone. The planning framework recognizes the potential for commercial opportunities that go beyond Queen and Main.

The benefits of having a larger DBBIA membership include the potential for larger revenues and a greater budget for programming, staffing, events, marketing and beautification. A larger membership could offset the reduction in membership as a result of the City purchasing lands in the downtown for larger infrastructure and City building initiatives. The quality of the programming may also benefit if the DBBIA has a larger budget to work with. Furthermore, a larger membership can potentially reduce individual membership contributions depending on the size and scope of the budget.

Current Situation:

As per the Municipal Act of 2001, the City Council must pass a by-law to expand the boundaries of a Business Improvement Area (BIA). The board of management, every person in the current BIA boundary area and the proposed area must receive a notice of the Council's intention.

Property owners are responsible for providing a copy of the notice to their tenants who pay all or part of the property taxes within 30 days and handing a list of tenants to the City Clerk. If written objections are received within 60 days, signed by at least one-third of the persons entitled to notice, including tenants, and representing at least one-third of the taxes levied within the existing or the proposed additional improvement area, the by-law cannot be enacted.

The opportunity of a modified DBBIA boundary was discussed at the DBBIA Board of Directors meeting on August 30th, 2023. The DBBIA Board will take some time to review the implications of expanding the DBBIA boundary and circle back with City staff with feedback before staff brings back any final boundary suggestions to Council. At that point if Council wishes to proceed with the new boundary, they can choose to issue notice of intention to modify the BIA boundary and proceed with the steps noted earlier in this report.

Incidentally, there is a misconception that BIA membership automatically qualifies a Central Area Community Improvement Plan (CIP), which includes the Façade and Building Improvement Programs. These programs are led by the City under separate budget with different parameters and eligibility criteria than any programs led by the BIA. A business/landowner that is part of the DBBIA does not qualify for the Façade and Building Improvement Program, simply because they are part of the DBBIA. The aim of the Façade and Building Improvement programs are to support the ongoing revitalization of the historic downtown core, by way of providing supporting grants to offset costs related to façade and building improvements undertaken by landowners and businesses in an area that is defined by heritage and other unique characteristics.

Corporate Implications:

Financial Implications:

No financial implications at this time.

Strategic Focus Area:

This report aligns with the Strategic Priority of Growing our Urban Centres and Neighbourhoods by partnering with a key stakeholder to promote the City's investment potential and supporting the downtown businesses.

Conclusion:

Our DBBIA provides many benefits for local businesses and neighbouring residential areas, including making the area more attractive to visit and shop, promoting businesses and assisting with revitalization. A modified geography may offer opportunities to build on the anticipated growth and evolution of the downtown. Following further consultation with the DBBIA Board of Directors, staff will report back to Council with potential revisions.

Authored by:

Paul Aldunate, M.PL. MCIP RPP
Expeditor, Economic Development

Reviewed by:

Clare Barnett
Director, Economic Development

Submitted by:

Clare Barnett
Director, Economic Development

Approved by:

Marlon Kallideen
Chief Administrative Officer

Attachments:

Appendix A - DBBIA Boundary

Appendix B - Brampton GO (Downtown) MTSA Proposed Land Use Schedule

Appendix C - Brampton GO (Downtown) MTSA Proposed Land Use Schedule and DBBIA Boundary Overlay