



**To:** COUNCIL  
**Meeting Date:** 11/5/2024  
**Subject:** 24-074-CRS Request to Repeal the Proposed Expansion for Downtown Cambridge Business Improvement Area  
**Submitted By:** Danielle Manton, City Clerk  
**Prepared By:** Danielle Manton, City Clerk  
**Report No.:** 24-074-CRS  
**File No.:** C1011  
**Wards Affected:** All Wards

### **RECOMMENDATION(S):**

THAT Report 24-074-CRS Request to Repeal the Proposed Expansion for Downtown Cambridge Business Improvement Area be received;

AND THAT Council approve the request to repeal the proposed expansion from the Downtown Cambridge Business Improvement Area;

AND THAT Council direct the Clerk to provide notice of Council's support of the request to repeal the proposed expansion.

### **EXECUTIVE SUMMARY:**

#### **Purpose**

On September 17, 2024, Council approved report 24-036-CRS Proposed Expansion for Downtown Cambridge Business Improvement Area and directed the Clerk to provide notice of the intent to pass a By-law to expand the boundary of the Downtown Cambridge Business Improvement Area (BIA). Subsequently, as directed the Clerk sent notice out to the commercial businesses in the current and proposed boundary area. On October 16, 2024, the Downtown Cambridge BIA held an emergency meeting and voted to repeal the expansion request and has requested Council rescind the proposed expanded boundary and allow a new boundary map to be established.

#### **Key Findings**

- The Downtown Cambridge BIA passed a motion at their March 2023 meeting to move forward with a request to Council to expand the current boundary to include the Galt core area in its entirety. Following working with City staff on a finalized map, the Board's motion was reinforced during their meeting on September 12<sup>th</sup>, 2024.
- On September 17, 2024 Council approved notice being sent to indicate the intent to pass a by-law to expand the Downtown Cambridge BIA boundary.
- On October 16, 2024 the Clerk received notice that the Downtown Cambridge BIA had held an emergency meeting to request Council to repeal the notice sent out advising of the intent to expand the boundary as a result of a boundary change the BIA wanted to make.

### **Financial Implications**

The request from the BIA for Council to approve repealing the notice sent out will require that a separate notice is sent out rescinding the original notice. Should Council approve the request to repeal, there are financial impacts for the multiple mailings around this process that will be charged to the BIA as a result of this change.

### **STRATEGIC ALIGNMENT:**

Strategic Action

**Objective(s):** STRONG CORES - Create an inviting downtown that connects and complements core areas and neighbourhoods where people want to live and visit

**Strategic Action:** Establish our core areas as attractive destinations

**OR**

Core Service

**Program: Not Applicable**

**Core Service:** Not Applicable

The expansion of the Downtown Cambridge BIA is seeded in a desire to continue to enhance the vibrancy of the Downtown Galt area of Cambridge. The hope of the expansion is to foster inclusion of businesses that are beyond the current boundaries and that are already contributing to making the Downtown Galt area one that serves and supports the surrounding neighborhoods and visitors.

## **BACKGROUND:**

Section 204, of the *Municipal Act, 2001*, (“the Act”) requires that Council follow regulated steps when looking to expand boundaries that are established by a Council by-law.

The steps to expand a BIA’s boundary begin with a motion passed by the board of management and a request to Council to authorize the Clerk to provide notice to all parties impacted by the expansion that are considered rateable business properties within the current and expanded boundaries providing opportunity for all entitled parties to be made aware and object if they are not supportive of the proposed expansion.

Following the notice provisions as per the Act, Council may then consider passing a by-law to permit a proposed expansion of a BIA’s boundary.

On September 17, 2024, Council approved report 24-036-CRS Proposed Expansion for Downtown Cambridge Business Improvement Area as attached as Appendix A and directed the Clerk to provide notice of the intent to pass a by-law to expand the boundary of the Downtown Cambridge Business Improvement Area (BIA).

Subsequently, as directed, the Clerk sent notice out to all current BIA members and commercial businesses in the current and proposed boundary area.

On October 16, 2024, the Downtown Cambridge BIA held an emergency meeting and voted to request Council repeal the expansion request and the following motion was approved:

THAT the Board of Directors for the Downtown Cambridge BIA formally withdraws the current application to expand the boundary that was requested by the Downtown Cambridge BIA and passed by the Council on September 17th, 2024.

The history of motions related to the proposed expansion by the Downtown Cambridge BIA is attached as Appendix B.

The Downtown Cambridge BIA has requested that a portion of the proposed boundary map be removed. Council is required to consider the request and direct the Clerk to send a notice out rescinding the original notice.

## **ANALYSIS:**

Council is requested to consider repealing the proposed boundary notice sent out by the Clerk following the initial request for expansion from the Downtown Cambridge BIA.

Should Council approve of the Downtown Cambridge BIA's request to repeal Council's decision to send notice out advising of the intent to pass a by-law to expand the current Downtown Cambridge BIA boundary on September 17, 2024 the following process will take place.

- The Clerk will send notice to all current BIA members and commercial businesses in the current and proposed boundary area informing them of the repeal request being granted by Council and advise recipients to no longer follow the instructions received on the first notice.
- Any objections received will not be considered.
- Any tenant information will not be applied as part of the notice process.

### **Revised Boundary Expansion Request**

The Downtown Cambridge BIA passed two motions on October 16, 2024. The first was to repeal the notice that was sent out as a result of Council's decision on September 17, 2024 and the second was to request that Council also consider a revised expansion boundary to move forward with a revised boundary expansion process with a new boundary map.

Staff have separated the repeal process from an additional request to expand the boundary of the Downtown Cambridge BIA. Should Council repeal the notice as requested, a future report will present the new revised boundary as requested by the BIA to initiate a new expansion process.

### **EXISTING POLICY / BY-LAW(S):**

Municipal Act, 2001

By-law No. 903 - a By-law to establish the Downtown Business Improvement Area

### **FINANCIAL IMPACT:**

The Financial implications associated with this request to repeal the notice although minimal will require Clerk's staff to send notice out three times to all recipients in accordance with the Act, should Council approve the request to repeal the notice and approve a future proposed boundary expansion of the Downtown Cambridge BIA. Staff estimate the cost impact to be approximately \$1500.00 not including staff time.

### **PUBLIC VALUE:**

The requirement under the Act as it relates to establishment for a BIA within a municipality and the areas for which a Board of Management may be responsible for align with values within the City of Cambridge's Strategic Plan.

Staff have collaborated with the Downtown Cambridge BIA following the request for this expansion and further with the request to alter the boundary and repeal the notice sent out with the initial boundary requested.

The Boards request for the City to repeal the notice and revise their boundary provides Council with the option to direct the Clerk to repeal with notice that has been sent by sending a subsequent notice advising all recipients of the request for the repeal.

#### **ADVISORY COMMITTEE INPUT:**

Not Applicable.

#### **PUBLIC INPUT:**

This report has provided notice through the agenda for the Council meeting of November 5, 2024.

Following Council's approval of report 24-036-CRS Proposed Boundary Expansion for Downtown Cambridge Business Improvement Area, notice was provided regarding the request to expand, and a map of the expanded and current boundary was sent by prepaid mail to every person who is assessed for rateable business property that is in a prescribed business property class in the current and proposed boundary.

On October 16, 2024 the Downtown Cambridge BIA voted to repeal the notice and proposed boundary and advised the City that they would be making further changes to their proposed boundary.

With Council's approval of the request to repeal the intent to pass a by-law for the proposed expanded boundary of the Downtown Cambridge BIA, the Clerk would be required to send a second notice advising of the repeal and requesting recipients to stop action on the first notice.

The Board of Management for the current Downtown Cambridge BIA has also voted to provide the City with a new revised boundary that will be further outlined in a future report to Council requesting another notice of intent to expand a boundary be sent to all assessed for rateable business property in the prescribed business property class.

#### **INTERNAL / EXTERNAL CONSULTATION:**

As a result of the notice from the Downtown Cambridge BIA requesting Council to repeal the notice provided staff are presenting the request to Council for consideration.

With Council's approval of this request, staff will send a further notice to all recipients who received the initial notice informing them that no further action is required at this time for the initial notice and advising of the request to repeal the proposed boundary expansion

**CONCLUSION:**

Staff recommend Council approve the request from the BIA to repeal the request from the Downtown Cambridge BIA and direct the Clerk to send notice of the proposal being rescinded by the Downtown Cambridge BIA and Council.

**REPORT IMPACTS:**

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

**APPROVALS:**

**This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:**

**Director**

**Deputy City Manager**

**Chief Financial Officer**

**City Solicitor**

**City Manager**

**ATTACHMENTS:**

**When naming attachments please use the following format:**

1. 24-074-CRS Appendix A – Report 24-036-CRS Proposed Expansion for Downtown Cambridge Business Improvement Area
2. 24-074-CRS Appendix B – BIA Motions