Minutes - Executive Policy Committee - September 10, 2008

REPORTS

Minute No. 443 Transcona Business Improvement Zone – Request to Expand BIZ Boundary E-File FL-7.12

EXECUTIVE POLICY COMMITTEE DECISION:

The Executive Policy Committee received as information the report from the Director of Planning, Property and Development dated August 27, 2008.

DECISION MAKING HISTORY:

Moved by Councillor Wyatt,

That the report from the Director of Planning, Property and Development dated August 27, 2008 be received as information.

Carried

RE: Transcona Business Improvement Zone – Request to Expand BIZ Boundary

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: Phil Sheegl, Director of Planning, Property & Development Department

REPORT DATE: August 27, 2008

RECOMMENDATION: That this report regarding the Transcona Business Improvement Zone's request to have the BIZ boundary expanded, be received as information by the Executive Policy Committee.

Report Summary

Key Issues:

- The "Transcona Business Improvement Zone BIZ", continued by By-Law No. 8124/2002 is one of fifteen Business Improvement Zones within the City of Winnipeg.
- The Transcona Business Improvement Zone BIZ submitted to City Clerk's a letter and petition on behalf of a Business owner for the expansion of the BIZ Zone.
- The Executive Policy Committee referred the request from the Transcona Business Improvement Zone to expand its boundaries to include Bridgeport Office Solutions located at 811 Pandora Ave West to the Public Service for review and report back.
- The Business Improvement Zone Procedures By-Law No. 8111/ 2002 lays out the procedure where an area is proposed to be added to an existing zone.

Implications of the Recommendation(s):

General Implications

(X) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No

( ) Yes

Comment(s):

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:
The Executive Policy Committee on September 13th, 2006, referred a request from the Transcona Business Improvement Zone to expand its boundaries to include Bridgeport Office Solutions located at 811 Pandora Avenue West to the Public Service for review and report back.

HISTORY:
By-Law No. 6729/95 created the Business Improvement Zone known as the "Transcona Business Improvement Zone". The Transcona Business Improvement Zone By-law No. 8124/2002 continued this BIZ under the same name.

DISCUSSION:
The Transcona BIZ had submitted a letter, with a petition attached from one business owner, 'Bridgeport Office Solutions', located at 811 Pandora Avenue West, for the purpose of the expansion of the Transcona Business Improvement Zone (the address of 811 Pandora West has three commercial rental units).

Business Improvement Zones are governed by a set of procedures and required processes, which are laid out within the Business Improvement Zone Procedures By-Law No. 8111/2002. The process for an expansion is namely:

- A petition must be filed with the City from the applying businesses;
- The City Clerk must determine that the petition has been signed by more than 50% of the proprietors in the proposed additional area of the zone representing more than 50% of the total taxable business assessment in the proposed additional area;

After consultation with Legal Services Division and the Corporate Finance and Assessment and Taxation Departments, a reading and interpretation of the By-Law had been reached with regard to this particular property and situation adjoining to the Transcona BIZ Zone.

This particular property has three rental units located at 811 Pandora Ave West. Only two units were rented at the time of the petition requesting expansion. The City Departments concluded that the third vacant unit space is not a business and cannot therefore be a business as defined in the BIZ Procedures By-Law. Therefore it is only the two other businesses with which the By-Law is concerned.

Legal Services Division's reading of section 4 (and section 3) of the By-Law is that additional areas can only be added to the BIZ if a majority of the businesses in the proposed new area representing more that 50% of the ARV in the proposed new area petition for it. If there are two businesses, both need to petition for joining the BIZ because a single business does not constitute more than 50%.

As the request and petition does not meet By-Law No. 8111/2002, no further steps can be carried out with respect to the possible expansion of the BIZ. A different expansion configuration containing different ideas and more businesses may have to be considered by the surrounding area and the BIZ.

This report is being submitted as information to the Executive Policy Committee.

Financial Impact Statement Date: August 22, 2008

Project Name:

Transcona Business Improvement Zone – Request to Expand BIZ Boundary

COMMENTS:

As this report is being received as information only, there are no associated financial implications.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:
Legal Services, Internal Services
Assessment and Taxation
Corporate Finance

External Consultation With:
Transcona Business Improvement Zone

THIS REPORT SUBMITTED BY:

Department: Planning, Property and Development
Division: Planning and Land use
Prepared by: Martin Pasieczka

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