

PUBLIC NOTICE OF INTENT

Lower Lonsdale Business Improvement Area Service

Council initiative to renew a local area service -- Business Improvement Area (BIA)

Notice is hereby given pursuant to section 213 of the *Community Charter* that the City of North Vancouver Council proposes to undertake a local area service on its own initiative, specifically for renewal of the Lower Lonsdale Business Improvement Area Service.

What is the Lower Lonsdale Business Improvement Area? A Business Improvement Area (BIA) is a defined commercial area, where local business and property owners work together to promote the area to increase customer traffic and undertake a broad range of programs, including area branding, marketing, physical improvements, promotional events, commercial tenant recruitment and advocacy on behalf of the business community. A BIA is managed by a not-for-profit society and its operations are primarily funded through a special tax levy on all commercial properties within its boundaries. This is a self-funding mechanism in that 100% of the levy collected by the local government is granted to the

BIA to fund its own programs.



The Lower Lonsdale Business Improvement Area Service is the provision of grants to the Lower Lonsdale Business Improvement Association (the Association) for the planning and implementation of a business promotion scheme as defined in section 215(1) of the *Community Charter*. The Lower Lonsdale Business Improvement Area Service includes the development and undertaking of projects and initiatives to encourage business in the Lower Lonsdale commercial area.

Boundaries of the service area (commercial properties subject to the annual BIA levy): The boundaries of the Lower Lonsdale Business Improvement Area are shown in red outline on the map.

Estimated costs of the service: Pursuant to section 215(2) of the *Community Charter*, the estimated costs of the Lower Lonsdale Business Improvement Area Service are as follows: an amount not exceeding \$500,000 in 2022, and the aggregate amount of annual grants to the Association shall not exceed \$4,000,000 over the term of the service. The term of the service is 8 years, commencing January 1, 2022.

Proposed Method of Cost Recovery: For the purpose of recovering the monies granted to the Association, in any year, the City will impose a property value tax on land or improvements (or both where both are present) in the Lower Lonsdale Business Improvement Area that fall within the Class 6 (Business and Other) property classification under the *Assessment Act*, sufficient to yield the full amount of the grant in each calendar year.

Opportunity to Petition Against: Council may proceed with the adoption of the proposed "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879", unless a sufficient number of petitions against the service are presented in writing to the Corporate Officer, City Hall, 141 West 14th Street, North Vancouver, BC V7M 1H9, no later than 4:00 pm on Monday, November 29, 2021. The petition may be in the form of a letter or petition that clearly states the opposition to the bylaw, the address and/or legal description of the property within the Lower Lonsdale Business Improvement Area, the names of all owners of the property, and must be signed by the majority of the property owners for each property. If a sufficient number of petitions against the service are not received within the required time period, it is the intent of the City of North Vancouver to consider adoption of the proposed "Lower Lonsdale Business Improvement Area

The proposed Bylaw and background material will be available for viewing online from October 20, 2021 at cnv.org/LowerLonsdaleBIA.

Please direct inquiries to Larry Orr at business@cnv.org or 604-982-3913.

Service Bylaw, 2021, No. 8879" at its Regular meeting of December 6, 2021.

MINUTES OF THE REGULAR MEETING OF COUNCIL, HELD ELECTRONICALLY FROM CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON MONDAY, OCTOBER 18, 2021

REPORT

16. Lower Lonsdale Business Improvement Area Service Bylaw Renewal – File: 01-0230-20-0026/2021

Report: Deputy Director, Community and Partner Engagement, October 5, 2021

Moved by Councillor Girard, seconded by Councillor Valente

PURSUANT to the report of the Deputy Director, Community and Partner Engagement, dated October 5, 2021, entitled "Lower Lonsdale Business Improvement Area Service Bylaw Renewal":

THAT "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879" be considered.

CARRIED UNANIMOUSLY

BYLAW - FIRST, SECOND AND THIRD READINGS

17. "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879"

Moved by Councillor Girard, seconded by Councillor Valente

THAT "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879" be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Girard, seconded by Councillor Valente

THAT "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879" be given third reading.

CARRIED UNANIMOUSLY





W CAO



The Corporation of THE CITY OF NORTH VANCOUVER **COMMUNITY & PARTNER ENGAGEMENT DEPARTMENT**

REPORT

To:

Mayor Linda Buchanan and Members of Council

From:

Larry R. Orr, Deputy Director, Community and Partner Engagement

Subject:

LOWER LONSDALE BUSINESS IMPROVEMENT AREA SERVICE

BYLAW RENEWAL

Date:

October 5, 2021

File No: 01-0230-20-0026/2021

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION

PURSUANT to the report of the Deputy Director, Community and Partner Engagement, dated October 5, 2021, entitled "Lower Lonsdale Business Improvement Area Service Bylaw Renewal":

THAT "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879" be considered.

ATTACHMENTS

- 1. Staff Report dated January 20, 2021 (CityDocs #2097818)
- 2. Proposed "Lower Lonsdale Business Improvement Area Service Bylaw, 2021. No, 8879" (CityDocs #2097723)

SUMMARY

At the Regular meeting of Council held on February 1, 2021, Council resolved the following:

"PURSUANT to the report of the Deputy Director, Community and Partner Engagement, dated January 20, 2021, entitled "Lower Lonsdale Business Improvement Area Bylaw Renewal Process":

THAT staff be directed to initiate the petition process, "Council Initiative Subject to Petition Against", at the appropriate time, in accordance with Section 213 of

the *Community Charter*, for renewal of the Lower Lonsdale Business Improvement Area for an 8-year term (2022–2030) with an annual budget of \$500,000".

BACKGROUND

This report provides the necessary documentation for staff to proceed with the petition process for a new Lower Lonsdale Business Improvement Area Service Bylaw to renew the Lower Lonsdale Business Improvement Area (LLBIA) for an 8-year term, commencing January 1, 2022.

The proposed new bylaw is attached for consideration (Attachment 1) and details of the process and background information to the request for renewal from the LLBIA are also provided (Attachment 2).

Below is an information card that will be provided by the LLBIA, which staff will include with the mail-out petition. The QR Code provides access to a video about the LLBIA. The Corporate Officer has approved inclusion of this card with the petition mail-out.



DISCUSSION

The LLBIA has experienced considerable success in the past 5 years, contributing to the revitalisation of the Lower Lonsdale area and the success of local businesses. The LLBIA has also been an active and willing participant on many joint initiatives with the City. Respective BIA Board of Director members have, since inception, demonstrated enthusiasm and pride in Lower Lonsdale, which has motivated other local businesses to become involved in their community. BIA staff have also been regular attendees at Council meetings, providing useful feedback on City initiatives and private development projects.

Renewal of the LLBIA will help to ensure the continued evolution of Lower Lonsdale as a destination for residents and tourists alike and the success of area businesses.

Next Steps

If Council approves the report recommendation, the following steps would be required:

- Staff to compile a list of Class 6 property owners in the BIA;
- Finance Department staff to calculate the 2022 levy value estimates for each property based on the proposed first year budget (this information to be included in the petition);
- Clerk's Department staff to send out a petition to each property owner within the BIA boundaries:
- Clerk's Department staff to publish 2 notices in the North Shore News in accordance with the Community Charter (once each week for 2 consecutive weeks);
- Clerk's Department staff to tabulate the petition results and report to Council at the end of the 30-day response period (to begin after the second notice is published).

FINANCIAL IMPLICATIONS

The financial implications to the City resulting from this initiative include the administrative costs of implementing the petition process, the cost of postage and the cost for publishing notices in the newspaper as well as the ongoing costs associated with the annual calculation, collection and remittance of the BIA levy.

INTER-DEPARTMENTAL IMPLICATIONS

This report has been prepared with input from the Finance Department and the City Clerk's Department.

STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

Continuation of a Business Improvement Area in Lower Lonsdale will contribute to Goals A-3, A-4 and B-5 of the City's Economic Development Strategy, which encourages collaboration with other groups on issues of common interest, to pursue business retention and expansion programs and to support enhancement of diverse and unique shopping, dining and entertainment opportunities.

REPORT: Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879

Date: October 5, 2021

CONCLUSION

This report provides the documents necessary for Council to proceed with notification and petition for a renewed Business Improvement Area Service to the affected property owners in the Lower Lonsdale area.

RESPECTFULLY SUBMITTED:

_arry R. Orr

Deputy Director, Community and Partner

Engagement





The Corporation of THE CITY OF NORTH VANCOUVER COMMUNITY & PARTNER ENGAGEMENT DEPARTMENT

REPORT

To:

Mayor Linda Buchanan and Members of Council

From:

L. R. Orr, Deputy Director, Community and Partner Engagement

Subject:

LOWER LONSDALE BUSINESS IMPROVEMENT AREA BYLAW

RENEWAL PROCESS

Date:

January 20, 2021

File No: 13-6750-25-0001/1

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION

PURSUANT to the report of the Deputy Director Community and Partner Engagement, dated January 20, 2021, entitled "Lower Lonsdale Business Improvement Area Bylaw Renewal Process":

THAT staff be directed to initiate the petition process – Council Initiative Subject to Petition Against at the appropriate time, in accordance with Section 213 of the *Community Charter* for renewal of the Lower Lonsdale Business Improvement Area for an eight year term 2022 – 2030 with an annual budget of \$500,000.

ATTACHMENTS

- Correspondence from the Lower Lonsdale Business Improvement Area dated November 16, 2020 (Doc #1993041)
- 2016-2021 Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494 (Doc #1705116)
- 3. Petition Letter e.g.- Council Initiative to Establish a Business Improvement Area (BIA) in the Lower Lonsdale Neighbourhood (Doc #1397277)

PURPOSE

The Lower Lonsdale Business Improvement Area (LLBIA) has requested a renewal of their BIA Bylaw for a seven year term with the same annual budget of \$500,000 and geographic area (Attachment #1) as under the current Bylaw.

This report provides Council with background information on Business Improvement Areas (BIA), the BIA Bylaw renewal process and seeks direction to proceed with the required petitioning process for Bylaw renewal.

BACKGROUND

Business Improvement Areas

A BIA is a Local Service Area (Part 7, Division 5 of the *Community Charter*) established by a municipal Council where business and light industry property owners finance activities to promote business.

The *Community Charter* (Section 215) provides the authority for a municipality to create a BIA Bylaw and establishes the rules for the establishment and operation of such an area. Business promotion activities in a BIA are financed through a municipal grant and local service property tax scheme to raise the funding.

For property owners and businesses, a BIA is a way to improve business success by organizing and financing support programs not otherwise available.

For a municipality and the wider community, a BIA provides a sector of the community with the means to improve local economic development and also achieve positive social outcomes, such as a revitalized downtown core.

The organization that will operate a BIA is typically established as a society that enables its members to contribute funding and pool resources for mutually beneficial activities and projects. Annual BIA budgets are funded through a local area service property tax on light industry (Class 5) and/or business (Class 6) properties within the designated BIA boundary.

Business Promotion Scheme

A municipal Council can only grant funding for a BIA that has one of its aims as the planning and implementation of a business promotion scheme. The *Community Charter* requires that the scheme must include one or more of the following:

- Carrying out studies or developing reports
- Improving, beautifying or maintaining streets, sidewalks or municipally-owned land, buildings or other structures
- · Removing graffiti from buildings and other structures
- Conserving heritage property
- And generally encouraging business

With these considerations in mind, business and municipal leaders can work together to help create a shared vision of the BIA.

Property Owner Approval – Petition Process

Before a BIA can be created, the property owners in the area must indicate whether they support or oppose its establishment. Section 213 of the *Community Charter* describes the process for petitioning for a local service area. This can be accomplished in one of two ways:

- Council initiative subject to petition against: A municipal Council can initiate the establishment of a BIA by providing an opportunity for a petition against the proposed service. Council must give notice of a petition against in accordance with section 94 of the Community Charter and by mailing notice to all the owners of properties that would be subject to the local service tax. The notice must include information about the intent of Council to create a BIA, including information such as boundaries and estimated budget. Unless Council receives a sufficient petition against within 30 days, it can proceed. The threshold for sufficient petition against is 50% of parcels representing 50% of assessed value, as described above.
- Petition for service: Generally initiated by local business owners, the petition
 must include information about the proposed BIA, including boundaries and
 estimated budget. The petition must be signed by the owners of at least 50% of
 the properties that would be subject to the local area tax and that in total
 represent at least 50% of the assessed value of land and improvements that
 would be subject to the local service tax.

"Council initiative-subject to petition against" is the process that was undertaken for the establishment of the Lower Lonsdale BIA in 2016 and most, if not all, BIA's in the province.

Business Improvement Area Bylaw

Once the vision for the BIA is determined and property owner approval obtained, a Bylaw is required for the creation of the BIA. The Bylaw:

- Must identify the business promotion scheme for the organization to which the money will be granted;
- Must establish the maximum amount of money to be granted and the maximum term over which it may be granted; and
- May set conditions and limitations on the receipt and expenditure of the money.

Maximum Amount, Term & Annual Budget

Local Area Service Bylaws typically have terms of 5 to 10 years and must specify the total amount of money to be granted over the term, as well as the proposed budget for the first year. Subsequent year's budgets are approved at the AGM of the BIA Society.

Method of Raising Funding

Funding for the BIA can be raised in a number of ways:

- A tax on land, improvements, or both
- Parcel tax (fixed amount per legal parcel of land)
- Frontage tax (fixed amount per lineal foot of frontage)
- Property value tax (dollar amount per \$1,000 of assessment)
- A tax on another basis (for example, a dollar amount per square foot)

The most common form of raising funding for BIA's in BC (including the LLBIA) is by a property value tax (dollar amount per \$1,000 of assessment).

Managing and Operating a Business Improvement Area

Once the BIA Bylaw is approved by the municipal Council, the organizers must formally determine how the organization will operate and manage the BIA.

<u>Membership</u>

Although all commercial and industry property owners must contribute financially to the BIA, the organization itself decides who can be a member. Members may include property owners and business owners (for example, business tenants who lease property in the area).

Management and Structure

Members must decide the composition of the board and its electoral procedures. They can assign positions to represent different types of members, such as property owners or business owners who are tenants. Most business improvement areas have a non-voting Council liaison who would not be a board member.

Each BIA determines its operating structure. In some cases, the board may have the authority to form sub-committees with specific goals, such as to prepare and implement annual work programs and budgets, which may include marketing, consulting studies, streetscape maintenance, design work, hiring of staff and liaison with municipal Council.

Annual Budgets

An organization operating a BIA is a legal entity and must report its expenditures annually to its members. At the annual general meeting, BIA members approve the budget for the next year. The budget is the annual basis for municipal Council decisions on granting and cost recovery for next year's business promotion activities.

Lower Lonsdale BIA (LLBIA)

The LLBIA was established by Bylaw on November 21, 2016 (Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494). See Attachment #2.

The term of the current LLBIA Bylaw is five years, expiring in 2021. In accordance with the Bylaw, the total amount of funding to be collected for the LLBIA for the five year term is \$2,630,000. The LLBIA has approved annual budgets of \$500,000 in each of the five years, 2017 to 2021.

Based on a budget of \$500,000 and 389 Class 6 properties in the LLBIA, the annual tax levy was \$.060138 per \$1,000 of assessed value for 2020. The estimated annual levy amount for some sample properties are shown in the following table:

Business Taxable Assessment	Annual Levy	
\$ 500,000	\$ 301	
\$2,000,000	\$1,228	
\$5,000,000	\$3,007	

The current LLBIA Bylaw specifically recognizes the large assessment values for the Pinnacle Hotel, Seaside Hotel, Lonsdale Quay Market and Hotel and the retail area in the Shipyards that is leased to Quay Property Management by providing these properties with a 50% reduction in the levy. This is a typical provision in BIA Service Bylaws for properties such as hotels and large retail centres; otherwise they would pay a disproportionate amount of levy.

The Bylaw also requires the BIA Society to submit annual budgets and audited financial statements to the City, which provide ongoing municipal oversite. This oversite role is augmented by ongoing liaison with the Deputy Director, Community and Partner Engagement, who sits as an ex-officio member of the LLBIA Board of Directors. The LLBIA is also required to report to Council annually on its accomplishments.

Leading up to the establishment of the LLBIA, the Lower Lonsdale Business Association, a volunteer member-based association, operated in Lower Lonsdale for many years supporting member business development and promoting Lower Lonsdale in general with minimal resources. The Lower Lonsdale Business Association worked tirelessly over a number of years to promote the creation of a BIA. Council agreed to launch a "Council initiative - subject to petition against" process in September 2016. Notices regarding the proposed "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494" were sent to all registered property owners of Class 6 (business and other) properties in the proposed LLBIA (323 at that time); 103 petitions against were received by the City comprising 31.89% of registered owners. Attachment #3 provides a draft of the petition that was sent out for establishing the LLBIA in 2016.

As Council is aware, the LLBIA has been actively promoting businesses in Lower Lonsdale and works closely with the City on a number of initiatives. Since inception, support for the LLBIA has grown with a steadily increasing membership base.

Next Steps

If Council approves the recommendation in this report, there are a number of follow-up steps to be taken:

· A list of Class 6 property owners in the BIA will be compiled;

- Finance staff will calculate 2022 levy value estimates for each property based on the proposed first year budget (this information to be included in the petition);
- The City Clerk's Department will send out the covering letter and petition to each property owner;
- The Clerk's Department will place two notices in the North Shore News notices must be placed in the newspaper one each week for two consecutive weeks;
- The background information web page will be launched on the City web page;
- At the end of the 30 day response period (to begin after the second notice), the City Clerk's Department will tabulate the results and report to Council.

FINANCIAL IMPLICATIONS

The financial implications to the City resulting from this initiative are the administrative costs of implementing the petition process, the cost of postage and the cost for the newspaper notices, as well as the ongoing administration costs associated with the calculation, collection and disbursement of the BIA levy.

INTER-DEPARTMENTAL IMPLICATIONS

This report has been prepared with input from the Finance Department and the City Clerk's Department.

STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

The continuation of a Business Improvement Area in Lower Lonsdale contributes to Goals A-3, A-4 and B-5 of the City's Economic Development Strategy, which encourages collaboration with other groups on issues of common interest, to pursue business retention and expansion programs and to support enhancement of diverse and unique shopping, dining and entertainment opportunities. This initiative is also consistent with the Economic Development section of the Official Community Plan and the Vibrant City and Prosperous City Priorities of Council's Strategic Plan by supporting local business initiative and creating unique commercial areas.

CONCLUSION

The LLBIA has had a successful four years in bringing Lower Lonsdale businesses together to promote the business area. In cooperation with the City, these efforts have shown significant results in providing an identity for the area and attracting visitors from the City and throughout the Lower Mainland. This has created a positive vibe in the neighbourhood that has also attracted new businesses to the area. Along with The Shipyards initiative by the City, Lower Lonsdale has become a recognised destination in the Lower Mainland.

RESPECTFULLY SUBMITTED:

z. K. O()

Deputy Director, Community and Partner Engagement



November 16, 2020

Mayor and Council City of North Vancouver 141 West 14th Street North Vancouver, B.C. V7M 1H9

Re: Renewal request for the Lower Lonsdale Business Improvement Area (LLBIA)

Dear Mayor and Council:

On behalf of the Board of Directors of the Lower Lonsdale Business Improvement Area (LLBIA), I am pleased to present our official request of Council to approve our renewal for a new 8-year term effective January 1, 2022. No expansion or change in area borders and no increase in current level of funding.

Our outreach renewal process to our membership has begun; we are in the process of preparing and deploying a membership survey to measure awareness and satisfaction, and solicit feedback on programs and services. This will be followed by a mail out to all property owners and business operators with our intentions, accomplishment and plans for second term clearly defined. Lastly we are scheduling several drop in open house information sessions.

Since setting up business in our inaugural first year of operation in 2017 we have worked diligently to engage the more than 800 commercial property owners and business operators who call The Shipyards District home. During this time we have grown quickly into an established, professionally run organization with a proud list of accomplishments. This includes street enhancement like colourful street banners, community garden boxes, and support the City of North Vancouver's Public Realm enhancement projects.

We have launched a visitor servicing ambassador program with the assistance of Quay Property Management and City of North Vancouver, complete with customized Guide & Map. We have activated a Ferris Wheel attraction, created a new signature event, Shipyards Festival, welcomed more then 2500 tourism professionals as part of Tourism Passport Challenge and created over 8 million media impressions with potential visitors. These reflect just a few of our accomplishments and we've only just begun.

The outreach and consultation process specific to this request is ongoing and we will have further findings to share in early 2021.

Questions about the LLBIA or the work we have achieved to date can be directing to me.

Great Holmes

Executive Director

cc Larry Orr, Deputy Director, Community and Partner Engagement, City of North Vancouver



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

"Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494"

CONSOLIDATED FOR CONVENIENCE – SEPTEMBER 24, 2018

Amendment Bylaw, 2018, No. 8655	September 24, 2018
7 tilloriamont Bylaw, 2010, 140: 0000	Coptollibol 2-1, 2010

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8494

A Bylaw to establish the Lower Lonsdale Business Improvement Area Service

WHEREAS Section 215 of the *Community Charter* authorizes Council to establish, by bylaw, a local service area to provide funding to a Business Improvement Area (BIA);

WHEREAS the Council of the Corporation of the City of North Vancouver has received a request to establish a BIA by way of the Council initiative (subject to petition against) approval process as outlined in Section 213 of the *Community Charter*;

AND WHEREAS the owners of certain properties in the City of North Vancouver will form the Lower Lonsdale Business Improvement Area Society, a registered non-profit society in the Province of British Columbia, to market and promote businesses within the designated BIA;

NOW THEREFORE the Council of The Corporation of the City of North Vancouver enacts as follows:

1. This Bylaw shall be known and cited for all purposes as "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494".

2. Severability

If a portion of this bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

3. Definitions

- A. "City" means The Corporation of the City of North Vancouver;
- B. "Council" means Council of The Corporation of the City of North Vancouver;
- C. "Hotel" means any building, or portion thereof, that is used for the purpose of gain or profit through the provision of living accommodation of the transient public in individual sleeping units, and which may provide ancillary services such as restaurants, banquet rooms and other facilities including entertainment facilities;
- D. "Lower Lonsdale Business Promotion Scheme" means the development and undertaking of projects and initiatives to encourage business in the Lower Lonsdale commercial district, including:
 - (1) creating a strong 'Lower Lonsdale' brand and distinct identity for Lower Lonsdale businesses;
 - (2) developing and implementing a marketing strategy to promote Lower Lonsdale goods and services to local, regional and tourist markets;
 - (3) enhancing the existing business mix and actively recruiting new commercial tenants that can capitalize on the market opportunities afforded by a Lower Lonsdale location and improve the quality of local offerings;

- (4) promoting new investment in commercial, residential and mixed-use developments that support the viability of local businesses;
- (5) representing business community interests in local government processes;
- (6) participating in established major events in the community, planning and implementing other special events and promotions; and
- (7) promoting and implementing streetscape improvements and public amenities to enhance the visitor experience in Lower Lonsdale;
- E. "Market Commercial" means a retail complex with 10 or more retail stores or service establishments that provides public pedestrian access, public plazas or other public gathering places on the property as an integral part of the complex and that is built in conjunction with a Hotel on the same site;
- F. "Society" means Lower Lonsdale Business Improvement Area Society.

4. Business Improvement Area Service

- A. Those lands shown in heavy black outline on the map in Schedule A, attached hereto and forming part of this bylaw, are collectively designated as the Lower Lonsdale Business Improvement Area.
- B. The service established by this bylaw is the provision of grants to the Society for the planning and implementation of a business promotion scheme, as defined in Section 215(1) of the *Community Charter*, and in particular, the Lower Lonsdale Business Promotion Scheme as defined in this bylaw.

5. Grants

- A. Pursuant to Section 215(2) of the *Community Charter* and for the purposes of planning and implementation of the Lower Lonsdale Business Promotion Scheme:
 - (1) Council may grant to the Society an amount not to exceed \$500,000 in 2017;
 - (2) For each subsequent year, the Society shall submit to Council for information on or before September 1st, a budget, reviewed by the Director of Finance of the City for accounting accuracy, that contains information in sufficient detail to describe all anticipated expenses and revenues, and which has been approved by a majority of the members present at an annual general meeting of the Society; [Bylaw 8655, September 24, 2018]
 - (3) All annual grants to the Society will be provided in two instalments; one-half at the start of the calendar year and one-half following collection of municipal taxes in mid-year.
- B. The term of the service established by this bylaw is five years, commencing January 1, 2017.
- C. The aggregate amount of annual grants to the Society shall not exceed \$2,630,000 over the term of the service.

6. General Conditions and Limitations

- A. Monies granted to the Society pursuant to this bylaw must only be expended by the Society in accordance with Schedule B, attached to and forming part of this bylaw, in the case of monies granted in 2017, and in accordance with the budget submitted to Council in the case of monies granted in 2018 and subsequent years. [Bylaw 8655, September 24, 2018]
- B. The Society must not incur any indebtedness or other obligations in respect of the Lower Lonsdale Business Promotion Scheme beyond the sum granted by Council for each calendar year.
- C. Unspent annual funding may be set aside in a reserve. All reserve spending is to be approved by a majority of the members present at a general meeting of the Society. [Bylaw 8655, September 24, 2018]
- D. It is a condition on the receipt and expenditure of monies granted under this bylaw that the Society is in compliance with Parts 8 through 10 of the bylaw.

7. Recovery and Tax Levy

- A. All of the monies granted to the Society shall be recovered in the form of a property value tax as provided for under Section 216 of the *Community Charter*.
- B. For the purpose of recovering the monies granted to the Society, in any year, the City will impose a property value tax on land or improvements, or both, that fall within the Class 6 (Business and Other) property classification under the *Assessment Act*, sufficient to yield the full amount of the grant.
- C. The property value tax imposed on Hotel and Market Commercial uses will be 50% of the tax charged other parcels in the BIA.

8. Financial Statements

- A. Notwithstanding any provisions of the Society's bylaws concerning its fiscal year, the Society must submit to the City, on or before April 1st each year, an audited annual financial statement for the previous calendar year, prepared in accordance with generally accepted accounting principles and including a balance sheet and a statement of revenue and expenditures in respect of the Lower Lonsdale Business Promotion Scheme.
- B. The financial statements submitted by the Society must also be prepared in accordance with the requirements of the *Society Act*.
- C. The Society must permit the Director of Finance for the City, or his or her nominee, to inspect during normal business hours on reasonable notice, all books of account, receipts, invoices and other financial position records that the Director of Finance of the City deems advisable for the purposes of verifying and obtaining further particulars of the budget and any financial statements of the Society as they relate to monies granted to the Society by Council pursuant to this bylaw.

9. Insurance

- A. The Society must carry at all times a policy of comprehensive general liability insurance in the amount of \$5,000,000:
 - (1) with the City added as an additional named insured;
 - (2) containing a cross coverage provision; and
 - (3) containing an endorsement to provide the City Clerk with 30 days' notice of change or cancellation.
- B. The Society must deliver a copy of each insurance policy or a certificate of insurance to the City Clerk within 60 days of payment of the premiums for the insurance policy.

10. Alterations to the Society's Constitution and Bylaws

The City may withhold any payments of the grant referred to in Part 5 if the Society alters its constitution or bylaws in such a manner as to, in the opinion of Council, impair its ability to plan and implement the Lower Lonsdale Business Promotion Scheme. The Society must provide written notice of every meeting of the Society's members, annual or general, at least 14 days prior to the meeting, to the City Clerk.

11. No Joint Venture

Nothing in this bylaw makes the City a joint venturer with the Society in the planning or implementation of the Lower Lonsdale Business Promotion Scheme or for any other purpose.

12. Schedules

- A. Schedule A Lower Lonsdale Business Improvement Area Boundaries
- B. Schedule B Proposed Year One (2017) Budget

READ a first time on the 18th day of July, 2016.

READ a second time on the 18th day of July, 2016.

READ a third time on the 18th day of July, 2016.

SECOND AND THIRD READINGS RESCINDED on the 14th day of November 14, 2016.

READ a second time, as amended, on the 14th day of November, 2016.

READ a third time, as amended, on the 14th day of November, 2016.

FINALLY PASSED AND ADOPTED on the 21st day of November, 2016.

"Darrell R. Mussatto"

MAYOR

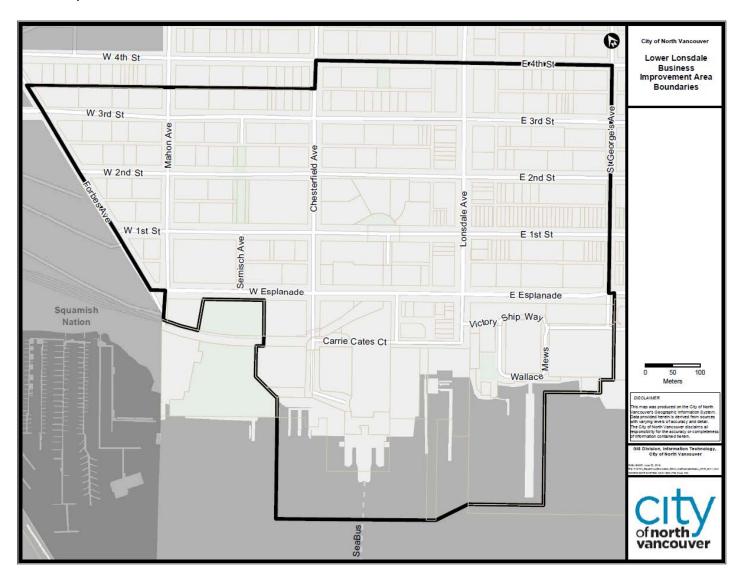
"Karla D. Graham"

CITY CLERK

Schedule A

Lower Lonsdale Business Improvement Area Boundaries

Those lands shown in heavy outline below are designated as the Lower Lonsdale Business Improvement Area.



Schedule B

Proposed Year One (2017) Budget

CATEGORY	KEY STRATEGIES / FUNCTIONS	AMOUNT
Marketing and Promotions	keting and • Strategic planning, including building a brand for the Lower	
Community and Street Enhancements	Signage (way-finding, Esplanade pedestrian overpass, business), lighting and street banners, unique Lower Lonsdale place-making features and public art pieces	\$75,000
Festivals and Special Events	 Build on existing popular events like Slide the City / Car-Free Day, Friday Night Market, Christmas Festival and prior events like Party at The Pier and Fall Festival Expand these events throughout the business district in addition to the Shipyards Special promotional events Event insurance 	\$100,000
Liaising with Commercial Properties	 Developing with building owners leasing strategies and promotion to bring a more diverse mix of businesses to the area Business recruitment activities 	\$20,000
Member Services	 BIA Association and other membership dues Professional consulting and promotion Economic development 	\$35,000
Administration	Directors' and Officers' insurance Accounting and audit, Board meetings and governance, office costs, internet, website (Staff costs directly incurred on other budget category work is allocated to those budget categories)	\$45,000
Start-up		\$5,000
Total		\$500,000

CITY OF NORTH VANCOUVER

CORPORATE OFFICER'S CERTIFICATE AS TO SUFFICIENCY OF PETITION LOWER LONSDALE BUSINESS IMPROVEMENT AREA

WHEREAS Council of the City of North Vancouver authorized a Council Initiative opportunity with respect to a bylaw to establish a specified area of the City of North Vancouver for the purpose of funding the Lower Lonsdale Business Improvement Association to conduct certain works and services and to market and promote business within the Lower Lonsdale Business Improvement Area:

WHEREAS "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494", received introduction and three readings on July 18, 2016;

WHEREAS the deadline for the submission of petitions against the creation of the "Lower Lonsdale Business Improvement Area", was September 14, 2016 at 4:00 pm;

WHEREAS the requirements of Section 213 of the Community Charter for a Council Initiative have been met with respect to advertising and mailing notices to the affected property owners;

WHEREAS the petitions against the proposed establishment of the Lower Lonsdale Business Improvement Area have been properly signed by the owners of 102 parcels, representing 31.58% of the total 323 parcels, located within the proposed Lower Lonsdale Business Improvement Area, and 32.09% of the total assessed value of all the lands and improvements;

NOW THEREFORE I, Karla D. Graham, City Clerk for the City of North Vancouver, hereby certify that the results of the opportunity to petition against the establishment of the Lower Lonsdale Business Improvement Area were not sufficient in accordance with Sections 212(3) and (4) of the *Community Charter* and "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494", may now be further considered by Council.

Signed this 5th day of October, 2016.

Karla D. Graham

City Clerk

1441447



CITY CLERK'S DEPARTMENT
CITY OF NORTH VANCOUVER
141 WEST 14TH STREET
NORTH VANCOUVER
BC / CANADA / V7M 1H9

File: 01-0230-20-0026/2016

T 604 985 7761 F 604 990 4202 INFO@CNV.ORG CNV.ORG

August ____, 2016

Name merge field Address merge field Address merge field

Dear Sir / Madam:

RE: Council Initiative to Establish a Business Improvement Area (BIA) in the Lower Lonsdale Neighbourhood

Over the past several years, the Lower Lonsdale Business Association (LLBA) has conducted meetings and been in contact with individual business and property owners to discuss the interest in and feasibility of the establishment of a Business Improvement Area in the Lower Lonsdale area. North Vancouver City Council has been formally approached by the LLBA and has directed that affected property owners in the area be contacted by way of a petition.

At the Council meeting of July 18, 2016, the proposed "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494" was given introduction and three readings. A copy of the bylaw can be viewed at www.cnv.org/LowerLonsdaleBIA.

Pursuant to Sections 210 and 215 of the *Community Charter*, it is the intention of the City of North Vancouver to establish a local area service in relation to a Business Improvement Area (BIA) in Lower Lonsdale. The BIA area is outlined by a heavy black line on the attached map (Schedule "A").

The notice regarding the creation of a "Business Improvement Area on Council Initiative" is provided under Sections 94 and 213 of the *Community Charter*.

- 1. The proposed business promotion scheme to be undertaken would consist of:
 - a) Creating a strong "Lower Lonsdale" brand and distinct identity for Lower Lonsdale businesses;
 - b) Developing and implementing a marketing strategy to promote Lower Lonsdale goods and services to local, regional and tourist markets;
 - c) Enhancing the existing business mix and actively recruiting new commercial tenants that can capitalize on the market opportunities afforded by a Lower Lonsdale location, and improve the quality of local offerings;
 - d) Promoting new investment in commercial, residential, and mixed-use developments that support the viability of local businesses;
 - e) Representing business community interests in local government processes;
 - f) Participating in established major events in the community, planning and implementing other special events and promotions; and
 - g) Promoting and implementing streetscape improvements and public amenities to enhance the visitor experience in the Lower Lonsdale area.
- 2. The business promotion scheme would be designed to benefit the area shown outlined by a heavy black line on the attached map (Schedule "A").

Document: 1397277-v2

CITY CLERK'S DEPARTMENT
CITY OF NORTH VANCOUVER
141 WEST 14TH STREET
NORTH VANCOUVER
BC / CANADA / V/M 1H9

T 604 985 7761 F 604 990 4202 INFO@CNV.ORG CNV.ORG

- 3. The maximum amount of funds to be spent on the business promotion scheme would be: \$500,000 in 2017 and, in aggregate, an amount not exceeding \$2,630,000 for the term of the proposed bylaw (5 years).
- 4. If the bylaw is adopted, each property within the BIA area, shown outlined by a heavy black line on the attached map (Schedule "A"), that falls within the Class 6 (business and other) property classification under the *BC Assessment Act*, would be subject to a tax levy based on the assessed value of the property.
- 5. 100% of the cost of the business promotion scheme will be borne by the benefiting property owners.
- 6. The BIA levy will be collected as a property value tax calculated per \$1,000 of assessed commercial property value. Your estimated 2017 local service tax, based on the assessed value to date, is noted on the petition attached to this notice.
- 7. The BIA levy would be imposed for a period of 5 years from January 1, 2017 to December 31, 2021.

The establishment of the Lower Lonsdale BIA is being proposed on Council Initiative – subject to petition against, as set out in the provisions of the *Community Charter*. You are receiving this notice to advise that Council may proceed with the local area service (i.e. adoption of the proposed BIA bylaw) unless it receives a sufficient petition against the said service within 30 days after the second publication of this notice. In order for the petition against the local area service to be certified as sufficient and valid:

- One or more petitions must be signed by the owners of at least 50% of the parcels that would be subject to the BIA levy; and
- The persons signing the petition must be the owners of the parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the BIA levy.

If you support the BIA initiative, there is no need to respond to this letter. If you are opposed to the proposal (i.e. petition against), you must provide your opposition in writing. This can be done by indicating "No" on the attached petition and returning it to the City Clerk, City of North Vancouver, 141 West 14th Street, North Vancouver, BC, V7M 1H9, **no later than 4:00 pm, September 14, 2016.** The petition against would state:

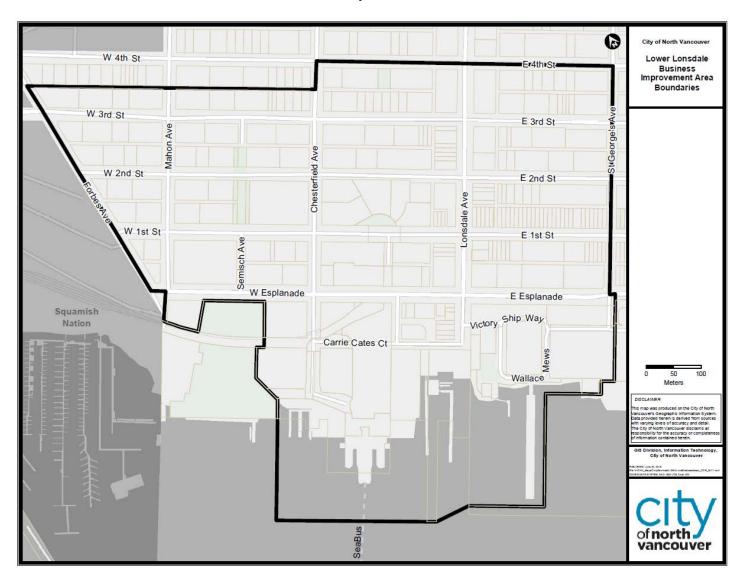
- That you oppose the adoption of the "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494";
- The property within the Lower Lonsdale BIA that you own, by including the legal description or civic address of the property;
- The name of all owners of the property;
- The signature of the majority of all owners of the property.

For more information on the Lower Lonsdale Business Improvement Area initiative, please visit: www.cnv.org/LowerLonsdaleBIA or contact Larry Orr, Manager, Business Services at lorr@cnv.org or 604-982-3913.

Yours truly,

Karla Graham, MMC City Clerk

SCHEDULE "A" Lower Lonsdale Business Improvement Area





Petition

NO -	I do not support the creation of a Lower Lonsdale Business Improvement Area
	Please note: The petition will succeed unless a majority of the property owners, representing a majority of the assessed value of land and improvements in the area, object to the initiative.
YES	- I support the creation of a Lower Lonsdale Business Improvement Area
	Please note: This is optional. You do NOT need to respond if you are in favour of the initiative.
particular pa valid. Where	ed owner(s) of the property affected or, if there is more than one property owner of a rcel, a majority of the property owners of that parcel, must sign for the objection to be the registered owner of the property is a company or business, an authorized the company or business must sign for the objection to be valid:
Name of Pro	perty Owner: mail merged info
Roll: mail	merged info Property Site Address: mail merged info
Estimated 20	017 local service tax based on assessed value to date: \$mail merged info
Signature(s)	of registered owner(s)
•	Property Owners: mail merged info ignatory(ies) of: mail merged info
Title	

Please sign and return this petition to the City Clerk, City of North Vancouver, 141 West 14th Street, North Vancouver, V7M 1H9, no later than the **petition closing date of 4:00 pm, September 14, 2016.**

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8879

A Bylaw to establish the Lower Lonsdale Business Improvement Area Service

WHEREAS Section 215 of the *Community Charter* authorizes Council to establish, by bylaw, a local service area to provide funding to a Business Improvement Area (BIA);

WHEREAS the Council of the Corporation of the City of North Vancouver has received a request to establish a BIA by way of the Council initiative (subject to petition against) approval process as outlined in Section 213 of the *Community Charter*;

AND WHEREAS the owners of certain properties in the City of North Vancouver will form the Lower Lonsdale Business Improvement Area Society, a registered non-profit society in the Province of British Columbia, to market and promote businesses within the designated BIA;

NOW THEREFORE the Council of The Corporation of the City of North Vancouver enacts as follows:

1. This Bylaw shall be known and cited for all purposes as "Lower Lonsdale Business Improvement Area Service Bylaw, 2021, No. 8879".

2. Severability

If a portion of this bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

3. Definitions

- A. "City" means The Corporation of the City of North Vancouver.
- B. "Council" means the Council of The Corporation of the City of North Vancouver.
- C. "Hotel" means any building, or portion thereof, that is used for the purpose of gain or profit through the provision of living accommodation of the transient public in individual sleeping units, and which may provide ancillary services such as restaurants, banquet rooms and other facilities including entertainment facilities.
- D. "Lower Lonsdale Business Promotion Scheme" means the development and undertaking of projects and initiatives to encourage business in the Lower Lonsdale commercial district, including:
 - (1) creating a strong 'Lower Lonsdale' brand and distinct identity for Lower Lonsdale businesses;
 - (2) developing and implementing a marketing strategy to promote Lower Lonsdale goods and services to local, regional and tourist markets;

Document: 2097723-v1

- (3) enhancing the existing business mix and actively recruiting new commercial tenants that can capitalize on the market opportunities afforded by a Lower Lonsdale location and improve the quality of local offerings;
- (4) promoting new investment in commercial, residential and mixed-use developments that support the viability of local businesses;
- (5) representing business community interests in local government processes;
- (6) participating in established major events in the community, planning and implementing other special events and promotions; and
- (7) promoting and implementing streetscape improvements and public amenities to enhance the visitor experience in Lower Lonsdale.
- E. "Market Commercial" means a retail complex with 10 or more retail stores or service establishments that provides public pedestrian access, public plazas or other public gathering places on the property as an integral part of the complex and that is built in conjunction with a Hotel on the same site.
- F. "Society" means Lower Lonsdale Business Improvement Area Society.

4. Business Improvement Area Service

- A. Those lands shown in heavy black outline on the map in Schedule A, attached hereto and forming part of this bylaw, are collectively designated as the Lower Lonsdale Business Improvement Area.
- B. The service established by this bylaw is the provision of grants to the Society for the planning and implementation of a business promotion scheme, as defined in Section 215(1) of the *Community Charter*, and in particular, the Lower Lonsdale Business Promotion Scheme as defined in this bylaw.

5. Grants

- A. Pursuant to Section 215(2) of the *Community Charter* and for the purposes of planning and implementation of the Lower Lonsdale Business Promotion Scheme:
 - (1) Council may grant to the Society an amount not to exceed \$500,000 in 2022;
 - (2) For each subsequent year, the Society shall submit to Council for information on or before September 1st, a budget, reviewed by the Chief Financial Officer of the City for accounting accuracy, that contains information in sufficient detail to describe all anticipated expenses and revenues, and which has been approved by a majority of the members present at an annual general meeting of the Society;
 - (3) All annual grants to the Society will be provided in two instalments; one-half at the start of the calendar year and one-half following collection of municipal taxes in mid-year.

- B. The term of the service established by this bylaw is eight years, commencing January 1, 2022.
- C. The aggregate amount of annual grants to the Society shall not exceed \$4,000,000 over the term of the service.

6. General Conditions and Limitations

- A. Monies granted to the Society pursuant to this bylaw must only be expended by the Society in accordance with Schedule B, attached to and forming part of this bylaw, in the case of monies granted in 2022, and in accordance with the budget submitted to Council in the case of monies granted in 2023 and subsequent years.
- B. The Society must not incur any indebtedness or other obligations in respect of the Lower Lonsdale Business Promotion Scheme beyond the sum granted by Council for each calendar year.
- C. Unspent annual funding may be set aside in a reserve. All reserve spending is to be approved by a majority of the members present at a general meeting of the Society.
- D. It is a condition on the receipt and expenditure of monies granted under this bylaw that the Society is in compliance with Parts 8 through 10 of the bylaw.

7. Recovery and Tax Levy

- A. All of the monies granted to the Society shall be recovered in the form of a property value tax as provided for under Section 216 of the *Community Charter*.
- B. For the purpose of recovering the monies granted to the Society, in any year, the City will impose a property value tax on land or improvements, or both, that fall within the Class 6 (Business and Other) property classification under the *Assessment Act*, sufficient to yield the full amount of the grant.
- C. The property value tax imposed on Hotel and Market Commercial uses will be 50% of the tax charged other parcels in the BIA.

8. Financial Statements

- A. Notwithstanding any provisions of the Society's bylaws concerning its fiscal year, the Society must submit to the City, on or before April 1st each year, an audited annual financial statement for the previous calendar year, prepared in accordance with generally accepted accounting principles and including a balance sheet and a statement of revenue and expenditures in respect of the Lower Lonsdale Business Promotion Scheme.
- B. The financial statements submitted by the Society must also be prepared in accordance with the requirements of the *Society Act*.

C. The Society must permit the Chief Financial Officer for the City, or his or her nominee, to inspect during normal business hours on reasonable notice, all books of account, receipts, invoices and other financial position records that the Chief Financial Officer of the City deems advisable for the purposes of verifying and obtaining further particulars of the budget and any financial statements of the Society as they relate to monies granted to the Society by Council pursuant to this bylaw.

9. Insurance

- A. The Society must carry at all times a policy of comprehensive general liability insurance in the amount of \$5,000,000:
 - (1) with the City added as an additional named insured;
 - (2) containing a cross coverage provision; and
 - (3) containing an endorsement to provide the Chief Corporate Officer with 30 days' notice of change or cancellation.
- B. The Society must deliver a copy of each insurance policy or a certificate of insurance to the Chief Corporate Officer within 60 days of payment of the premiums for the insurance policy.

10. Alterations to the Society's Constitution and Bylaws

The City may withhold any payments of the grant referred to in Part 5 if the Society alters its constitution or bylaws in such a manner as to, in the opinion of Council, impair its ability to plan and implement the Lower Lonsdale Business Promotion Scheme. The Society must provide written notice of every meeting of the Society's members, annual or general, at least 14 days prior to the meeting, to the Chief Corporate Officer.

11. No Joint Venture

Nothing in this bylaw makes the City a joint venturer with the Society in the planning or implementation of the Lower Lonsdale Business Promotion Scheme or for any other purpose.

12. Repeal

"Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494" and all amendments are repealed as of December 31, 2021.

13. Schedules

- A. Schedule A Lower Lonsdale Business Improvement Area Boundaries
- B. Schedule B Proposed Year One (2022) Budget

Document: 2097723-v1

14. Effective Date

This bylaw comes	into force	and effect of	n January	<i>/</i> 1.	2022.
------------------	------------	---------------	-----------	-------------	-------

READ a first time on the <> day of <>, 2021.

READ a second time on the <> day of <>, 2021.

READ a third time on the <> day of <>, 2021.

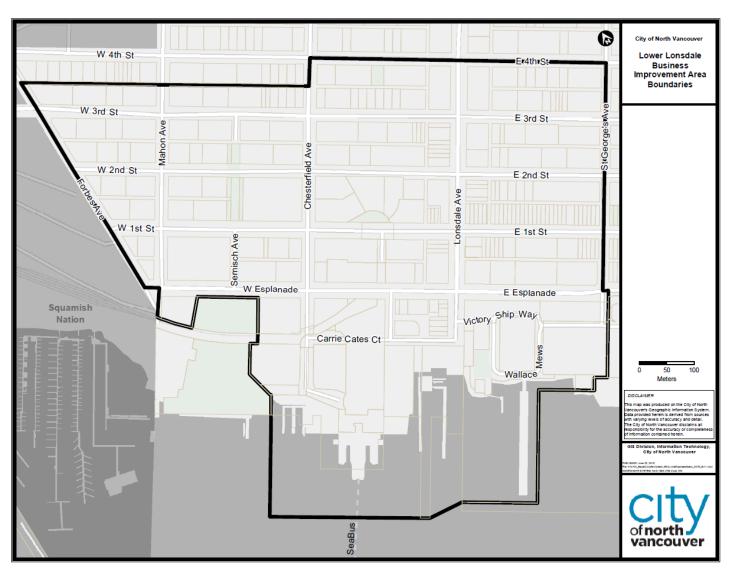
ADOPTED on the <> day of <>, 2021.

MAYOR

CORPORATE OFFICER

Schedule A Lower Lonsdale Business Improvement Area Boundaries

Those lands shown in heavy outline below are designated as the Lower Lonsdale Business Improvement Area.



Schedule B Proposed Year One (2022) Budget

ADMINISTRATION	
Audit and Bookkeeping	15,000
AGM: annual meeting, annual report, filing and distribution	6,000
Directors & Officers insurance	1,000
BIA Executive Director	40,000
BIA Assistant	10,000
Miscellaneous Office: supplies, telephone, storage	5,000
Office Rent	21,000
sub-total	98,000
MEMBER SERVICES	
BIABC Association and other membership dues	1,000
Workshops and guest speakers	6,000
Directors & Officers insurance	3,000
Story, image & video collection	10,000
sub-total	20,000
FESTIVALS AND EVENTS	·
Signature Events: Halloween, Christmas, Shipyards Fest	70,000
Liability Insurance	2,000
Event activation	16,000
Sponsorship of new or established events	21,000
sub-total	109,000
STREET ENHANCEMENTS	
Banners and Street Signs: branding and beautifying district	7,000
Street garden planters, maintenance and installation	20,000
PLAY Activation	9,000
Public Art: Murals, utility wraps, crosswalks	30,000
Contingency	20,000
sub-total	86,000
COMMERCIAL PROPERTIES	
Business Recruitment: investor info, listings, signage	5,000
Advocacy for fair commercial property tax	5,000
Education and conferences	3,000
sub-total	13,000
MARKETING - ADVERTISING / PROMOTIONS	
Website: growth, maintenance, upgrades & revisions	10,000
Digital Marketing & Social Media: posts & campaigns/ads	20,000
Branding & Promotional Products	10,000
Direct Mail Marketing: brochure/promotion to local residents	30,000
Map & Guide - Printing and distribution	14,000
General Advertising: print, radio, co-op & OOH	47,000
Street Ambassadors: hand distribution of promotional map/guide	20,000
Seasonal shopping promotion, campaigns and competition	23,000
sub-total	174,000
FUNDING	\$500,000