

# Bylaw 16219

A Bylaw to Establish the French Quarter and Area Business Revitalization Zone and Incorporate the French Quarter and Area Business Association

## Recommendation:

That Executive Committee recommend to City Council:

1. That Bylaw 16219 be given the appropriate readings.
2. That the following individuals be appointed as interim Board of Directors of the French Quarter and Area Business Association for the term ending December 31, 2012, as outlined in Attachment 2, of the October 10, 2012, Sustainable Development report 2012SHE046.
  - a) Patricia Lachance
  - b) Daniel Cournoyer
  - c) Marc Tremblay
  - d) John Burnham
  - e) Rosalie Yuen

## Purpose

To establish the French Quarter and Area Business Revitalization Zone and to incorporate the French Quarter and Area Business Association.

## Readings

Bylaw 16219 is ready for three readings.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 16219 be considered for third reading.”

## Advertising and Signing

This Bylaw is not required to be advertised.

## Position of Administration

Administration supports this Bylaw.

## Report Summary

**This report brings forward a Bylaw to establish the French Quarter and Area Business Revitalization Zone in response to a formal valid request from business owners in this area, and requests the appointment of an interim Board of Directors for this proposed Business Revitalization Zone.**

## Background

Sustainable Development report 2012SHE025, concerning the request to establish a Business Revitalization Zone for the French Quarters (Bonnie Doon Business Area), was received for information by Executive Committee on July 11, 2012.

## Report

### Establishment Process

Under the Business Revitalization Zone Regulation (AR 377/94), the process for establishing a Business Revitalization Zone begins with a request to City Council signed by persons who would be Business Revitalization Zone taxpayers under the proposed Business Revitalization Zone, and who represent at least 25 percent of the businesses that would be taxable if the Business Revitalization Zone is established. The request must describe the proposed boundaries of the zone. Notice of the request (Notice) is mailed to businesses within the proposed Business Revitalization Zone.

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Business owners who would be Business Revitalization Zone taxpayers if a proposed Business Revitalization Zone is established may petition City Council, objecting to the establishment of the Business Revitalization Zone.

If a sufficient petition is submitted within 60 days of the notice, City Council cannot pass a bylaw establishing the Business Revitalization Zone until two years have passed. In order to be sufficient, the petition must meet the formal requirements of Sections 223 and 224 of the *Municipal Government Act*, and must be signed by persons who would be taxpayers if the proposed zone was established and represent more than 50 percent of the businesses that would be taxable businesses if the proposed zone was established.

A valid request to establish the French Quarter and Area Business Revitalization Zone was received on May 25, 2012. There are 75 businesses within the proposed Business Revitalization Zone. The request had 25 valid signatures representing 33.3 percent of the businesses that would be eligible to sign the request (Attachment 3).

Notice of this request was mailed to businesses within the proposed Business Revitalization Zone area on June 14, 2012, (Attachment 4).

A petition objecting to the establishment of the proposed Business Revitalization Zone area west of the Mill Creek ravine was circulated after June 14, 2012, but had not been received by Administration at the time this report was written, at which point the 60-day petition period

had expired. As a result, City Council may pass a bylaw to establish the proposed French Quarters and Area Business Revitalization Zone.

### Business Community Consultation

In October 2011, businesses and residents of the French Quarter area (the Proponents) approached Sustainable Development about establishing a Business Revitalization Zone in their business area. From there, the following steps were taken:

- Sustainable Development held meetings in October, November and December of 2011, and early January 2012, with interested businesses and residents, to provide information on Business Revitalization Zones (how they are funded, what they can do and processes involved to form one).
- An information package was mailed out to all businesses in the proposed Business Revitalization Zone area two weeks before the first meeting, inviting businesses in these areas to two open houses to discuss the proposal to establish a Business Revitalization Zone (Attachment 5).
- Two open houses/meetings (March 27, 2012, at La Cite Francophone, and on April 10, 2012, at the Bonnie Doon Mall Food Court area), were held with the business community and other invited groups. The March 27, 2012, meeting was well attended with about 38 attendees. The April 10, 2012, meeting had about 15 attendees, primarily from the Bonnie Doon Mall, and two Ward Councillors from this area (Ward 8 and Ward 11).

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The proponents of the proposed Business Revitalization Zone continued to meet with the businesses by going door to door to promote the Association.

The Bonnie Doon Mall Business area and the business area located in the vicinity of 91 Street and 95 Avenue was part of the original Business Revitalization Zone establishment request. In early May, the proponents decided to exclude these two areas from the proposal because support for these two areas was not as strong. The proponents felt that these areas could be included at a later date when the success of this proposed Business Revitalization Zone could be demonstrated.

These decisions were made by the founding committee based on the feedback received before the signatures were gathered for the request to form a Business Revitalization Zone. A number of businesses located to the west of the Mill Creek ravine expressed opposition to this Business Revitalization Zone after the request to form this Business Revitalization Zone was submitted to the City Clerk's Office.

A meeting was held on August 16, 2012, with four business representatives from the opposition group and representatives of Sustainable Development. The businesses at this meeting indicated that a large majority of the businesses west of the ravine did not wish to be a part of the proposed French Quarter and Area Business Revitalization Zone and would like their area to be removed from the proposal. The representatives from this area

advised that a petition to exclude this area was being circulated to the businesses.

The meeting ended with agreement that a meeting should occur between the opposition group and with the founding committee before the Bylaw went forward to City Council in October 2012. At the time of the writing of this report, no meeting had been scheduled or held between the two groups. No petition against this Business Revitalization Zone or to amend the boundaries had been received by the City.

The application is being processed pursuant to the Business Revitalization Zone Regulation (377/94) and City Policy C462B.

### **Policy**

City Policy C462B, Business Revitalization Zone Establishment and Operation, establishes that the City will encourage and will facilitate the efforts of a business community to improve and promote its economic and physical well-being through the creation of the Business Revitalization Zone Association.

### **Budget/Financial Implications**

A 2013 budget for this Business Association will be submitted for City Council's consideration and approval in accordance with appropriate municipal and provincial processes and regulations, along with the other 12 Edmonton Business Revitalization Zones, in December 2012.

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### Legal Implications

The Business Revitalization Zone Regulation (AR 377/94) provides that a business revitalization zone may only be established in accordance with that Regulation. City Council may pass a business revitalization zone bylaw that is based on a request that meets the requirements set out in the Regulation.

There is no authority under the Regulation for the zone to be established with boundaries different from those described in the request.

the proposed Business Revitalization Zone

5. Letter and information from Proponents of the Business Revitalization Zone
6. Letters of support for the Business Revitalization Zone as of September 6, 2012

### Others Reviewing this Report

- D. H. Edey, General Manager, Corporate Services

### Justification of Recommendation

1. A valid request to establish a Business Revitalization Zone for the French Quarter and Area was received by the City on May 25, 2012.
2. The French Quarter and Area Organizing Committee has sent in a letter to City Council suggesting names to be appointed to the founding board, effective until the end of 2012. There will be an Annual General Meeting held in 2012 where a new board of directors will be nominated and a budget for 2013 will be put forward.

### Attachments

1. Bylaw 16219
2. Letter from the French Quarter and Area Organizing Committee suggesting names to be appointed to the founding board
3. Request to form a Business Revitalization Zone, Map, Purposes and Objectives of the Proposed French Quarter and Area Business Revitalization Zone
4. Notification letter from Sustainable Development to business owners in