

CITY OF HAMILTON MOTION

Council: November 22, 2023

MOVED BY COUNCILLOR J. BEATTIE.....

SECONDED BY COUNCILLOR C. KROETSCH.....

Amendment to Items 6 and 7 of General Issues Committee Report 23-027 respecting the King West Business Improvement Area Dormancy (PED23198) (Ward 2) and Main West Esplanade Business Improvement Area Dormancy (PED23199) (Ward 2)

WHEREAS, Report PED23198, King West Business Improvement Area Dormancy, and Report PED23199, Main West Esplanade Business Improvement Area Dormancy, were considered at the October 18, 2023 General Issues Committee meeting;

WHEREAS, sub-section (f) in both reports (Items 6 and 7 of General Issues Committee Report 23-027) was included in error, as the applicability of commercial district incentive programs in circumstances involving Business Improvement Area dormancy has previously been addressed in the applicable financial incentive program terms updated through the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comprehensive review approved by City Council via Report PED21035(a) on September 29, 2021; and

WHEREAS, the current in effect incentive program terms permit the continued availability of incentive programs to properties located in a dormant Business Improvement Area provided the site is located within an applicable Community Improvement Project Area with the exception of any increased incentive maximums afforded properties located in an active Business Improvement Areas.

THEREFORE, BE IT RESOLVED:

(a) That Item 6 of General Issues Committee Report 23-027 respecting the King West Business Improvement Area Dormancy (PED23198) (Ward 2), be **amended** by deleting sub-section (f), as follows:

6. King West Business Improvement Area Dormancy (PED23198) (Ward 2) (Item 10.1)

(a) That the Dormant Business Improvement Area Status Procedure, as attached as Appendix “A” to Report PED23198, be adopted;

- (b) That the King West Business Improvement Area become dormant (a non-active Business Improvement Area) for a three-year term and that the King West Business Improvement Area issue a cheque to the City of Hamilton for all monies that are currently in the King West Business Improvement Area bank account(s);
- (c) That Finance staff be directed to create an account to hold the funds of the King West Business Improvement Area;
- (d) That Finance staff be directed to oversee the account and fulfil any financial obligations of the dormant King West Business Improvement Area throughout the term;
- (e) That Public Works staff be directed to store any material assets of the Business Improvement Area and the cost for storage be invoiced to Finance for payment from the Business Improvement Area account; and,
- ~~(f) ***That Commercial Districts and Small Business Section staff be directed to undertake the appropriate program modifications to identify that Financial Incentive Programs are available only to property owners/authorized tenants within the existing active city-wide Business Improvement Areas.***~~

- (a) That Item 7 of General Issues Committee Report 23-027 respecting the Main West Esplanade Business Improvement Area Dormancy (PED23199) (Ward 2), be **amended** by deleting sub-section (f), as follows:

7. Main West Esplanade Business Improvement Area Dormancy (PED23199) (Ward 2) (Item 10.2)

- (a) That the Dormant Business Improvement Area Status Procedure, attached as Appendix "A" to Report PED23199, be adopted;
- (b) That the Main West Esplanade Business Improvement Area become dormant (a non-active Business Improvement Area) for a three-year term and that the Main West Esplanade Business Improvement Area issue a cheque to the City of Hamilton for all monies that are currently in the Main West Esplanade Business Improvement Area bank account(s);
- (c) That Finance staff be directed to create an account to hold the funds of the Main West Esplanade Business Improvement Area;

- (d) That Finance staff be directed to oversee the account and fulfil any financial obligations of the dormant Main West Esplanade Business Improvement Area throughout the term;
- (e) That Public Works staff be directed to store any material assets of the Business Improvement Area and the cost for storage be invoiced to Finance for payment from the Business Improvement Area account; and,
- ~~(f) ***That Commercial Districts and Small Business Section staff be directed to undertake the appropriate program modifications to identify that Financial Incentive Programs are available only to property owners/authorized tenants within the existing active city-wide Business Improvement Areas.***~~