



INFORMATION REPORT

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: Ward 2
COMMITTEE DATE: April 4, 2012	
SUBJECT/REPORT NO: James Street North Merchants and Business Association Correspondence (PED12051) (Ward 2) (Outstanding Business List Item)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Eileen Maloney (905) 546-2632
SIGNATURE:	

Council Direction:

City Council, at its meeting of January 25, 2012 directed that:

“The correspondence from Cynthia Hill, President of the James Street North Merchant and Business Association, expressing opposition to joining the Downtown B.I.A. be referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee.”

This referenced communication is attached as Appendix ‘A’ to Report PED12051

Information:

Procedural Background

When a Business Improvement Area (B.I.A). receives interest from property/business owners that are located within close proximity to the B.I.A.’s existing boundary, the Board of Management for the respective B.I.A. would determine if they have an interest to expand their boundary. If the B.I.A. is receptive to a possible expansion, meeting(s) are held with the property/business owners within the geographical area that is being identified for the proposed expansion. The purpose of the meeting(s) is to share information and to gauge the interest of those who are within the proposed expanded area. The B.I.A. Coordinator would assist the B.I.A., sending notice to the property owners within the proposed expanded area and attend the meetings to providing information respecting the legislation that governs the B.I.A.s, specifically outlining the

**SUBJECT: James Street North Merchants and Business Association
Correspondence (PED12051) (Ward 2) (Outstanding Business List
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process for an expansion of a B.I.A. boundary. The B.I.A. would deliver notice of the meeting to the business owners as the business owners may not be the property owner. Members of a B.I.A. are the owners of properties that are assessed a commercial or industrial rate and tenants of such properties that are within the geographical boundary of a B.I.A. Once determined that there is support to move forward with a proposed expansion, a letter from the B.I.A. Board of Management would be sent to the B.I.A. Coordinator, Urban Renewal requesting that the necessary action be taken to move forward with the expansion. An expansion to an existing B.I.A. would require an amendment to their designating By-law. Council approval would be required to direct the City Clerk to send the required notice of the proposed by-law as legislated in the Municipal Act, 2001, Section 210. The notice would outline the process for objection and a by-law could not be passed if sufficient objection was received.

Chronology of Events

In the early part of 2011, the Downtown Hamilton B.I.A. advised the B.I.A. Coordinator that they had received interest from property/business owners on James St. N. to possibly become part of the Downtown Hamilton B.I.A. In September 2011, the B.I.A. advised that they planned to have a meeting with the property and business owners within the proposed expanded area (James St. N. from Rebecca – Mulberry), on October 26, 2011. The purpose of the meeting was to provide information about the Downtown Hamilton B.I.A. and information about the legislation that governs B.I.A.s, outlining the process for an expansion to a B.I.A. The B.I.A. Coordinator was not available to attend the October meeting but staff from Urban Renewal was in attendance. A second meeting was held to further reach out to the property and business owners within the proposed expanded area on January 10, 2012. The B.I.A. Coordinator was in attendance at the meeting and observed that the majority of those who attended the meeting did not support the proposal of an expansion to the Downtown Hamilton B.I.A. boundary to include James St. N., Rebecca to Mulberry. Toward the latter part of the meeting a petition was presented to Kathy Drewitt, Executive Director of the Downtown Hamilton B.I.A. and Eileen Maloney, B.I.A. Coordinator, Urban Renewal. The petition presented 15 signatures of property and business owners from James St. N. outlining their opposition to being included in the B.I.A. The meeting concluded with the Downtown Hamilton B.I.A. and the James Street North Merchants and Business Association identifying the need for both parties to meet in the future to determine how they may be able to development a partnership.

Conclusion

At this time, the Downtown Hamilton B.I.A. has advised that there has been no further action respecting the proposed boundary expansion to include James St. N., Rebecca to Mulberry.

Accordingly, this item can be removed from the General Issues Committee Outstanding Business List.



City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca

City Clerk's Office, Corporate Services
Physical Address: 71 Main Street West, 1st floor
Phone: 905.546-4408 Fax: 905.546-2096
Email: clerk@hamilton.ca

Hamilton

January 27, 2012

James St. N. Merchants and Business Association
243 James Street North
Hamilton, ON L8K 2L2

Dear Sir/Madame:

Re: Joining the Downtown BIA

At its meeting of January 25, 2012, City Council considered your letters dated January 10, 2012, with petition, and January 15, 2012 respecting the above matter.

Please be advised that Council has received this correspondence and referred it to the General Manager of Planning and Economic Development for a report to the General Issues Committee.

Yours truly,

A handwritten signature in cursive script that reads "Mary Gallagher".

Mary Gallagher,
Manager of Legislative Services/Deputy Clerk

MG:sr

File C12-002

c.c. Tim McCabe, General Manager, Planning and Economic Development

Kathy Drewitt, Downtown Hamilton B.I.A.
Eileen Maloney, Urban Renewal Div. City of Hamilton

January 10, 2012

We are in receipt of your invitation to talk about the inclusion of James Street North into the BIA community.

The Jamesville BIA came into existence in 1985. It created a conflict among the members from its inception. The members of City council later organized a vote that resulted in the BIA designation being rescinded.

Those opposed have stated their objections to the inclusion of James Street North into the BIA community every time the issue has been reintroduced.

We respect the work and dedication of those committed to BIA. We would also expect the BIA to respect the views of those of us opposed to BIA.

The process has been explained to us. We are prepared to organize a majority of eligible voters in a campaign to oppose and defeat the inclusion of the BIA on James Street North in the proposed boundary.

It has taken many years for the old wounds of the previous BIA to heal. It turned neighbor against neighbor.

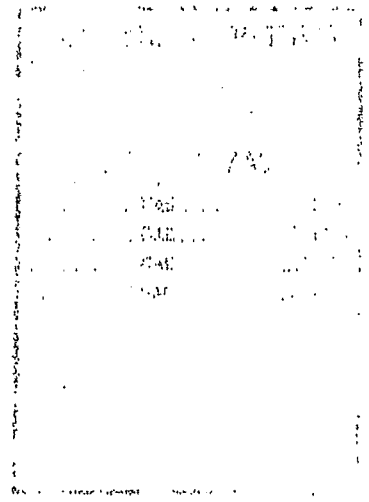
We do not want to recreate this atmosphere again. We urge you to listen to the voices and opinions of all of us, and NOT just to the voices and opinions of what we believe is a vocal minority.

We have signed our names and addresses to of this letter for you to identify us and our opposition to your inclusion proposal of James Street North into the BIA community.

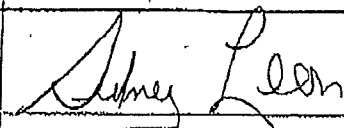
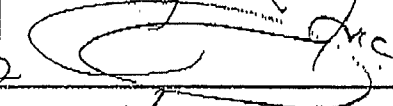
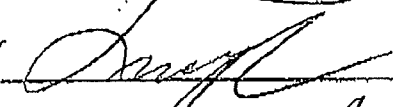

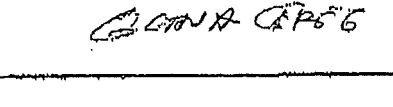
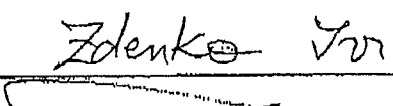

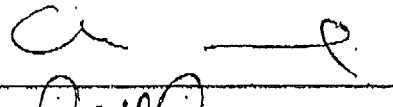
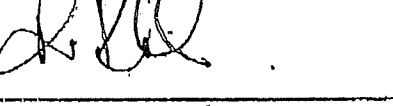

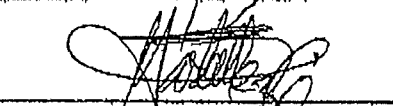
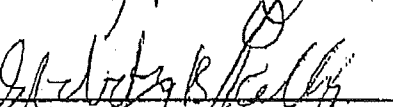
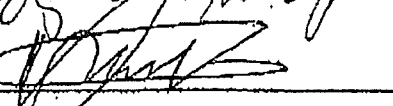
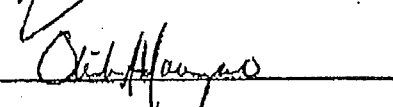
Respectfully
Business & Property Owners of effected addresses on James Street North

* NOTE:
③ COPY TO :

C.C. The Mayor and Members of City Council, the City of Hamilton



Letter January 10, 2012, Kathy Drewitt, Downtown Hamilton BIA, Eileen Maloney, Urban Renewal Div. City Of Hamilton, The Mayor and Members of City Council, the City of Hamilton. We the undersigned are vehemently opposed to the inclusion of James Street North into the BIA community.

NAME	ADDRESS	PHONE #	SIGNATURE
Adrienne Leon	62 JAMES ST N		
A. Tony Ivic	72-76 JAMES ST N		
Timmy Linn	68-70 JAMES ST N		
Zdenko Ivic	86- JAMES ST N		
BETTY ABBEN HAN SAVO	72-A James St. N		
ance E Sport BTQ Zdenka Ivic	72-B James St. N.		
ATTO	70 JAMES ST N		
Sarah Moyal	126 James St. W		
ROBERT KELETI	148 JAMES ST. N		
Kuruc	154 James St N		
Harbell Harris	153 James St N		
Elizabeth Kelly	167 James St N		
Annmas signet	178 James ST		
Mans	172 James St.		

JAMES ST. N. MERCHANTS AND BUSINESS
ASSOCIATION

JAN. 15, 2012

243 JAMES ST. N. HAMILTON ON. L8K 2L2
905-522-8735

HAMILTON CITY COUNCIL,
PLEASE BE INFORMED THAT JAMES ST. N. MERCHANTS AND BUSINESS ASSOCIATION WISHES
TO ASK THE HAMILTON CITY COUNCIL TO STOP THE DOWNTOWN B.I.A FROM

HARASSING AND PRESSURING OUR MERCHANTS AND BUSINESS PEOPLE ON JAMES ST. N.
WE HAVE RECEIVED COMPLAINTS THAT THE MEMBERS OF THE DOWNTOWN B.I.A. ARE

PRESSURING OUR BUSINESS PEOPLE IN THEIR STORES AT A TIME OF CONDUCTING
BUSINESS. WE HAVE UNANIMOUSLY INFORMED THE B.I.A. THAT THEY ARE NOT WANTED ON
JAMES.

THE B.I.A. MOST RECENTLY CALLED A INFORMATION OPEN HOUSE ON JAN. 10 2012, THE
COMMITTEE FROM THE B.I.A. INCLUDED EILEEN MALONEY CO-ORDINATOR OF BUSINESS

IMPROVEMENT AREAS FOR HAMILTON CITY HALL. WE WERE VERY OFFENDED THAT A CITY
OFFICIAL WAS WORKING AS A ADVOCATE FOR THE DOWNTOWN B.I.A.

MAY I ALSO ADD THAT THE MAJORITY OF CONVERSATION DURING THIS EVENT CENTERED
AROUND THE FACT THAT THEY ARE NOT WELCOME ON JAMES ST. N. AND NOT WANTED

THE JAMES ST. N. M.B.A. HAVE FUNCTIONED FOR OVER 15 YEARS, WE HAVE MANAGED TO DO
EVERYTHING NECESSARY FOR OUR BUSINESS COMMUNITY. AND WE DO IT WITH

VOLUNTEERS. WE UNDERSTAND THAT THE MONEYS ALLOCATED FOR SALARIES FOR THE
B.I.A. IS \$90,000 A YEAR WE PROVIDE THE SAME SERVICE AS VOLUNTEERS

. WHEN WE HAVE PROJECTS WE ALL PITCH IN AND ACCOMPLISH THE SAME TASKS. WE ALSO
WONDER WHY THE CITY

WOULD SUPPORT THIS FORM OF HARASSMENT BY HAVING A REPRESENTATIVE ADVOCATING
THIS TAKE OVER, AND AT WHAT POINT DO WE THE M.B.A. RECEIVE THE SAME SUPPORT IN

OUR CITY AS THE B.I.A. RECEIVES. DURING THE MEETING ON JAN. 10 2012 A BUSINESS MAN
AND OWNER OF THE FEDERAL BUILDING , TONY IVIC, DID A QUICK PETITION AND

HANDED IT TO CATHY DREWITT. THIS PETITION STATED THAT THE PEOPLE ARE VEHEMENTLY
APOPOSED TO THE B.I.A. INCLUSION ON JAMES ST. N.

THE ONLY PEOPLE AT THIS MEETING THAT WERE PRO BIA WERE THE MEMBERS OF THE
DOWNTOWN BIA ADVOCATING THIS ACTION. WHEN ASKED WHY THE BIA WAS ATTEMPTING
THIS

TAKE OVER THEY CLAIMED TO HAVE SEVERAL REQUESTS BUT COULD NOT SUPPORT THIS
CLAIM.

WE OUR COMMUNITY HAVE NURTURED AND WORKED HARD TO BRING JAMES ST. TO THE
BEAUTIFUL STREET THAT IT IS TODAY. WE ARE THE AREA OF INTEREST IN HAMILTON.

OUR OUT DOOR FRUIT AND VEGETABLE STANDS KEEP OUR STREETS FULL OF ACTIVITY
THROUGHOUT THE YEAR, OUR COFFEEHOUSES AND ENTERTAINMENT BUSINESSES ALSO

CONTRIBUTE TO A GREAT NIGHT LIFE, AND THE ART DISTRICT HAS THE ATTENTION OF THE ART COMMUNITY ACROSS CANADA. WE HAVE ARTISTS MOVING FROM ACROSS CANADA

TO JOIN THE COMMUNITY HERE ON JAMES ST. SO HERE WE SIT WITH ALL THE RIGHT INGREDIANCE FOR A GREAT AND SUCCESSFUL ART DISTRICT, OUR ART CRAWLS ARE

NATIONALLY KNOWN AND WE BRING THOUSANDS OF PEOPLE INTO THE CITY EACH MONTH. WE BROUGHT 50,000 PEOPLE IN AT THE SUPER CRAWL. WE THE COMMUNITY AND THE

M.B.A. MADE THIS HAPPEN. NO ONE HAS THEIR HAND OUT FOR MONEY AND WE DID THIS FROM OUR COMMUNITY SPIRIT. OUR STREETS ARE CLEAN BECAUSE OF THE COOPERATION

BETWEEN THE CITY AND OUR MERCHANTS, WE CLEAN UP GARBAGE OURSELVES, WE ASSIST ONE ANOTHER AT EVERY TURN. WE CELEBRATE OUR ACCOMPLISHMENTS.

ANDREA HORAWATH HELPED FORM THE M.B.A. 15 YEARS AGO AND SHE BELIEVES IN OUR RIGHT TO REPRESENT JAMES N. SHE ALSO ASSISTED WHEN EVER POSSIBLE TO FORM THE ART

DISTRICT. MAYOR BOB BRATINA WAS ONE OF THE MAJOR PLAYERS IN NURTURING JAMES ST. N. AND BRINGING IT TO WHERE IT IS TODAY. THE PAST PRESIDENT OF THE M.B.A. REV.

RON, HAD THE INSIGHT TO PREPARE THIS AS A ART DISTRICT AND ALONG WITH ZENA HAGARDY STARTED THE ART CRAWL.

JAMES ST. N. IS READY AND WORKING HARD TOWARDS THE FUTURE. IN THE ART DISTRICT, WE HAVE FUNDED ESTABLISHMENTS SUCH AS ARTIST INC, THE FILM FACTORY AND

THE PRINT STUDIO THESE ARE NATIONALLY KNOWN AND ESSENTIAL TO THE DISTRICT. BUT ALSO ESSENTIAL TO THE ART DISTRICT ARE THE SMALL COMMERCIAL ART GALLERIES

AND THEATRE STAGES. THERE WOULD NOT BE A ART DISTRICT WITHOUT THE SMALLER COMMERCIAL GALLERIES. THE SMALL GALLERIES DO NOT MAKE ENOUGH MONEY TO SURVIVE.

WE ALL STRUGGLE AND SUPPLEMENT OUR BUSINESSES IN MANY WAYS SUCH AS OUTSIDE EMPLOYMENT AND LIVING WHERE WE WORK, HELP FROM VOLUNTEERS WE HAVE ALREADY

LOST SEVERAL GALLERIES DUE TO A LACK OF INCOME THE SUBLIMATES GALLERY RUN BY ZENA HAGGERTY WAS INSTRUMENTAL IN FORMING THE ART CRAWL, WORTH WORK GALLERY

A GALLERY FOR DISABLED ARTISTS A ESSENTIAL NECESSITY IN THE ART COMMUNITY. BOTH OF THESE IMPORTANT GALLERIES CLOSED DUE TO LACK OF INCOME.

I OWN THE BLUEANGEL GALLERY SINCE 2000. I HAVE BEEN ON JAMES N. SINCE 2005. THE STRUGGLE IS IMMENSE. MY POINT IS THIS I WILL NOT SURVIVE ANY MORE OPERATION

EXPENSE, AND NEITHER WILL THE OTHER COMMERCIAL GALLERIES. SEVERAL BUSINESSES ON JAMES ST. N. ARE SMALL AND FAMILY RUN. THEY WILL NOT SURVIVE ANY MORE

OPERATION EXPENSES. HOW OFTEN DO WE HAVE TO FIGHT OFF THE B.I.A., WE CAN NOT AFORD THEIR BUDGET OR WAGES.

THERE CONSTANT HARASSMENT IS NOT ONLY TIME CONSUMING BUT INSULTING, IF THEY WERE HERE THEY WOULD BE CHARGING EACH BUSINESS A CONSIDERABLE AMOUNT OF

MONEY, IN THE FORM OF A DEMANDED PAYMENT NOT TO MENTION THE TIMES THEY ARE AT YOUR DOOR ASKING FOR MONEY. I LIVED ON KING STREET AND HAD THE B.I.A. AT MY

DOOR ASKING FOR ADDITIONAL MONEY AT LEAST TWICE A YEAR. THIS MONEY GRAB IS NOT ACCEPTABLE ON JAMES N. THE ART DISTRICT HAS ALL THE RIGHT INGREDIANCE EXCEPT

FOR THE MONEY CROWED AND THAT WILL FOLLOW. WE ARE AT A DELICATE STAGE AND THE STYLE OF THE B.I.A. IS NOT APPROPRIATE NOR IS ACCEPTABLE TO JAMES N.

IF WE WERE TO COMPARE JAMES N. TO THE DOWNTOWN AREA AND JUDGE THE TWO AREAS YOU CAN CLEARLY SEE THAT WE WORKING AS A COMMUNITY HAVE FAR

SURPASSED THE DOWNTOWN CORE IN MANY WAYS. AND WE HAVE DONE THIS WITH OUT PAYING A HUGE BUDGET AND HUGE SALARIÉS.

PLEASE CALL OFF THE B.I.A. GIVE US THE SAME RIGHTS THAT THE B.I.A, HAS .GIVE US THE SAME RESPECT AND STOP THEM FROM PRESSURING AND HARASSING OUR BUSINESS

PEOPLE WE ARE NOT INTERESTED IN A B.I.A. ON JAMES ST. N. AND I DOUBT THAT OUR COMMUNITY WILL EVER ACCEPT THEM.

OUR AREA HOUSES ARTISTS ,MUSICIANS, ACTORS,AS WELL AS THE MULTICULTURAL NEW COMERS AND HARD WORKING MEN AND WOMEN. IF THERE HAD NEVER BEEN A ACTUAL

PHYSICAL PLACE THAT THE BOHEMIAN SUBCULTURE COULD INHABIT, THAN WE WOULD NOT HAVE MENY OF THE GREAT WORKS OF ART THAT WE ALL ENJOY.

AS SOON AS JAMES ST. N. IS RUN STRICTLY AS A PROFIT MAKING ENTERPRISE WE WILL LOOSE THE ARTISTS AND COMMERCIAL GALLERIES.

A MEMBERS OF THE B.I.A. EXPRESSED THERE CONCERN OVER THE SALE OF FRANKS VEGETABLE AND FRUIT STAND. ON JAMES N. THEY WERE .

WORRIED AS TO WHO'S HANDS THIS BUSINESS WILL FALL INTO. AT THE SAME TIME THE BOARD MEMBER CLAIMED TO OWN SEVERAL BUILDING IN DOWNTOWN AND JAMES N.

IS IT THE JOB OF THE B.I.A. TO MANIPULATE SALES AND ALSO TRY TO CONTROL FREE ENTERPRISE. THIS IS EXACTLY THE MIND SET THAT WE DO NOT AGREE WITH. AND ALSO

THIS IS NOT THEIR DISTRICT . THE B.I.A. NEEDS TO TEND TO THE DOWNTOWN DISTRICT IT IS VERY UNFRIENDLY. THEY DO NOT HAVE THE RIGHT TO MEDAL NOR DO THEY HAVE

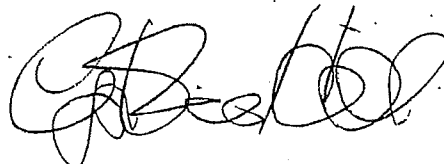
THE SENSITIVITY NOR INCITE TO HANDLE JAMES ST. N. I WONDER ABOUT YOUR VISITING REPRESENTATIVE EILEEN MALONEY'S PARTICIPATION IM THE B.I.A.'S ATTEMPT TO TAKE

OVER JAMES ST. N. WHY HAVE WE NEVER DEALT WITH HER? WE ARE PART OF THE BUSINESS DISTRICT IN HAMILTON. ITS TIME TO PLAY FAIR WITH ALL . JAMES NORTH IS UNIQUE

AND IT IS THE JEWEL OF HAMILTON. I FIND IT VERY QUESTIONABLE AS TO WHY AFTER WE HAVE DONE ALL THE WORK WHY NOW IS THE CITY IS ASSISTING IN ANY WAY

THIS ATTEMPT TO TAKE OVER OUR BUSINESS AREA.

THANK YOU CYNTHIA HILL



MERCHANT AND BUSINESS ASSOCIATION

PRESIDENT OF THE JAMES ST.

OFFICE OF THE CITY CLERK

JAN 19 2012

REC'D BY..... DATE.....
REF'D TO..... DATE.....
REF'D TO..... DATE.....
REF'D TO *Bundy* DATE *Chenail*

ACTION: