

Background

Sections 204 through 215 of the Municipal Act, 2001 outline the criteria under which a Business Improvement Area (BIA) within a city must operate.

The BIA operates to achieve two main objectives in accordance with the Municipal Act, 2001 and these are as follows:

- a) To oversee the improvement, beautification and maintenance of municipally owned land, buildings and structures in the area beyond that provided at the expense of the Municipality generally; and
- b) To promote the area as a business or shopping area.

Downtown Sudbury BIA 2018 Budget

At the BIA's Annual General Meeting of Thursday February 22, 2018, the general membership approved its budget in the amount of \$534,000 representing a 2.5% increase over the 2017 operating budget (see Minutes of the Annual General Meeting attached). Contained in its budget under the category of Economic Development/Partnerships was an allocation of \$20,000 to assist with an appeal to the Local Planning Appeal Tribunal relating to the location of the Arena/Event Centre on the Kingsway.

AGM-18-01 states:

WHEREAS City Council has made decisions contravening their Downtown Master Plan, Official Plan and economic development policies, contrary to both Staff and Consultants' recommendations;

BE IT THEREFORE RESOLVED THAT the General Membership, present at the Annual General Meeting of 'Downtown Sudbury' BIA, Thursday, February 22, 2018, supports the recommendation of the Board of Directors, that an expenditure of \$20,000 be allocated within the 2018 budget to assist with the OMB appeal relating to the aforementioned discussion and their impacts on past and present investments by existing downtown members made in good faith and the City would adhere to their written and published policies.

The resolution was carried unanimously by the membership in attendance.

Approval in Part of the 2018 BIA Budget

The Municipality has the right to approve a BIA's budget in whole or in part under subsection 205(2) of the Municipal Act, 2001. That subsection states:

"A board of management shall submit the budget to council by the date and in the form required by the municipality and the municipality may approve it in whole or in part but may not add expenditures to it."

In exercising its discretion to approve the 2018 BIA budget in whole or in part, staff would suggest whether the initiatives in the budget are consistent with the objectives of the BIA as described in section 204 of the Municipal Act, 2001. It would appear that the funding of an appeal of the Kingsway Entertainment District official plan amendment and rezonings would not be consistent with these objectives. As such, it is recommended that the City of Greater Sudbury approve the following budget amounts only:

Administration	\$245,000
Board/Member Development	\$13,000
Marketing	\$40,000
Special Events	\$80,000
Economic Development/Partnerships	\$5,000
Chargeback Reserve	\$11,000

Summary

It is recommended that the City of Greater Sudbury approve all of the proposed 2018 budget but for the part which includes the \$20,000 allocation to fund an appeal to the Local Planning Appeal Tribunal.