CITY OF KELOWNA

BYLAW NO. 11504

UPTOWN RUTLAND BUSINESS IMPROVEMENT AREA

A bylaw of the City of Kelowna to establish a local area service for the purposes of annually funding the Uptown Rutland Business Improvement Area (2018-2022).

WHEREAS section 215 of the Community Charter provides Council with the authority to establish, by bylaw, a business improvement area (a "BIA");

AND WHEREAS the Council of the City of Kelowna has been notified that the owners of certain properties in the Rutland area of the City have formed a BIA merchant association known as the Uptown Rutland Business Improvement Association (the "URBIA");

AND WHEREAS the Council of the City of Kelowna has mailed to the owners of the parcels liable to be specially charged, pursuant to section 213 of the Community Charter, notice of Council's intention to proceed with a bylaw to establish the Uptown Rutland BIA for the years 2018-2022 in order to provide certain services, through the URBIA, under a business promotion scheme;

AND WHEREAS notice of Council's intention to proceed with a bylaw to establish the Uptown Rutland BIA for the years 2018-2022 in order to enable the URBIA to provide certain services under a business promotion scheme has been published in a newspaper pursuant to section 213 of the Community Charter;

AND WHEREAS any petition received against the proposed work was not sufficient pursuant to section 212 of the Community Charter, to prevent Council from proceeding;

NOW THEREFORE, the Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. Those lands within the area shown outlined in black on the map attached hereto and forming part of this bylaw as Schedule "A" are designated as a Business Improvement Area (BIA) within the meaning of section 215 of the Community Charter and shall be known as Uptown Rutland Business Improvement Area.

2. Council is hereby empowered to grant to the URBIA, for the term of this bylaw, money in the amount of the URBIA's annual budget, as submitted to and approved by Council, but in any event not exceeding the sum of Two Hundred and Four Thousand One Hundred and Seventy-Two Dollars ($204,172.00) per annum.

3. Money granted pursuant to section 2 of this bylaw must be expended only by the URBIA.

4. Money granted pursuant to section 2 of this bylaw shall be expended only for projects provided for in the annual budget of the URBIA, as submitted to and approved by Council, and following the Business Promotion Scheme, attached to and forming part of this bylaw as Schedule "B".

5. The URBIA shall submit to the Council of the City of Kelowna, annually, on or before March 15, a budget for the calendar year, which outlines revenues and expenditures related to the carrying out of the Business Promotion Scheme outlined in Schedule "B" during that year.

6. The URBIA shall account for the money granted by Council for the previous calendar year at the same time as the annual budget is submitted pursuant to section 5 hereof.

7. The URBIA shall submit to the Council of the City of Kelowna, annually, on or before March 15, financial statements in accordance with generally accepted accounting principles (GAAP) that include a Notice to Reader.

8. The URBIA shall have a Review Engagement Audit performed in the fifth (5) year namely fiscal year ended 2022.

9. An advance payment equal to 25% of the prior year grant amount may be provided to the URBIA prior to Council approval of the annual budget for each of the years included in this agreement. Any advance payment shall then be deducted from the total grant amount to be paid to the URBIA for that year following Council's review and approval of the annual budget.

10. The URBIA shall not incur any indebtedness or other obligations beyond each budget year.

11. There shall be levied annually against all taxable land and improvements within the designated Business Improvement Area which fall within Class 5 or 6 of the Assessments - Class and Percentage Levels Regulation, B.C. Reg. 438/81 excluding Federal, Provincial and Municipal owned properties used for government purposes, and based on assessed values, rates sufficient to raise the sum in accordance with section 2 herein or such lesser amount as granted to the URBIA pursuant to the provisions of this bylaw.

12. The URBIA shall take out and maintain public liability, property damage, and other required insurance naming the City of Kelowna as Additional Insured in the amount of not less than $2,000,000.00, and shall provide upon request to the City of Kelowna proof of such insurance in the form of the City's standard Certificate of Insurance.

13. The URBIA shall procure and maintain at its own expense:

    (a) Comprehensive General Liability Insurance providing for all sums which the URBIA shall become legally obligated to pay for as a result of bodily injury, property damage or other damages, providing for an inclusive limit of not less than $2,000,000.00 for each occurrence or accident;

    (b) Automobile Liability Insurance covering all motor vehicles owned operated and used directly or indirectly in the operations of the URBIA, with a limit of liability of not less than $2,000,000.00 inclusive; and

(c) Such other insurance coverage appropriate for the operations of the URBIA as determined by the City.

14. All Insurance required to be obtained by the URBIA pursuant to this bylaw shall name the City as an Additional Insured, and shall be primary without any right of contribution from any insurance otherwise maintained by the City.

15. The URBIA shall submit Certificates of Insurance as, and in the form, required by the City, which shall provide that 30 days' written notice shall be given to the Risk Manager of the City, or designate, prior to any material changes or cancellations of any such policy or policies.

16. The Business Improvement Area created by this bylaw may be merged with another Business Improvement Area, whether contiguous or not, for the purpose of providing, consolidating or completing necessary works or services for the merged area.

17. This bylaw shall be effective from the date of adoption through December 31, 2022 inclusive.

18. This bylaw may be cited as "Uptown Rutland Business Improvement Area Bylaw No. 11504."

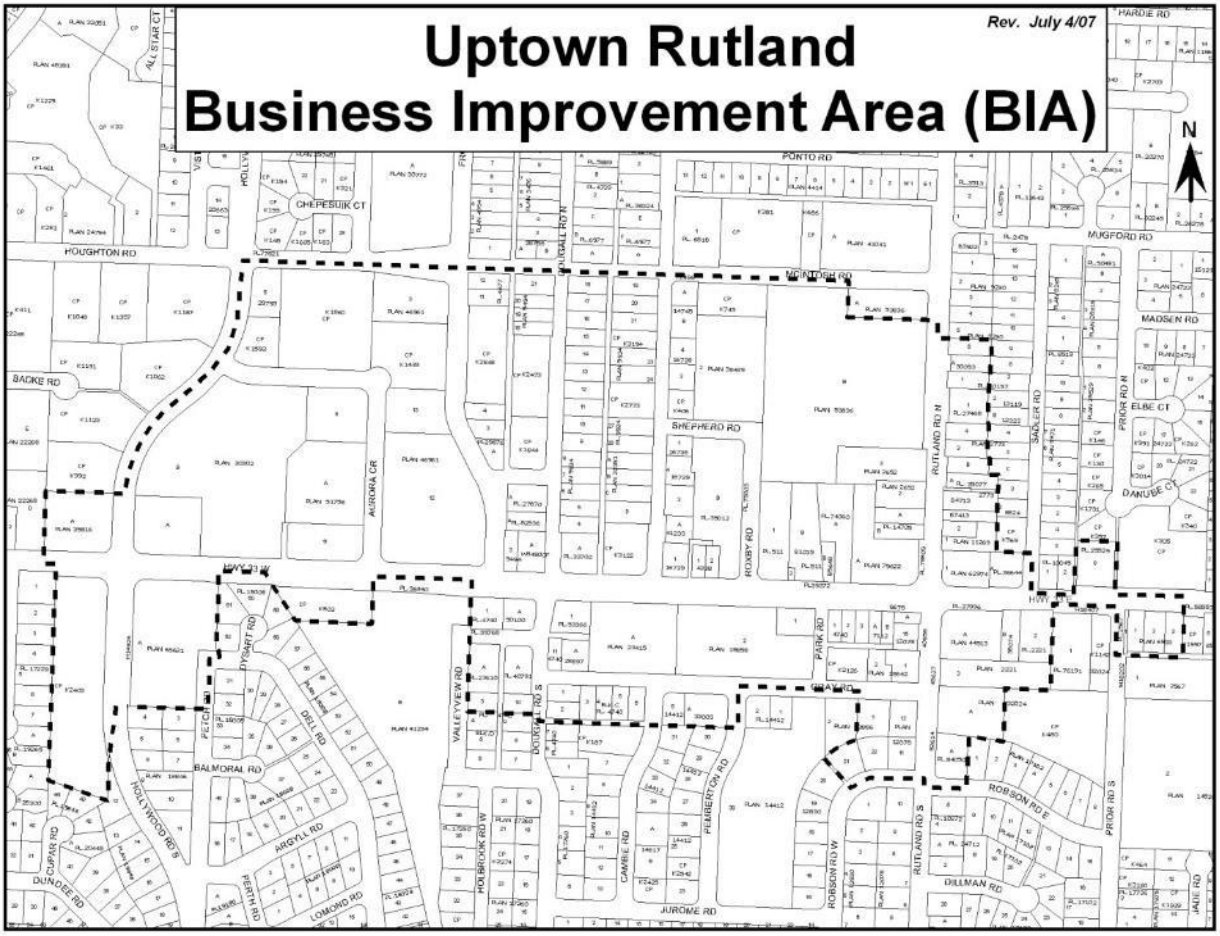
Read a first, second and third time by the Municipal Council of the City of Kelowna this 23rd day of October, 2017.

Adopted by the Municipal Council of the City of Kelowna this

_____
Mayor

_____
City Clerk

Schedule A – Map



Renewal 2018-2022



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1.0 Executive Summary

Over the past five years, the URBA board and members continue to have a direct, positive influence when it comes to Rutland businesses and the community overall. Through the Business Improvement Association, URBA is determined to be part of the process when it comes to revitalization and the creation of a defined Town Centre for Rutland which is long overdue.

Revitalization is an ongoing process; numerous goals have been achieved and continue to cultivate such as C7 zoning; Revitalization Tax Exemption Bylaw, which is designed to encourage new residential and commercial development to locate within urban centres; transit improvements and the redesign of Hwy 33. URBA has cultivated community partnerships with RCMP, non-profit organizations and city staff, we have hosted community clean-up events, focused on streetscape improvements such as planters, hanging baskets and new banners. URBA continues to produce signature events throughout the year to encourage people to stay, play, work and live in Rutland.

Our goals include: creating an attractive, viable business community, lobbying for improved public transit, roads, community facilities, parks, schools and access to local social services. We also want to focus on physical, social and economic infrastructure improvements to build a safer, stronger and a healthier area while significantly enhancing the quality of life for both businesses and residents.

URBA will be instrumental in creating incentive programs and tie them to revitalization for our area. Programs such as facade improvement grants, awning, and lighting and signage grants have worked well for other communities and ideas such as this could benefit the Rutland Town Centre. Improving member engagement is another aspect URBA will focus on moving forward. Done right, member engagement builds loyalty. We want to see more of our members using our services and programs and experiencing first-hand what the BIA can do for them

2.0 Vision

2.1 Mission Statement

To develop and market Uptown Rutland in conjunction with community stakeholders, as “an excellent area to do business, live and play”.

2.2 URBA Vision for the Rutland Town Centre

Continuously support a healthy business community that celebrates the diversity in which we live, work and play in.

Mandate: To market the commercial areas, attract new business and assist with business development goals in co-operation with public and private sector partners.

2.3 Strategic Priorities

- Relationships
- Beautification
- Promotions

2.4 URBA Objectives

Short Term

- Attract new businesses
- Work together with the City of Kelowna to finish Hwy 33 corridor with streetscape improvements
- Encourage the UBCO faculty and students to experience what the Uptown Rutland merchants and services have to offer
    - Student discount program have been established and we will continue to market the concept throughout the School District, OC and UBCO
    - Work with developers to promote the many multiuse developments that have been completed or near completion
- Be proactive and look at some strategies for a healthier Uptown Rutland community
- Work with the Economic Development Commission of the Okanagan to develop a retail recruitment strategy to attract targeted retailers to the Rutland Town Centre
- Together with the Downtown Kelowna Association, host a Business Improvement Areas of BC Convention, introducing 300-400 people to the City of Kelowna in 2018

Long Term

- CREATE A TOWN CENTRE
- Marketing our strengths – share what is unique to our area
- Flexible housing – affordability, seniors, students, families, multicultural. Can the city offer incentives?
- Education – promote how Rutland is a great place to live K-U (Kindergarten-University)
- Improve our mobility – transit, walkability, bikes, traffic calming
- Find new purposes for old buildings (don't sell it, change it!)
- Create a sense of place – gathering place, green space, more culture, sense of security
- Continue to grow and evolve our signature events; Business Expo, Cruisin the Park Car Show, Uptown Rutland Scarecrow Festival and Christmas Light-Up
- Build stronger partnerships with community associations such as the Rutland Residents Association, Black Mountain Residents Association, Blue Sky at Black Mountain, Rutland Park Society and Big White
- Create a Town Centre-Incorporating the "Urban Centres Roadmap" work with the City of Kelowna to develop principles, policies, designs and planning objectives which will define the character of the Rutland Town Centre.

3.0 Uptown Rutland Business Improvement Area

3.1 What is a BIA?

Business Improvement Areas (BIAs) are groupings or communities of businesses, approved by municipal council, and designated as BIAs. BIAs develop and undertake programs to improve and beautify the Improvement Area, to promote the districts and the businesses within it, to bring customers to the area, to stimulate the economy, and to support the community. These programs can include physical improvements to the area, events and activities, promotional activities, decor and enhancements, advisory and advocacy, and member communications. These programs typically aim to keep the BIA area foremost in the public's mind as an attractive, pleasant place to shop, to be entertained, to work and to live.

For many BIAs, the social wellbeing of the community is very important. Many BIAs have programs that deal specifically with homelessness, graffiti, crime prevention, safety, transportation, accessibility, density, green spaces and other issues. In addition, BIAs have expanded their roles to include business recruitment to their list of goals.

BIAs help to create stronger communities by supporting member participation through the Board of Directors and the various committees of the BIA. The formal BIA designation allows for a planned program to be developed with an annual budget contributed to by all its members.

3.2 Uptown Rutland Business Association (URBA) and who is a Member?

Managed by a volunteer Board of Directors which consists of both property owners and tenants, they are the voices elected by the membership to run the Uptown Rutland Business Improvement Association. The URBA Board has created solid relationships with the City of Kelowna, Central Okanagan Development Corporation and Rutland associations to coordinate business improvement initiatives. A paid Executive Director, chosen by the board, administers the day-to-day operations of the Association.

All commercial property owners and business owners located within the BIA boundaries are members of the Uptown Rutland Business Association, a not for profit society governed by the Society Act and funded by a special levy agreed to by Class 5 and Class 6 property owners. No person shall be a member of the Society unless that person is a Property Owner or Tenant for at least SIX (6) months immediately preceding the date that a Property Owner or Tenant becomes a member.

There are two documents that control the activities of the BIA: The City of Kelowna Bylaw No.11504 and the Articles of Incorporation, Societies Act, Province of British Columbia.

3.3 How the BIA Benefits You & Your Business

- **Coordinated Efforts –** Working together, everyone is able to achieve more than working alone. Whether it be addressing street issues, managing growth and development, or managing special events to increase visitation to the core, the efforts of the Association, its membership, and stakeholders have a dramatic impact in the community.
- **Sustainable Funding –** Through a five-year mandate, the BIA structure allows the Association to plan and execute multi-year programs. This has allowed the expansion of programs from ad hoc or seasonal to annual programs through a mix of core funding and leveraged dollars from government and corporate sources.
- **Self-Reliance –** The BIA structure provides both the structure and mechanism for the Association to identify useful neighbourhood projects and allocate money towards those projects. Businesses benefit from the whole area coming together to leverage its resources verses each business trying to work independently.
- **Strong Public Image –** The activities and commitment of the Association to improve the Rutland neighbourhood through stewardship raises the profile of the Rutland Town Centre, creating an image of a “cared for” area in the community.
- **Community Benefit -** Consensus amongst economic development professionals, supported by numerous development reports, relate that the health of an entire community can be measured by the success of its business

core and town centre. A strong and vibrant town centre, the heart of any community regardless of size, enhances the image and economy of the entire neighborhood.

3.4 Accomplishments

2013

- Rutland Dig Your Neighbourhood 2013-2014 – UBCO partnership
- Work began on Hwy 33
- A successful workshop that formed TRUST (The Rutland Unified Stakeholders Team)
- Shepherd Rd Transit Exchange launched
- 83 new trees added to Lion's Park to enhance its beauty
- Partnership with Parks Alive established
- Partnership with UBCO and their 4th year marketing students
- Our Rutland project with the City of Kelowna - $132K

2014

- Hwy 33 and Dougall Road upgrades were completed
- Attractive new banners up Hwy 33, Hollywood Rd and Rutland Rd. They showcase our new logo and reflect the seasons of Okanagan
- Partnerships that make a community grow and prosper began. The City of Kelowna, The Regional District, Chamber of Commerce, Economic Development Corp, Pathways, the Salvation Army, Ministry of Transport, Rutland Park Society, Rutland Residents Association, Festivals Kelowna, Blue Sky @ Black Mountain and the list keeps growing. The ability to partner effectively with other individuals and organizations -- both inside and outside the community -- is extremely vital so Rutland can be a viable and healthy community

2015

- Spring Clean Up Program created
- Art in Empty Spaces Grant & collaboration with businesses
- Partnership with City of Kelowna Parks Department to add planters and hanging baskets
- Over 100 businesses participated in our events by providing sponsorship, volunteers, prizes or a combination of the three. Over 500 volunteer hours were recorded for our events
- Associations with SD23, Rutland Parks Society, Festivals Kelowna, Okanagan Men's Shed, Salvation Army and Arts Council of the Central Okanagan helped create synergy throughout the community

2016

- Pianos in the Park brought to Rutland
- Summer Students brought on board
- Key stakeholders doing renovations and up-grades to their businesses
- New business moving into the area
- Work at Rutland Centennial Park
- Small Business Expo success
- After Hours engages new faces
- URBA's monthly newsletter is sent out electronically and thanks to our partnership with Pathways Abilities Society, it is hand delivered to each business in our BIA. Our web site has also seen triple the volume since 2015
- Events have been fine-tuned and numbers keep growing
- 1st annual Grub Crawl took place in Sept

- New Christmas Tree and décor
- Governance package for URBA board created and adopted
- Social media & website traffic continues to grow
- $25K grant from the province for trees at Rutland Centennial Park
- Trees replaced up Hwy 33 and still ongoing

2017

- Survey conducted with membership in April
- Annual Spring Clean Up done by our members with the support of RDCO
- Event sponsorship and attendance continues to grow
- Prospectus Map – partnership City of Kelowna
- Summer students contract was renewed
- Partnership with City of Kelowna Parks Department to add additional planters and hanging baskets
- URBA partnership with Interior Health and several outreach service agencies are working on solutions to reduce the number of discarded needles in our City
- Pianos in the Park program returned to our community
- Ongoing partnership with Parks Alive to host their events in our area
- Committee formed to help Thrift Stores deal with the items dropped off "after hours" to help clean our areas clean of debris
- URBA is a strong advocate for the City of Kelowna's "service request" on line program

3.5 Tax Levy

If local businesses support the BIA renewal, the City of Kelowna will initiate collecting the tax levy through the creation of a new Bylaw, of which a draft copy is attached. These funds will be used to help the BIA operate and achieve the objectives as written in the business plan. In addition, these funds will be used to "leverage" additional financial support. Typically, the tax levy will be $1.19 to $1.38 per $1000 of the assessed property value of each business.

3.6 Proposed BIA Area

URBA suggests the current BIA boundary as proposed in Appendix 1 remain unchanged. The BIA area currently extends along the Hwy 33 corridor from Hollywood Road to Prior Road, North to Houghton/McIntosh and south to Robson Road East.

4.0 Organization

4.1 URBA

The URBA membership, as defined by the BIA boundaries, consists of approximately 150 property owners, 225 businesses, retailers and restaurants.

4.2 URBA Board of Directors

URBA is directed by a Board of Directors, consisting of 13 Directors. The day-to-day business operations are managed by an Executive Director and one staff member.

The URBA board represents the business community. As BIAs are not just about business improvement but about overall neighborhood improvement, URBA also encourages public participation from other advocates and associations of the Rutland Community. URBA is often the first point of contact for Rutland concerns, neighborhood development and community celebrations.

The 2017 Board of Directors:

Mike Koutsantonis	President
Dawn Thiessen	1st Vice President
Jamie Needham	2nd Vice President
Shawndra Bodkin	Treasurer
Mark Beaulieu	Director
Garry Benson	Director
Chandan (Ruby) Dulay	Director
Curtis Fieseler	Director
June Forman	Director
Shelley Kvamme-MacDonald	Director
Kamal Shoranick	Director
Frank Pohland Director	Appointed
Kevin MacDougall Director	Appointed

5.0 Uptown Rutland: The Next Five Years 2018 – 2022

Looking forward, the Uptown Rutland Business Association will be asking the City of Kelowna to approve its mandate for the next 5-year term from 2018 - 2022. The mandate is based on the official strategic plan and budget, developed by the URBA board and endorsed by the URBA membership, which would support the growth of new and existing programs that will benefit the entire Rutland neighborhood.

Strategic Priorities

1. Relationships
2. Beautification
3. Promotions

5.1 Relationships

- Primary Goals (Guide Board to Achieve the BIA's Mission, Vision and Mandate)
  - To have a strong and consistent voice for our membership with City Council and staff
  - Be recognized by URBA members and Rutland residents as a champion for the business community and neighbourhoods
- Objectives (Guide Staff to Achieve the BIA's Goals)
  - Actively participate with community organizations and community events
  - Foster strategic and collaborative relationships with business and community focused organizations
  - Monitor and engage on issues affecting URBA businesses
  - Build strong relationships with our commercial property owners
  - Encourage members to actively participation in the URBA initiatives

5.2 Beautification

- Primary Goals (Guide Board to Achieve the BIA's Mission)
  - Creatively enhance URBA streetscapes and green spaces
  - Be recognized as a community leader with respect to beautification
  - Consult with URBA members in identifying potential beautification projects and areas of concern to bring forward to City of Kelowna elected officials and staff
  - Work with Rutland membership, community organizations and City of Kelowna in prevention and remediation of graffiti & vandalism
- Objectives (Guide Staff to Achieve the BIA's Goals)
  - Work with URBA membership, the City of Kelowna, and community groups on beautification initiatives
  - Explore initiatives to address vacant building and lot appearance
  - Research creative solutions to deter vandalism & graffiti
  - Promote a clean, well maintained business façade among URBA membership

5.3 Promotions

- Primary Goals (Guide Board to Achieve the BIA's Mission)
    - Champion accessibility to Rutland businesses andneighbourhoods
    - Promote the URBA membership and neighbourhoods throughoutCity and RDCO
- Objectives (Guide Staff to Achieve the BIA's Goals)
    - Expand current URBA marketing initiatives and annualevents
    - Investigate and develop new marketing initiatives and promotional events to promote shopping and livability within the business improvement area
    - Support third party community events in Rutland
    - Keep URBA membership engaged in and aware of advertising and marketing opportunities

6.0 Five-Year Budget - 2018 - 2022

6.1 Operating Budget

A member's survey was completed in April which along with the Board of Directors, and the BIA Renewal Committee produced a clear list of priorities for the BIA. Programs are being developed to address these priorities and a budget is prepared.

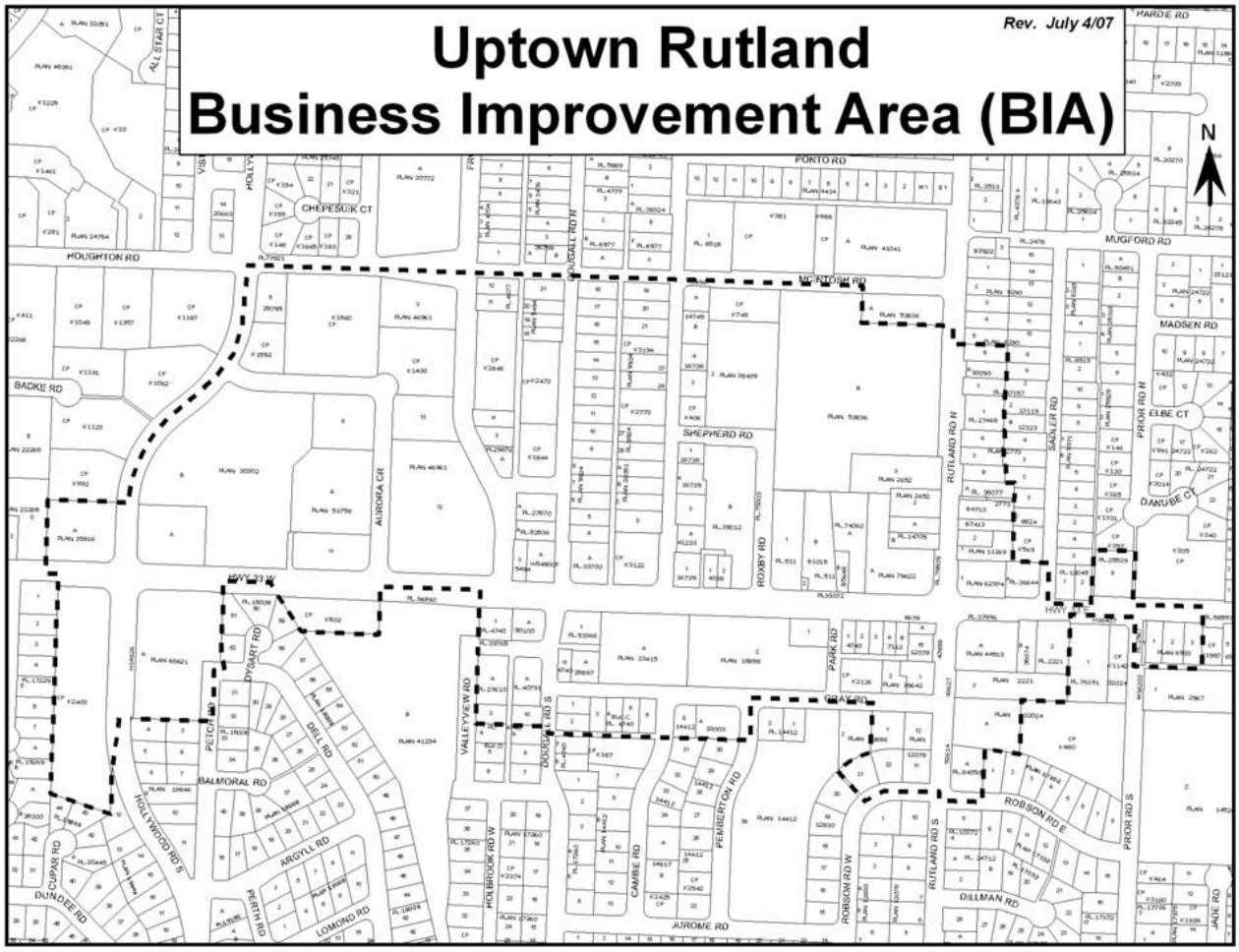
2013-2017 revenue from the membership levy was 10% for the first year and 2% for years two thru five. In 2017 the annual contribution was $176,160. 2018-2022 the proposed 2.5% increase is for the first four years. It is intended to cover inflationary cost increases and will enable the Association to deliver consistent value to its members. Over the past five years, URBA has successfully leveraged the BIA tax levy funding through events, sponsorships and government grants.
URBA anticipates we will continue to leverage our funding and have included this in our proposed budget. Year 5 the proposed increase is 5% which provides for URBA to respond to opportunities, and save for future projects such as the completion of Rutland's Town Centre which is part of the City's Urban Roadmap.

Proposed BIA Budget					
	2018	2019	2020	2021	2022
Revenue					
City Funding Tax Levy (Capped)	180,564	185,079	189,706	194,449	204,172
Other Income Events, Sponsorships, Grants	50,400	35,400	50,400	35,400	50,400
Total Revenue	230,964	220,479	240,106	229,849	254,572
Beautification/Streetscape	24,000	14,000	34,000	19,000	44,000
Community Safety/Programs	4,000	4,000	2,000	2,000	2,000
Events & Promotions	33,571	33,961	34,358	34,763	35,176
General and Administration	153,951	151,836	152,509	155,297	159,147
Marketing	12,000	12,500	13,500	13,500	11,000
Total Expense	227,522	216,297	236,366	224,560	251,323
Net Revenue	3,442	4,182	3,740	5,289	3,249

NOTES TO PROPOSED BUDGET

- The 2.5% annual increase proposed for years 2018-2021 is only a .5% increase from the previous 5 year term.
- In 2022 year 5 the increase proposed is 5% which allows URBA to respond to opportunities, and save for future projects such as the completion of Rutland's Town Centre.
- The reason for a small Net Revenue each year is to be able to respond to new opportunities and situations throughout the year
- Based on 2017 total assessment value of $151,266,200 the tax levy will be $1.19 per $1000 of assessed value. Going forward, the tax levy is estimated between $1.19 to $1.38.

7.0 Appendix A: Uptown Rutland Business Improvement Area Map



URBA proposes the BIA Boundary Map as adopted in 2008 under By-Law No.9813 remain unchanged.

Approved by Uptown Rutland Business Association

Signature

Mike Koutsantonis - President

Oct 6, 2017

Date

Signature

Dawn Thiessen - 1st Vice President

Oct 6, 2017.

Date