



District of West Vancouver

## **Ambleside-Dundarave Business Improvement Area Service Bylaw No. 4847, 2015**

Effective Date: December 14, 2015

# Ambleside-Dundarave Business Improvement Area Service Bylaw No. 4847, 2015

## Table of Contents

---

Part 1	Citation.....	1
Part 2	Severability .....	1
Part 3	Definitions .....	2
Part 4	Business Improvement Area Service .....	2
Part 5	Grants .....	3
Part 6	General Conditions and Limitations .....	3
Part 7	Recovery and Tax Levy .....	4
Part 8	Financial Statements .....	4
Part 9	Insurance .....	4
Part 10	Alterations to the Association’s Constitution and Bylaws.....	5
Part 11	No Joint Venture .....	5
	Schedule A – Ambleside-Dundarave Business Improvement Area Boundaries	7
	Schedule B – Proposed Year One (2016) Budget.....	9

District of West Vancouver

# **Ambleside-Dundarave Business Improvement Area Service Bylaw No. 4847, 2015**

A bylaw to establish the Ambleside-Dundarave Business  
Improvement Area Service

WHEREAS the Council of The Corporation of the District of West Vancouver may establish a Business Improvement Area service to grant money to an organization that has the planning and implementation of a business promotion scheme as one of its aims, functions or purposes;

AND WHEREAS business and commercial property owners within the municipal boundaries have formed an association known as the “Ambleside-Dundarave Business Improvement Association”, a registered not for profit society in the Province of British Columbia, to undertake certain works and services and to market and promote business within the Ambleside and Dundarave commercial districts;

AND WHEREAS the Council has proposed the establishment of the Ambleside-Dundarave Business Improvement Area service on its own initiative, and no sufficient petition against the establishment of the service has been received;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

## **Part 1 Citation**

- 1.1 This bylaw may be cited as “Ambleside-Dundarave Business Improvement Area Service Bylaw No. 4847, 2015”.

## **Part 2 Severability**

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

## Part 3 Definitions

3.1 In this bylaw:

"District" means The Corporation of the District of West Vancouver

"Council" means the Council for the District

"Association" means the association incorporated under the *Society Act* under No. S-0064360, known as the Ambleside-Dundarave Business Improvement Association

"Ambleside and Dundarave Business Promotion Scheme" means the development and undertaking of projects and initiatives to encourage business in the Ambleside and Dundarave commercial districts, including:

- creating a strong 'West Vancouver' brand, and distinct identity for Ambleside and Dundarave businesses;
- developing and implementing a marketing strategy to promote West Vancouver goods and services to local, regional, and tourist markets;
- enhancing the local business mix by actively recruiting new commercial tenants that can capitalize on the market opportunities afforded by a West Vancouver location, and improve the quality of local offerings;
- promoting new investment in commercial, residential, and mixed-use developments that support the viability of local businesses;
- representing business community interests in municipal government processes;
- participating in established major events in the community, and planning and implementing other special events and promotions; and
- promoting streetscape improvements and public amenities to enhance the visitor experience in Ambleside and Dundarave

## Part 4 Business Improvement Area Service

4.1 Those lands shown in heavy outline on the maps in Schedule A – attached hereto and forming part of this bylaw are collectively designated as the Ambleside-Dundarave Business Improvement Area.

4.2 The service established by this bylaw is the provision of grants to the Association for the planning and implementation of a business promotion scheme as defined in Section 215(1) of the *Community Charter*, and in particular the Ambleside and Dundarave Business Promotion Scheme as defined in this bylaw.

## **Part 5 Grants**

- 5.1 Pursuant to Section 215(2) of the *Community Charter*, and for the purposes of planning and implementation of the Ambleside and Dundarave Business Promotion Scheme:
  - 5.1.1 Council may grant to the Association an amount not exceeding \$500,000 in 2016.
  - 5.1.2 For each subsequent year, the Association shall submit to Council on or before September 1st a budget which contains information, to the satisfaction of the Chief Financial Officer of the District, sufficient in detail to describe all anticipated expenses and revenues, and which has been approved by a majority of the members present at an annual general meeting of the Association.
  - 5.1.3 All annual grants to the Association will be provided in two instalments: one-half at the start of the calendar year; and one-half following collection of municipal taxes in mid-year.
- 5.2 The term of the service established by this bylaw is 10 years, commencing January 1, 2016.
- 5.3 The aggregate amount of annual grants to the Association shall not exceed \$5,601,690 over the term of the service.

## **Part 6 General Conditions and Limitations**

- 6.1 Monies granted to the Association pursuant to this bylaw must only be expended by the Association in accordance with Schedule B attached to and forming part of this bylaw in the case of monies granted in 2016, and in accordance with the budget submitted to and approved by the Council in the case of monies granted in 2017 and subsequent years.
- 6.2 The Association must not incur any indebtedness or other obligations in respect of the Ambleside and Dundarave Business Promotion Scheme beyond the sum granted by the Council for each calendar year.
- 6.3 It is a condition on the receipt and expenditure of monies granted under this bylaw that the Association is in compliance with Parts 8 through 10 of the bylaw.

## **Part 7 Recovery and Tax Levy**

- 7.1 All of the monies granted to the Association shall be recovered in the form of a property value tax as provided for under Section 216 of the *Community Charter*.
- 7.2 For the purpose of recovering the monies granted to the Association, in any year, the District will impose a property value tax on land or improvements, or both, that fall within the Class 6 (Business and Other) property classification under the Assessment Act, sufficient to yield the full amount of the grant.

## **Part 8 Financial Statements**

- 8.1 Notwithstanding any provisions of the Association's Bylaws concerning its fiscal year, the Association must submit to the District on or before April 1<sup>st</sup> each year an audited annual financial statement for the previous calendar year, prepared in accordance with generally accepted accounting principles and including a balance sheet and a statement of revenue and expenditures in respect of the Ambleside and Dundarave Business Promotion Scheme.
- 8.2 The financial statements submitted by the Association must also be prepared in accordance with the requirements of the *Society Act*.
- 8.3 The Association must permit the Chief Financial Officer for the District or his or her nominee to inspect during normal business hours on reasonable notice all books of account, receipts, invoices and other financial position records which the Chief Financial Officer deems advisable for the purposes of verifying and obtaining further particulars of the budget and any financial statements of the Association as they relate to monies granted to the Association by Council pursuant to this bylaw.

## **Part 9 Insurance**

- 9.1 The Association must carry at all times a policy of comprehensive general liability insurance in the amount of \$5,000,000: (a) with the District added as an additional named insured; and (b) containing a cross coverage provision; and (c) containing an endorsement to provide the Municipal Clerk with 30 days notice of change or cancellation.

- 9.2 The Association must deliver a copy of each insurance policy or a certificate of insurance to the Municipal Clerk within 60 days of payment of the premiums for the insurance policy.

## **Part 10 Alterations to the Association's Constitution and Bylaws**

- 10.1 The District may withhold any payments of the grant referred to in Part 5 if the Association alters its constitution or bylaws in such a manner as to, in the opinion of the Council, impair its ability to plan and implement the Ambleside and Dundarave Business Promotion Scheme. The Association must provide written notice of every meeting of the Association's members, annual or general, at least 14 days prior to the meeting, to the Municipal Clerk.

## **Part 11 No Joint Venture**

- 11.1 Nothing in this bylaw makes the District a joint venturer with the Association in the planning or implementation of the Ambleside and Dundarave Business Promotion Scheme or for any other purpose.

## **Schedules**

Schedule A – Ambleside-Dundarave Business Improvement Area Boundaries

Schedule B – Proposed Year One (2016) Budget

Ambleside-Dundarave Business Improvement Area Service Bylaw No. 4847, 2015 6

READ A FIRST TIME on October 5, 2015

READ A SECOND TIME on October 5, 2015

READ A THIRD TIME on October 5, 2015

NOTICE OF INTENTION PUBLISHED on November 1 and 8, 2015

ADOPTED by the Council on December 14, 2015.

*[Original signed by Mayor]*

---

Mayor

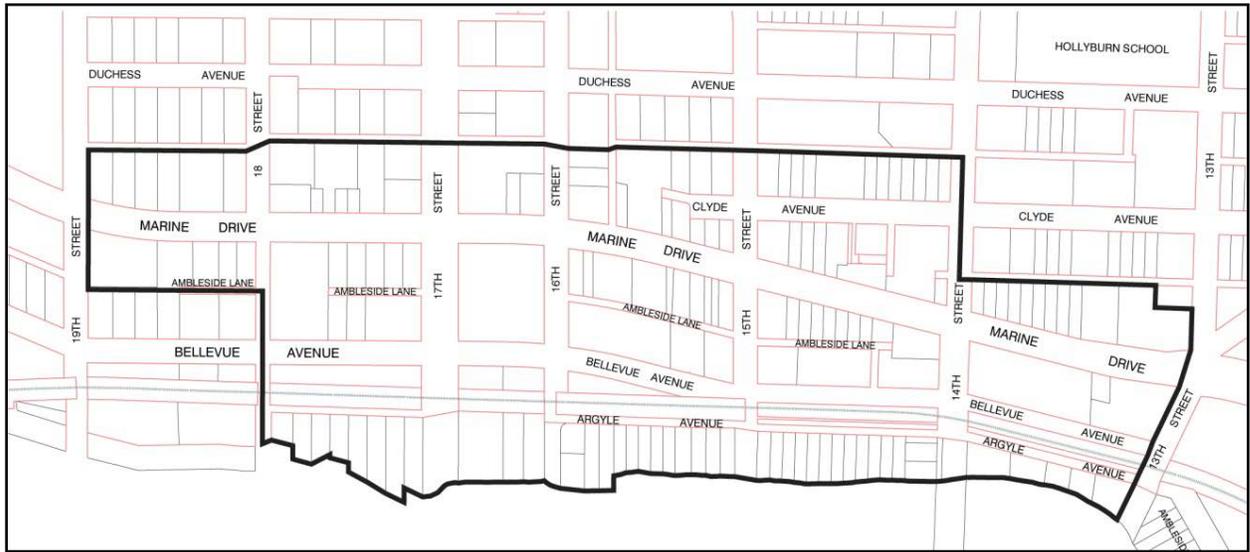
*[Original signed by Municipal Clerk]*

---

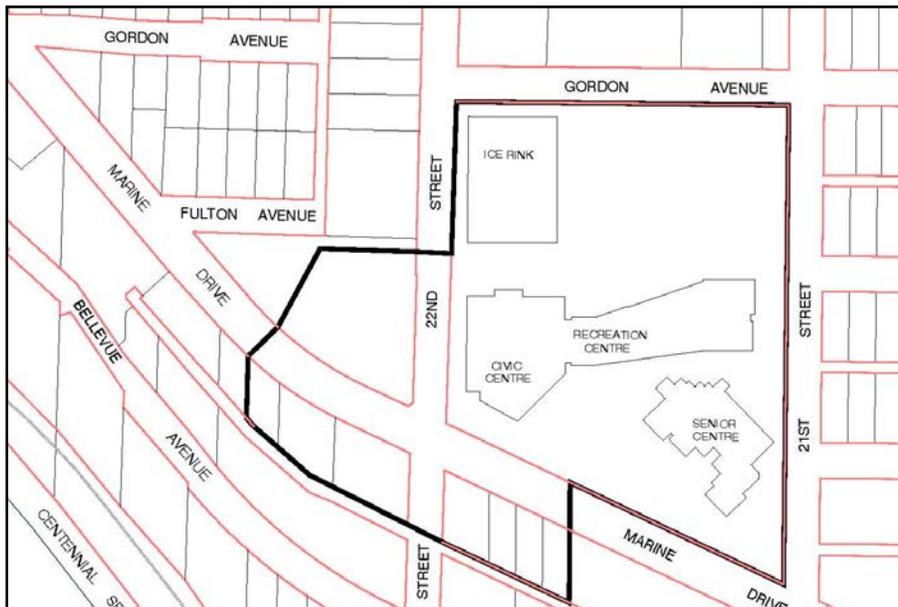
Municipal Clerk

## Schedule A – Ambleside-Dundarave Business Improvement Area Boundaries

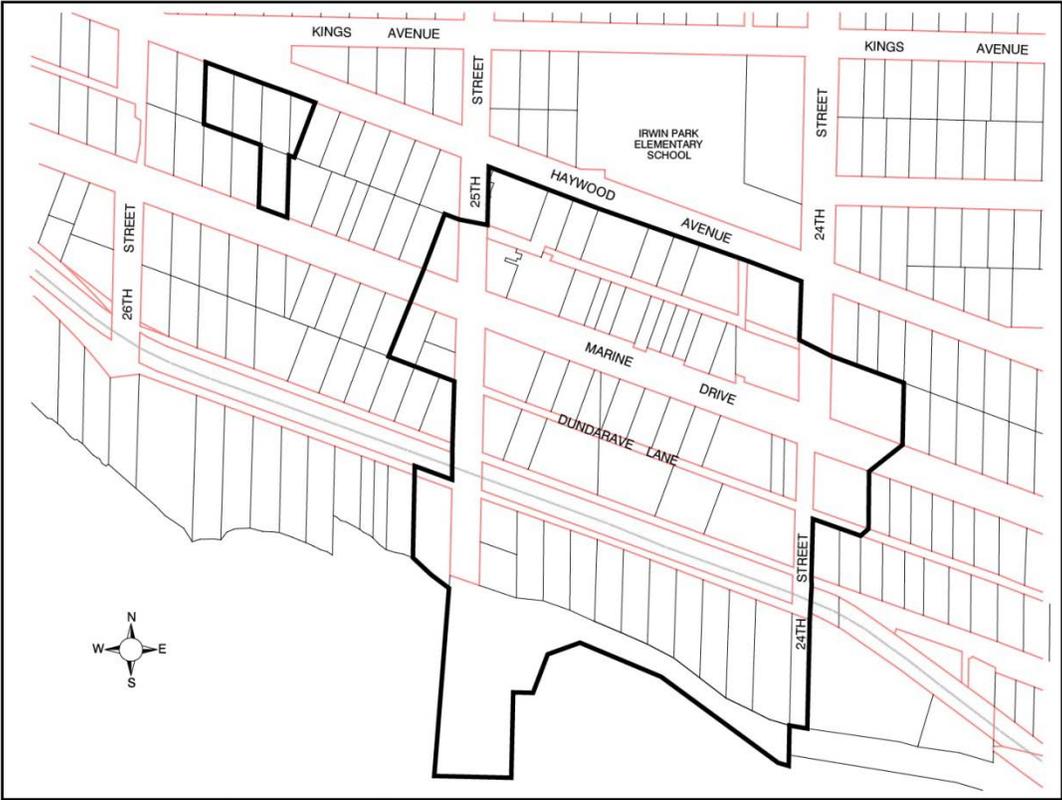
Those lands shown in heavy outline in Maps 1, 2, and 3 below are designated as Ambleside-Dundarave Business Improvement Area:



Map #1



Map #2



Map #3

## Schedule B – Proposed Year One (2016) Budget

CATEGORY	KEY STRATEGIES / FUNCTIONS	AMOUNT
Marketing and Promotions	<ul style="list-style-type: none"> <li>▪ Develop strategic plan that builds a unique vision and brand for both Ambleside and Dundarave, and develops differentiation strategies</li> <li>▪ Build the brand via website, online marketing, printed materials (e.g., brochures, directories, flyers)</li> <li>▪ Design and implement marketing strategies to promote Ambleside and Dundarave goods and services to local, regional and tourist markets</li> <li>▪ Undertake strategic advertising campaigns via broadcast, outdoor and print media, BC Ferries, Blue Bus, etc.</li> <li>▪ Create strong 'shop local' marketing program to bring West Van residents 'down the hill' more frequently</li> </ul>	\$159,935
Public Realm Enhancements	<ul style="list-style-type: none"> <li>▪ Create and implement way-finding signage</li> <li>▪ Develop and install street banners (quarterly program)</li> <li>▪ Develop and implement strategy to bring people from the waterfront into the business areas</li> <li>▪ Install benches</li> </ul>	\$139,335
Festivals and Special Events	<ul style="list-style-type: none"> <li>▪ Capitalize on established major events to promote local businesses (e.g., Community Day, Harmony Arts, Easter)</li> <li>▪ Expand existing Dundarave and Ambleside events throughout the BIA</li> </ul>	\$74,725
Member Services	<ul style="list-style-type: none"> <li>▪ Provide ongoing member-related activities and updates (e.g., marketing information, educational and training opportunities)</li> <li>▪ Provide active business recruitment program</li> <li>▪ Provide board training and education to improve impact and effectiveness of organization</li> </ul>	\$35,405
Administration		\$85,600
Start-up		\$5,000
Total		\$500,000