

Authority: Economic Development Committee Item 32.3,
as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1039-2010

To designate an area that includes the existing Mimico Village Business Improvement Area as an Improvement Area.

WHEREAS Chapter 19, Business Improvement Areas of The City of Toronto Municipal Code ("Chapter 19") designates various areas of the City as Business Improvement Areas, including the Mimico Village Business Improvement Area; and

WHEREAS section 19-15 of Chapter 19 allows the City to alter the boundaries of a Business Improvement Area; and

WHEREAS section 19-6 of Chapter 19 provides that before passing a by-law designating an improvement area, notice of intention to pass the by-law shall be sent by prepaid mail to every person who, on the last returned assessment roll, is assessed with respect to rateable property in the proposed improvement area that is in a prescribed business property class; and

WHEREAS for the purposes of section 19-6 of Chapter 19, O.Reg. 406/98, as amended, prescribes the commercial classes and the industrial classes, as defined in subsection 308(1) of the *Municipal Act, 2001*, as the business property classes; and

WHEREAS section 19-7A of Chapter 19 provides that if a person who receives notice under section 19-6 has leased any of their rateable property in the area that is in a prescribed business property class, the person shall, within 30 days of the date of the notice, give a copy of the notice to each tenant of such property who, under the tenant's lease, is required to pay all or part of the taxes on the property, and such person shall also give the Clerk a list of every tenant to whom notice was given and the share of the taxes on the property that each tenant is required to pay; and

WHEREAS section 19-9B of Chapter 19 provides that a by-law to expand a business improvement area shall not be passed if the Clerk, within 60 days of the date of the notice, objections to the by-law that have been signed by at least one-third of the total number of persons entitled to notice in either the existing improvement area or in the area the proposed by-law would add to the existing area, and the objectors in each case are responsible for at least one-third of the taxes levied for purposes of the general local municipal levy on rateable property in all prescribed business property classes in the area; and

WHEREAS notice of the intention to pass a by-law designating as an improvement area an area that includes all of the existing Mimico Village Business Improvement Area, as described in By-law No. 1997-210 (Etobicoke), has been sent as required by section 19-6, and although petitions objecting to the passing of the by-law have been received by the Clerk within the time frame set out in section 19-9, the number of objections received is not enough to prevent the passing of this by-law; and

WHEREAS Council has authorized the designation of an area that includes the existing Mimico Village Business Improvement Area as an improvement area;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The area shown on the attached Map is designated as a business improvement area under Toronto Municipal Code Chapter 19, Business Improvement Areas.

ENACTED AND PASSED this 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

