



## STAFF REPORT ACTION REQUIRED

### Roncesvalles Village Business Improvement Area (BIA) Poll Results on Boundary Expansion

<b>Date:</b>	January 26, 2007
<b>To:</b>	Economic Development Committee
<b>From:</b>	Donald G. Eastwood, General Manager Economic Development, Culture & Tourism
<b>Wards:</b>	14
<b>Reference Number:</b>	P:\2007\Cluster A\EDCT\ed0702-002

#### SUMMARY

---

The purpose of this report is to recommend that the Roncesvalles Village Business Improvement Area (BIA) boundaries be expanded. Upon approval, the appropriate staff shall prepare the necessary by-laws and bill to give effect thereto.

In accordance with the Municipal Act requirements, the City Clerk conducted a poll to determine if an expansion is warranted.

The number of objecting petitions regarding the proposed Roncesvalles Village BIA expansion does not meet the sufficiency benchmark required by s. 210 (3) of the Municipal Act, 2001, and accordingly, the City may expand the boundaries. Based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1-4), as an expanded Roncesvalles Village Business Improvement Area, under Sections 204 and 209 of the Municipal Act, 2001.

#### RECOMMENDATIONS

---

The General Manager of Economic Development, Culture and Tourism recommends that:

1. Council pass a by-law to designate the area described by Attachment No. 1, as an expanded Business Improvement Area, under Sections 204 and 209 of the

Municipal Act, 2001, based upon the results of the poll respecting the intention to expand the Roncesvalles Village Business Improvement Area (BIA).

2. leave be granted for the introduction of the necessary bill in Council to give effect thereto; and
3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the expanded Roncesvalles Village Business Improvement Area (BIA). These capital improvements are cost-shared equally between the BIA and the City. A supplemental Roncesvalles Village BIA 2007 operating budget, reflecting the expanded BIA boundaries, will be brought forward for approval at a later date.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

At its meeting on September 25, 26 and 27, 2006, City Council adopted, without amendment, Clause 7, Report 6 of the Economic Development and Parks Committee, titled "Intention to Expand the Roncesvalles Village Business Improvement Area". The report authorized the City Clerk to carry out the formal polling to expand the BIA boundaries to include the areas north to Boustead Avenue and south to The Queensway along Roncesvalles Avenue.

This request to expand the BIA boundary was initiated by the Roncesvalles Village BIA Board of Management based on consultation with its existing and proposed members.

### **ISSUE BACKGROUND**

Section 209 of the Municipal Act, 2001 provides that a municipality may alter the boundaries of an Improvement Area. Before passing a by-law to expand an Improvement Area, the Municipal Act requires notice of the proposed by-law be sent by pre-paid mail to the Board of Management of the Improvement Area, if any, and to every person who, on the last returned assessment roll, is assessed for rateable property in a prescribed business property class located in the proposed expanded Improvement Area.

Any person who receives a notice of the proposed by-law must, within 30 days, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property. The owner must also give the clerk of the municipality a list of every tenant and their share of the taxes paid.

A municipality shall not pass a by-law to expand a BIA if written objections are received by the City Clerk of the municipality within 60 days after the mailing of the notices and if the objections have been signed by at least one-third of the total number of persons entitled to notice. In addition, objectors must be responsible for at least one-third of the taxes levied for the purposes of the general local municipality levy on rateable property in all prescribed business property class in either the improvement area or the geographic area the proposed by-law would also add to the existing improvement area.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

## **COMMENTS**

The City Clerk plays a statutory role in the expansion of an existing Business Improvement Area. Through the Registry Services Section, Notices of Intention to Expand a BIA are mailed to every owner of property assessed to a prescribed business property class within the proposed BIA.

On October 16, 2006, the City Clerk mailed 257 Notices of Intention to Expand the Boundaries of the Roncesvalles Village BIA to all persons assessed for rateable property within the Roncesvalles Village BIA and the area of the proposed expansion, to determine whether or not to alter the boundaries of the BIA.

Within 30 days after the notices were mailed, 18 tenant lists were returned to the City Clerk by the owners. Forty-seven commercial tenants were identified from this list and added to the original 257. Therefore, 304 persons were identified to receive notice. The full amount of taxes levied on rateable properties in the prescribed business property class in the proposed expanded Roncesvalles Village BIA is \$2,384,338.00.

As noted above, the written objections received must have been signed by at least one-third of the total number of persons entitled to notice. Nine petitions of objection to expand the boundaries of the Roncesvalles Village BIA were received by the City Clerk by December 15, 2006, the end of the full notice period.

The number of objecting petitions regarding the proposed expansion of the Roncesvalles Village BIA does not meet the sufficiency benchmark required by s. 210 (3) of the Municipal Act, 2001. Based on the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1 to 3), as an expanded

Roncesvalles Village Business Improvement Area, under Section 204 of the Municipal Act, 2001.

## **CONTACT**

Eva Pyatt, Director, Small Business and Local Partnerships  
Tel: 416 392-7183; Fax: 416 392-1380 ; E-mail: epyatt@toronto.ca

## **SIGNATURE**

---

Donald G. Eastwood, General Manager  
Economic Development, Culture and Tourism

## **ATTACHMENTS**

Attachment No. 1 – Maps (1-4) Proposed Roncesvalles Village BIA