



**STAFF REPORT
ACTION REQUIRED**

**Dundas-Bathurst Business Improvement Area (BIA)
Poll Results**

Date:	August 31, 2007
To:	Economic Development Committee
From:	Acting Director, Small Business and Local Partnerships
Wards:	19 - Trinity-Spadina
Reference Number:	P:/2007/Cluster A/EDCT/ECON DEV/ed0709032

SUMMARY

The purpose of this report is to recommend the designation of the proposed Dundas-Bathurst West Business Improvement Area.

In accordance with Chapter 19 of the City of Toronto Municipal Code, the City Clerk conducted a poll to determine if there is sufficient support to designate the proposed Dundas-Bathurst BIA. The number of objecting petitions regarding the Dundas-Bathurst BIA does not meet the sufficiency benchmark set out in Chapter 19-9A of the Municipal Code. Accordingly, City Council may establish a Business Improvement Area. Based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1-2), as the Dundas-Bathurst BIA.

RECOMMENDATIONS

The Acting Director of Small Business and Local Partnerships recommends that:

1. Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1-2), as a Business Improvement Area, under Chapter 19 of the Municipal Code, based upon the results of the poll respecting the intention to designate the Dundas-Bathurst 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

The proposed Dundas-Bathurst BIA is one of four potential new BIAs to be established in 2007.

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the Dundas-Bathurst BIA. These capital improvements are cost-shared equally between the BIA and the City.

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

DECISION HISTORY

At its meeting of June 19, 20 and 22, 2007, City Council adopted without amendment, Report 5, Clause 11, of the Economic Development Committee, headed “Intention to Designate the Dundas-Bathurst BIA, Ward 19. The staff report recommended the establishment of the Dundas-Bathurst BIA, subject to a favourable poll result.

ISSUE BACKGROUND

Chapter 19 of the Municipal Code provides that Council may establish a BIA. Before passing a by-law to establish BIA, the Municipal Code requires notice of the proposed by-law be sent by pre-paid mail to the Board of Management of the BIA, if any, and to every person who, on the last returned assessment roll, is assessed for rateable property in a prescribed business property class.

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 City Clerk a list of every tenant and their share of the taxes paid.

Under Chapter 19-9A of the Municipal Code, Council shall not pass a by-law to create a new BIA if written objections are received by the City Clerk within 60 days after the mailing of the notices and the objections have been signed by at least one-third of the total number of persons entitled to notice. In addition the objectors must be responsible for at least one-third of the taxes levied.

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

COMMENTS

On June 25, 2007, the City Clerk mailed 114 Notices of Intention to Designate to all persons assessed with respect to rateable property within the proposed Dundas-Bathurst BIA, to determine whether or not this area could become a BIA.

Within 60 days after the notices were mailed, 8 tenant lists were returned to the City Clerk by the owners. Six commercial tenants were identified from the lists and added to the original total of 114. Therefore, a total of 120 persons were identified to receive notice. The full amount of taxes levied on the rateable property within the prescribed business property class in the proposed Dundas-Bathurst BIA totals \$1,189,255.00.

Thirty-two (32) petitions of objection to the proposed designation of the Dundas-Bathurst BIA were received by the City Clerk by August 24, 2007, the end of the notice period. These 32 objectors represent \$318,350 in taxes levied. The number of objecting petitions does not meet the sufficiency benchmarks required by Chapter 19-9A of the City of Toronto Act, 2006.

Based on the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1-2), as the Dundas-Bathurst Business Improvement Area.

CONTACT

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SIGNATURE

Mike Major
Acting Director, Small Business and Local Partnerships

ATTACHMENTS

Attachment No. 1 – Maps (1 & 2) of Proposed Dundas-Bathurst BIA

Dundas-Bathurst BIA – Poll Results