



STAFF REPORT ACTION REQUIRED

Liberty Village Business Improvement Area Boundary Expansion Poll Results

Date:	September 19, 2008
To:	Economic Development Committee
From:	Director, Business Services
Wards:	14 and 19
Reference Number:	P:/2008/Cluster A/EDCT/ECON DEV/ed0810-040 (AFS # 8264)

SUMMARY

The purpose of this report is to recommend the expansion of the Liberty Village Business Improvement Area (BIA) boundaries.

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 expand the boundaries of the Liberty Village BIA. The number of objecting petitions does not meet the sufficiency benchmark set out in Chapter 19-9B of the Municipal Code. Accordingly, City Council may expand the boundaries of the 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 and 2), as the expanded Liberty Village BIA.

RECOMMENDATIONS

The Director of Business Services recommends that:

1. Based on the poll results respecting the intention to expand the Liberty Village BIA, the area described by Attachment No. 1 be designated as the expanded Liberty Village Business Improvement Area (BIA), under Chapter 19 of the Toronto Municipal Code; and
2. The City Solicitor be directed to submit a by-law to designate the area described in Attachment No. 1 as a Business Improvement Area.

Financial Impact

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the expanded Liberty Village 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 agree with the financial impact information.

DECISION HISTORY

At its meeting of June 23 and 24, 2008, City Council adopted, Report 14 Clause ED14.10, of the Economic Development Committee, headed “Intention to Expand the Liberty Village Business Improvement Area (BIA)”

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-06-23-cc22-dd.pdf>.

The staff report recommended that the boundaries of the Liberty Village BIA be expanded, subject to a favourable poll result.

ISSUE BACKGROUND

Section 19-15 of the Municipal Code provides that Council may alter the boundaries of a BIA. Before passing a by-law to expand a BIA, the Municipal Code requires notice of the proposed by-law be sent by prepaid 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 located within the existing BIA and proposed expansion 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 City Clerk a list of every tenant and their share of the taxes paid.

Under section 19-9B of the Municipal Code, Council shall not pass a by-law to expand a BIA if a sufficient number of written objections are received by the City Clerk within 60 days after the mailing of the notices. For the objections to be sufficient they must represent at least one-third of the total number of persons entitled to notice and at least one-third of the taxes levied in either the existing BIA or proposed expansion area.

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

COMMENTS

On July 18, 2008, the City Clerk mailed 104 Notices of Intention to Expand the Boundary of the Liberty Village BIA to all persons assessed for rateable property within

the BIA and the area of the proposed expansion, to determine if there is sufficient support to expand the BIA.

A total of 100 notices were mailed to owners within the existing BIA. Ten (10) tenant lists were returned from the landlords identifying 12 rateable tenants, thereby increasing the total to 112 persons within the existing BIA entitled to receive notice. The full amount of taxes levied on the rateable property within the existing BIA totals \$7,404,101. By the end of the notice period, no petitions of objection to the proposed expansion were received by the City Clerk from owners and tenants of the existing Emery Village BIA. The number of objecting petitions does not meet the sufficiency benchmarks of 38 persons and \$2,468,033.67 taxes levied required under the Municipal Code.

A total of 4 notices were mailed to owners within the proposed expansion area. No tenant lists were returned. The full amount of taxes levied on the rateable property within the proposed expansion area totals \$1,448,526. By the end of the notice period, no petitions of objection to the proposed expansion were received by the City Clerk from owners and tenants within the proposed expansion area. The number of objecting petitions does not meet the sufficiency benchmarks of 2 persons and \$482,842 taxes levied required under the Municipal Code.

As no objections were received in relation to the proposed expansion of the Liberty Village BIA, the sufficiency benchmarks required by Section 19-9B of the Municipal Code have not been met. Based on the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1 and 2), as the expanded Liberty Village Business Improvement Area.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment No. 1 – Maps (1 and 2) of Proposed Liberty Village BIA Expansion