



**STAFF REPORT
ACTION REQUIRED**

Poll Results for the Proposed Mount Pleasant Business Improvement Area

Date:	October 2, 2008
To:	Economic Development Committee
From:	Director Business Services
Wards:	22
Reference Number:	P:/2008/Cluster A/EDCT/ECON DEV/ed0810-041 (AFS # 7471)

SUMMARY

The purpose of this report is to make recommendations regarding the poll results for the proposed Mount Pleasant Business Improvement Area fronting on Mount Pleasant Road from Davisville Avenue to the commercial properties just north of Eglinton Avenue East as a Business Improvement Area (BIA).

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 Mount Pleasant BIA. The number of objecting petitions regarding the Mount Pleasant BIA do not meet the sufficiency benchmark set out in Chapter 19-9A of the Municipal Code. Accordingly, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 as the Mount Pleasant BIA.

RECOMMENDATIONS

The Director, Business Services recommends that:

1. Based on the poll results respecting the intention to designate the Mount Pleasant BIA, the area described by Attachment No. 1 be designated as a 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 and other capital improvements be undertaken by the new BIA. Capital improvements are shared 50/50 between the City and the BIA. The City's 50% share of the capital costs will be funded in the Economic Development, Culture and Tourism capital budget.

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 23 and 24, 2008, City Council adopted, Report 22 Clause ED14.11 of the Economic Development Committee, headed "Intention to Designate the Area along Mount Pleasant Road between Davisville Avenue and the lands just north of Eglinton Avenue East as a Business Improvement Area (BIA)". The staff report recommended the establishment of a BIA, subject to a favourable poll result.

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-13589.pdf>

BACKGROUND

Chapter 19 of the Municipal Code provides that Council may establish a BIA. Before passing a by-law to establish a BIA, the Municipal Code requires that notice of the proposed by-law be sent by pre-paid mail to every person who, on the last returned assessment roll, is assessed for rateable property in a prescribed business property class which is located in the proposed Business 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 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 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 commercial taxes levied within the proposed BIA.

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

COMMENTS

On July 18, 2008, the City Clerk mailed 132 Notices of Intention to Designate to all persons assessed with respect to rateable property within the specified proposed Mount Pleasant Business Improvement Area, to determine whether or not this area could become a BIA.

Within 60 days after the notices were mailed, 38 tenant lists were returned to the City Clerk by the owners. Sixty-six commercial tenants were identified from the lists and added to the original total of 132 persons. Therefore, a total of 198 persons were identified to receive notice. The full amount of taxes levied on the rateable property in the prescribed business property class in the specified Mount Pleasant Business Improvement Area totals \$3,218,998.00.

Eight petitions of objection to the proposed designation of Mount Pleasant Road between Davisville Avenue and the commercial properties just north of Eglinton Avenue East as a Business Improvement Area were received by the City Clerk by September 16, 2008, the end of the notice period. 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, as the Mount Pleasant Business Improvement Area.

CONTACT

Michael Saunders
Economic Partnership Advisor
Telephone: 416-392-1005 Fax: 416-392-1380
Email: msaunders@toronto.ca

SIGNATURE

Eva Pyatt
Director Business Services

ATTACHMENT

Attachment No. 1 – Map of proposed BIA