



STAFF REPORT ACTION REQUIRED

Queen Street West Business Improvement Area (BIA) Poll Results

Date:	November 3, 2008
To:	Economic Development Committee
From:	Director, Business Services
Wards:	20
Reference Number:	P:/2008/Cluster A/EDCT/ECON DEV/November/ed0811-002

SUMMARY

The purpose of this report is to make recommendations regarding the poll results for the proposed Queen Street West 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 expand the boundaries of the Queen Street West 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 to 3), as the Queen Street West BIA.

RECOMMENDATIONS

The Director of Business Services recommends that:

1. Based on the poll results respecting the intention to designate the Queen Street West 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 or other capital improvements be undertaken by the new 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 July 15, 16 and 17, 2008, City Council adopted, Report 15 Clause ED15.5, of the Economic Development Committee, headed “Intention to Designate the Queen Street West Business Improvement Area (BIA)”

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14376.pdf>.

The staff report recommended the establishment of a 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 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 section 19-9A of the Municipal Code, Council shall not pass a by-law to designate 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 August 18, 2008, the City Clerk mailed 267 Notices of Intention to Designate to all persons assessed with respect to rateable property within the specified proposed Queen Street West Business Improvement Area, to determine whether or not this area could become a BIA.

Within 60 days after the notices were mailed, 57 tenant lists were returned to the City Clerk by the owners. Sixty-seven commercial tenants were identified from the lists and added to the original total of 267 persons. Therefore, a total of 334 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 Queen Street West Business Improvement Area totals \$9,247,517.00.

Eight eligible objections to the proposed designation of Queen Street West as a Business Improvement Area were received by the City Clerk by October 17, 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 (Maps 1 to 3), as the Queen Street West Business Improvement Area.

CONTACT

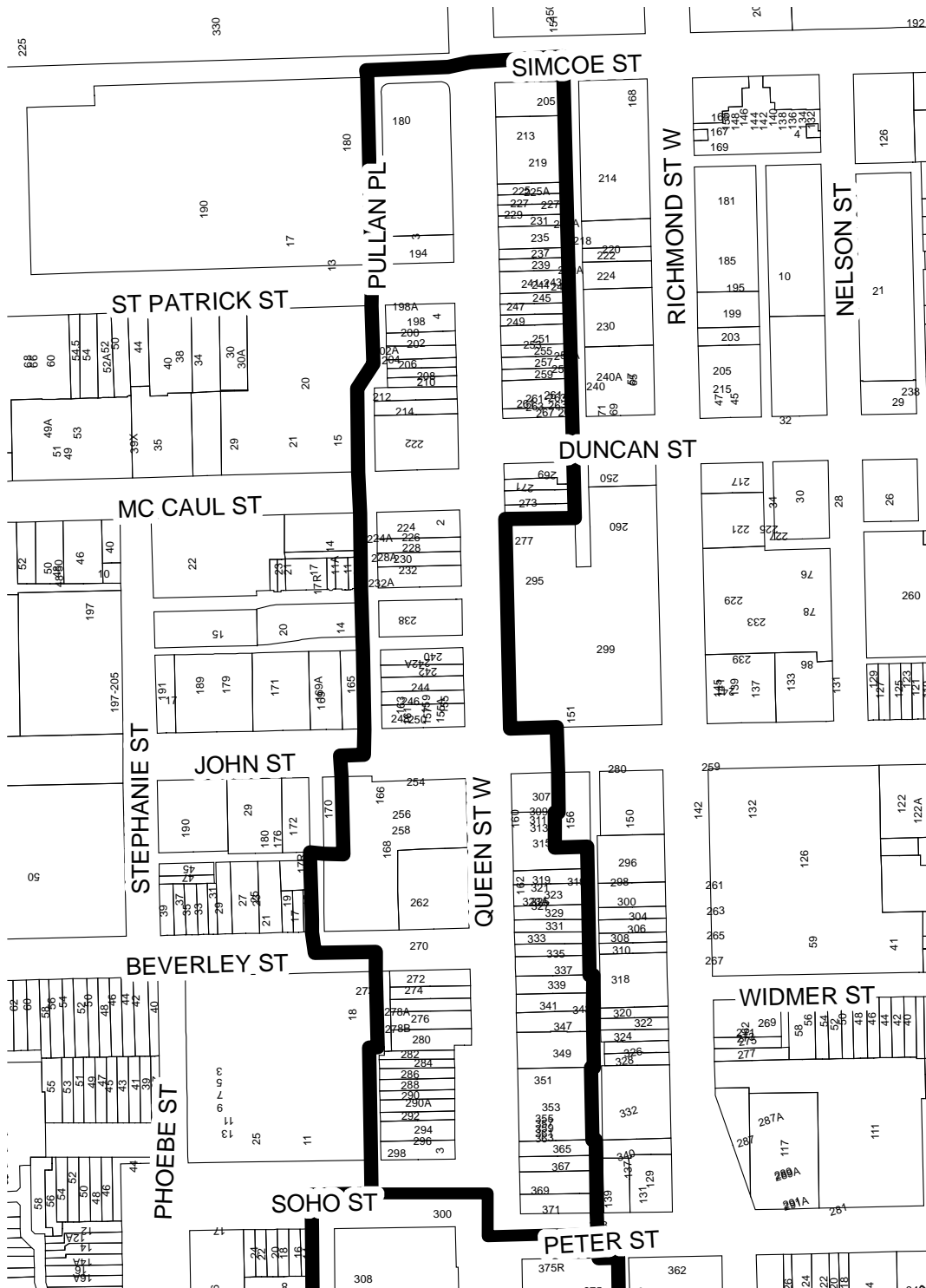
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SIGNATURE

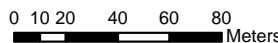
Eva Pyatt
Director, Business Services


ATTACHMENTS

Attachment No. 1 – Proposed Queen Street West BIA (Maps 1 to 3)

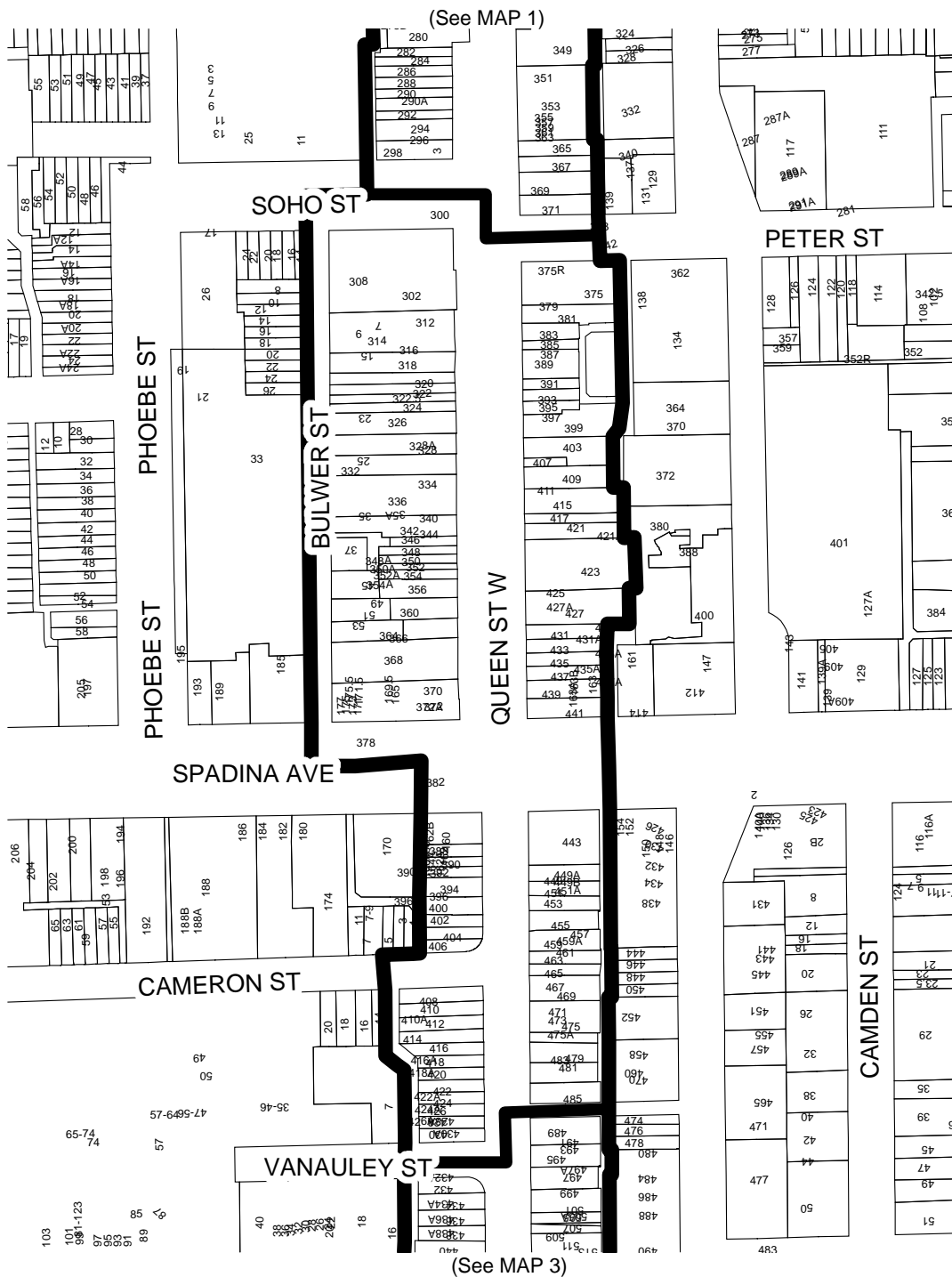


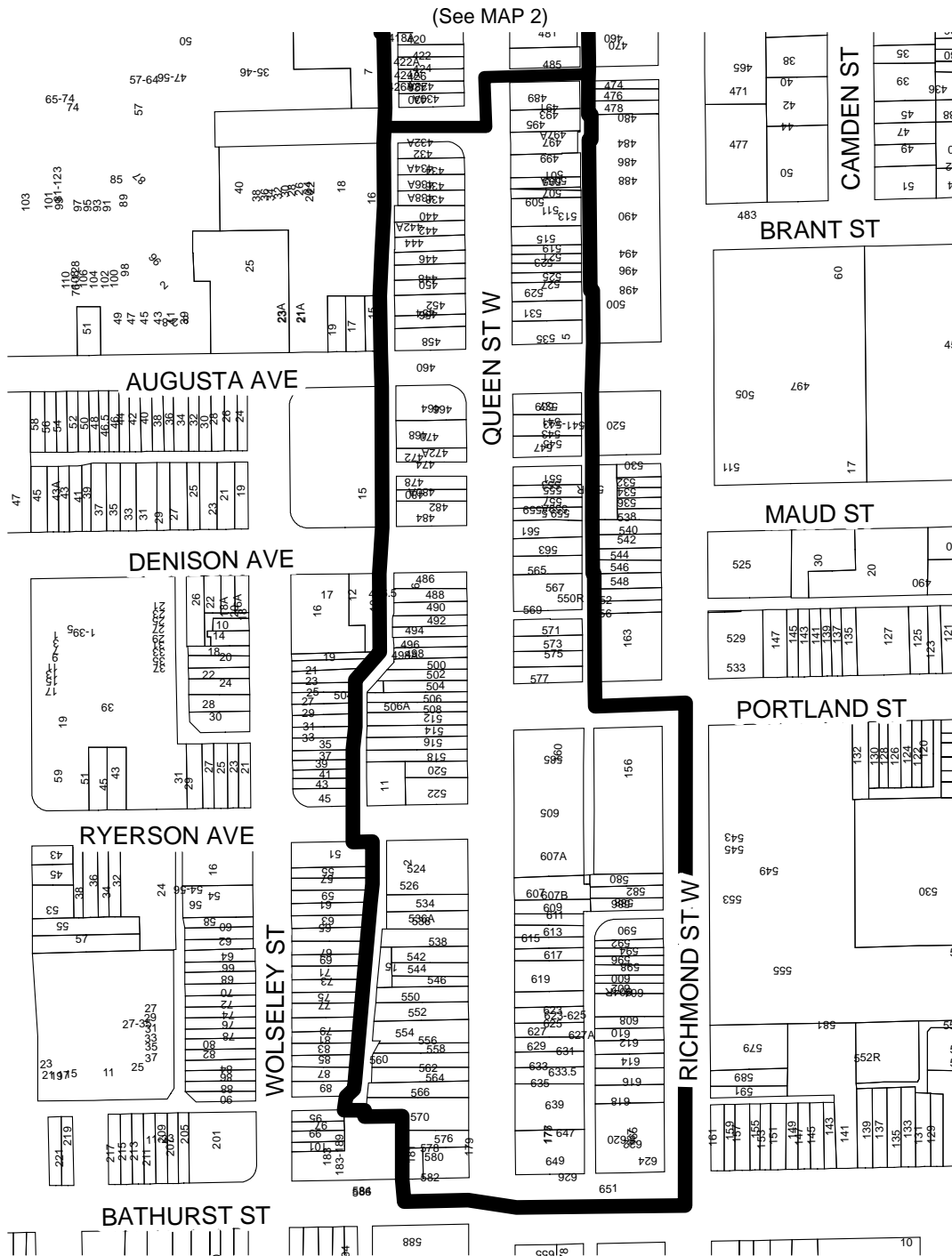
(See MAP 2)




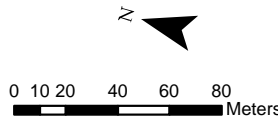
 Proposed Queen Street West
Business Improvement Area

TECHNICAL SERVICES
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Map File: queenstw_pt2.mxd
Created by: W. Silva
June 2006





 Proposed Queen Street West Business Improvement Area



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