



**STAFF REPORT  
ACTION REQUIRED**

**Poll Results for the Proposed Midtown Danforth  
Business Improvement Area along Danforth Avenue  
between Jones Avenue / Dewhurst Boulevard and the  
Lands Just West of Westlake Avenue**

<b>Date:</b>	December 21, 2007
<b>To:</b>	Economic Development Committee
<b>From:</b>	Mike Major, Acting Director Economic Development, Culture & Tourism
<b>Wards:</b>	29, 30, 31 and 32
<b>Reference Number:</b>	P:\2007\Cluster A\EDCT\ECON DEV\ed0801-003 (AFS #6559)

**SUMMARY**

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The purpose of this report is make recommendations regarding the poll results for the proposed Midtown Danforth Business Improvement Area fronting on Danforth Avenue from Dewhurst Boulevard on the north and Jones Avenue on the south to the properties located at 2396 Danforth Avenue on the north and 2385 on the south just west of Westlake Avenue as a Business Improvement Area (BIA). In addition, the adjacent commercial properties with municipal addresses 663, 665 and 667 Greenwood Avenue, 26 Ladysmith Avenue, 699 Coxwell Avenue and 955, 957, 959, 969 and 985 Woodbine Avenue are within the proposed BIA boundary and were included in the poll.

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 Midtown Danforth BIA. The number of objecting petitions regarding the Midtown Danforth 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 (Maps 1 to 6 inclusive), as the Midtown Danforth BIA.

## **RECOMMENDATIONS**

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### **The Acting Director of Small Business & Local Partnerships recommends that:**

1. Based on the poll results respecting the intention to designate the Midtown Danforth BIA, the area described by Attachment No. 1 (Maps 1 to 6), 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 September 26 and 27, 2007, City Council adopted, Report 7 Clause 7, of the Economic Development Committee, headed "Intention to Designate the Area Along Danforth Avenue Between Jones Avenue/Dewhurst Boulevard and the Lands Just West of Westlake Avenue as a Business Improvement Area (BIA)". The staff report recommended the establishment of a BIA, subject to a favourable poll result.

### **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 September 24, 2007, the City Clerk mailed 486 Notices of Intention to Designate to all persons assessed with respect to rateable property within the specified proposed Danforth Avenue (between Jones Avenue-Dewhurst Boulevard to Westlake Avenue) Business Improvement Area, to determine whether or not this area could become a BIA.

Within 60 days after the notices were mailed, 44 tenant lists were returned to the City Clerk by the owners. Sixty-eight (68) tenants were identified from the lists and added to the original total of 486 persons. Therefore, a total of 554 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 Midtown Danforth Business Improvement Area totals \$ 5,629,779.00.

One hundred and two (102) petitions of objection to the proposed designation of Danforth Avenue as a Business Improvement Area were received by the City Clerk by November 23, 2007, 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 6), as the Midtown Danforth Business Improvement Area.

## **CONTACT**

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## **SIGNATURE**

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Mike Major  
Acting Director, Small Business & Local Partnerships

## **ATTACHMENTS**

Attachment No. 1 – Maps (1 to 6) of proposed BIA