



**STAFF REPORT
ACTION REQUIRED**

**Regal Heights Village Business Improvement Area (BIA)
Boundary Expansion Poll Results**

Date:	May 6, 2009
To:	Economic Development Committee
From:	General Manager, Economic Development, Culture and Tourism
Wards:	17
Reference Number:	P:/2009/Cluster A/EDCT/ECON DEV/June/ed0906-018

SUMMARY

The purpose of this report is to recommend the expansion of the Regal Heights 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 Regal Heights 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 the map in Attachment No. 1, as the expanded Regal Heights Village BIA.

RECOMMENDATIONS

The General Manager of Economic Development, Culture and Tourism recommends that:

1. Based on the poll results respecting the intention to expand the Regal Heights Village BIA, the area described by Attachment No. 1 be designated as the expanded Regal Heights 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 Regal Heights 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 agrees with the financial impact information.

DECISION HISTORY

At its meeting of January 27 and 28, 2009, City Council adopted, ED18.5 entitled Intention to Expand the Regal Heights Village Business Improvement Area (BIA), <http://www.toronto.ca/legdocs/mmis/2009/ed/minutes/2009-01-15-ed18-mn.pdf>.

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

ISSUE BACKGROUND

Section 19-5 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 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 on-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 the fact.

COMMENTS

On February 16, 2009 the City Clerk mailed 70 Notices of Intention to Expand the Boundary of the Regal Heights 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.

Within 60 days after the notices were mailed, 4 tenant lists were returned from the owners of the existing Business Improvement Area to the City Clerk.

Three commercial tenants were identified from the lists within the existing area and added to the original total of 40. Therefore, a total of 43 persons were identified to receive notice. The full amount of taxes levied on the rateable property within the existing Business Improvement Area totals \$494,614. By the end of the notice period, no objections to the proposed expansion of the Regal Heights Village Business from the owners and tenants of the existing Business Improvement Area were received by the City Clerk by April 17, 2009, the end of the notice period.

Within 60 days after the notices were mailed, five tenant lists were returned from the owners of the proposed expanded Business Improvement Area to the City Clerk. Five commercial tenants within the proposed expanded area were added to the original total of 30. Therefore, a total of 35 persons were identified to receive notice. The full amount of the taxes levied on the rateable property within the proposed expanded Business Improvement Area totals \$303,393. Three eligible objections to the proposed expansion of the Regal Heights Village Business Improvement Area from the owners and tenants of the expanded area were received by the City Clerk by April 17, 2009, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required under Section 19-9B of the Municipal Code. Based on the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1, as the expanded Regal Heights Village Business Improvement Area.

CONTACT

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SIGNATURE

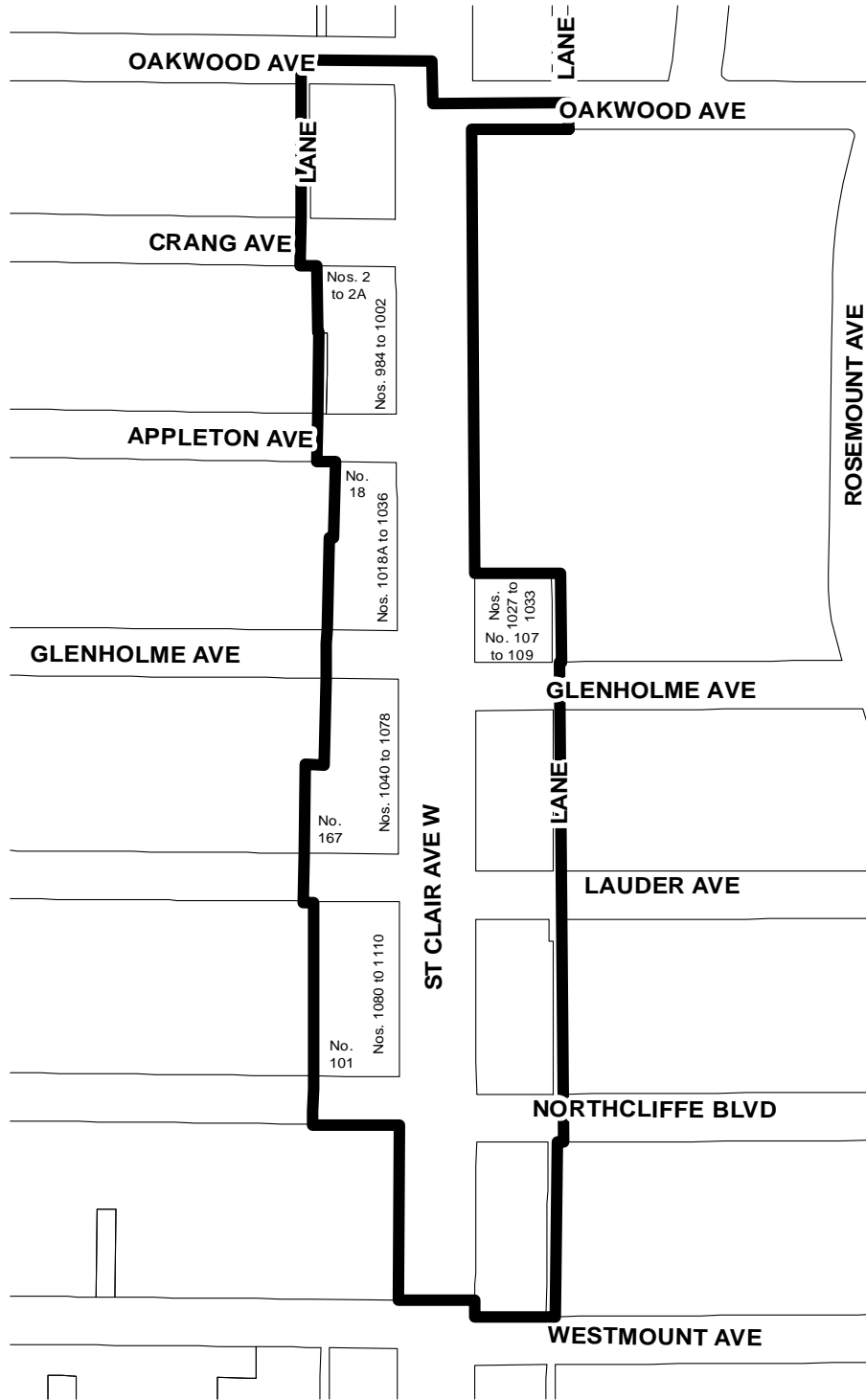
Michael H. Williams, General Manager
Economic Development, Culture and Tourism


ATTACHMENT

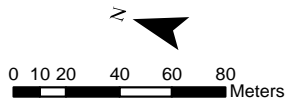
Attachment No. 1 Map of Proposed Regal Heights Village BIA Expansion

Map of Proposed Regal Heights Village BIA Expansion

MAP 1



 Regal Heights Village Business Improvement Area



TECHNICAL SERVICES
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