

**St. Clair Gardens Business Improvement Area (BIA)
Boundary Expansion Poll Results**

Date:	Wednesday, August 26, 2009
To:	Economic Development Committee
From:	General Manager, Economic Development Culture and Tourism
Wards:	17
Reference Number:	P:/2009/Cluster A/EDCT/ECON DEV/September/ed0909-028

SUMMARY

The purpose of this report is to recommend the expansion of the St Clair Gardens 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 St. Clair Gardens BIA. The number of objecting petitions was zero therefore does not meet the sufficiency benchmark to prevent the expansion as 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 (maps 1 and 2), as the expanded St. Clair Gardens 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 St. Clair Gardens BIA, the area described by Attachment No. 1 be designated as the expanded St. Clair Gardens Business Improvement Area (BIA), under Chapter 19 of the Toronto Municipal Code
2. Schedule "A" of Municipal Code Chapter 19 Business Improvement Areas be amended to include the expanded St. Clair Gardens BIA; and

3. The City Solicitor be directed to submit any necessary bills in Council to give effect to the expanded St. Clair Gardens BIA.

Financial Impact

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the expanded St. Clair Gardens 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 April 22, 2009, City Council adopted, ED20.8 entitled “Intention to Expand the St. Clair Gardens Business Improvement Area (BIA)”

<http://www.toronto.ca/legdocs/mmis/2009/ed/minutes/2009-04-22-ed20-mn.htm>

The staff report recommended that the boundaries of the St. Clair Gardens 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 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 the fact.

COMMENTS

On May 28, 2009 the City Clerk mailed 111 Notices of Intention to Expand the Boundary of the St. Clair Gardens 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, 8 tenant lists were returned from the owners of the existing BIA to the City Clerk. Eleven commercial tenants were identified from the lists within the existing area and added to the original total of 105. Therefore, a total of 116 persons were identified to receive notice. The full amount of taxes levied on the rateable property within the existing BIA totals \$1,080,898.00. By the end of the notice period, no eligible objections to the proposed expansion were received by the City Clerk from owners and tenants of the existing BIA.

Within 60 days after the notices were mailed, no tenant lists were returned from the owners of the proposed expanded BIA to the City Clerk. No commercial tenants within the proposed expanded area were added to the original total of 6. Therefore, a total of 6 persons were identified to receive notice. The full amount of the taxes levied on the rateable property within the proposed expanded BIA totals \$153,832.00.

As no objections were received in relation to the proposed expansion of the St. Clair Gardens BIA, the sufficiency benchmarks to prevent the expansion, as 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 St. Clair Gardens Business Improvement Area.

CONTACT

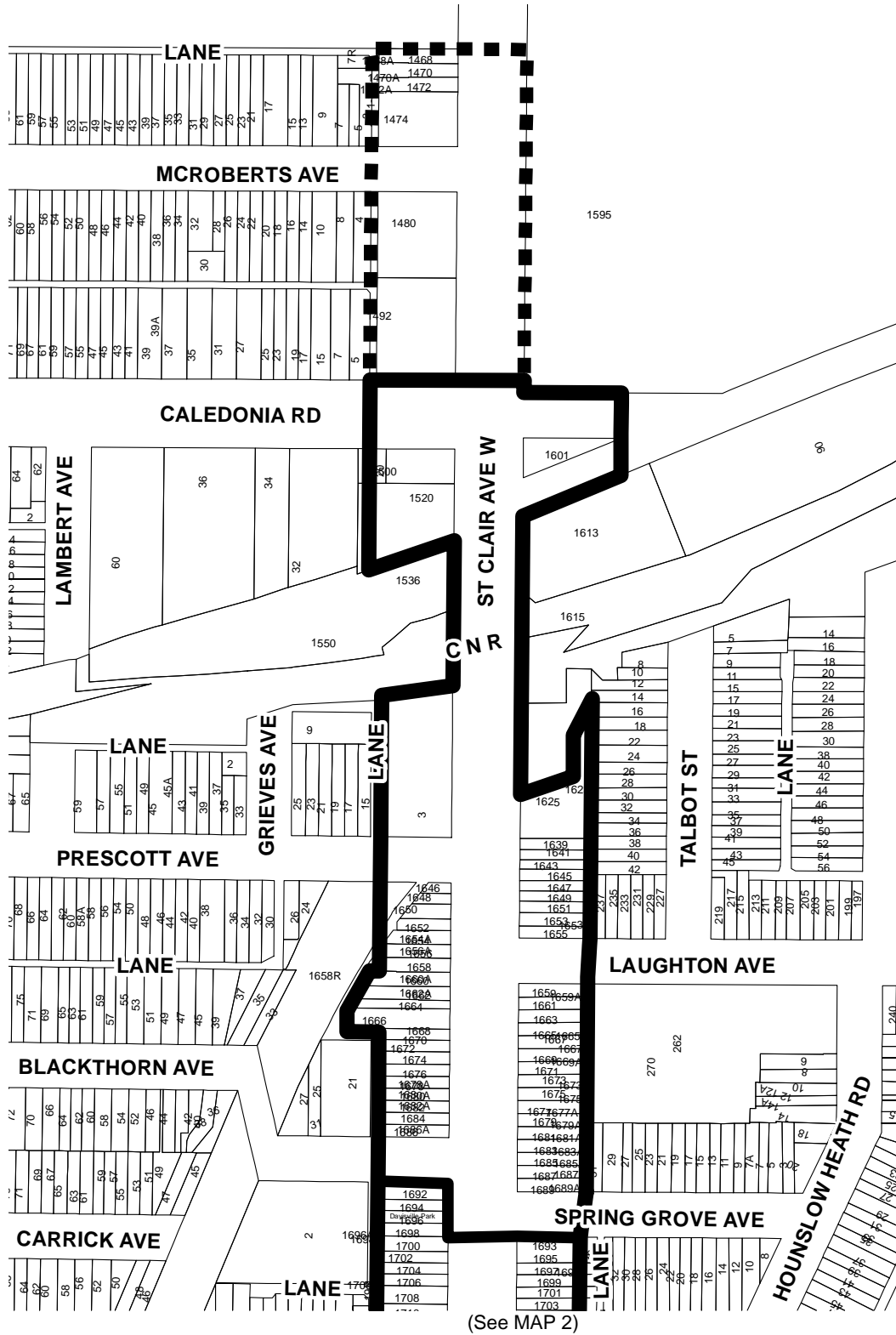
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SIGNATURE

Michael Williams
General Manager
Economic Development, Culture and Tourism

ATTACHMENT

Attachment No. 1 Maps (1 and 2) of Proposed St. Clair Gardens BIA Expansion



St. Clair Gardens
Business Improvement Area
Proposed Expansion



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Meters

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