



STAFF REPORT ACTION REQUIRED

Annex-Dupont Business Improvement Area (BIA) Poll Results

Date:	October 19, 2009
To:	Economic Development Committee
From:	General Manager, Economic Development, Culture and Tourism
Wards:	20
Reference Number:	P:/2009/Cluster A/EDCT/ECON DEV/November/ed0911-032

SUMMARY

The purpose of this report is to make recommendations regarding the poll results for the proposed Annex-Dupont 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 Annex-Dupont as a Business Improvement Area. The number of objecting petitions does not meet the sufficiency benchmark set out in Chapter 19-9A of the Municipal Code. Accordingly, City Council may establish a 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 as the Annex-Dupont BIA.

RECOMMENDATIONS

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

1. Based on the poll results respecting the intention to designate the Annex-Dupont BIA, the area described by Attachment No. 1 be designated as a Business Improvement Area (BIA), under Chapter 19 of the Toronto Municipal Code.
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. 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 August 5 and 6, 2009, City Council adopted Report 23 Clause ED23.6, of the Economic Development Committee, headed “Intention to Designate the Annex-Dupont Business Improvement Area (BIA)”

<http://www.toronto.ca/legdocs/mmis/2009/ed/bgrd/backgroundfile-21615.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, notice of the proposed by-law must 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 that 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 17, 2009, the City Clerk mailed 37 Notices of Intention to designate to all persons assessed with respect to rateable property within the proposed Annex-Dupont Business Improvement Area.

Within 60 days after the notices were mailed, 8 tenant lists were returned to the City Clerk by the owners. Ten commercial tenants were identified from the lists and added to the original total of 37 persons. Therefore, a total of 47 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 Annex-Dupont Business Improvement Area totals \$946,298.00.

Two eligible objections to the proposed designation of Annex-Dupont as a Business Improvement Area were received by the City Clerk by October 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 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 Annex-Dupont Business Improvement Area.

CONTACT

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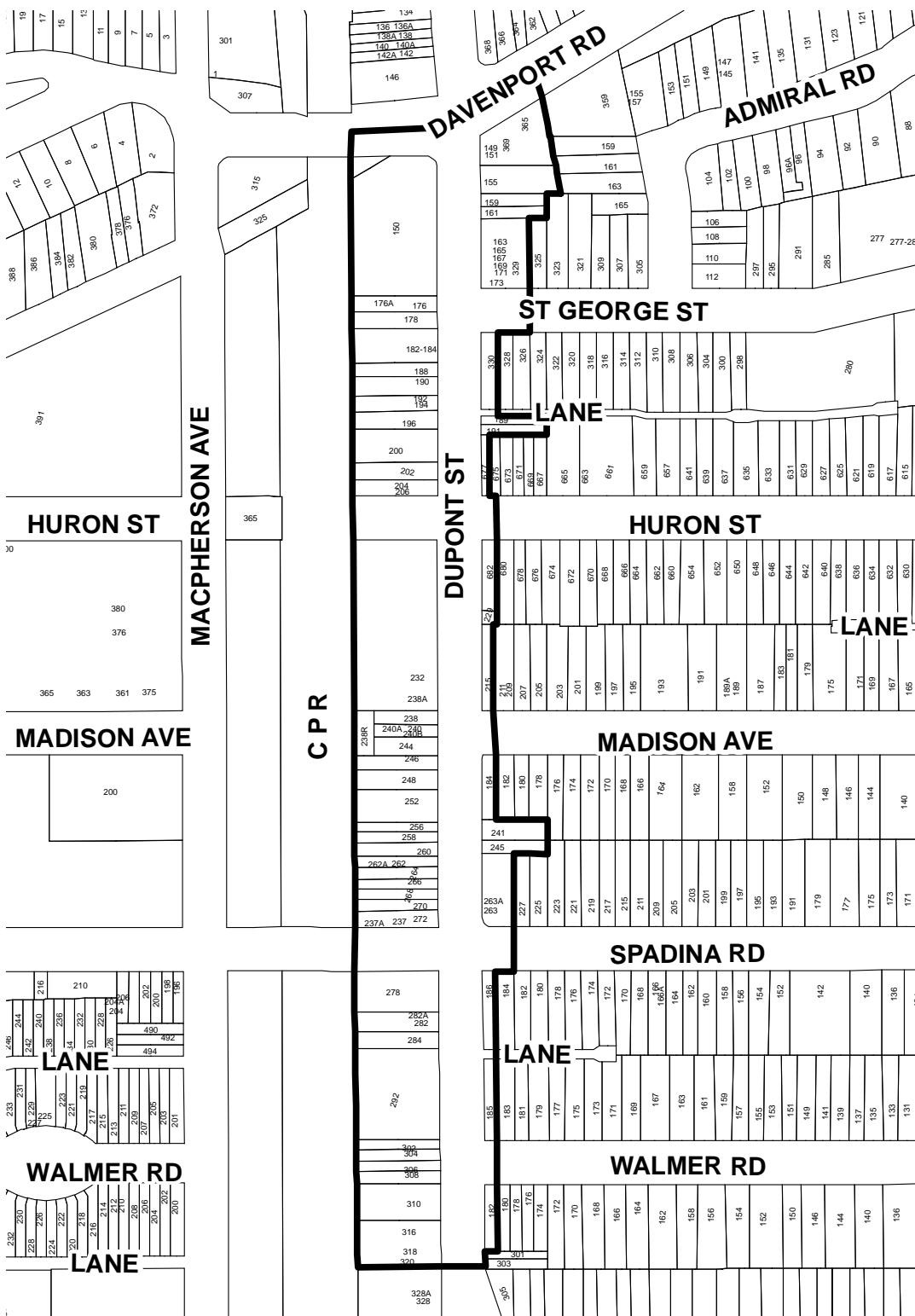
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Michael H. Williams, General Manager
Economic Development, Culture and Tourism

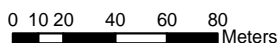
ATTACHMENTS

Attachment No. 1 – Proposed Annex-Dupont BIA Map

Attachment No.1



 Proposed Annex-Dupont Business Improvement Area



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