

Baby Point Gates Business Improvement Area (BIA) Poll Results

Date:	April 28, 2010
To:	Economic Development Committee
From:	General Manager Economic Development and Culture
Wards:	Ward 13
Reference Number:	P:/2010/Cluster A/EDC/ECON DEV/June/ed1006-015

SUMMARY

The purpose of this report is to recommend the designation of the proposed Baby Point Gates 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 the proposed Baby Point Gates Business Improvement Area (BIA). The number of objecting petitions regarding the Baby Point Gates Business Improvement Area (BIA) do not meet the sufficiency benchmark to prevent the designation set out in Chapter 19-9A of the Municipal Code. Accordingly, City Council may establish a Business Improvement Area (BIA). 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 Baby Point Gates Business Improvement Area (BIA).

RECOMMENDATIONS

The General Manager, Economic Development and Culture recommends that:

1. The area described by Attachment No. 1 (maps 1 to 3), be designated as a Business Improvement Area (BIA), under Chapter 19 of the Municipal Code,

- based on the poll results respecting the intention to designate the Baby Point Gates Business Improvement Area (BIA).
2. The City Solicitor be directed to submit a by-law to designate the area described in Attachment No. 1 (maps 1 to 3) as a Business Improvement Area (BIA).
 3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the Baby Point Gates 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 April 29, 2009, meeting City Council adopted without amendment, Item ED20.07, of the Economic Development Committee, headed “Intention to Designate the Baby Point Gates Business Improvement Area (BIA) Poll Request.” The staff report recommended the establishment of the Baby Point Gates BIA, subject to a favourable poll result. <http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-04-29-cc35-dd.htm>

On October 26 and 27, 2009, City Council referred Item ED24.3, “Baby Point Gates Business Improvement Area (BIA) Poll Results” back to the General Manager, Economic Development, Culture and Tourism, for further consultation with business area representatives and directed that, subject to a public meeting, a new Proposed Baby Point Gates BIA poll request report be submitted to the Economic Development Committee early in 2010, identifying boundaries which reflect the results of the public meeting. <http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-10-26-cc41-dd.htm>

After further stakeholder consultation, on January 26 and 27, 2010, Council adopted staff report ED27.8, “Intention to Designate the Baby Point Gates Business Improvement Area,” requesting that a reduced boundary be polled. <http://www.toronto.ca/legdocs/mmis/2010/cc/decisions/2010-01-26-cc45-dd.htm>

This report contains the results of the second poll conducted for the proposed Baby Point Gates BIA.

ISSUE BACKGROUND

Chapter 19 of the Municipal Code provides that Council may establish a BIA. Before passing a by-law to establish BIA, the Municipal Code requires notice of the proposed by-law be sent by pre-paid 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.

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 City 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 taxes levied.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

COMMENTS

On February 11, 2010, the City Clerk mailed 78 Notices of Intention to Designate to all persons assessed with respect to rateable property within the proposed Baby Point Gates BIA as described in Attachment No. 1 (maps 1 to 3), to determine whether or not this area could become a BIA.

Within 60 days after the notices were mailed, 16 tenant lists were returned to the City Clerk by the owners. Sixteen commercial tenants were identified from the lists and added to the original total of 78. Therefore, a total of 94 persons were identified to receive notice. The full amount of taxes levied on rateable properties within in the proposed Baby Point Gates BIA prescribed business property class totals \$726,430.

By the end of the April 12, 2010, notice period the City Clerk received nine eligible objections to Baby Point Gates BIA designation.

The City Clerk has determined that 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 1-3) as the Baby Point Gates Business Improvement Area.

CONTACT

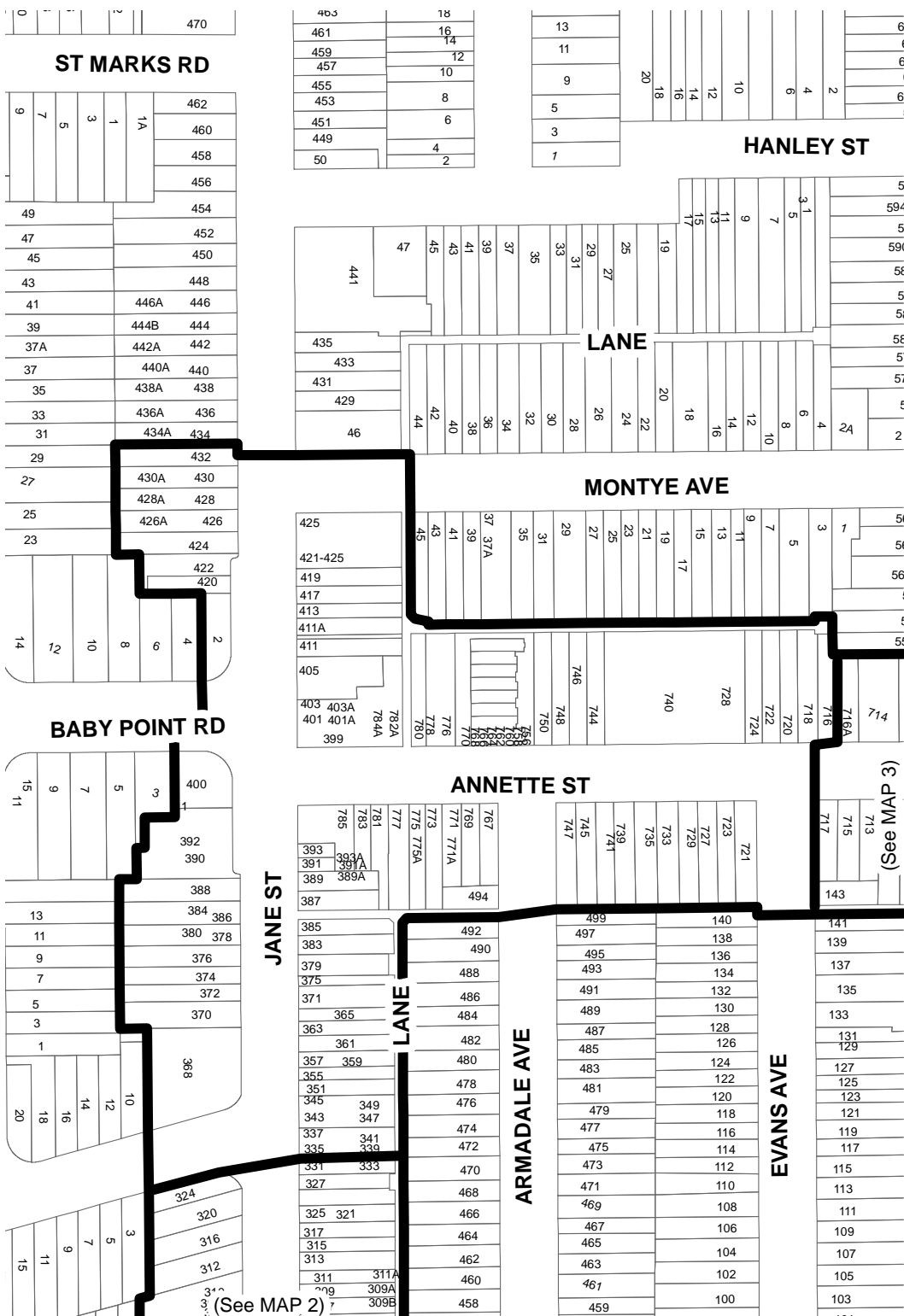
Ron Nash
Economic Partnership Advisor, BIA Office
Tel: 416-392-7354
Fax: 416-392-1380
Email: rnash@toronto.ca


SIGNATURE

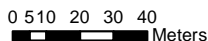
Michael H. Williams, General Manager
Economic Development and Culture

ATTACHMENT

Attachment No. 1 Proposed Baby Point Gates BIA (maps 1 to 3)



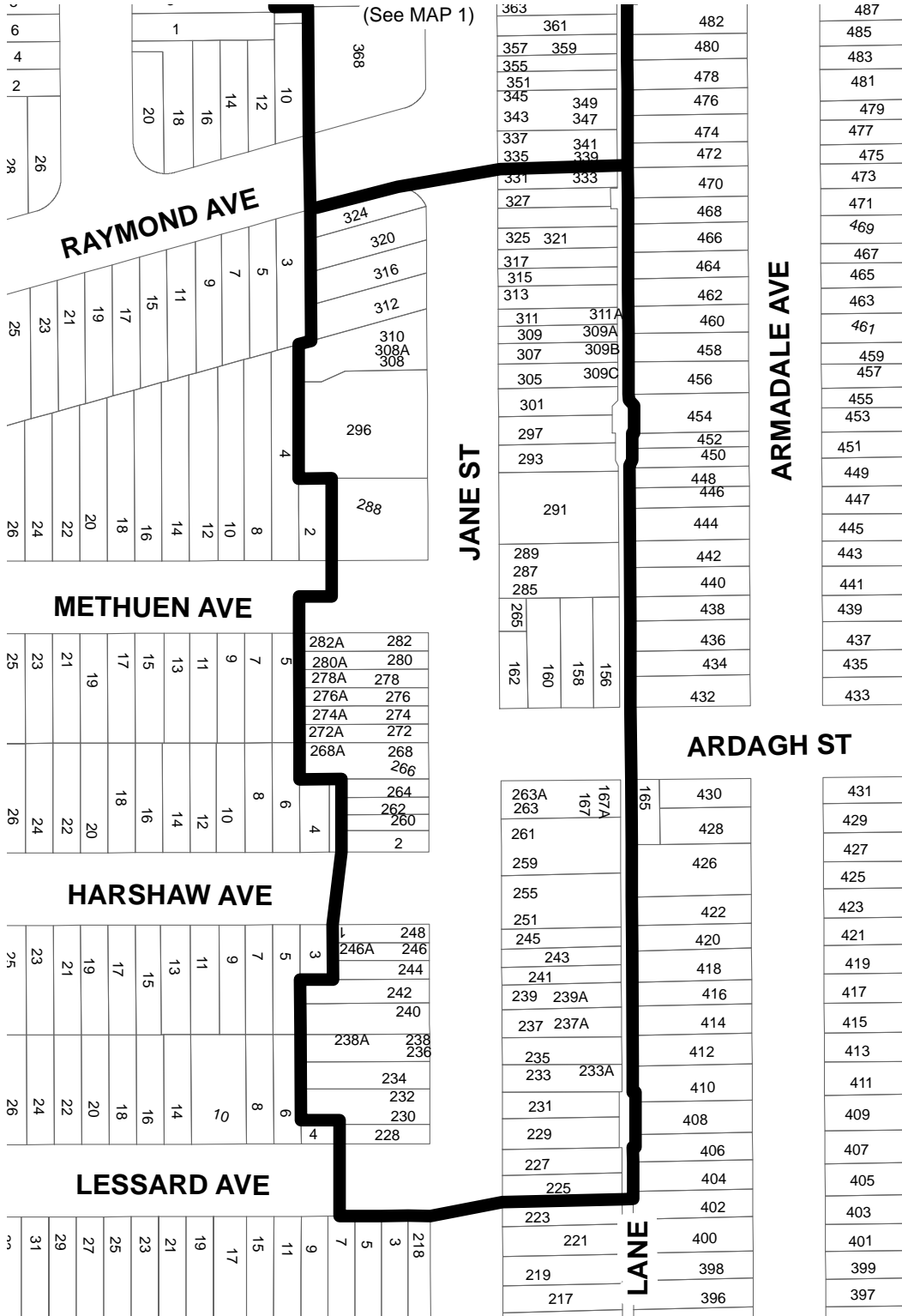
 Proposed Baby Point Gates Business Improvement Area




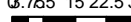
TECHNICAL SERVICES
SURVEY AND MAPPING SERVICES
18 Dyas Rd, 4th Floor
Toronto, ON M3B 1Y5
Tel: 416-392-7755, Fax: 416-392-0081
Map File: babypoint_rpt1.mxd
Created by: W. Silva
December 2009

Attachment No.1

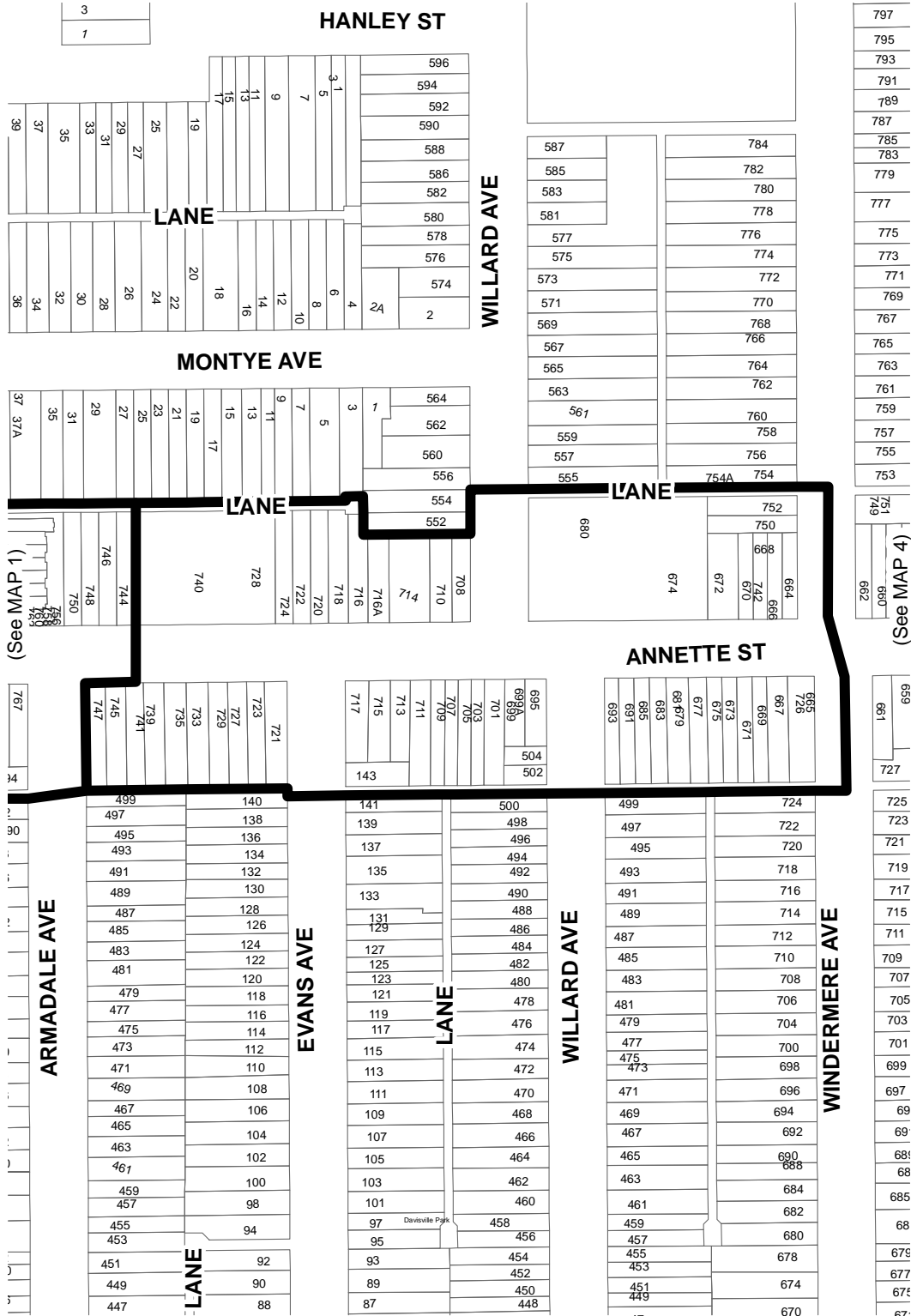
MAP 2 of 3



 Proposed Baby Point Gates Business Improvement Area

0.755 15 22.5 30
 Meters

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 Map File: babypoint_rpt2.mxd
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(See MAP 1)

(See MAP 4)

Proposed Baby Point Gates Business Improvement Area

0 5 10 20 30 40 Meters

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 Tel: 416-392-7755, Fax: 416-392-0081
 Map File: babypoint_rpt3.mxd
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 December 2008