



## STAFF REPORT ACTION REQUIRED

### Gerrard India Bazaar Business Improvement Area (BIA) - Boundary Expansion Poll Results

<b>Date:</b>	August 16, 2011
<b>To:</b>	Economic Development Committee
<b>From:</b>	General Manager, Economic Development and Culture
<b>Wards:</b>	30, 32
<b>Reference Number:</b>	P:/2011/Cluster A/EDC/ECON DEV/September/ed1109-026

#### SUMMARY

---

The purpose of this report is to recommend the expansion of the Gerrard India Bazaar Business Improvement Area (BIA) boundaries.

In accordance with Chapter 19 of the City of Toronto Municipal Code ("Chapter 19"), the City Clerk conducted a poll to determine if there is sufficient support to expand the boundaries of the Gerrard India Bazaar BIA. The expansion process was initiated in 2009 and the poll was mailed-out prior to Council's July 12, 2011, approval of several amendments to Chapter 19, and therefore, the polling benchmarks in effect prior to July 12, 2011, apply.

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 Gerrard India Bazaar BIA.

#### RECOMMENDATIONS

---

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

1. City Council designate, based on the poll results respecting the intention to expand the Gerrard India Bazaar Business Improvement Area (BIA), the area described by Attachment No. 1 as the expanded Gerrard India Bazaar Business Improvement Area (BIA) under Chapter 19 of the Toronto Municipal Code.

2. City Council direct the City Solicitor to submit a by-law to designate the area described in Attachment No. 1 as a Business Improvement Area (BIA).
3. City Council approve those amendments necessary to Schedule "A" of Municipal Code Chapter 19, Business Improvement Areas, to include the expanded Gerrard India Bazaar Business Improvement Area (BIA).

### **Financial Impact**

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the expanded Gerrard India Bazaar 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 April 12 and 13, 2011, City Council adopted, ED2.12 entitled Intention to Expand the Gerrard India Bazaar Business Improvement Area (BIA), <http://www.toronto.ca/legdocs/mmis/2011/ed/bgrd/backgroundfile-36665.pdf>.

The staff report recommended that the boundaries of the Gerrard India Bazaar BIA be expanded, subject to a favourable poll result.

### **ISSUE BACKGROUND**

Chapter 19 provides that Council may alter the boundaries of a Business Improvement Area (BIA). As per the provisions of Chapter 19 prior to the recent amendments adopted by Council, 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, 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.

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 the 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 20, 2011, the City Clerk mailed a total of 91 Notices of Intention to Expand the Boundary of the Gerrard India Bazaar Business Improvement Area (BIA) to all persons assessed for rateable property within the existing BIA (54 notices) and the area of the proposed expansion (37 notices), to determine if there was sufficient support to expand the BIA.

Within 60 days after the notices were mailed, the City Clerk received no tenant lists from property owners in the existing BIA. Therefore, a total of 54 persons were identified to receive notice within the existing BIA. The full amount of taxes levied on the rateable property within the existing BIA totals \$435,174.01. The City Clerk received no objections to the proposed expansion of the Gerrard India Bazaar BIA from owners and tenants within the existing BIA by July 19, 2011, the end of the notice period.

Within 60 days after the notices were mailed, the City Clerk received eight tenant lists from property owners in the area of the proposed Gerrard India Bazaar BIA expansion. Seventeen tenants were identified and added to the original total of 37. Therefore, a total of 54 persons were identified to receive notice within the expansion area. The full amount of the taxes levied on the rateable property within the expansion area totals \$625,870.80. The City Clerk received ten eligible objections to the proposed expansion of the Gerrard India Bazaar BIA from owners and tenants within the expansion area by July 19, 2011, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required under Chapter 19. 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 Gerrard India Bazaar BIA.

## **CONTACT**

Henry Byres  
Economic Partnership Advisor, BIA Office  
Tel: 416 392-1134  
Fax: 416 392-1380  
Email: hbyres@toronto.ca

## **SIGNATURE**

Michael H. Williams, General Manager  
Economic Development and Culture

## **ATTACHMENTS**

Attachment No. 1 – Map of Proposed Gerrard India Bazaar BIA Expansion