

## **Proposed Wilson Heights Business Improvement Area (BIA) - Poll Results**

<b>Date:</b>	January 8, 2013
<b>To:</b>	Economic Development Committee
<b>From:</b>	General Manager, Economic Development and Culture
<b>Wards:</b>	10
<b>Reference Number:</b>	P:/2013/Cluster A/EDC/ECON DEV/January/ed1301-007

### **SUMMARY**

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The purpose of this report is to advise of the poll results for the proposed Wilson Heights 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 area as a BIA. Under Chapter 19, Council shall not establish a new BIA if the number of accepted ballots fails to exceed the lesser of a minimum of 30% of the number of notices mailed or 100 ballots. In this case, a total of 29 accepted ballots were required and only 23 were received. Accordingly, Council shall not pass a by-law to designate the area described by the map in Attachment No. 1 as the Wilson Heights Business Improvement Area (BIA).

### **RECOMMENDATIONS**

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

1. City Council receive this report for information.

#### **Financial Impact**

There are no financial implications associated with this report.

## **DECISION HISTORY**

At its meeting of October 2, 3 and 4, 2012, City Council adopted the Economic Development and Culture Committee report ED11.3, Intention to Designate the Wilson Heights Business Improvement Area (BIA) authorizing the City Clerk to send out a notice (poll) of its intention to pass a by-law to designate Wilson Heights as a BIA.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.ED16.7>

## **ISSUE BACKGROUND**

This is the first poll under the new polling procedures adopted by City Council at its meeting on July 12, 13, and 14, 2011, that has not met the criteria to approve a BIA. The new procedures are intended to increase voter participation by requiring a minimum response rate and provide for a more democratic process by requiring those in favour of the BIA to cast a ballot. Under the previous polling procedure, the onus was on those opposing the BIA to garner sufficient support to defeat the poll. No response was inherently considered a positive response.

The notice of the proposed by-law was sent by prepaid mail to every person who is listed as an owner and is assessed for rateable property in a business property class located in the proposed Business Improvement Area using the following documents:

- (1) Current returned assessment roll; and/or
- (2) Municipal Connect, Toronto Property System (TPS) or any other related geographic information system (GIS) developed using information from Municipal Property Assessment Corporation (MPAC) and City records.

Persons who received notice were required to provide a copy of the notice to each commercial and industrial tenant of the property to which the notice relates. The steering committee was also required to distribute the notice and ballot to commercial and industrial tenants within the proposed BIA. A printable version of the ballot was posted on the City's website and also made available by contacting the Clerk. Proof of tenancy was required with the completed ballot and acceptable forms of proof were identified by the Clerk on the ballot and website.

A person receiving notice was entitled to complete and submit one ballot regardless of the number of properties or businesses owned by that person within the proposed business improvement area.

The polling period was 60 days, commencing on October 22, 2012.

The City Clerk determined whether all conditions had been met and, if they were, issued a certificate affirming that fact.

Council cannot pass a by-law to establish a new business improvement area if:

1. The number of accepted ballots returned fails to exceed the lesser of a minimum of 30 percent of the number of notices mailed or 100 ballots; or
2. 50 percent or more of the accepted ballots respond in the negative.

## **COMMENTS**

On October 22, 2012, the City Clerk mailed a 100 Notices of Intention to Designate the Wilson Heights Business Improvement Area (BIA) to all persons assessed for rateable property within the area to determine if there was sufficient support to establish the BIA. A total of 5 ballots were returned by Canada Post resulting in a total of 95 Notices mailed, setting a validity benchmark of 29 ballots or 30% to be returned.

At the end of the December 20, 2012, notice period the City Clerk received 23 ballots. Of the 23 ballots received, 18 were in favour, three 3 were opposed and 2 were spoiled. The numbers of returned ballots do not satisfy the first bench mark as set out in Municipal Code Chapter 19.5H (1). As a result of insufficient response, a BIA cannot be established. The City is not required to give notice in response to a resolution or a request for the area for a period of two years after the mailing of the original notice. However, given that the majority of ballots received were in support of the BIA, a new poll could be done prior to that provided additional outreach is carried out by the Steering Committee and additional support for a BIA is garnered.

Staff will continue to work with the Steering Committee if it chooses to remain intact and if it is interested in pursuing BIA status at a future date.

## **CONTACT**

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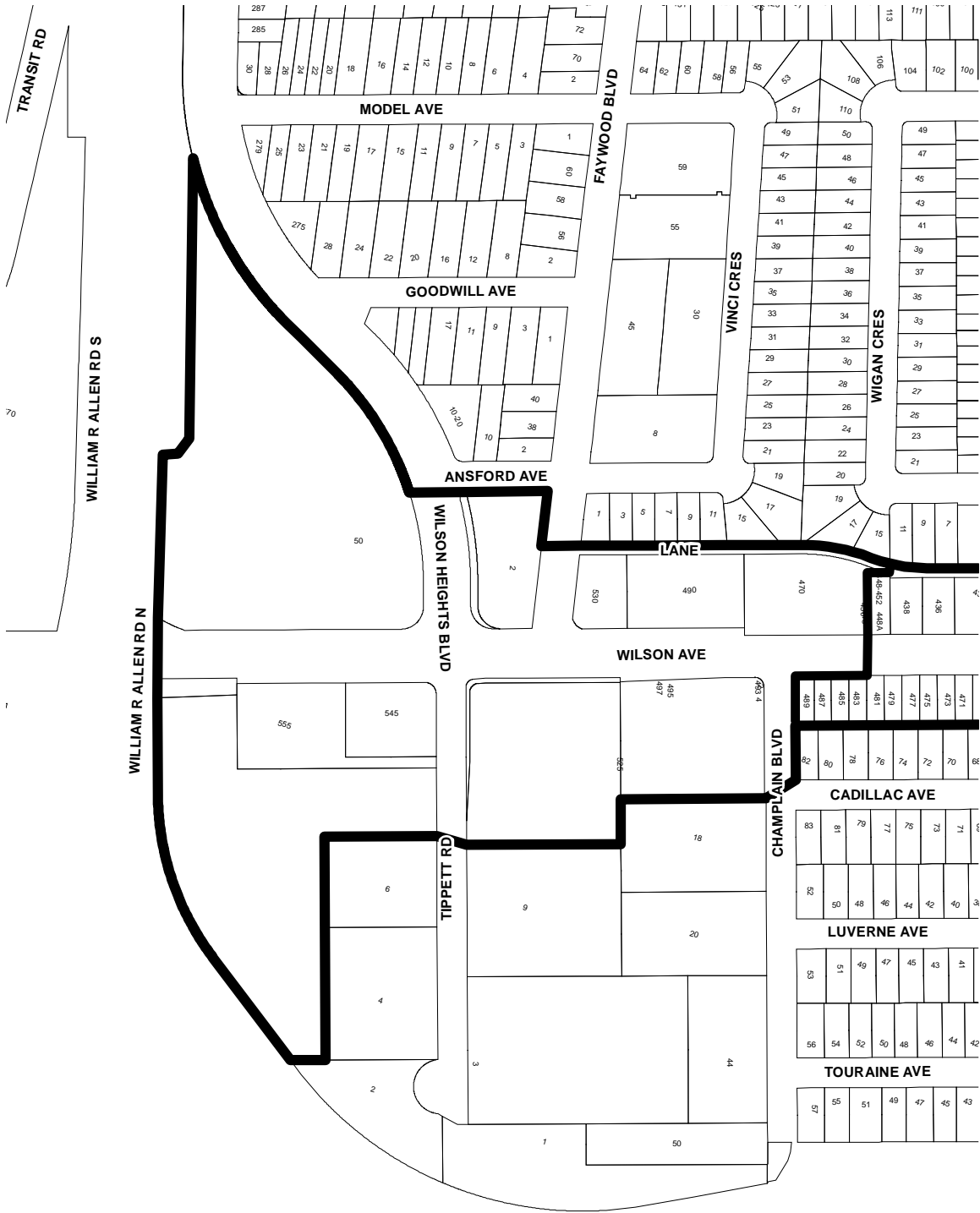
## **SIGNATURE**

Michael H. Williams, General Manager  
Economic Development and Culture

## **ATTACHMENT**

Attachment No. 1 - Proposed Wilson Heights BIA Boundary

Attachment No. 1 – Proposed Wilson Heights BIA Boundary  
**MAP 1 of 3**



Proposed Wilson Heights BIA

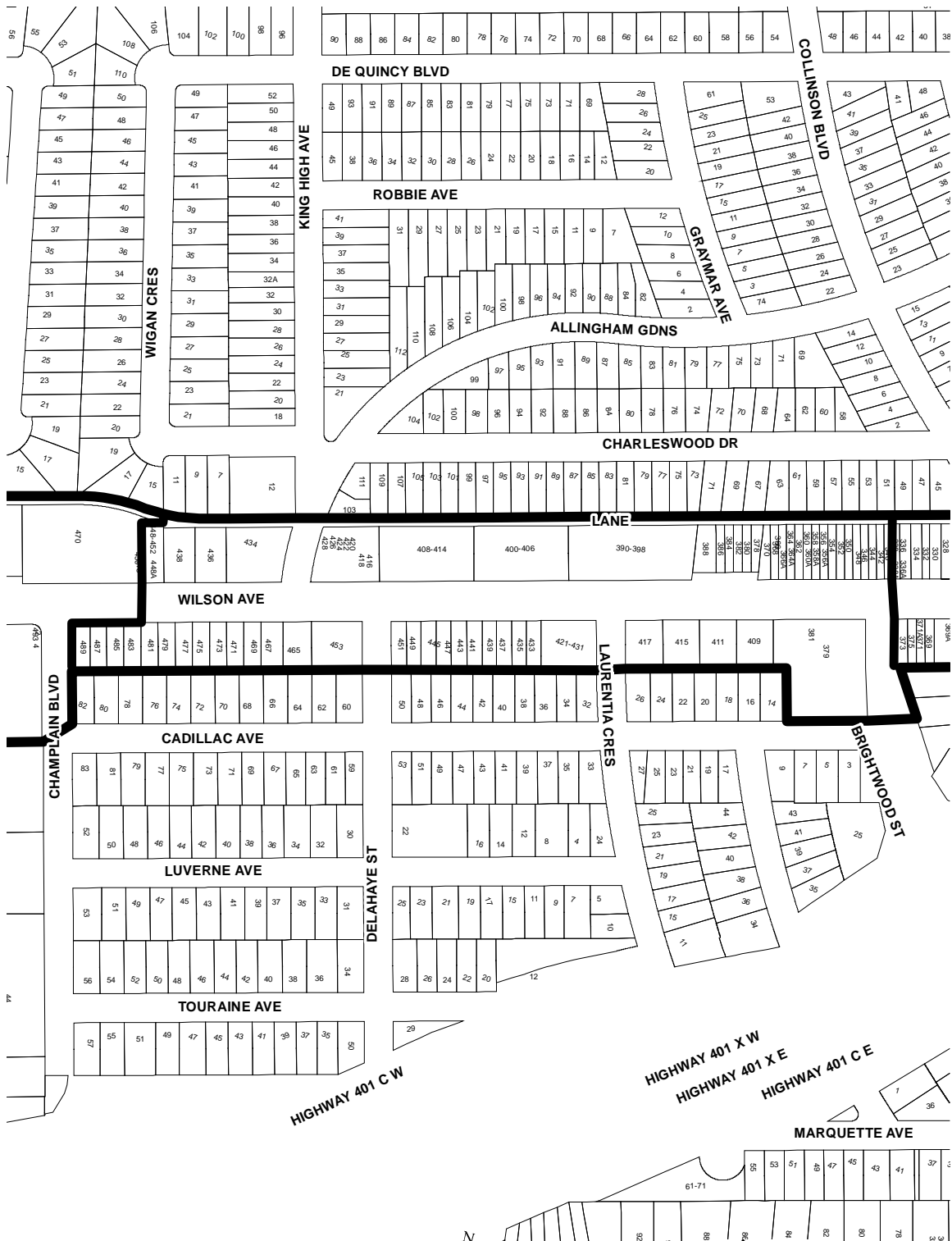


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GEOSPATIAL COMPETENCY CENTRE

18 Dyas Rd, 4th Floor  
 Toronto, ON M3VB 1V5  
 Tel: 416-392-7755, Fax: 416-392-0081  
 Map File: WilsonHts\_rpt.mxd  
 July 2012



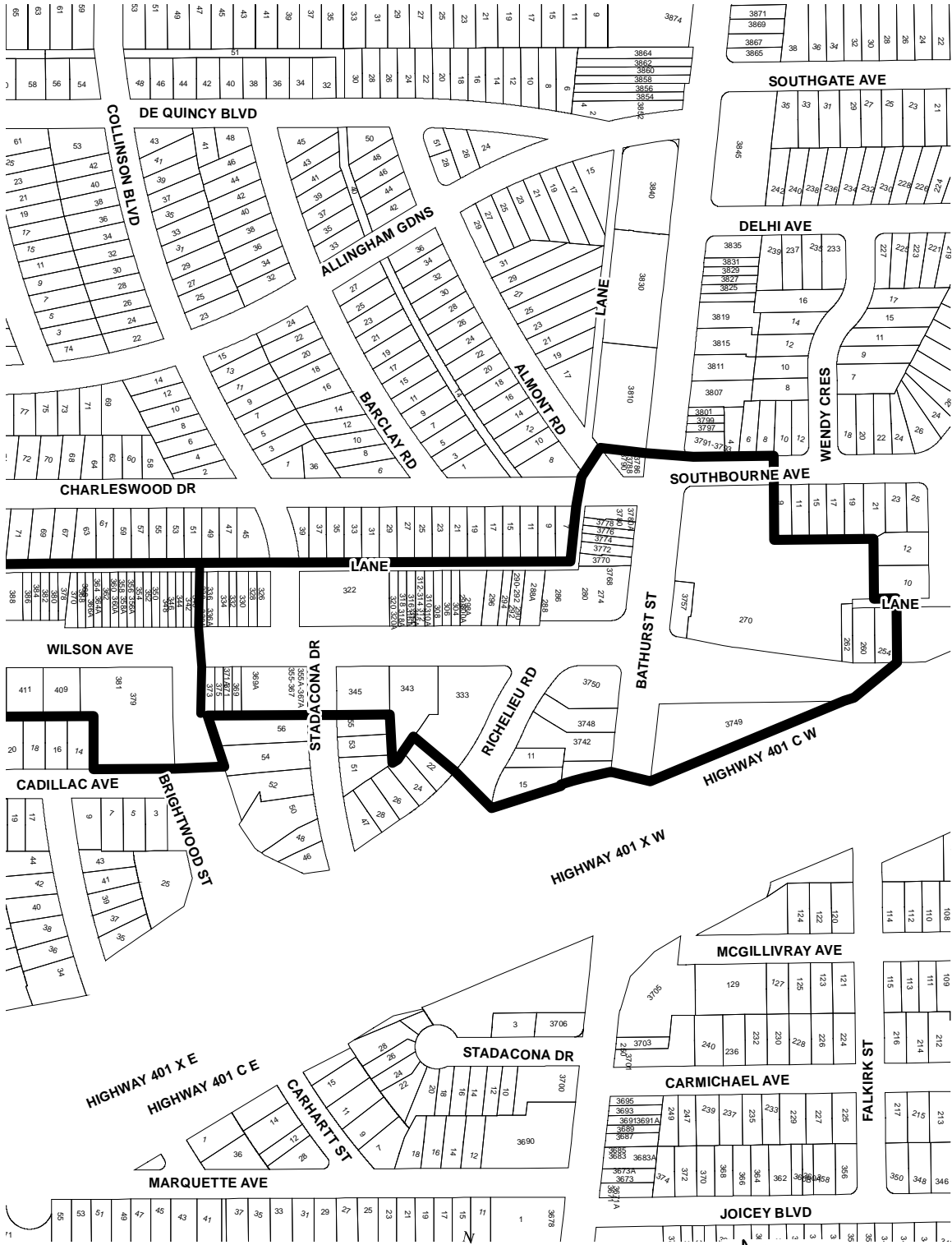
Proposed Wilson Heights BIA




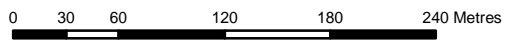
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