



# STAFF REPORT ACTION REQUIRED

## Proposed Business Improvement Area (BIA) on Bayview Avenue - Poll Results

<b>Date:</b>	Tuesday December 30, 2014
<b>To:</b>	Economic Development Committee
<b>From:</b>	General Manager, Economic Development and Culture
<b>Wards:</b>	22 and 26
<b>Reference Number:</b>	

### SUMMARY

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The purpose of this report is to recommend that the area shown on Attachment No. 1 be designated as a Business Improvement Area (BIA).

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 designate Bayview Avenue between Soudan Avenue and Davisville Avenue, as a BIA.

The City received a sufficient number of ballots to validate the poll and the majority of accepted ballots were in favour of establishing a BIA. Accordingly, it is recommended that City Council pass a by-law to designate the area described by the map in Attachment No. 1 as a Business Improvement Area (BIA). Subject to Council's approval, this will be the City's eighty-first BIA. The name of the BIA will be determined by the membership at a later date.

### RECOMMENDATIONS

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

1. City Council designate, based on the poll results respecting the intention to designate a Business Improvement Area (BIA), the area described by Attachment No. 1 as a 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; and
3. City Council approve those amendments necessary to Schedule "A" of Municipal Code Chapter 19, Business Improvement Areas, to include the Business Improvement Area (BIA) on Bayview Avenue between Soudan Avenue and Davisville Avenue.

## **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 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 28, 2014, City Council adopted item ED33.4 to designate the area on Bayview Avenue between Soudan Avenue and Davisville Avenue as a Business Improvement Area (BIA)

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.ED33.4> .

The staff report recommended that City Council state its intention to designate a Business Improvement Area on Bayview Avenue under Chapter 19 of the City of Toronto Municipal Code.

## **ISSUE BACKGROUND**

Before passing a by-law to establish a BIA, the Municipal Code requires notice of the proposed by-law be sent by prepaid mail to every person who is listed as an owner and is assessed for rateable property that is in a business property class that is 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.

Any person who receives notice is required to give a copy of the notice to each commercial/industrial tenant of the property to which the notice relates. The Steering Committee provided unaddressed notices to commercial and industrial tenants of those properties receiving notice. The notice included a copy of the ballot with instructions on how to obtain a printable copy of the ballot through the Clerk or from the City's website, along with acceptable forms of proof of tenancy.

A person receiving notice is 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 commenced on October 6, 2014, for 60 days, and closed on December 4, 2014.

The City Clerk determines whether all conditions have been met and, if they are, shall issue a certificate affirming the 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. Fifty percent or more of the accepted ballots respond in the negative.

## **COMMENTS**

On October 6, 2014, the City Clerk mailed a total of 145 Notices and ballots for the Intention to Designate a Business Improvement Area (BIA) on Bayview Avenue between Soudan Avenue and Davisville Avenue to all owners of commercial/industrial property assessed for rateable property within the area to determine if there was sufficient support to establish the BIA. Seven (7) of the ballots mailed were returned by Canada Post, therefore the total number of persons identified to receive notice became 138. In this instance, 42 (30%) ballots were required to be returned by December 4, 2014, the end of the Notice period, to validate the poll. A total of 95 ballots were submitted, satisfying the criteria for the first bench mark as set out in Municipal Code Chapter 19.5H(1).

A total of 68 (72 %) of the 95 returned ballots were in favour of designating the BIA on Bayview Avenue retail area as a BIA, meeting the second bench mark as set out in the Municipal Code Chapter 19.9H(2). A total of 26 (27 %) ballots opposed the creation of the BIA, with 1 (1 %) spoiled ballot.

Based on the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1, as the BIA on Bayview Avenue.

## **CONTACT**

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## **SIGNATURE**

Michael H. Williams, General Manager  
Economic Development and Culture

## **ATTACHMENT**

Attachment No. 1: Proposed BIA on Bayview Avenue BIA Boundary

Proposed BIA on Bayview Avenue Boundary

Map 1

