

Authority: Economic Development Committee Item 26.8, as adopted by City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009

Enacted by Council: December 4, 2009

CITY OF TORONTO

BY-LAW No. 1186-2009

To designate an area along Dupont Street from Davenport Road to just west of Walmer Road, as an improvement area.

WHEREAS under section 7 and paragraph 5 of subsection 8(2) of the *City of Toronto Act, 2006* (the “Act”), the City may designate business improvement areas as part of its authority to pass by-laws respecting the economic, social and environmental well-being of the City; and

WHEREAS under sections 7 and 8 of the Act and the specific power in section 141, the City may establish city boards for those purposes; and

WHEREAS Chapter 19, Business Improvement Areas of The City of Toronto Municipal Code (“Chapter 19”) sets out the procedures for the adoption by Council of a designating by-law and the establishment and operation of a business improvement area board of management; and

WHEREAS Council has authorized the designation of an area along Dupont Street from Davenport Road to just west of Walmer Road as an improvement area; and

WHEREAS section 19-6 of Chapter 19 provides that before passing a by-law designating an improvement area, notice of intention to pass the by-law shall be sent by prepaid mail to every person who, on the last returned assessment roll, is assessed with respect to rateable property in the proposed improvement area that is in a prescribed business property class; and

WHEREAS for the purposes of section 19-6 of Chapter 19, O.Reg. 406/98, as amended, prescribes the commercial classes and the industrial classes, as defined in subsection 308(1) of the *Municipal Act, 2001*, as the business property classes; and

WHEREAS section 19-7A of Chapter 19 provides that if a person who receives notice under section 19-6 has leased any of their rateable property in the area that is in a prescribed business property class, the person shall, within 30 days of the date of the notice, give a copy of the notice to each tenant of such property who, under the tenant’s lease, is required to pay all or part of the taxes on the property, and such person shall also give the Clerk a list of every tenant to whom notice was given and the share of the taxes on the property that each tenant is required to pay; and

WHEREAS section 19-9A of Chapter 19 provides that a by-law to establish a new business improvement area shall not be passed if the Clerk, within 60 days of the date of the notice, objections to the by-law that have been signed by at least one-third of the total number of persons entitled to notice, and the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipal levy on rateable property in all prescribed business property classes in the proposed business improvement area; and

WHEREAS notice of the intention to pass the by-law has been sent as required by section 19-6, and although petitions objecting to the passing of the by-law have been received by the Clerk within the time frame set out in section 19-9, the number of objections received is not enough to prevent the passing of this by-law; and

WHEREAS Council has authorized the designation of an area along Dupont Street from Davenport Road to just west of Walmer Road, as an improvement area;

The Council of the City of Toronto HEREBY ENACTS as follows:

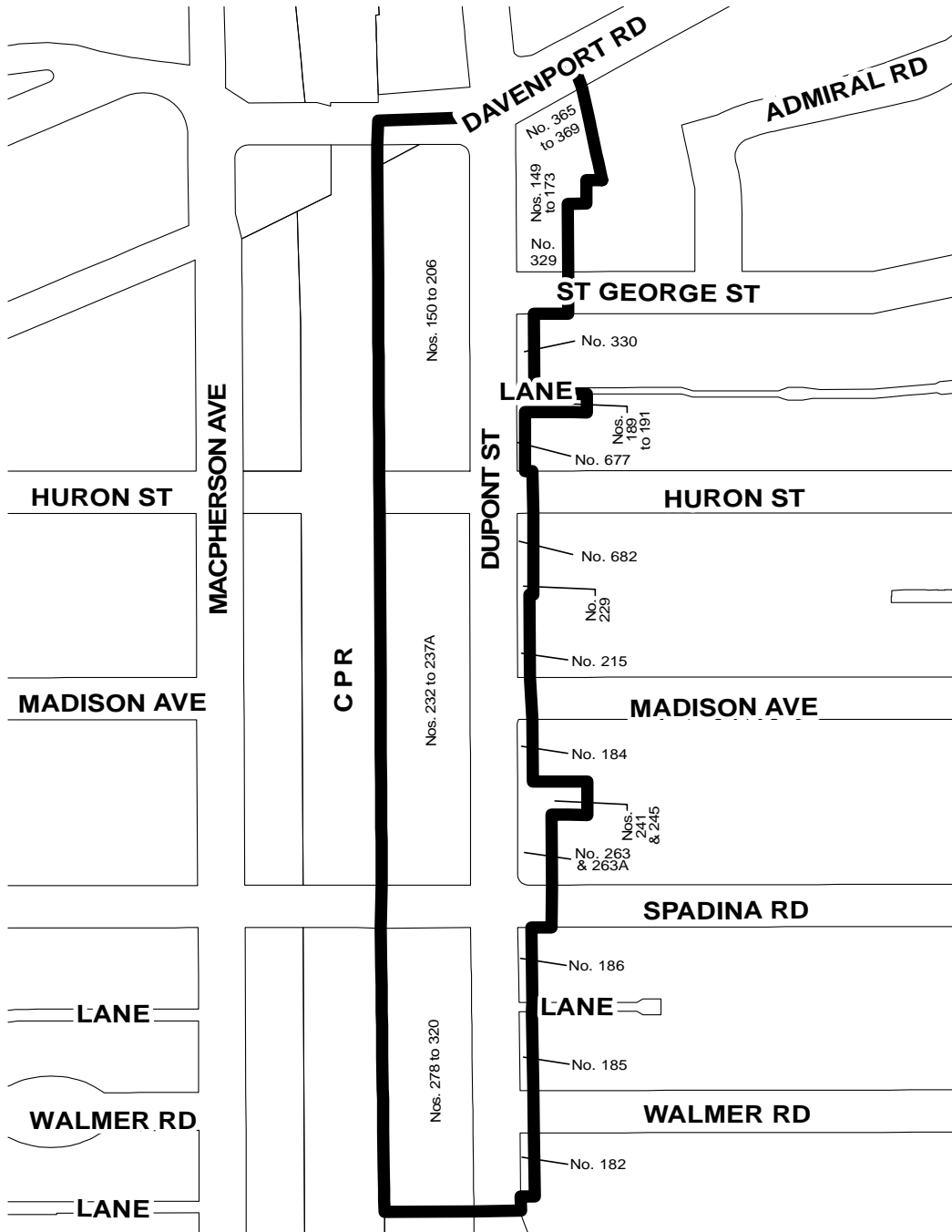
1. The area shown on the attached Map is designated as a business improvement area under Municipal Code Chapter 19, Business Improvement Areas.


ENACTED AND PASSED this 4th day of December, A.D. 2009.

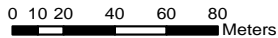
SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



 Annex-Dupont Business Improvement Area



TECHNICAL SERVICES
 SURVEY AND MAPPING SERVICES
 18 Dyas Rd. 4th Floor
 Toronto, ON M3V8 1V5
 Tel: 416-392-7755, Fax: 416-392-0081
 Map File: annex_bim.mxd
 Created by: W. Silva
 November 2009