

Authority: Economic Development Committee Item 1.4, as adopted by City of Toronto Council on February 10 and 11, 2015

CITY OF TORONTO

BY-LAW No. 216-2015

To designate an area along Yonge Street from north of the Kay Gardner Beltline Trail to Soudan Avenue, 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 the City of Toronto Municipal Code Chapter 19, Business Improvement Areas ("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 Yonge Street from north of the Kay Gardner Beltline Trail to Soudan Avenue, as an improvement area; and

Whereas section 19-5 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 is listed as owner and is assessed for rateable property that is in a business property class that is located in the proposed improvement area; and

Whereas for the purposes of section 19-5 of Chapter 19, O.Reg. 406/98, as amended, prescribes the commercial classes and the industrial classes, as define in subsection 308(1) of the *Municipal Act, 2001*, as the business property classes; and

Whereas subsection 19-5B of Chapter 19 provides that if a person who receives notice under subsection 19-5A 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 commercial and industrial tenant of such property; and

Whereas subsections 19-5H and I of Chapter 19 provide that Council shall not pass a by-law to establish a new business improvement area if, within 60 days after the date the notice is mailed, the number of ballots received by the Clerk fails to exceed the lesser of a minimum of 30% of the number mailed, or 100 ballots, or if 50% or more of the ballots accepted by the Clerk respond in the negative; and

Whereas notice of the intention to pass the by-law has been sent as required by subsection 19-5A, and although petitions objecting to the passing of the by-law have been received by the Clerk within the time frame set out in subsection 19-5I, the number of objections received is not enough to prevent the passing of this by-law;

The Council of the City of Toronto enacts:

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 on February 11, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

MAP 1

