

## **Poll Result for the Proposed Expansion of the Mount Dennis Business Improvement Area (BIA)**

<b>Date:</b>	May 13, 2010
<b>To:</b>	Economic Development Committee
<b>From:</b>	General Manager, Economic Development and Culture
<b>Ward:</b>	11
<b>Reference Number:</b>	P:/2010/Cluster A/EDC/ECON DEV/June/ed1006-014

### **SUMMARY**

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The purpose of this report is to make recommendations regarding the poll results for the proposed expansion of the Mount Dennis 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 expand the Mount Dennis Business Improvement Area (BIA). The number of objecting petitions regarding the Mount Dennis Business Improvement Area (BIA) do not meet the sufficiency benchmark set out in Chapter 19-9A of the Municipal Code. Accordingly, it is recommended that Council pass a by-law to expand the area described by Attachment No. 1 as the Mount Dennis Business Improvement Area (BIA).

### **RECOMMENDATIONS**

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

1. Based on the poll results respecting the intention to expand the Mount Dennis Business Improvement Area (BIA) the area described as proposed expansion area by Attachment No. 1 be designated as part of the Mount Dennis Business Improvement Area (BIA), under Chapter 19 of the Toronto Municipal Code.
2. The City Solicitor be directed to submit a by-law to designate the expansion area described in Attachment No. 1 as part of the Mount Dennis Business Improvement Area (BIA).

## **Financial Impact**

Capital budgets may be impacted in future years should streetscape and other capital improvements be undertaken by the expanded BIA. Capital improvements are shared 50/50 between the City and the BIA. The City's 50% share of the capital costs will be funded in the Economic Development and Culture capital budget.

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 February 22 and 23, 2010, City Council adopted, Report 28 Clause ED28.4, of the Economic Development Committee, headed "Intention to Expand the Mount Dennis Business Improvement Area (BIA)". City Council adopted the following:

1. City Council designate the area described by Attachment 1 of the report (January 18, 2010) from the General Manager, Economic Development and Culture, as an expanded Business Improvement Area (BIA), under Chapter 19 of the City of Toronto Municipal Code.
2. City Council authorize and direct the City Clerk to send out a notice of Council's intention to expand the boundary of the Mount Dennis Business Improvement Area (BIA) to include the area shown in Attachment 1 of the report (January 18, 2010) from the General Manager, Economic Development and Culture, in accordance with Chapter 19 of the City of Toronto Municipal Code.
3. City Council direct the Executive Director of Technical Services to prepare designation by-law maps of the area, as described in Attachment 1 of the report (January 18, 2010) from the General Manager, Economic Development and Culture, and submit them to the City Solicitor

## **BACKGROUND**

Chapter 19 of the Municipal Code provides that Council may expand a BIA. Before passing a by-law to expand a BIA, the Municipal Code requires that notices of the proposed by-law be sent by pre-paid mail to every person who, on the last returned assessment roll, is assessed for rateable property in a prescribed business property class which is located in the existing Business Improvement Area and in the proposed BIA 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 commercial 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 commercial tenant and their share of the taxes paid.

Under Chapter 19-9A of the Municipal Code, Council shall not pass a by-law to expand a BIA if written objections are received by the Clerk within 60 days after the mailing of the notices in either the existing BIA area or the proposed BIA expansion area, and the objections have been signed by at least one-third of the total number of persons entitled to notice in each area. In addition the objectors must be responsible for at least one-third of the commercial taxes levied within the existing BIA and the proposed BIA 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 March 11, 2010 the City Clerk mailed 81 notices of intention to expand the BIA Boundary to all persons assessed with respect to rateable property within the existing Mount Dennis BIA and the proposed expansion area, to determine whether or not to alter the boundaries of the Mount Dennis BIA.

### Existing BIA Area

Within 60 days after the notices were mailed, 2 tenant lists were returned from the owners of the existing BIA to the City Clerk. Two commercial tenants were identified from the lists within the existing area and added to the original total of 41. Therefore a total of 43 persons were identified to receive notice. The full amount of taxes levied on the rateable property within the existing BIA totals \$433,818.00.

One eligible objection to the proposed expansion of the Mount Dennis BIA from the owners and tenants of the existing BIA was received by the City Clerk by May 10, 2010, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required by s19-9 B (2) of the City of Toronto Municipal Code, 2006.

### Proposed BIA Expansion Area

Within 60 days after the notices were mailed, 6 tenant lists were returned to the City Clerk from the property owners within the proposed BIA expansion area. Six commercial tenants within the proposed expansion area were added to the original total of 40. Therefore, a total of 46 persons were identified to receive notice. The full amount of taxes levied on the rateable property within the proposed expanded BIA totals \$338,007.00.

No eligible objections to the proposed expansion of the Mount Dennis Business Improvement Area from the owners and tenants located in the expansion area were received by the City Clerk by May 10, 2010, the end of the notice period.

The number of objecting petitions does not meet the sufficiency benchmarks required by s. 19-9 B (3) of the City of Toronto municipal Code, 2006.

Based on the results, it is recommended that Council pass a by-law to designate the expansion area described by Attachment No. 1, as part of the Mount Dennis Business Improvement Area.

## **CONTACT**

Michael Saunders  
Economic Partnership Advisor, BIA Office  
Tel: 416 392-1005  
Fax: 416 392-1380  
E-mail: msaunder@toronto.ca

## **SIGNATURE**

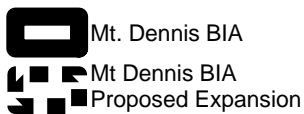
Michael H. Williams, General Manager  
Economic Development and Culture

## **ATTACHMENT**

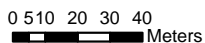
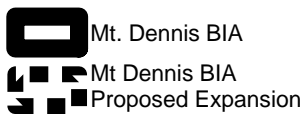
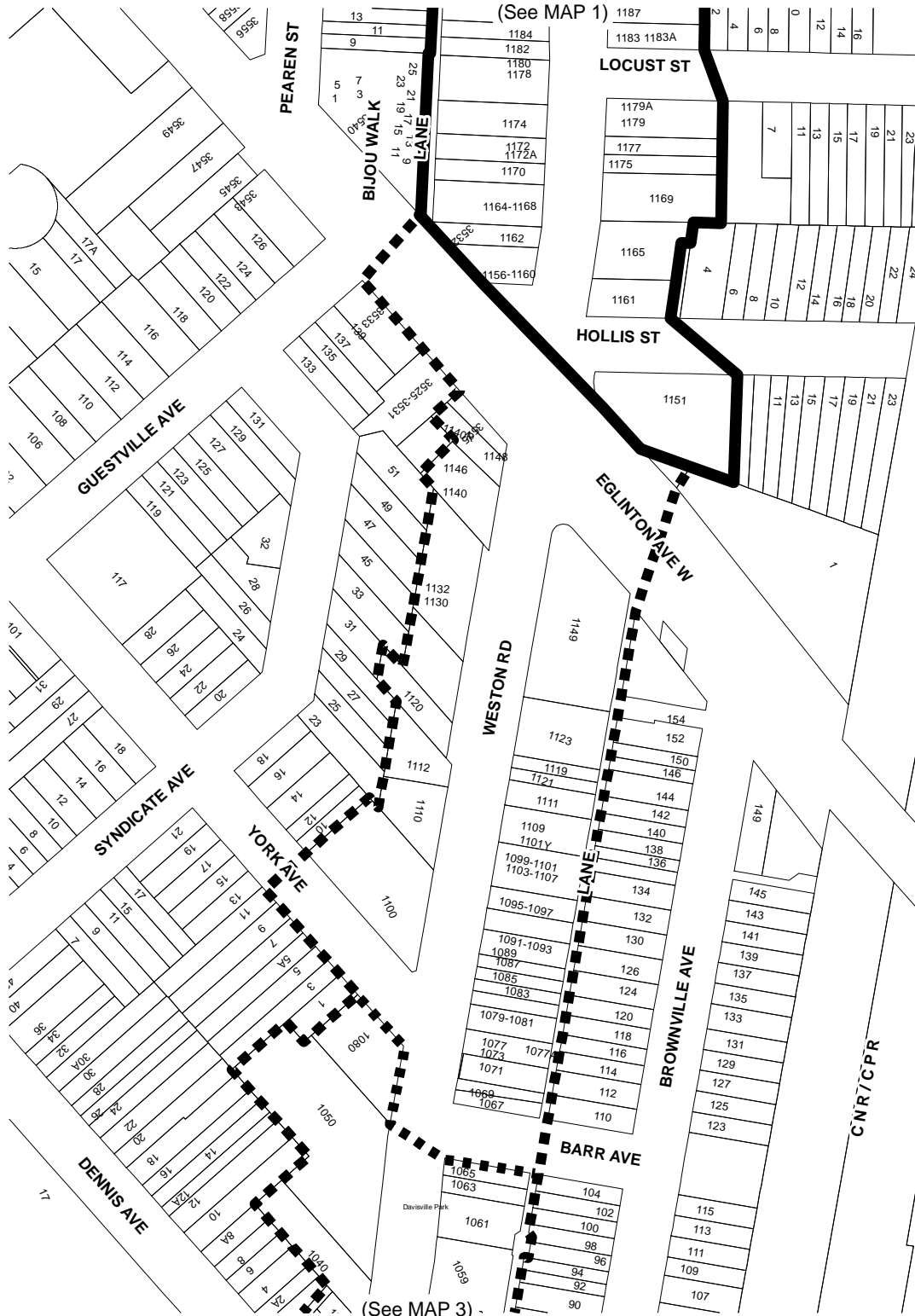
Attachment No. 1      Mount Dennis Business Improvement Area and Proposed  
Expansion Area Map



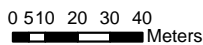
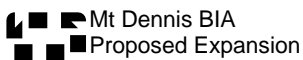
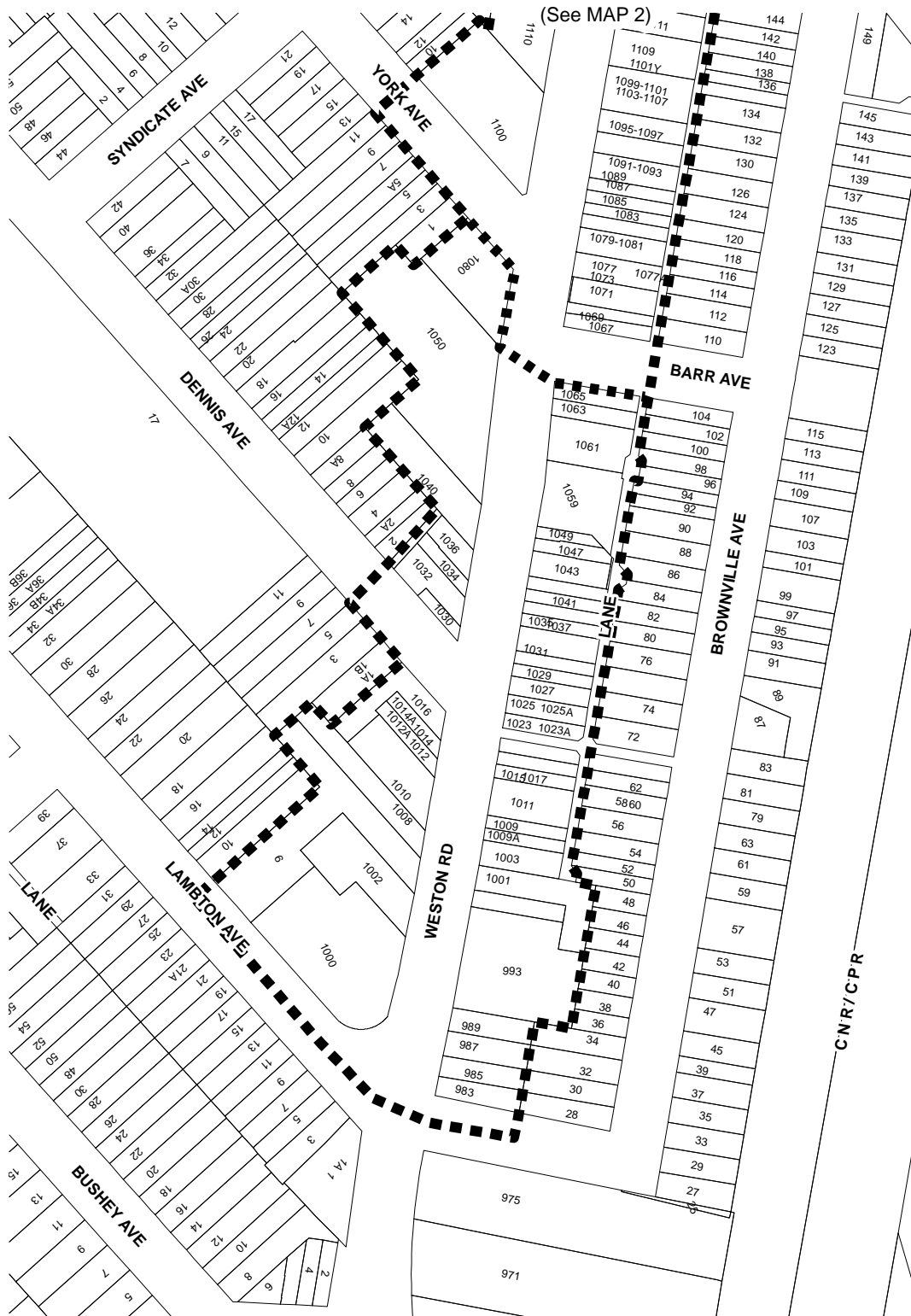
(See MAP 2)



TECHNICAL SERVICES  
 SURVEY AND MAPPING SERVICES  
 18 Dyas Rd, 4th Floor  
 Toronto, ON M5V 1V5  
 Tel: 416-392-7755, Fax: 416-392-0081  
 Map File: MtDennis\_exp\_rpt1.mxd  
 Created by: W. Silva  
 January 2010



TECHNICAL SERVICES  
SURVEY AND MAPPING SERVICES  
18 Dyas Rd, 4th Floor  
Toronto, ON M5V8 1V5  
Tel: 416-392-7755, Fax: 416-392-0081  
Map File: MtDennis\_exp\_rpt2.mxd  
Created by: W. Silva  
January 2010



TECHNICAL SERVICES  
SURVEY AND MAPPING SERVICES  
18 Dyas Rd, 4th Floor  
Toronto, ON M5V 1V5  
Tel: 416-392-7755, Fax: 416-392-0081  
Map File: MtDennis\_exp\_rpt3.mxd  
Created by: W. Silva  
January 2010