TORONTO

STAFF REPORT
ACTION REQUIRED

shoptheQueensway.com Business Improvement Area (BIA) - Boundary Expansion Poll Results

Date:	December 17, 2013
To:	Economic Development Committee
From:	General Manger, Economic Development and Culture
Wards:	**5**
Reference Number:	

SUMMARY

The purpose of this report is to recommend the expansion of shoptheQueensway.com Business Improvement Area (BIA) boundaries described in Attachment No. 1.

In accordance with Chapter 19 of the City of Toronto Municipal Code ("Chapter19"), the City Clerk conducted a poll to determine if there is sufficient support to expand the boundaries of the shoptheQueensway.com BIA.

The City Clerk received a sufficient number of ballots to validate the poll and the majority of accepted ballots were in favour of expanding the BIA. Accordingly, it is recommended that City Council pass a by-law to designate the expanded area described by the map in Attachment No. 1 as part of shoptheQueensway.com BIA

RECOMMENDATIONS

The General Manager, Economic Development and Culture recommends that:

1. City Council designate, based on the poll results respecting the intention to expand the shoptheQueensway.com Business Improvement area (BIA), the area described by Attachment No. 1, as an expanded shoptheQueensway.com BIA under Chapter 19 of the City of 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 (BIA).

3. City Council approve those amendments necessary to Schedule "A" of the Municipal Code Chapter 19, Business Improvement Areas, to include the expanded shoptheQueensway.com Business Improvement Area (BIA).

Financial Impact

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the expanded shoptheQueensway.com BIA. These capital improvements are usually cost-shared equally 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 July 16, 17, 18 and 19, 2013, City Council adopted, ED23.6 entitled Intention to Expand shoptheQueensway.com Business Improvement Area (BIA),

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.ED23.6.

The staff report recommended that the boundaries of shoptheQueensway.com BIA be expanded, subject to a favourable poll result.

ISSUE BACKGROUND

This is the first expansion poll to be conducted under the new polling procedures adopted by City Council at its meeting on July 12, 13, and 14, 2011.

Before passing a by-law to expand a BIA, the Municipal Code requires notice of the proposed by-law 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 expansion area of shoptheQueensway.com BIA 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 the 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 the 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 expansion area.

The polling period commenced on September 19, 2013, for 60 days, and closed on November 18, 2013.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming the fact.

Council cannot pass a by-law to expand a 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

In September 2012, the BIA Board of Management started to receive requests for expansion from businesses west and east of the current boundaries. By February 6, 2013 the Board approved initiating the first phase of the expansion to Park Lawn Road and the north and south corners just west of Kipling Avenue (see Attachment No. 1).

The BIA is proposing to expand both east and west. The expansion east from Royal York Road to Park Lawn Road share a similar built form and land use characteristics as the existing BIA, namely, traditional 2 storey mixed-use buildings with retail at grade and residential uses above. The proposed expansion west of Kipling Avenue to include both the north and south west corners creates an opportunity for a future gateway, and is the first step in overall plan to work towards expanding west in the future. This expansion of the BIA is critical to its future effectiveness and capacity to bring about positive change to the area.

Expansion of the BIA will provide the additional funding capacity necessary to allow the BIA to visually "tie-together" the entire retail strip and ensure the continuation of the BIA's branding initiatives and marketing activities. The expansion will also give expansion-area commercial property and business owner's immediate inclusion to the BIA's marketing and promotional activities, including the on-line business directory, along with membership benefits offered by the Toronto Association of Business Improvement Areas.
On September 19, 2013 the City Clerk mailed a total of 112 Notices and ballots for the Intention to Expand the shoptheQueensway.com Business Improvement Area (BIA) to all owners of commercial/industrial property assessed for rateable property within the

expansion area to determine if there was sufficient support to expand the BIA. A total of 3 ballot were returned by Canada Post resulting in a total of 109 person identified to receive notice. In this instance, 33 ballots were required to validate the poll.

The City Clerk received a total of 39 ballots by November 18, 2013, the end of the notice period, satisfying the criteria for the first bench mark as set out in the Municipal Code Chapter 19.6 H(1).

A total of 28 (71.8%) ballots were in favour of expanding shoptheQueensway.com BIA, meeting the second bench mark as set out in the Municipal Code Chapter 19.6H(2). A total of 10(25.6%) ballots opposed the expansion of the BIA and there was 1 (2.6%) spoiled ballots.

Based on the results, it is recommended that City Council pass a by-law to designate the expansion area described by Attachment No. 1, as part of shoptheQueensway.com BIA.

CONTACT

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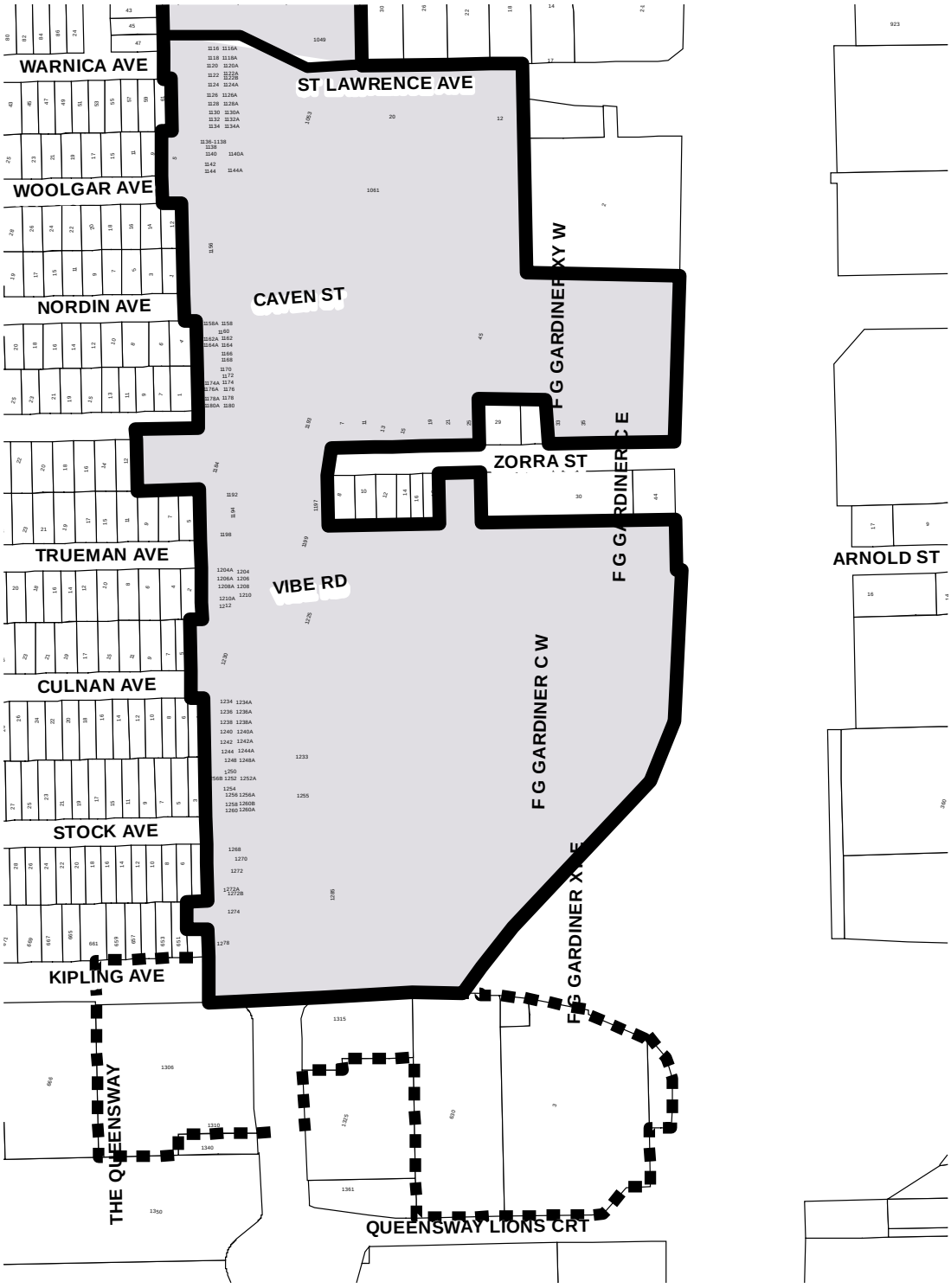
SIGNATURE

Michael H. Williams, General Manager
Economic Development and Culture

ATTACHMENTS

Attachment No. 1: Proposed shoptheQueensway.com BIA Expansion Map

Map 1 of 4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ST LAWRENCE AVE
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NORDIN AVE
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ZORRA ST
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VIBE RD
ARNOLD ST
CULNAN AVE
F G GARDINER C W
STOCK AVE
F G GARDINER X E
KIPLING AVE
THE QUEENSWAY
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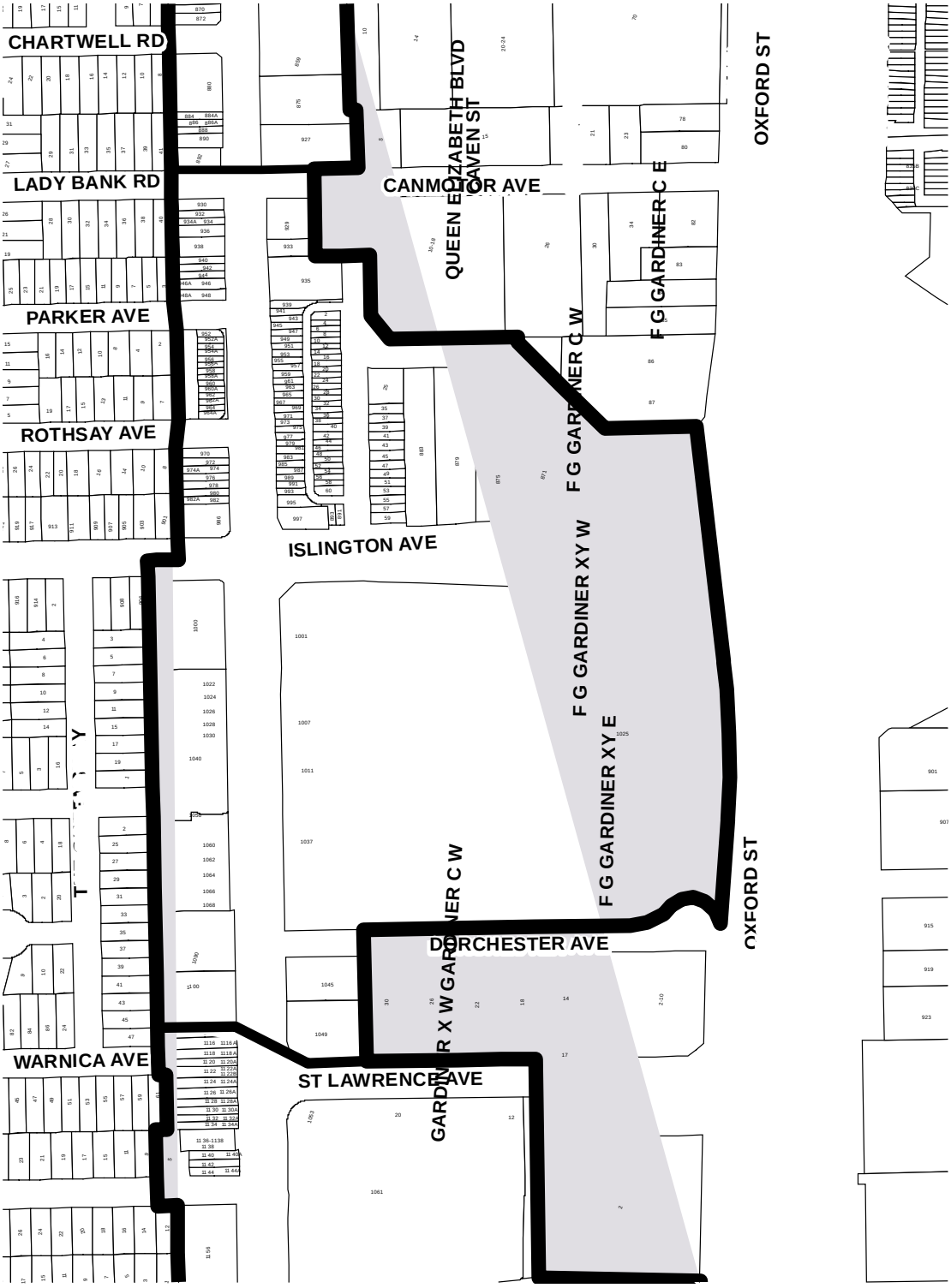
shoptheQueensway.com BIA
Proposed Expansion
Map File: FinancialDistrict_rpt.mxd
December 2010
0 15 30 60 90 120 Metres
N

Map 2 of 4



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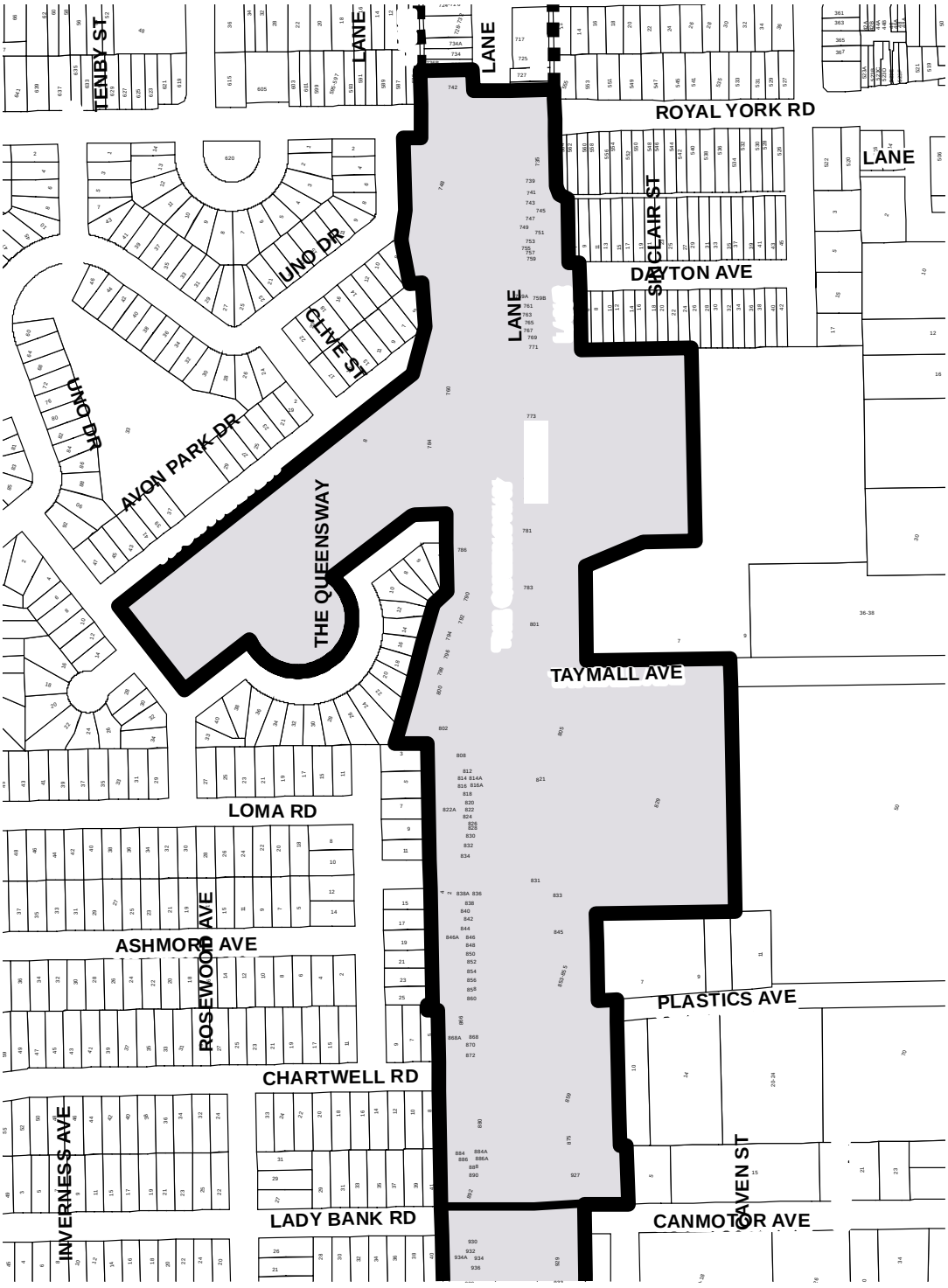
Map File: shoptheQueensway_2013_rpt2.mxd
May 2013

Map 3 of 4



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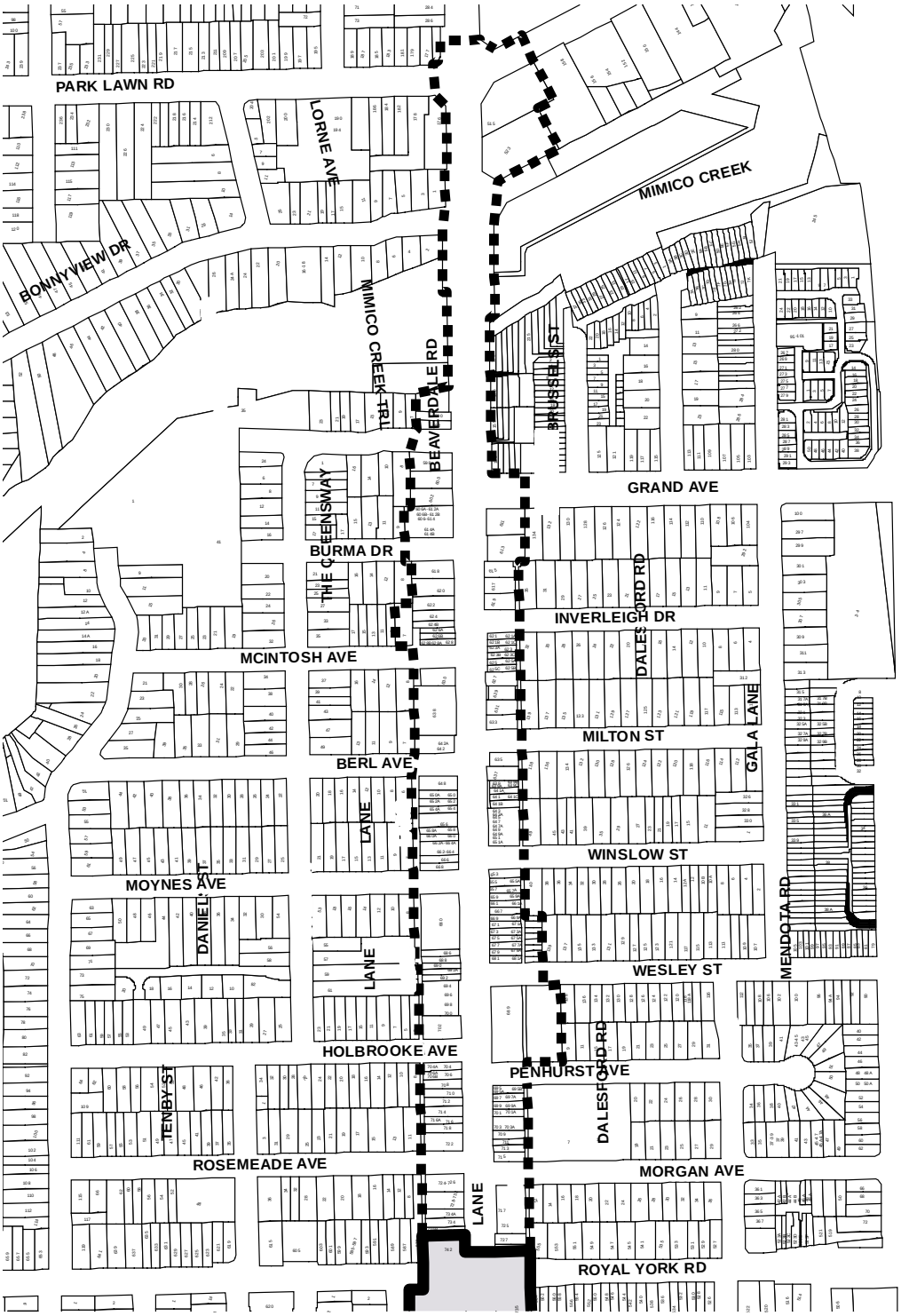
shoptheQueensway.com BIA
Proposed Expansion

Map File: Queensway_2013_rpt3.mxd
May 2013

0 12.525 50 75 100 Metres

N

Map 4 of 4



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shoptheQueensway.com BIA

Proposed Expansion

Map File: Queensway_2013_rpt4.mxd
May 2013

0 15 30 60 90 120 Metres

N