



STAFF REPORT ACTION REQUIRED

Dupont by the Castle Business Improvement Area (BIA) – Boundary Expansion Poll Results

Date:	November 4, 2015
To:	Economic Development Committee
From:	General Manager, Economic Development and Culture
Wards:	20, 21 and 22
Reference Number:	

SUMMARY

The purpose of this report is to recommend the expansion of the Dupont by the Castle Business Improvement Area (BIA) boundaries as described in Attachment No. 1.

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 boundaries of the BIA.

The City 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 area described by the map in Attachment No. 1 as the expanded Dupont by the Castle 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 Dupont by the Castle Business Improvement Area (BIA), the area described by Attachment No. 1 as the expanded Dupont by the Castle Business Improvement Area (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 the expanded Dupont by the Castle Business Improvement Area (BIA); and

3. City Council approve those amendments necessary to Schedule "A" of the City of Toronto Municipal Code, Chapter 19, Business Improvement Areas, to include the expanded Dupont by the Castle 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 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 July 7, 8 and 9, 2015, City Council adopted item ED5.7, entitled Intention to Expand the Dupont by the Castle Business Improvement Area (BIA). <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.ED5.7>

The staff report recommended that the boundaries of the Dupont by the Castle BIA be expanded, subject to a favourable poll result.

ISSUE BACKGROUND

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 an owner and is assessed for rateable property that is in a business property class that is located in the proposed expansion 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 expansion area.

The polling period commenced on August 17, 2015, for 60 days, and closed on October 15, 2015.

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 August 17, 2015, the City Clerk mailed a total of 36 Notices and ballots for the Intention to Expand the Dupont by the Castle 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. Two of the ballots mailed were returned by Canada Post, resulting in a total of 34 persons identified to receive notice. In this instance, 11 ballots (30%) were required to validate the poll.

The City Clerk received a total of 14 ballots by October 15, 2015, the end of the notice period, satisfying the criteria for the first bench mark as set out in Municipal Code Chapter 19.5H(1).

A total of 11 of the 14 returned ballots (79%) were in favour of expanding the Dupont by the Castle BIA, meeting the second bench mark as set out in the Municipal Code Chapter 19.9H(2). A total of 3 ballots (21%) opposed the expansion of the BIA.

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

CONTACT

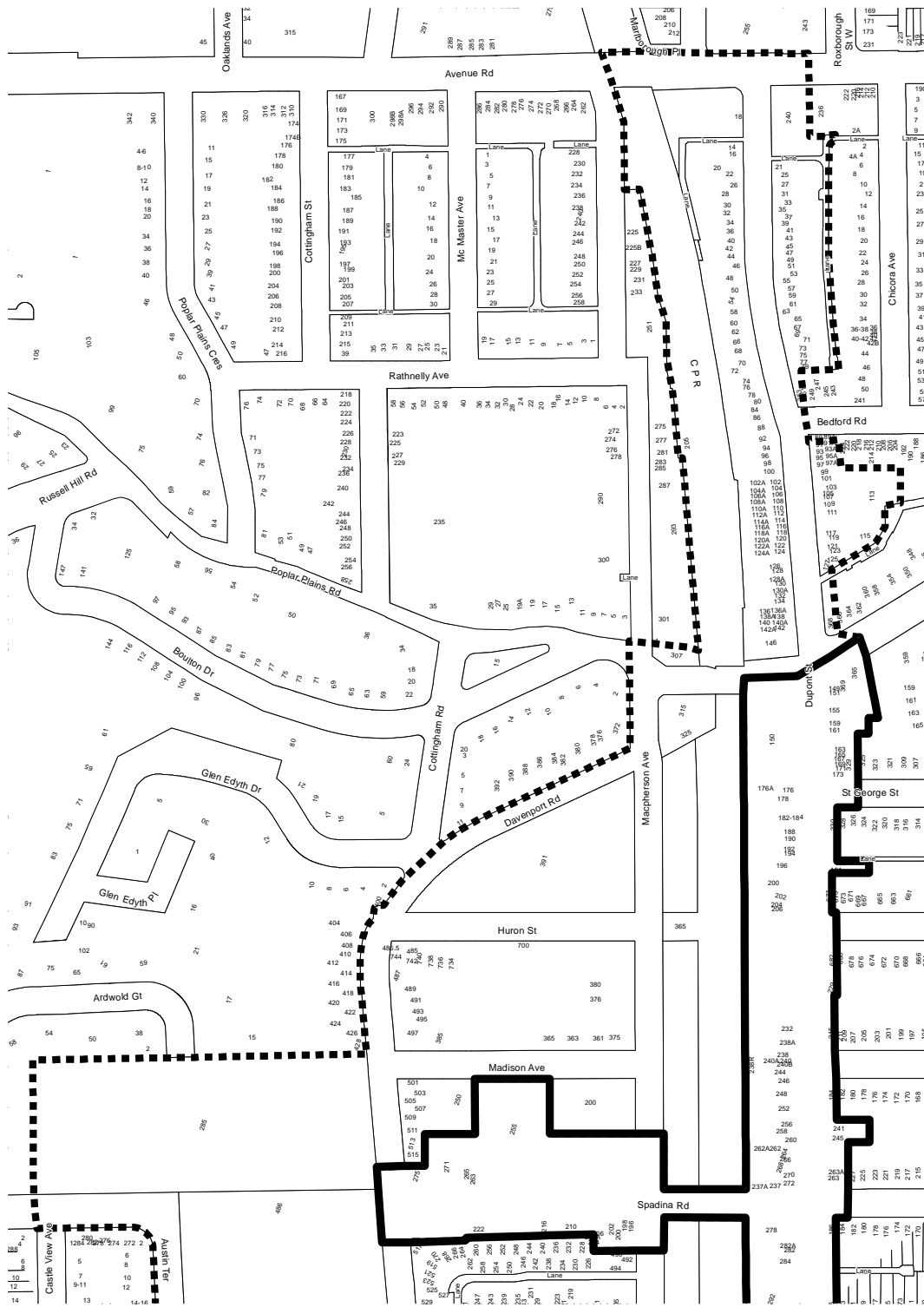
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SIGNATURE

Michael H. Williams, General Manager
Economic Development and Culture

ATTACHMENT

Attachment No. 1: Proposed Dupont by the Castle BIA Expansion Map



(See Map 2)



Dupont by the Castle BIA
Proposed Expansion



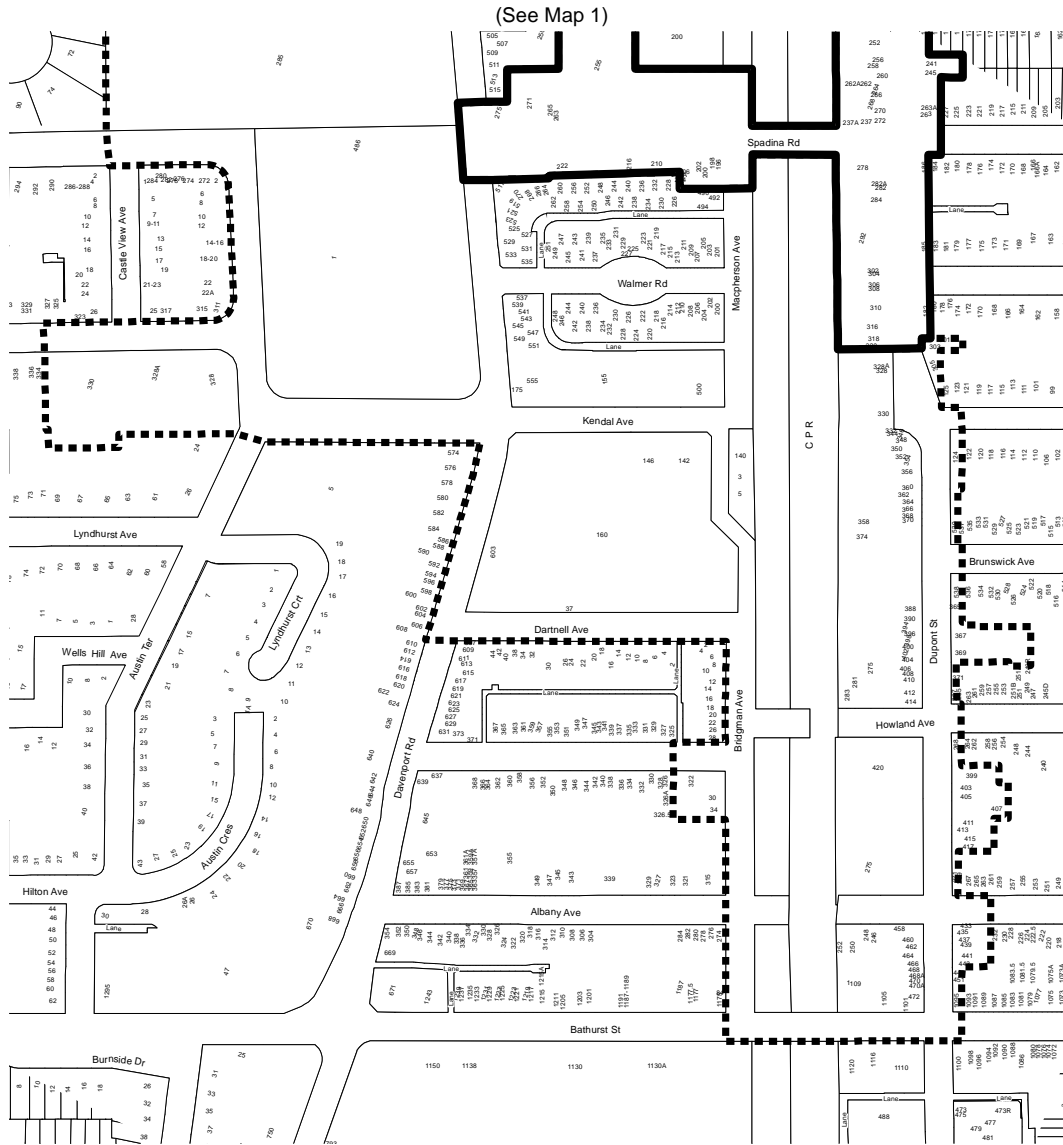
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Metres

Map File: dupontcastle_exp_rpt.mxd
Created by: W. Silva
May 2015



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 Dupont by the Castle BIA
 Proposed Expansion



0 1530 60 90 120 Metres

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