



STAFF REPORT ACTION REQUIRED

Proposed CityPlace and Fort York Business Improvement Area (BIA) Poll Results

Date:	February 1, 2016
To:	Economic Development Committee
From:	General Manager, Economic Development and Culture
Wards:	19 and 20
Reference Number:	

SUMMARY

The purpose of this report is to recommend that the area shown in Attachment No. 1 be designated as the CityPlace and Fort York 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 designate the area bounded by Spadina Avenue to the east, Lake Shore Boulevard West to the south, Strachan Avenue to the west and Front Street West/CNR corridor to the north as a BIA.

The City received a sufficient number of ballots to validate the poll and the majority of accepted ballots were in favour of establishing a 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 CityPlace and Fort York BIA. Subject to Council's approval, this will be the City's eighty-second BIA.

RECOMMENDATIONS

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

1. City Council designate, based on the poll results respecting the intention to designate the CityPlace and Fort York Business Improvement Area (BIA), the area described by Attachment No. 1 as the CityPlace and Fort York 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 CityPlace and Fort York 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 CityPlace and Fort York Business Improvement Area (BIA).

Financial Impact

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the new 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

On November 3, 2015, City Council adopted item ED7.6, entitled Intention to Designate the Proposed CityPlace and Fort York Business Improvement Area (BIA).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.ED7.6>

The staff report recommended that CityPlace and Fort York be designated as a BIA, subject to a favourable poll result.

ISSUE BACKGROUND

Before passing a by-law to establish a BIA, the Municipal Code requires that 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 Business Improvement 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 Business Improvement Area (BIA).

The polling period commenced on November 30, 2015, for 60 days, and closed on January 28, 2016.

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 (BIA) 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 November 30, 2015, the City Clerk mailed a total of 62 Notices and ballots for the Intention to Designate the CityPlace and Fort York 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 establish the BIA. Fifteen (15) of the ballots mailed were returned by Canada Post, resulting in a total of forty-seven (47) persons identified to receive notice. In this instance, fifteen (15) ballots (30%) were required to validate the poll.

The City Clerk received a total of twenty (20) ballots by January 28, 2016, 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 eighteen (18) of the twenty (20) returned ballots (90%) were in favour of designating CityPlace and Fort York as a BIA, meeting the second bench mark as set out in the Municipal Code Chapter 19.9H(2). A total of two (2) ballots (10%) opposed the creation of the BIA.

Based on the results, it is recommended that Council pass a by-law to designate the area described in Attachment No. 1 as the CityPlace and Fort York BIA.

CONTACT

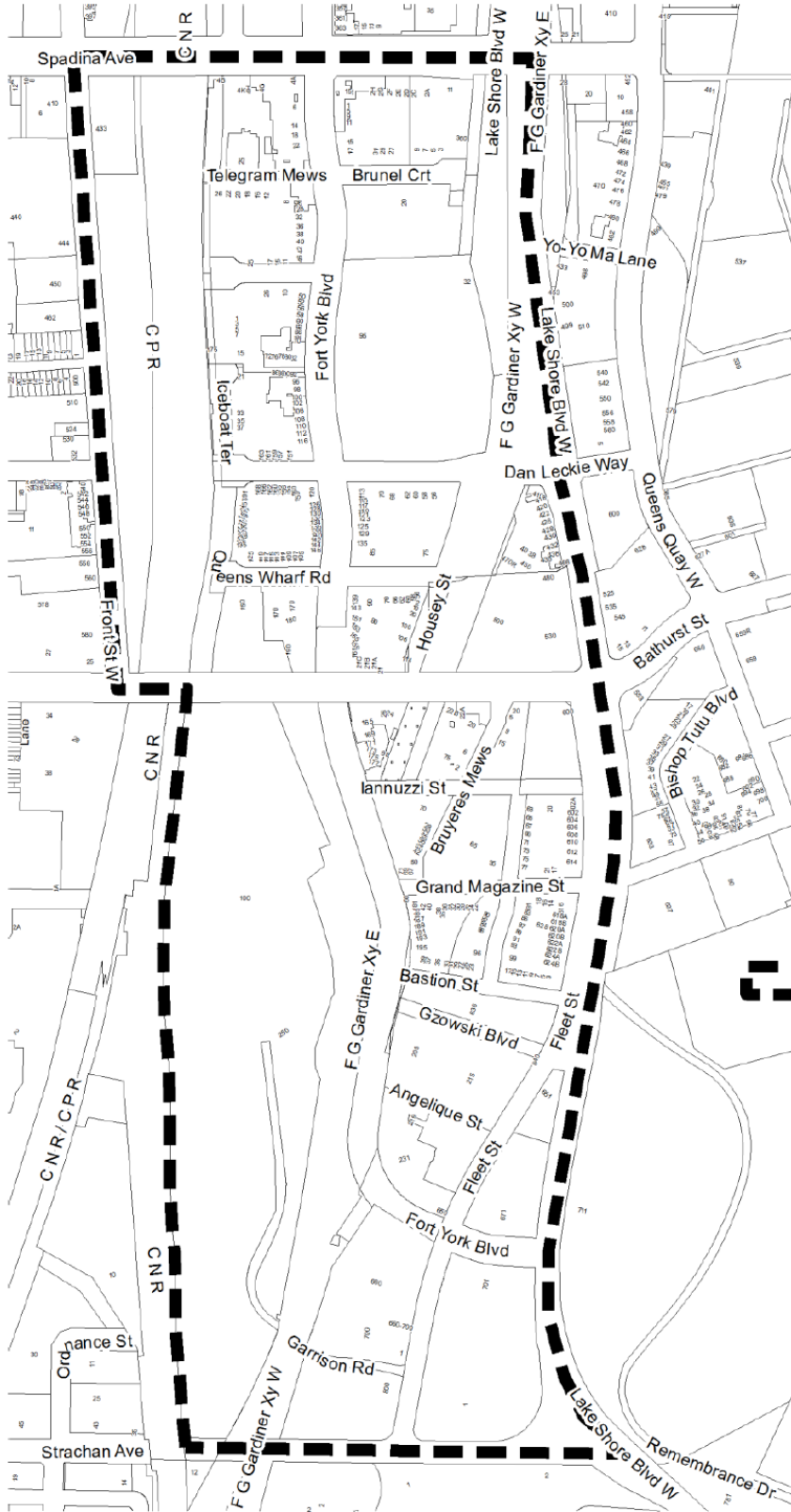
David Hessels
Economic Partnership Advisor, BIA Office
Economic Development and Culture
Tel: 416 392-6837
Fax: 416 392-1380
Email: dhessels@toronto.ca

SIGNATURE

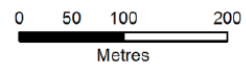
Michael H. Williams, General Manager
Economic Development and Culture

ATTACHMENT

Attachment No. 1: Proposed CityPlace and Fort York BIA Boundary Map



Proposed CityPlace and Fort York Business Improvement Area



TORONTO
 Geospatial Competency Centre
 Information & Technology Division
 18 D'Yas Rd, 3rd Floor
 Toronto, ON M3B 1Y5
 Email: gcc@toronto.ca
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