



REPORT FOR ACTION

The Waterfront Business Improvement Area Boundary Expansion Poll Results

Date: October 27, 2020

To: Economic and Community Development Committee

From: General Manager, Economic Development and Culture

Wards: Ward 10 - Spadina-Fort York

SUMMARY

The purpose of this report is to recommend the expansion of The Waterfront Business Improvement Area (BIA) boundary outlined in Attachment 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 Waterfront BIA boundary.

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 area outlined in the map in Attachment 1 as the expanded The Waterfront 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 Waterfront Business Improvement Area, the area outlined in Attachment 1 as the expanded boundaries of The Waterfront Business Improvement Area, under the City of Toronto Municipal Code Chapter 19, Business Improvement Areas.
2. City Council direct the City Solicitor to submit a By-law to designate the area outlined in Attachment 1 as the expanded boundaries of The Waterfront Business Improvement Area.
3. City Council amend Schedule A of the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, as necessary, to reflect the expanded boundaries of The Waterfront Business Improvement Area.

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 generally cost-shared equally between the BIA and the City.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of June 29, 2020, City Council adopted item EC13.5 titled "Intention to Expand The Waterfront Business Improvement Area." The staff report recommended that The Waterfront Business Improvement Area boundary be expanded, subject to a favourable poll result.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EC13.5>

At its meeting of July 28, 2020, City Council adopted item MM23.15 titled "Expediting the Polling Period for the Expansion of The Waterfront Business Improvement Area". The motion recommended that City Council reduce the polling period requirements for expanding The Waterfront BIA from 60 days to 30 days.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.MM23.15>

COMMENTS

Before passing a by-law to establish a BIA, the City of Toronto Municipal Code, Chapter 19, Business Improvement Areas, requires notice of the proposed by-law be sent by prepaid mail, by the City Clerk, to every person listed as an owner assessed for rateable property, in a business property class, and located in the proposed expansion 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. In addition, the BIA steering committee provided unaddressed notices to commercial and industrial tenants of those property owners receiving the City Clerk's 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. The polling period commenced on September 21, 2020, for 30 days and closed on October 20, 2020. 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.

On September 21, 2020, the City Clerk mailed a total of 113 notices and ballots for the Intention to Expand The Waterfront Business Improvement Area (BIA) to all owners of commercial/industrial property assessed for rateable property within the proposed expansion area to determine if there was sufficient support to expand the BIA. In this instance, thirty-four (34) ballots (30%) were required to validate the poll.

The City Clerk received a total of fifty (50) ballots by October 20, 2020, the end of the notice period, satisfying the criteria for the first bench mark as set out in the Toronto Municipal Code, Chapter 19-2.3H(1).

A total of forty-one (41) of the fifty (50) returned ballots (82%) were in favour of expanding the BIA, meeting the second bench mark as set out in the Toronto Municipal Code Chapter 19-2.3H(2). A total of seven (7) ballots (14%) opposed the expansion of the BIA and two (2) ballots were spoiled.

Based on the results, it is recommended that Council pass a by-law to designate the expanded The Waterfront BIA, outlined in Attachment 1.

CONTACT

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SIGNATURE

Mike Williams, General Manager
Economic Development and Culture

ATTACHMENTS

Attachment 1 – Map of The Waterfront Business Improvement Area (BIA) and Proposed Expansion

