

Proposed Cedarbrae Markham Lawrence Village Business Improvement Area Poll Results

Date: November 12, 2024
To: Economic and Community Development Committee
From: General Manager, Economic Development and Culture
Wards: Ward 22 - Scarborough - Agincourt

SUMMARY

The purpose of this report is to recommend that the area shown in Attachment 1 be designated as the Cedarbrae Markham Lawrence Village Business Improvement Area.

In accordance with the Toronto Municipal Code, Chapter 19, Business Improvement Areas, the City Clerk conducted a poll to determine if there is sufficient support to designate the area as the Cedarbrae Markham Lawrence Village Business Improvement Area. The proposed Business Improvement Area is the area along Lawrence Avenue East bounded by Bellamy Road to the west, Greenholm Court to the east, Markham Road from Lawrence to the south and Painted Post Drive to the north.

The City received the required benchmark number of ballots to validate the poll and the majority of accepted ballots were in favour of establishing a Business Improvement Area. Accordingly, it is recommended that City Council pass a by-law to designate the area described in Attachment 1 as the Cedarbrae Markham Lawrence Village Business Improvement Area. Subject to Council's approval, this will be the City's eighty-fifth Business Improvement Area.

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 Cedarbrae Markham Lawrence Village Business Improvement Area, the area described by Attachment 1 as the Cedarbrae Markham Lawrence Village Business Improvement Area, under the Toronto Municipal Code, Chapter 19, Business Improvement Areas.
2. City Council direct the City Solicitor to submit a by-law to designate the area described in Attachment 1, as the Cedarbrae Markham Lawrence Village Business Improvement Area.

3. City Council approve those amendments necessary to Schedule A of the Toronto Municipal Code, Chapter 19, Business Improvement Areas, to include the Cedarbrae Markham Lawrence Village Business Improvement Area.

FINANCIAL IMPACT

There are no current year financial implications resulting from the adoption of the recommendations contained in this report.

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the new Business Improvement Area. Capital improvements are generally cost-shared equally between the Business Improvement Area and the City. Additional resources, if necessary, will be included in future budget processes for consideration, subject to the City's financial and resources capacity.

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

DECISION HISTORY

At its meeting on May 22, 2024, City Council adopted item EC12.5 - Intention to Designate the Cedarbrae Markham Lawrence Village Business Improvement Area, which recommends the area under consideration be designated as a BIA, subject to a favourable poll result.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.EC12.5>

COMMENTS

Before passing a by-law to establish a Business Improvement Area (BIA), the 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, 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. In addition, the proposed Cedarbrae Markham Lawrence Village 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 August 26, 2024, for 60 days and closed on October 24, 2024. The City Clerk determines whether all conditions have been met and, if they are, shall issue a certificate affirming the fact.

As per The Toronto Municipal Code Chapter 19-2.3H, Council cannot pass a by-law to establish a new Business Improvement Area if:

- Fifty percent or more of the accepted ballots respond in the negative. [Amended 2022-07-22 by By-law 917-2022]

On September 26, 2024, the City Clerk mailed a total of fifty (50) notices and ballots for the Intention to Designate the Cedarbrae Markham Lawrence Village BIA poll. One to each of the owners of commercial/industrial property assessed for rateable property within the proposed BIA, to determine if there is sufficient support to establish the BIA. Two (2) ballots were returned due to invalid addresses. The steering committee of the proposed Cedarbrae Markham Lawrence Village BIA also sent a team of seven (7) members to deliver ballots to the business tenants within the proposed designated BIA. This outreach effort resulted in over a dozen visits to the proposed area by the team.

The City Clerk received a total of twenty (20) ballots by October 24th, the end of the notice period. A total of seventeen (17) of the twenty (20) returned ballots (85%) were in favour of establishing the proposed BIA, meeting the required benchmark as set out in the Toronto Municipal Code Chapter 19-2.3H. A total of three (3) ballots (15%) opposed.

Based on the results, it is recommended that City Council pass a by-law to designate the Cedarbrae Markham Lawrence Village BIA, as described by Attachment 1. Subject to Council's approval, this will be the City's eighty-fifth BIA and fifth BIA in Scarborough.

CONTACT

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SIGNATURE

Patrick Tobin, General Manager
Economic Development and Culture

ATTACHMENTS

Attachment 1 – Map of Proposed Cedarbrae Markham Lawrence Village Business Improvement Area (BIA)

