

Proposed Upper Avenue Business Improvement Area Poll Results

Date: February 10, 2025
To: Economic and Community Development Committee
From: General Manager, Economic Development and Culture
Wards: Ward 8 - Eglinton - Lawrence

SUMMARY

The purpose of this report is to recommend that the area shown in Attachment 1 be designated as the Upper Avenue 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 Upper Avenue Business Improvement Area. The proposed Business Improvement Area is the area along Avenue Road from Lawrence Avenue West to Joicey Boulevard and connecting side streets.

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 Upper Avenue Business Improvement Area. Subject to Council's approval, this will be the City's eighty-sixth 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 Upper Avenue Business Improvement Area, the area described by Attachment 1 as the Upper Avenue 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 Upper Avenue 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 Upper Avenue 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 information as presented in the Financial Impact section.

DECISION HISTORY

At its meeting on July 24, 2024, City Council adopted item EC14.5 - Intention to Designate the Upper Avenue 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.EC14.5>

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.

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 October 15, 2024, for 60 days

and closed on December 13, 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 October 15, 2024, the City Clerk mailed a total of one hundred and seventy-eight (178) notices and ballots for the Intention to Designate the Upper Avenue 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. Five (5) ballots were returned due to invalid addresses.

The City Clerk received a total of seventy-four (74) ballots by December 13th, the end of the notice period. A total of sixty-six (66) of the seventy-four (74) returned ballots (89%) 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 eight (8) ballots (11%) opposed.

Based on the results, it is recommended that City Council pass a by-law to designate the Upper Avenue Business Improvement Area, as described by Attachment 1. Subject to Council's approval, this will be the City's eighty-sixth BIA.

CONTACT

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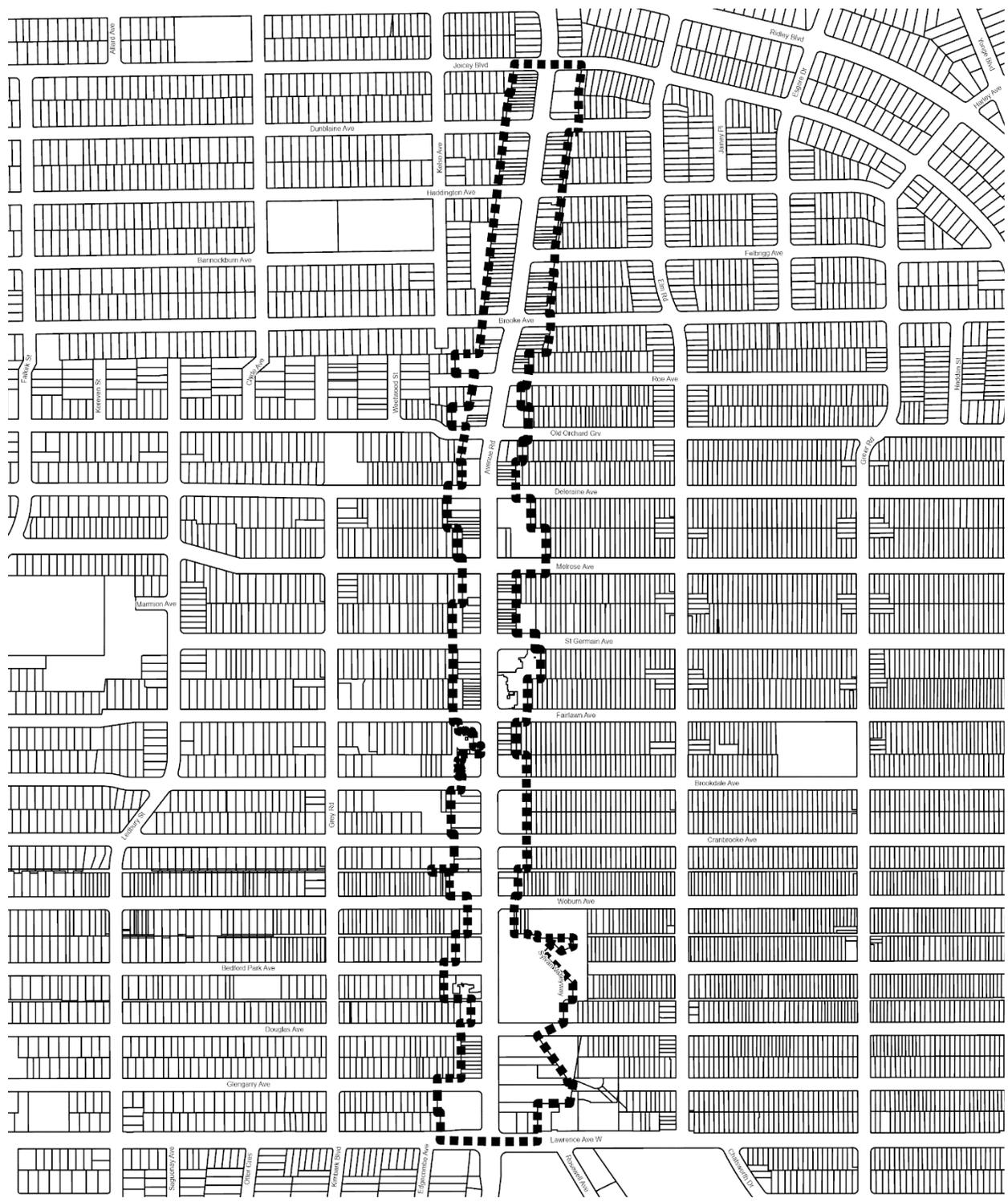
SIGNATURE

Patrick Tobin, General Manager
Economic Development and Culture

ATTACHMENTS

Attachment 1 – Map of Proposed Upper Avenue Business Improvement Area (BIA)

Attachment 1 – Map of Proposed Upper Avenue Business Improvement Area (BIA)



Upper Avenue Proposed BIA

 Proposed



Map: Bylaw Map - Upper Avenue
Created by: BIA Office - 04/19/2024