



## STAFF REPORT ACTION REQUIRED

### Baby Point Gates Business Improvement Area (BIA) Poll Results

<b>Date:</b>	August 24, 2009
<b>To:</b>	Economic Development Committee
<b>From:</b>	General Manager, Economic Development, Culture and Tourism
<b>Wards:</b>	Ward 13
<b>Reference Number:</b>	P:/2009/Cluster A/EDCT/ECON DEV/September/ed0909-029

#### SUMMARY

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The purpose of this report is to recommend the Designation of the proposed Baby Point Gates Business Improvement Area.

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 proposed Baby Point Gates BIA. The number of objecting petitions regarding the Baby Point Gates BIA do not meet the sufficiency benchmark to prevent the designation set out in Chapter 19-9A of the Municipal Code. Accordingly, City Council may establish a Business Improvement Area. Based upon the results, it is recommended that Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1-5), as the Baby Point Gates BIA.

#### RECOMMENDATIONS

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

1. Council pass a by-law to designate the area described by Attachment No. 1 (Maps 1 to 5), as a Business Improvement Area , under Chapter 19 of the Municipal Code, based upon the results of the poll respecting the intention to designate the Baby Point Gates BIA.

2. Schedule “A” of Municipal Code Chapter 19, Business Improvement Areas, be amended to include the Baby Point Gates BIA.
3. Leave be granted for the introduction of the necessary bills in Council to give effect thereto.
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

The proposed Baby Point Gates BIA is one of three potential new BIAs to be established in 2009.

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the Baby Point Gates BIA. These capital improvements are cost-shared equally 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 April 29, 2009, City Council adopted without amendment, Item ED20.07, of the Economic Development Committee, headed “Intention to Designate the Baby Point Gates Business Improvement Area (BIA) Poll Request.” The staff report recommended the establishment of the Baby Point Gates BIA, subject to a favourable poll result.

### **ISSUE BACKGROUND**

Chapter 19 of the Municipal Code provides that Council may establish a BIA. Before passing a by-law to establish BIA, the Municipal Code requires notice of the proposed by-law be sent by pre-paid mail to the Board of Management of the BIA, if any, and to every person who, on the last returned assessment roll, is assessed for rateable property in a prescribed business property class.

Any person who receives a notice of the proposed by-law must, within 30 days, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property. The owner must also give the City Clerk a list of every tenant and their share of the taxes paid.

Under Chapter 19-9A of the Municipal Code, Council shall not pass a by-law to create a new BIA if written objections are received by the City Clerk within 60 days after the mailing of the notices and the objections have been signed by at least one-third of the

total number of persons entitled to notice. In addition the objectors must be responsible for at least one-third of the taxes levied.

The City Clerk shall determine whether all conditions have been met and, if they are, shall issue a certificate affirming that fact.

## **COMMENTS**

On May 14, 2009, the City Clerk mailed 111 Notices of Intention to Designate to all persons assessed with rateable property within the proposed Baby Point Gates BIA boundaries to determine if this area could be designated as a Business Improvement Area.

Within 60 days after the notices were mailed, 37 tenant lists were returned to the City Clerk by the owners. Fifty-two commercial tenants were identified from the list and added to the original total of 111. Therefore, a total of 163 persons were identified to receive notice. The full amount of taxes levied on the ratable properties in the prescribed business property class in the proposed Baby Point Gates BIA totals \$992,976.00.

Forty-five eligible objections to the proposed designation of Baby Point Gates as a Business Improvement Area were received by the City Clerk by July 13, 2009, the end of the notice period.

The number of objecting petitions do not meet the sufficiency benchmark to prevent the designation as required by Chapter 19-9A of the City of Toronto Act, 2006.

Based on the results, it is recommended that Council pass a by-law to designate the area described by attachment No. 1 (maps 1-5) as the Baby Point Gates Business Improvement Area

## **CONTACT**

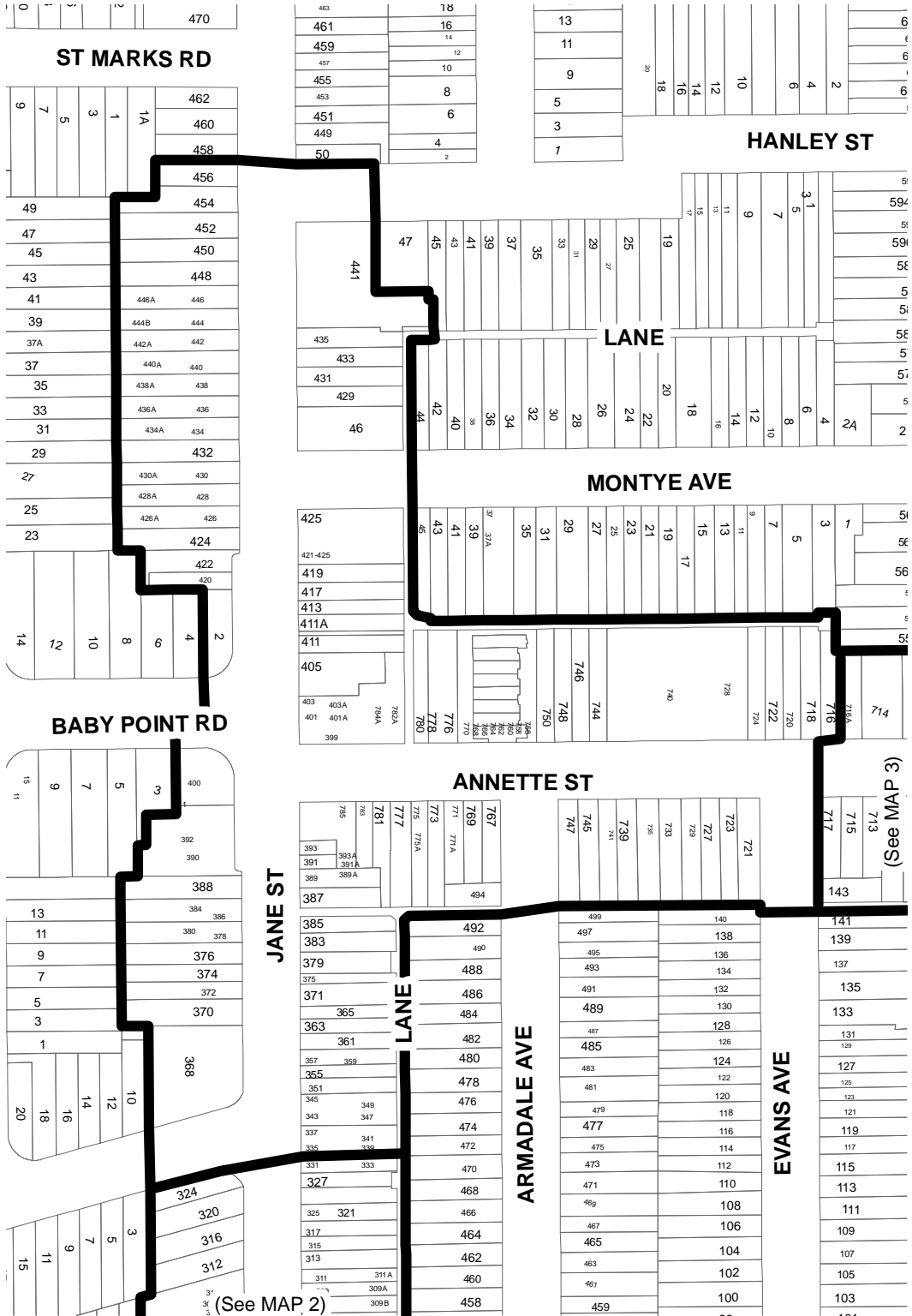
Ron Nash  
Economic Partnership Advisor, BIA Office  
Telephone: 416-392-7354  
Fax: 416-392-1380 Email: rnash@toronto.ca


## **SIGNATURE**

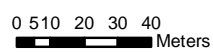
Michael H. Williams  
General Manager  
Economic Development, Culture and Tourism

## **ATTACHMENT**

Attachment No. 1 – Proposed Baby Point Gates BIA Maps (1 to 5)



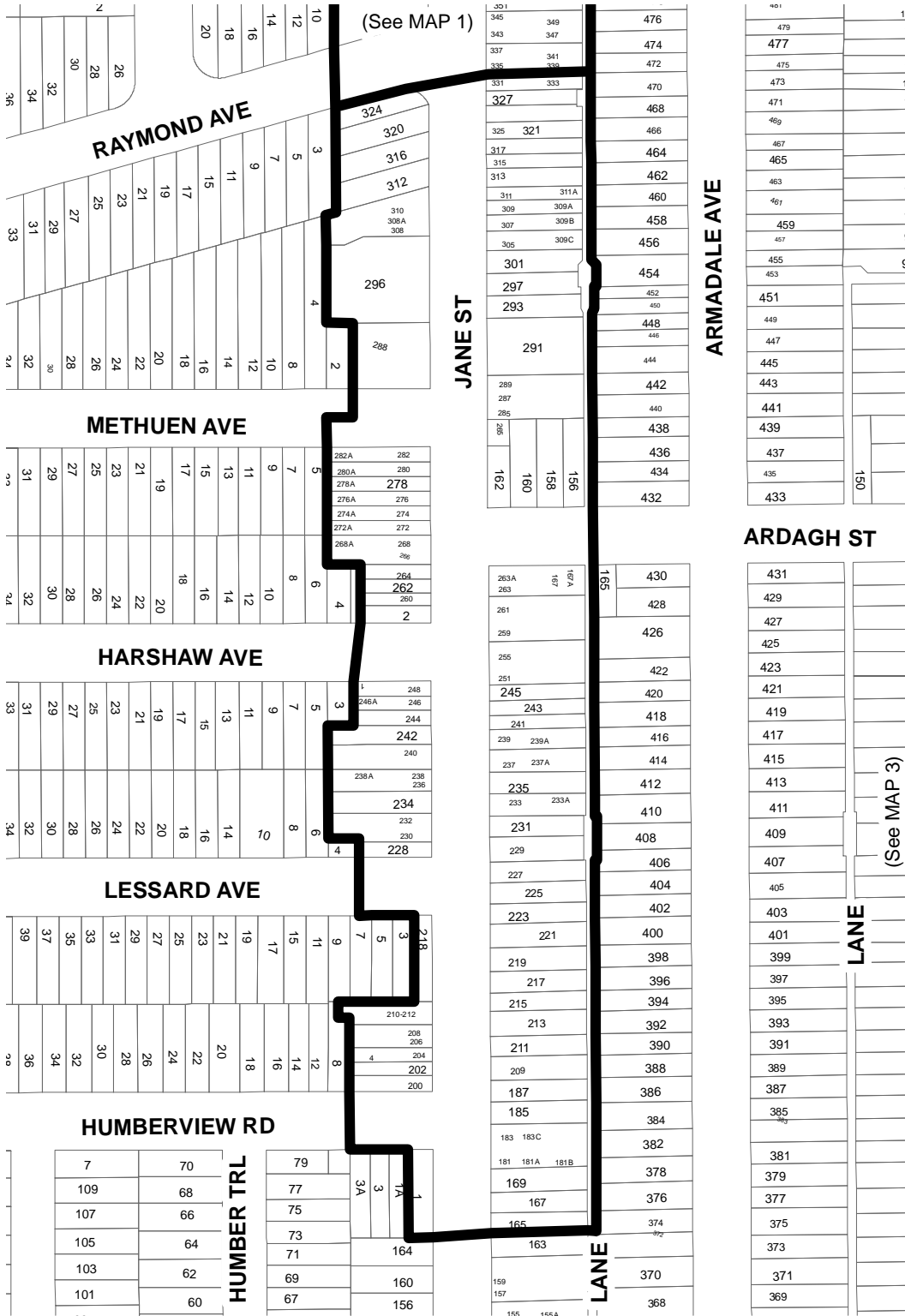
 Proposed Baby Point Gates Business Improvement Area



TECHNICAL SERVICES  
SURVEY AND MAPPING SERVICES  
18 D'YAS RD, 4TH FLOOR  
TORONTO, ON M2B 1V5  
Tel: 416-392-7755, Fax: 416-392-0081  
Map File: babypoint\_p01.mxd  
Created by: W. Silva  
March 2009

Attachment No.1

MAP 2 of 5

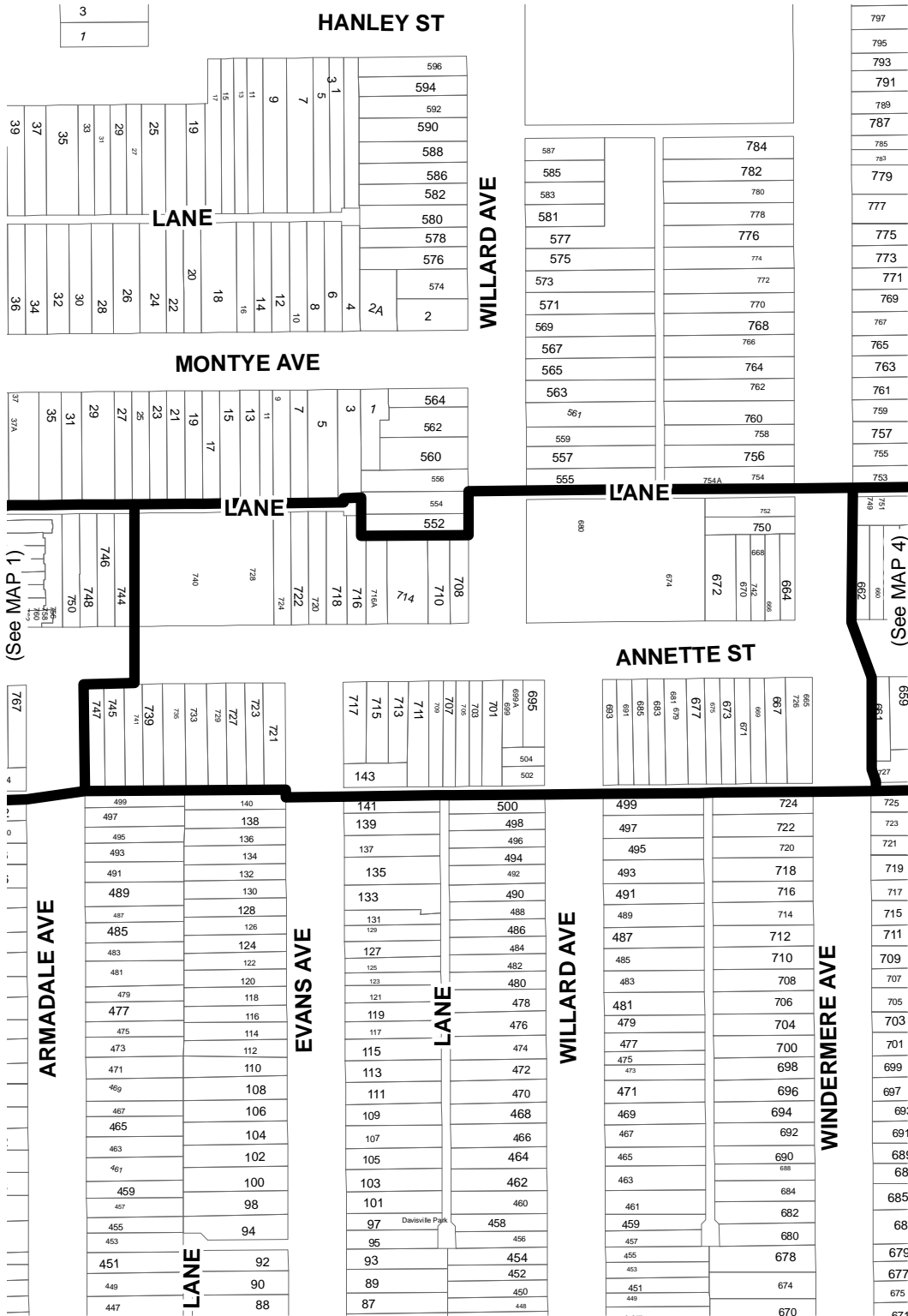


Proposed Baby Point Gates Business Improvement Area



0 510 20 30 40 Meters

TECHNICAL SERVICES  
 SURVEY AND MAPPING SERVICES  
 18 D'Yas Rd, 4th Floor  
 Toronto, ON M3B 1Y5  
 Tel: 416-392-7755, Fax: 416-392-0081  
 Map File: babypoint\_poll.mxd  
 Created by: W. Silva  
 March 2009



(See MAP (1))

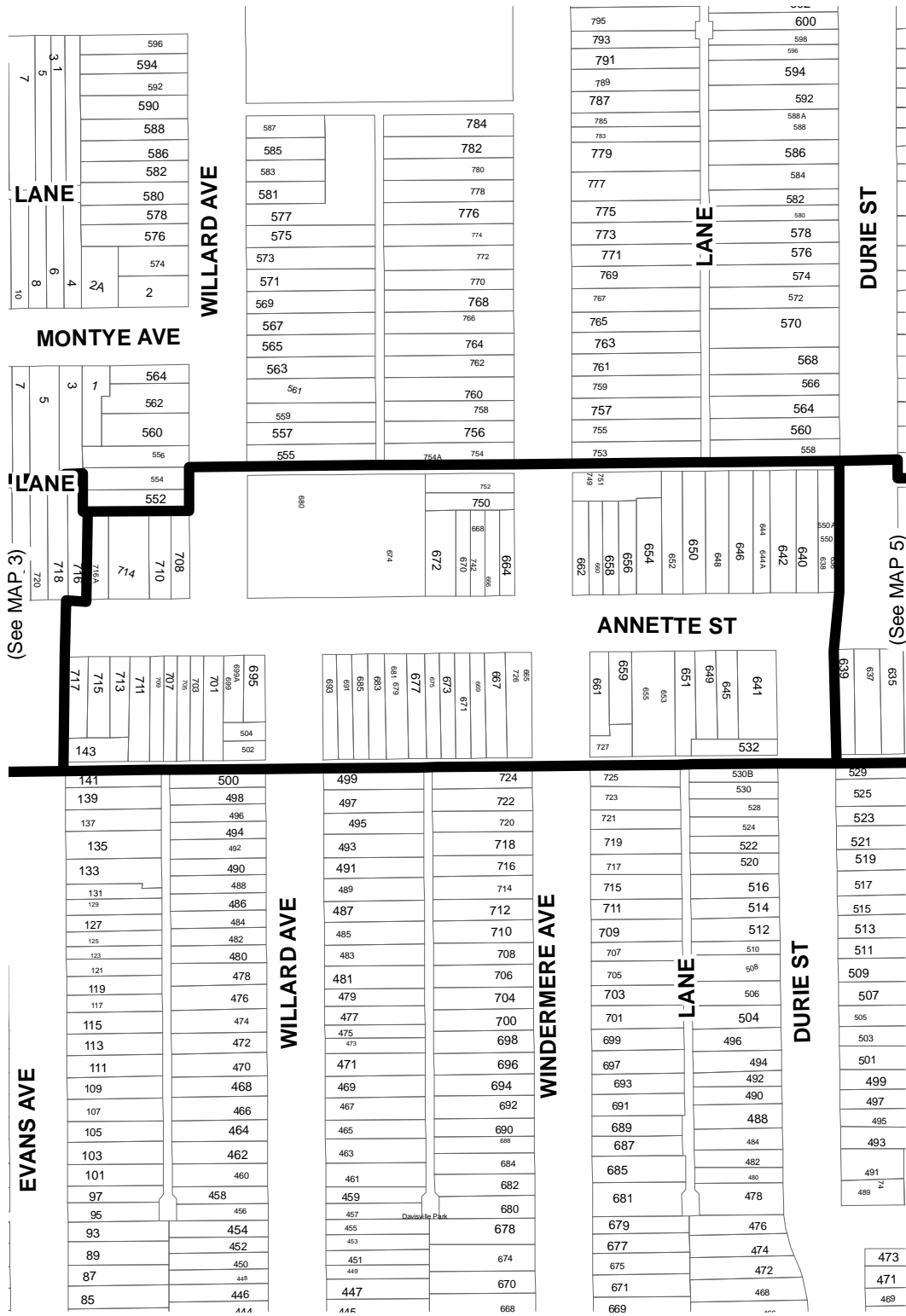
(See MAP (4))

Proposed Baby Point Gates Business Improvement Area



0 5 10 20 30 40 Meters

TECHNICAL SERVICES  
 SURVEY AND MAPPING SERVICES  
 18 Dyas Rd, 4th Floor  
 Toronto, ON M3J8 1Y5  
 Tel: 416-392-7755, Fax: 416-392-0081  
 Map File: babypoint\_rpt3.mxd  
 Created by: W. Silva  
 March 2009

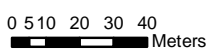


(See MAP 3)

(See MAP 5)



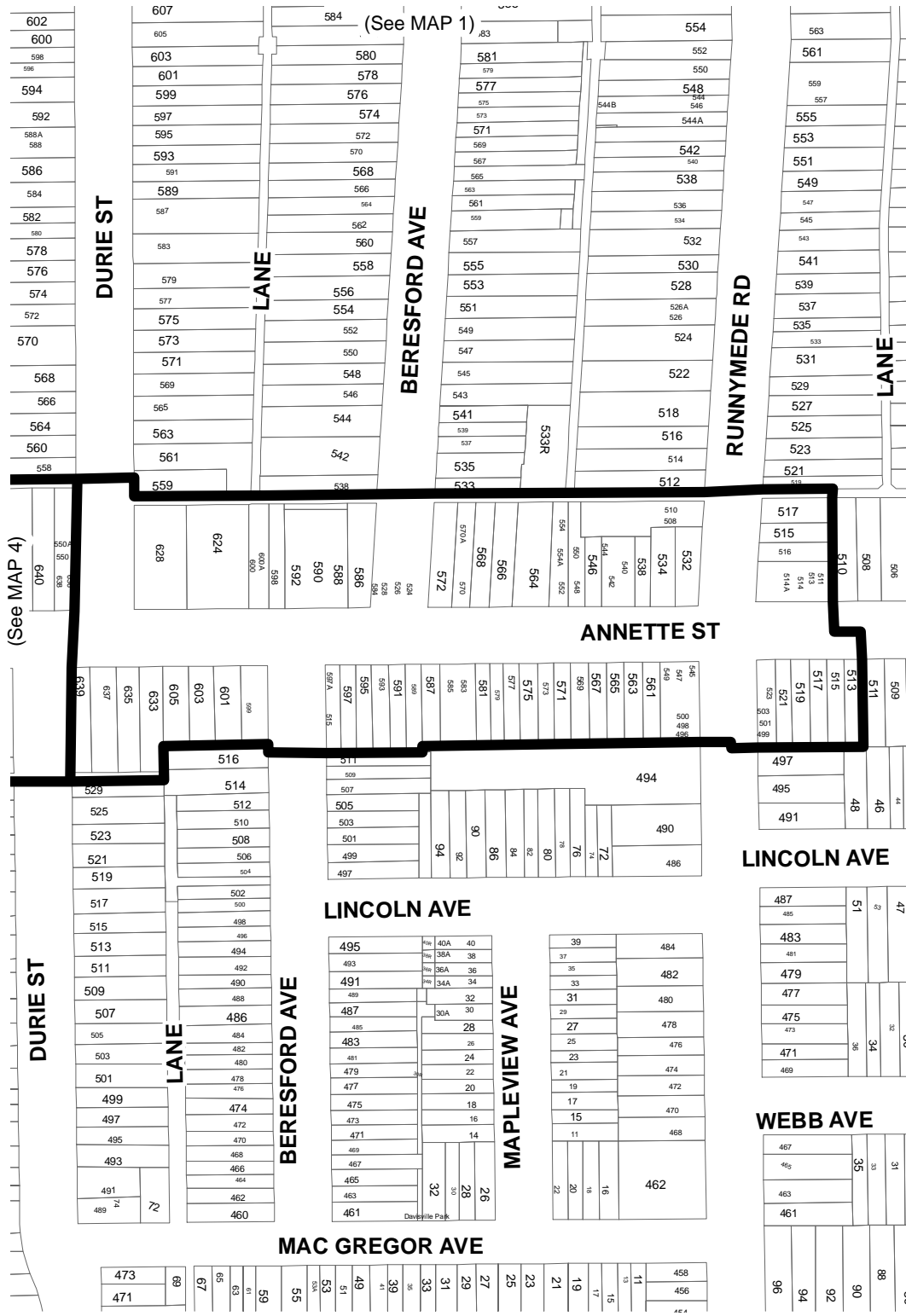
Proposed Baby Point Gates  
Business Improvement Area



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18 Dyas Rd, 4th Floor  
Toronto, ON M3J8 1Y5  
Tel: 416-392-7755, Fax: 416-392-0081  
Map File: babypoint\_rpt3.mxd  
Created by: W. Silva  
March 2009

Attachment No.1

MAP 5 of 5



Proposed Baby Point Gates  
Business Improvement Area



04.59 18 27 36  
Meters

TECHNICAL SERVICES  
SURVEY AND MAPPING SERVICES  
18 Dyas Rd, 4th Floor  
Toronto, ON M2V8 1V5  
Tel: 416-392-7755, Fax: 416-392-0081  
Map File: babypoint\_pp15.mxd  
Created by: W. Silva  
March 2009