

DESIGNATE FORM

This form allows a member of the Waterfront Business Improvement Area (BIA) to appoint an individual (Designate), who is not a member of the BIA, to vote on his or her behalf at the BIA Annual General Meeting (AGM) to be held on October 27, 2011.

Completed forms must be received by the City of Toronto BIA Office (address below) at least five business days before the Annual General Meeting.

I hereby authorize _____ to serve as my Designate and to vote on my behalf on all matters voted on at the AGM of the Waterfront Business Improvement Area (BIA) to be held on October 27, 2011. This designation shall be revocable at any time at the request of the undersigned voting member.

***Name - BIA Member:** _____

*Property Owner **OR** Business Operator **OR** Both (check one)

*Address within BIA: _____ Suite/Unit: _____

*City: _____ Province: _____ Postal Code: _____ Telephone: _____

Signature: _____ **Date:** _____

***Name - Designate:** _____

*Street Address: _____ Suite/Unit: _____

*City: _____ Province: _____ Postal Code: _____ Telephone: _____

Signature: _____ **Date:** _____

Submit completed form and BIA member proof of property or business ownership (e.g. copy of property tax bill, utility bill, etc.) to:

**City of Toronto BIA Office, Attn: David Hessels
77 Elizabeth Street, 2nd Floor, Toronto, ON M5G 1P4
Tel: 416-392-6837 Fax: 416-392-1380**

Designate Form is NOT valid if:

- Information provided is illegible;
- Designate is a member of the Waterfront BIA;
- Designate has already been nominated by another member of the Waterfront BIA;
- Designate Form is not received at least five business days prior to the AGM;
- BIA member or Designate fails to sign the form and provide required (*) information; or
- Designate form is not accompanied by BIA member valid proof of property or business ownership

The Designate must present identification at the AGM.

The personal information on this form is collected under the authority of section 141(1) of the *City of Toronto Act, 2006* and section 19-17 of the City's Municipal Code Chapter 19, Business Improvement Areas. This information is used for the purpose of evaluating and recording the registration of individual designates for the above noted AGM, and for contacting them with respect thereto. Questions about this collection can be directed to the Waterfront BIA, Attention: Lynn Haderlein, Executive Assistant, The Waterfront BIA, 416-596-9821, info@waterfrontbia.com.

Date Received

§ 19-1. Definitions.

BUSINESS IMPROVEMENT AREA MEMBERS – All persons who own rateable property in the area that is in a business property class and commercial and industrial tenants of the property; and recent purchasers of property in the area that is in a business property class, but not assessed on the last returned assessment roll, and commercial and industrial tenants of the property, if the recent purchasers produce evidence of property ownership satisfactory to the Chief Financial Officer.

BUSINESS IMPROVEMENT AREA OFFICE - The City's Business Improvement Area Office, Economic Development and Culture Division.

DESIGNATE – a person, who is not a member of the business improvement area, who has been appointed by a member of the business improvement area to represent the interests of the member at an annual general meeting or general meeting of the business improvement area.

§ 19-17. Elections of nominees; voter eligibility.

G. Ownership of properties.

- (1) Where a person is the sole owner of more than one property within the business improvement area, or is the sole owner of more than one corporation that owns property within the business improvement area, the person and the corporations solely owned by that person shall have a total of only one vote, regardless of the number of properties owned by that person and the different corporations solely owned by that person.
- (2) Where a person is the sole owner of a property and joint owner of one or more additional properties within the business improvement area, one vote is given for the property owned by that person alone and one vote is given for each jointly owned property, provided the co-owners in each case are different persons and they or their representatives attend the meeting where the vote is held.
- (3) Where a person is the sole owner of a corporation and part owner of different corporations that own property within the business improvement area, one vote is given for the corporation solely owned by that person and one for each jointly owned corporation, provided the co-owners of each corporation are different persons and they or their representatives attend the meeting where the vote is held.

H. A member of a business improvement area may, through the completion of a designate form provided by the business improvement area office, nominate in writing a designate to vote on behalf of the member at a general meeting or annual general meeting, provided the designate nominated has not also been nominated by another member of the business improvement area.

I. The person nominated under Subsection H must not be a member of the business improvement area.

J. Designate forms required under Subsection H shall be submitted to the business improvement area office at least five business days in advance of the annual general meeting or general meeting and the deadline must be identified in the notice of that meeting and must be accompanied by proof of property or business ownership within the business improvement area.

K. The business improvement area office shall forward the designate forms received as per Subsection H to the business improvement area a minimum of three days prior to the date of the general meeting or annual general meeting.