

Authority: Planning and Transportation Committee Report 1, Clause 1, adopted as amended,
by City of Toronto Council on January 31, February 1 and 2, 2006
Enacted by Council: February 2, 2006

CITY OF TORONTO

BY-LAW No. 116-2006

To designate certain lands in the Kennedy Road area as a community improvement project area and to adopt a community improvement plan for the Kennedy Road Community Improvement Project Area.

WHEREAS subsection 28(2) of the *Planning Act* provides that the council of a municipality which has an official plan containing provisions relating to community improvement, may by by-law designate the whole or any part of an area covered by such an official plan as a community improvement project area; and

WHEREAS subsection 28(4) of the *Planning Act* provides for adoption of a community improvement plan respecting the designated area; and

WHEREAS the official plan of the former municipality of Scarborough contains provisions relating to community improvement in the areas contemplated in this by-law; and

WHEREAS a public meeting has been held in accordance with the *Planning Act*; and

WHEREAS Council of the City of Toronto has determined it appropriate to authorize designations of certain lands to be known as the Kennedy Road Community Improvement Project Area and to adopt a community improvement plan for the area;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The area outlined by heavy lines shown on Maps 1 - 3 of Schedule "A", attached to and forming part of this by-law is designated as a community improvement project area within the meaning of section 28 of the *Planning Act*.
2. The community improvement project area shown on Maps 1 - 3 of Schedule "A" shall be known as the Kennedy Road Community Improvement Project Area.
3. The community improvement plan attached and forming part of this by-law as Schedule "A" is hereby adopted as the Kennedy Road Community Improvement Plan.

ENACTED AND PASSED this 2nd day of February, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”
The Kennedy Road Community Improvement Plan

1.0 Context

1.1 Project Area

This Community Improvement Plan applies to the designated Community Improvement Project Area outlined in heavy lines on Maps 1 - 3 attached, known as the Kennedy Road Community Improvement Project Area (the “Project Area”).

1.2 Description

The boundaries of the Project Area coincide with those of the Kennedy Road Business Improvement Area (the “Kennedy Road BIA”).

A popular local and regional shopping district, the Kennedy Road Business Improvement Area consists of a wide range of retail, restaurant and entertainment uses in a variety of built-form types including single use buildings and strip plazas. Enjoying both excellent vehicular and public transit access, its 329 businesses currently employ approximately 3500 people. However, at present, many of the 100 buildings contained therein, which were developed in the 1960’s and 70’s, are in need of renovation in order to remain competitive.

2.0 Objectives

The purpose of this Community Improvement Plan is to enable the City to implement its Commercial Façade Improvement Program and cost share façade improvements with the owners or tenants of buildings containing retail, service or other commercial uses. This financial incentive will encourage private property owners to make necessary upgrades to their buildings and improve the physical appearance of the Project Area. A commercial façade improvement program is a cost-effective way to create a more positive visual and economic environment, helping to retain local businesses, attract new businesses, and attract shoppers.

3.0 Basis

The boundaries of the Project Area coincide with the boundaries of the Kennedy Road BIA designated under the *Municipal Act, 2001*. The Kennedy Road BIA organizes local businesses and generates levies used to beautify and promote the area. The Commercial Façade Improvement Program will compliment the efforts of local business and other economic development initiatives of the City to ensure the long-term economic well-being of the Project Area.

The City’s Business Improvement Areas (“BIAs”) are finding it an increasing challenge to compete and thrive because of competition from big-box and internet retailing and a general aging and decline in the building stock. These factors threaten the longer term economic vitality and viability of not only main street retail areas but also the City as a whole. The Project Area is an integral part of the economic and social well-being of the community in which it is located, providing shopping and other services within close walking distance, and a focal point for

neighbourhood activity and opportunities for local entrepreneurship and employment. From a City-wide perspective, the quality of the BIAs and adjacent neighbourhoods has a direct impact on quality of life within the City and therefore on the City's overall economic competitiveness.

4.0 Authority

4.1 *Planning Act*

Section 28 of the *Planning Act* states that, where the Official Plan for a municipality contains appropriate provisions, a by-law may be passed designating an area as a community improvement project area. The *Planning Act* further authorizes Council to prepare a plan suitable for adoption as a Community Improvement Plan for a community improvement project area.

Among other provisions, the *Planning Act* authorizes the City to make grants or loans to registered assessed owners and tenants of lands and buildings within the community improvement project area with respect to the cost of rehabilitating such lands and buildings in conformity with the community improvement plan.

4.2 Official Plan Policies

The Official Plans for each of the former municipalities within the City of Toronto contain the appropriate provisions related to community improvement as required in order to designate and prepare plans for community improvement project areas as envisioned in Section 28 of the *Planning Act*.

5.0 Commercial Façade Improvement Program

City Council has approved funding and guidelines for the implementation of a Commercial Façade Improvement Program related to the City's BIAs.

The City's Commercial Façade Improvement Program contemplates, potential grants to commercial building owners and commercial tenants whose properties are located within the Business Improvement Areas and where there is an approved Community Improvement Plan with appropriate façade related provisions in place. The objective of the program is to further enhance the visual attractiveness, architectural character and general business climate in these areas by encouraging the redesign, renovation and restoration of commercial façades.

5.1 Program Details

Grants will cover a maximum of 50% of the eligible improvements to commercial and mixed commercial/residential building façades. Three written estimates will be required. The grant awarded will be based upon the lowest contractor estimate submitted with the application. The minimum grant is \$2,500 with a maximum of \$10,000 for non-corner properties.

A corner property is eligible for a maximum grant of \$12,500, provided improvements are proposed for both the front and corner-side wall of the building. For the purposes of this program, a property abutting a private lane, as opposed to a public road, is not considered a corner property.

5.2 Program Eligibility

The Commercial Façade Improvement Program is offered to commercial property owners or commercial tenants within areas with corresponding policies in an approved community improvement plan where the coinciding BIAs:

- have a Business Improvement Area Board of Management approved by City Council;
- have an operating budget, adopted at a general meeting of the BIA and approved by City Council, for the year in which the grant is requested;
- are in good standing with the respect to the provisions of the *Municipal Act, 2001* and the City's Municipal Code for BIAs; and
- have a demonstrated record of successfully carrying out area improvements, including but not limited to capital streetscape improvements projects, hosting special events or undertaking marketing/advertising programs for the area.

Priority is given to applicants from BIAs that meet the above criteria and that have been in existence for at least 5 years. These criteria will ensure that funding is provided to applicants from within those BIAs that have demonstrated a commitment to area improvements.

Decisions regarding financial commitments to the Commercial Façade Improvement Program will be at the discretion of Council in each budget year.

5.3 Applicant Eligibility

Prospective grant applicants within the Project Area:

- must be the owner of a property within the Project Area which is used for commercial purposes at street level or a commercial tenant within the Project Area who has the written permission of such a property owner;
- must occupy premises where no outstanding property taxes are owed to the City;
- must not start the improvement project before the grant application is approved;
- must not have received the maximum façade improvement grant for the property in the previous 10 years; and
- must agree to the terms and conditions of the façade program.

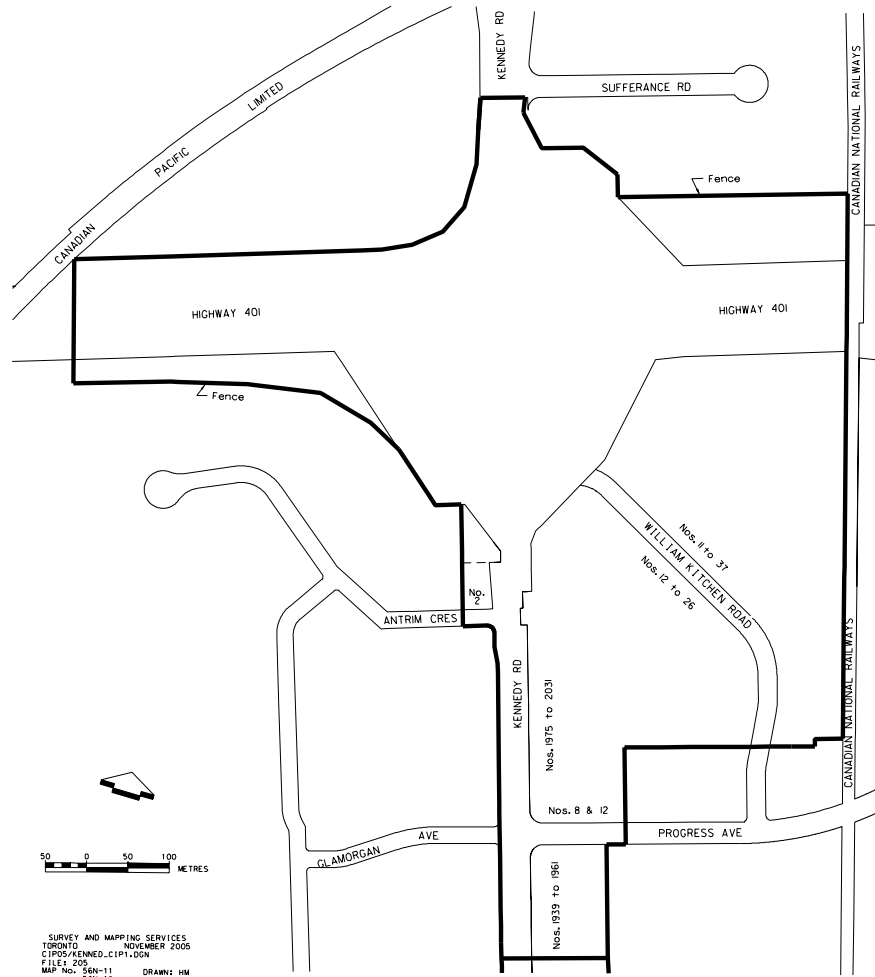
5.4 Program Administration and Implementation

A Review Committee consisting of representatives of business and other local interests will be established to review applications from the Project Area and will make recommendations to the City. The Review Committee and City staff will work with applicants to ensure façade improvements that are in keeping with the local character of the area and that make a clear positive contribution to the overall appearance of building.

Priority will be given to those applications which:

- Propose complete façade renovations or restorations (including storeys above ground level if applicable) as opposed to the replacement of singular or multiple façade components such as windows, signage, doors etc;
- Propose the restoration of historic or unique façades; and
- Represent the improvement or renovation of two or more adjoining façades, either under one or multiple ownerships.

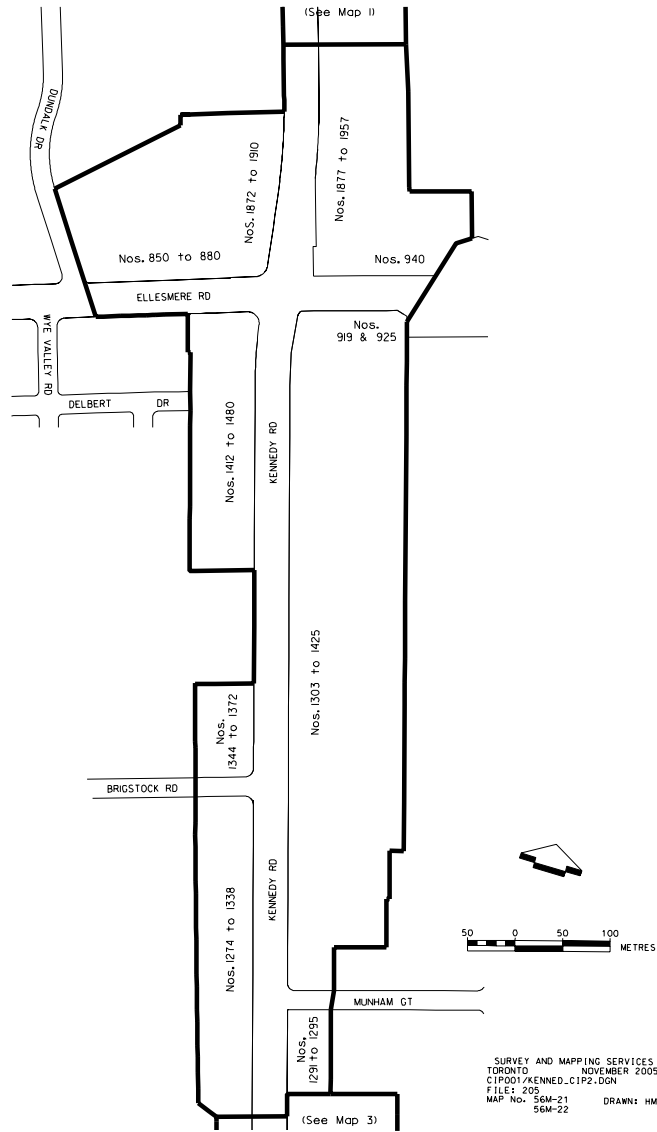
Staff from the Economic Development Division will administer the Commercial Façade Improvement Program identified in this Community Improvement Plan.



 KENNEDY ROAD
COMMUNITY IMPROVEMENT PROJECT AREA

SURVEY AND MAPPING SERVICES
TORONTO NOVEMBER 2005
C:\PDS\KENNED_C1P1.DGN
FILE: 205
MAP No. 56N-11 DRAWN: HM
56N-12

MAP 2 of 3



 KENNEDY ROAD
 COMMUNITY IMPROVEMENT PROJECT AREA

SURVEY AND MAPPING SERVICES
TORONTO NOVEMBER 2005
C:\P001\KENNED-C1P2.DGN
FILE: 205
MAP No. 56M-21 DRAWN: HM
56M-22

MAP 3 of 3

