

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. 135-2006

To expand the designation for the Community Improvement Project Area currently situated along Bloor Street West between Montgomery Road and Prince Edward Drive to be identified as the Kingsway Community Improvement Project Area and to adopt a Community Improvement Plan for the Kingsway 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 the official plan of the former Etobicoke contains provisions relating to community improvement in the areas contemplated in this by-law; and

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

WHEREAS Council of the former Etobicoke by By-law No. 1985-69, designated a community improvement project area along Bloor Street West between Montgomery Road and Prince Edward Drive; and

WHEREAS no community improvement plan was adopted for the Community Improvement Project Area along Bloor Street West between Montgomery Road and Prince Edward Drive; and

WHEREAS Council has determined it appropriate to modify the original designation to designate an expanded community improvement project area to be known as the Kingsway Community Improvement Project Area and to adopt a corresponding community improvement plan; and

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

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

1. Former City of Etobicoke By-law No. 1985-69 is hereby repealed.
2. The area outlined by heavy lines on Maps 1 - 2 of Schedule "A" attached to and forming part of this by-law is designated as a community improvement project area and shall be known as the Kingsway Community Improvement Project Area.

3. The community improvement plan attached to and forming part of this by-law as Schedule "A" is hereby adopted as the community improvement plan for the Kingsway Community Improvement Project Area.

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 Kingsway 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 - 2 attached, identified as the Kingsway Community Improvement Project Area (the “Project Area”). This plan is known as the Kingsway Community Improvement Plan.

1.2 Description

The boundaries of the Project Area correspond to those of the Kingsway Business Improvement Area (the “Kingsway BIA”).

The Kingsway BIA offers an excellent mix of small specialty shops, fabulous restaurants, a sprinkling of pubs as well as professional and medical services. The ambiance created by unique centre medians, distinct Kingsway flags and banners, beautiful wrought iron park benches, coach lanterns and graceful flower gardens is pleasantly surprising.

The Kingsway BIA began as the Kingsway Business Men’s Association in 1949. On December 3, 1973, the Council for the Borough of Etobicoke passed a by-law establishing the Kingsway Business Improvement Area and creating a Board of Management.

The Kingsway BIA is currently made up of 117 properties with 178 business establishments that employ approximately 1,270 full and part-time staff.

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 Kingsway BIA designated under the *Municipal Act, 2001*. The Kingsway 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 BIA 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 the 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 where corresponding policies are included in approved community improvement plans and 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.

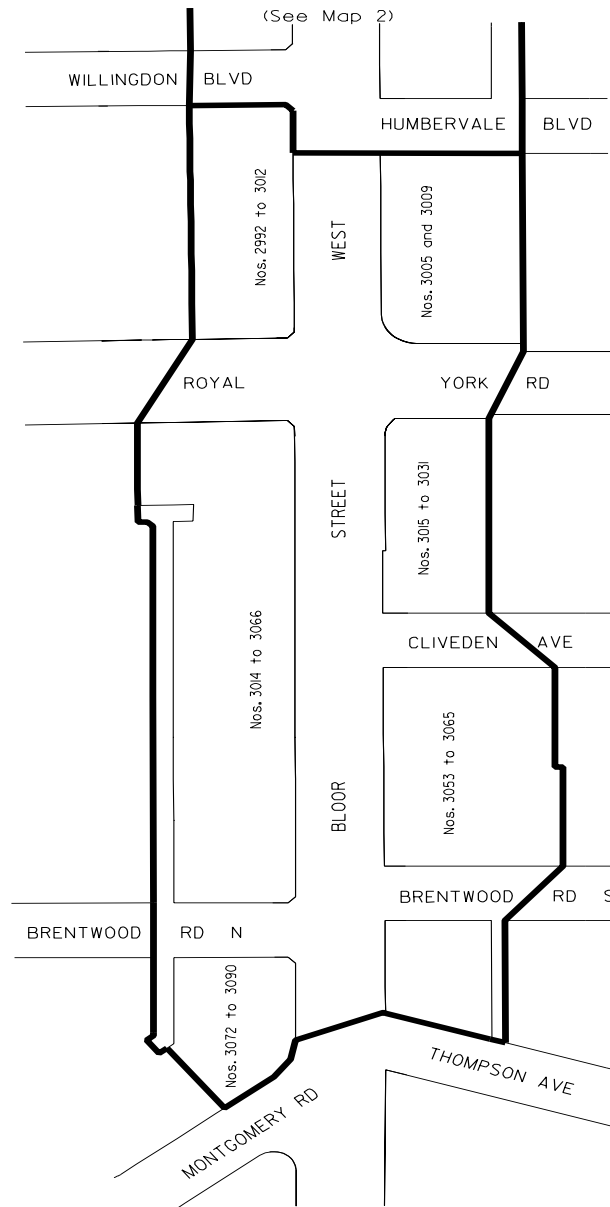
5.4 Program Administration and Implementation

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.

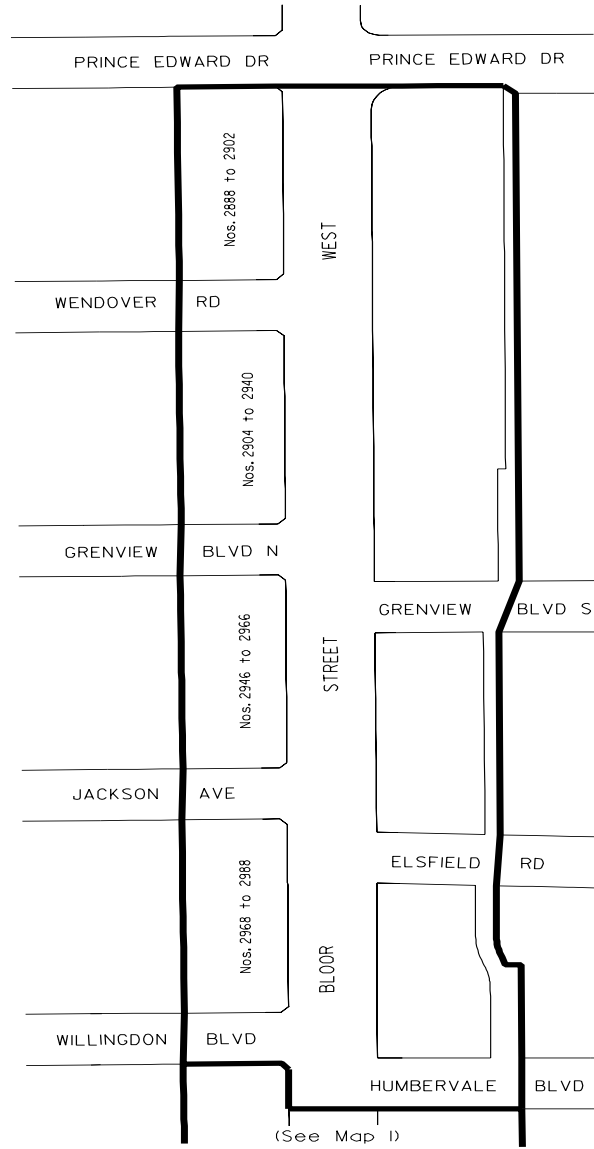
Staff from the Economic Development Division will administer the Commercial Façade Improvement Program identified in the CIP.



 KINGSWAY
COMMUNITY IMPROVEMENT PROJECT AREA



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JANUARY, 2006
B1A06/KINGW_CIP1.DGN
FILE: 205 DRAWN: WS
MAP Nos: 45H-23, 45J-13,
46H-31, 46J-11



 KINGSWAY
COMMUNITY IMPROVEMENT PROJECT AREA



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JANUARY, 2006
B1A06/KINGW_CIP2.DGN
FILE: 205 DRAWN: WS
MAP Nos: 45H-23, 45J-13,
46H-31, 46J-11