

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. 136-2006

**To amend the Downtown Yonge Street Community Improvement Plan respecting certain
lands identified as the Downtown Yonge Street Façade Improvement Focus Area
(coinciding with the Downtown Yonge Street Business Improvement Area).**

WHEREAS Council of the former City of Toronto by By-law No. 1996-0135, as amended by former City of Toronto By-law No. 1996-0420, and City of Toronto By-laws Nos. 363-1999 and 431-2002, designated, in accordance with the *Planning Act*, a community improvement project area known as the Downtown Yonge Street Community Improvement Project Area; and

WHEREAS the former City of Toronto Council by By-law No. 1996-0135, as amended by former City of Toronto By-law No. 1997-0126 and City of Toronto By-laws Nos. 456-1999 and 431-2002, adopted a community improvement project plan for the Downtown Yonge Street Community Improvement Project Area, in accordance with the *Planning Act*, which plan is known as the Downtown Yonge Street Community Improvement Plan; and

WHEREAS Council has determined it appropriate to amend the Downtown Yonge Street Community Improvement Plan with respect to certain lands within the Downtown Yonge Street Community Improvement Project Area for the purposes of commercial façade programming; 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. The Downtown Yonge Street Community Improvement Plan adopted by By-law No. 1996-0135, as amended by By-law No. 1997-0126 of the former City of Toronto, and By-laws Nos. 456-1999 and 431-2002 of the City of Toronto is further amended by inserting the façade program policies in accordance with Schedule "A", attached to and forming part of this By-law, which amendment shall only apply to those lands outlined by heavy lines on Maps 1 - 2 of Schedule "A".

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 Downtown Yonge Street Community Improvement Plan, as amended, is hereby further amended by inserting the following Amendment No. 4 immediately following Amendment No. 3 thereof:

“AMENDMENT No. 4

1.0 Context

1.1 Focus Area

This Amendment applies to the façade improvement focus area outlined in heavy lines on Maps 1 - 2 attached, and identified as the Downtown Yonge Street Façade Improvement Focus Area (the “Focus Area”). The Focus Area is situated within the Downtown Yonge Street Community Improvement Project Area.

1.2 Description

The boundaries of the Focus Area coincide with those of the Downtown Yonge Business Improvement Area (the “Downtown Yonge BIA”).

The Downtown Yonge BIA is a major shopping, dining and entertainment district and tourist attraction. Although the area is home to high-rise office towers, large retail malls, institutional buildings and well-know entertainment facilities, a significant portion of Downtown Yonge remains traditional main street in scale with some buildings dating back to the turn of the century. Currently, over 1300 businesses in the Downtown Yonge BIA employ approximately 43,000 people and many of the area’s retail façades are in need of renovation or redesign. At present the area has a total of 176 buildings.

2.0 Objectives

The purpose of this Amendment is to enable the City to implement its Commercial Façade Improvement Program and cost share façade improvements with the owners or commercial tenants of buildings containing retail, service or other commercial uses. This financial incentive will encourage private commercial property owners and commercial tenants to make necessary upgrades to their buildings and improve the physical appearance of the Focus 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 Focus Area coincide with the boundaries of the Downtown Yonge BIA designated under the *Municipal Act, 2001*. The Downtown Yonge 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 Focus 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 all or portions of 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 where corresponding policies are included in an approved community improvement plan and 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 Focus Area:

- must be the owner of a property within the Focus Area which is used for commercial purposes at street level or a commercial tenant within the Focus 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:

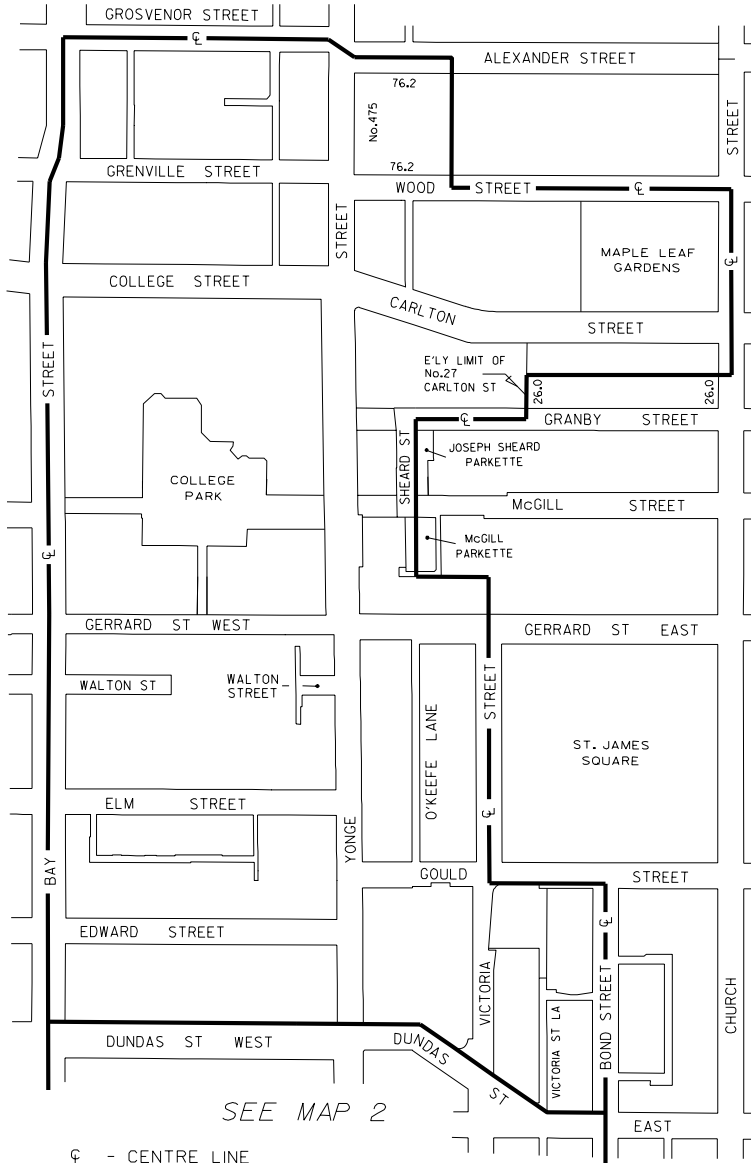
- Propose complete façade renovations or restorations (including storeys above ground level if applicable) as opposed to the replacement of singular or multiple façade components such as windows, signage, doors etc;
- Propose the restoration of historic or unique façades; and
- Represent the improvement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

6.0 Scope and Application of Amendment

This Amendment supercedes other façade related policies in this Plan, as they may apply to the Focus Area”.

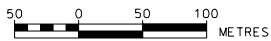
MAP 1 of 2



SEE MAP 2

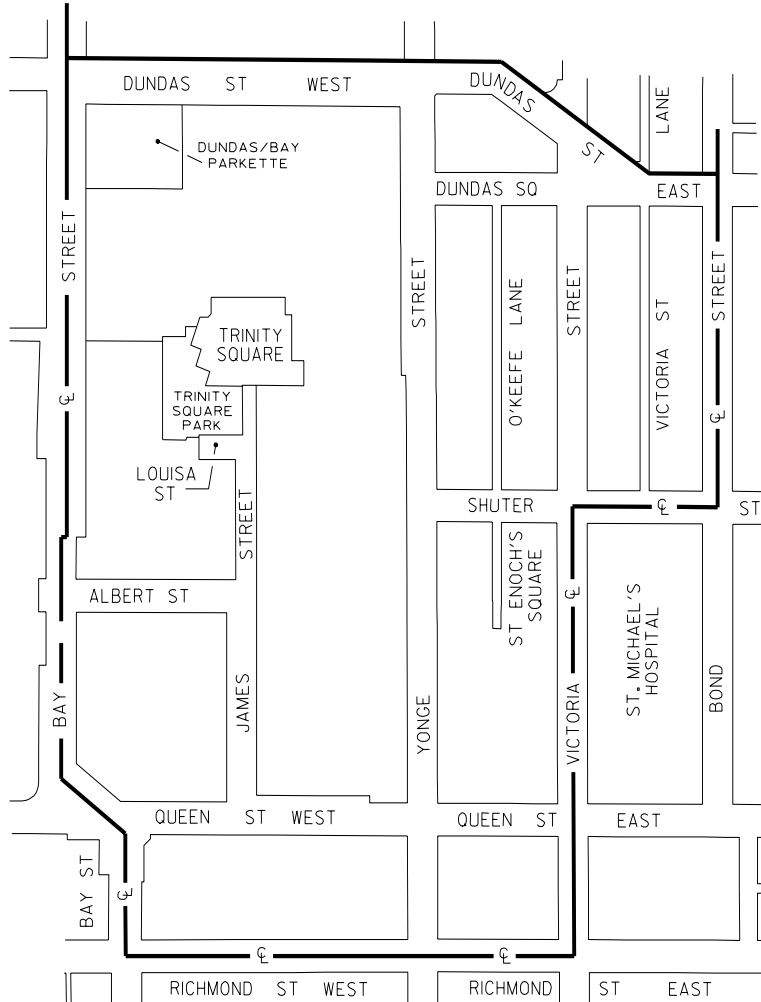
⊕ - CENTRE LINE

DOWNTOWN YONGE
 FAÇADE IMPROVEMENT FOCUS AREA



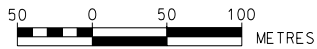
SURVEY AND MAPPING SERVICES
 TORONTO NOVEMBER 2005
 CIPOS/DTYONG_CIP1.DGN
 FILES: Y1-CIP1_205 DRAWN: HM
 MAP Nos. 50H-113, 50H-123
 51H-111, 51H-121

SEE MAP 1



⌘ - CENTRE LINE

DOWNTOWN YONGE
 FAÇADE IMPROVEMENT FOCUS AREA



SURVEY AND MAPPING SERVICES
 TORONTO NOVEMBER 2005
 BCIP05/DTYONG_CIP2.DGN
 FILES: Y1-CIP1, 205 DRAWN: HM
 MAP Nos. 50H-113, 51H-111
 50G-123, 51G-121