

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. 139-2006

**To amend the York Community Improvement Plan respecting certain lands identified as
the Mount Dennis Façade Improvement Focus Area (coinciding with the Mount Dennis
Business Improvement Area).**

WHEREAS Council of the former City of York by By-laws Nos. 1538-89, 3426-97 and 3425-97 designated, in accordance with the *Planning Act*, community improvement project areas respectively known as the Weston Community Improvement Project Area, the Mount Dennis Community Improvement Project Area and the Oakwood Vaughan/Oakwood Rogers Community Improvement Project Area; and

WHEREAS the former City of York Council by By-law No. 3474-97 adopted a community improvement plan, in accordance with the *Planning Act*, for the Weston Community Improvement Project Area, the Mount Dennis Community Improvement Project Area and the Oakwood-Vaughan/Oakwood-Rogers Community Improvement Project Area; and

WHEREAS Council of the City of Toronto by By-law No. 84-1998 designated that portion of the City of Toronto which was formerly the City of York as a community improvement project area; and

WHEREAS City of Toronto By-law No. 194-1998 amended the community improvement plan for the Weston, the Mount Dennis and the Oakwood-Vaughan/Oakwood-Rogers Community Improvement Project Areas, in accordance with the *Planning Act*, to add the Eglinton Avenue West Community Improvement Project Area and make other modifications to the Community Improvement Plan, including entitling the plan the York Community Improvement Plan; and

WHEREAS Council of the City of Toronto by By-law No. 717-2000 has designated, in accordance with the *Planning Act*, lands on the north side of Eglinton Avenue West between Marlee Avenue and Bathurst Street as a community improvement project area known as the Eglinton Avenue West (annexed north section) Community Improvement Project Area; and

WHEREAS City of Toronto By-law No. 718-2000 further amended by By-law No. 3474-97, in accordance with the *Planning Act* to designate an additional area of Weston Road as part of the Weston Community Improvement Project Area and make other modifications to the York Community Improvement Plan; and

WHEREAS Council has determined it appropriate to amend the York Community Improvement Plan 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 York Community Improvement Plan adopted by City of York By-law No. 3474-97, as amended by City of Toronto By-law No. 194-1998 and City of Toronto By-law No. 718-2000, is further amended in accordance with Schedule "A", attached to and forming part of this By-law, which amendment applies only to those lands outlined by heavy lines on Map "1" of Schedule "A".
2. The area depicted on Map "1" of Schedule "A" shall be known as the Mount Dennis Façade Improvement Focus 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 York Community Improvement Plan, as amended, is hereby further amended by inserting the following Appendix No. 2:

“APPENDIX No. 2

1.0 Context

1.1 Focus Area

This Amendment applies to the façade improvement focus area outlined in heavy lines on Map “1” attached, known as the Mount Dennis Façade Improvement Focus Area (the “Focus Area”). The Focus Area is situated in the York Community Improvement Project Area.

1.2 Description

The boundaries of the Focus Area correspond to those of the Mount Dennis Business Improvement Area (the “Mount Dennis BIA”). Established through the efforts of the local business community and with the support of the local residents and rate payers group, this community-conscious BIA was initiated in August 1974. The area includes a concentration of small shops offering a variety of shops and food establishments.

This section of the Mount Dennis BIA currently employs over 175 retail and service employees. At present, it is made up of 40 commercial properties, many of which are in need of repair and improvement.

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 Mount Dennis BIA designated under the Municipal Act, 2001. The Mount Dennis 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 ("BIA's") 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 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 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 Focus 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"

