

Tuesday, April 10, 2007

To: The Chair and Members of the Economic Development Committee.

From: Howard Moscoe, Chair, Licensing and Standards.

Re: ED3.3, New Municipal Code Chapter 19 – Business Improvement Areas.

SUMMARY

I will be tabling the attached report re strip plaza rehabilitation at the Licensing and Standards Committee May meeting. The success of this plan will necessitate some amendments to Chapter 19 of the New City of Toronto Municipal Code which this committee presently has before it. I am bringing the matter here in an attempt to co-ordinate our efforts with the work of the Economic Development Committee.

In order to accomplish a cleanup of suburban strip plazas it will at some point in time be necessary to consider establishing "Special Policy Areas" under this section. This will ultimately require four amendments to the code. I would ask that you take the following action:

RECOMMENDATIONS

1. Adopt report 3.3 before you today as presently recommended.
2. Refer the "strip plaza re-habilitation project" to the legal department to determine what amendments are required to Chapter 19 in order to establish the Special Policy Areas contemplated by the project.
3. Request that legal report to Licensing and Standards within two months.

Thank you for your consideration of this matter.

Wednesday, December 20, 2006

STRIP PLAZA REHABILITATION PROJECT

From: Howard Moscoe, Chair, Licensing and Standards.

Problem:

Strip plazas are a common form of retail development particularly in the suburban areas like North York and Scarborough. They evolved during the fifties and sixties and are a form of development that is characterized by a row of shops with parking out front and often with residential units above. They were one of the significant planning errors of that era and generally (but not always) serve local retail needs.

The major problem is that each building owner owns the area on which his/her building is located including the parking strip at the front of the store that his/her shop occupies. That generally means that nobody has overall responsibility for the management of the rear and parking areas (what appears to be the common areas.)

Because the plaza consists of a mix of businesses, some successful and some not, the common areas deteriorate to the level of the least successful.

A common refrain from business owners is

“I want to pave my parking areas, most of us do, but
The guy next door will not spend the money.
If I pave and he doesn't the place will never
improve so why bother?”

Many of these plazas are a blight on the suburban environment.

They are often characterized by pot holes, broken pavement, crumbling pre cast concrete curbs, an accumulation of litter and grunge near the sidewalk, weeds growing through the pavement and a disorganized garbage littered rear lane. If there is a grassed boulevard in front of the sidewalk it is almost never maintained and often the grass remains uncut and littered. If there are any trees most of them are dead. The fact is that most shop keepers do not view the boulevard as their responsibility as they would with the same boulevard if located in front of their residence.

If there are residential units above the apartments were designed without adequate in suite facilities for storing garbage (let alone re-cycling). Garbage handling is left to each individual apartment or retail establishment. Food businesses that generate a lot of garbage create odors and problems for other businesses and the worst of all situations exist when there is no rear lane and all of the garbage is on display out front all of the time.

The problem is often complicated by the fact that many of the buildings are owned by absentee landlords who seldom, if ever visit the properties.

Present Remedies:

These generally involve property standard and solid waste inspectors who issue orders to comply and follow them up with work orders. The procedures are cumbersome and time consuming. In the first place the inspector must often search title of each property to properly identify the owner. Then there are enumerable visits cajole owners to do necessary repairs. Solid waste inspectors handle the rear laneway and the garbage and health inspectors do the restaurants and the city's efforts are often disjointed. Even if the desired cleanup is achieved it is

usually short term and plaza quickly deteriorates to its original state in a relatively short time.

In the past few years property standards has developed coordinated swat team approach to handle extreme cases and in some instances the city has gone in, done the necessary work and charged the costs back to the owners on their property taxes. This has been somewhat effective but the old problems remain. It requires a Herculean effort and unless there is a buy-in from the merchants the place deteriorates again into a mess.

A New Rehabilitation Plan:

I am proposing that the City of Toronto develop a rehabilitation template using in part a combination of the new powers under the City of Toronto Act and the Business Improvement Act. A key feature of the plan is that it should depend as much upon incentives as enforcement. It would allow those merchants and property owners who want improvement to impose their will on the deadbeats.

The Rehabilitation Strip: RS

The plan would involve organizing the plaza into a mini BIA. The strip plaza would operate much as a condo. The city would then have available to it number of mechanisms to encourage improvement. For one I would re-format the façade grant program and use these funds towards a strip plaza re-habilitation program. This would make available a pool of funds that can either be loaned or provided to Rehabilitation Strips. In addition, the pool of matching funds that are currently available to BIAs can be directed to Rehabilitation Strips. I believe that this can be accomplished by re-directing present budgets.

- 1) The plaza, by a vote of the owners will be organized as a mini or (strip) BIA. Under the same terms of the Business improvement Act.
- 2) In order to eligible for grants or loans the plaza must develop a long term maintenance program that includes as a minimum:
 - a) A pavement re-habilitation plan
 - b) A landscaping plan (The urban design department will prepare a number of templates from which the RS could choose).
 - c) A contract for sweeping litter pickup and landscape maintenance for the entire plaza.
 - d) A plan for garbage storage and handling for every unit, and a recycling program. The city can extend garbage collection services to the RS as an incentive in the same way that North York Extended this service to small apartment owners.
 - e) The capital program can be for a fixed period and the RS could automatically dissolve after major capital is amortized over that time period with an option to renew as determined by the RS Board.

Why Would Any Merchant Buy Into this Plan?

We would start with a city RS Swat team doing an inspection. Every appropriate work order would be issued followed by a meeting involving the RS Swat team and the local councillor, owners and tenants.

Merchants would be advised of the option to choose a RS or individual work orders including the prospect of the city doing the work and charging it back to taxes. They will also be advised of the help that is available to them through the RS program.

Recommendations:

- 1. Establish a task force to develop a RS program that Includes:**
 - a) The Chair and one other member of the Licensing and Standards Committee.**
 - b) A member of the Economic Development committee.**
 - c) A member of the Budget Committee**
 - d) Staff from the following departments:**
 - City Manager**
 - Licensing Enforcement,**
 - Solid Waste,**
 - Urban Design,**
 - Legal,**
 - Economic Development,**
 - Works,**
 - Finance**
- 2. The Rehabilitation Strip Task Force Review the mechanisms available to develop the program and report to the Licensing and Standards Committee within six months.**
- 3. The Task Force review current funding programs with a view to recommending a pilot project within existing budget using existing staff or advise what additional resources may be required.**