

Authority: Planning and Growth Management Committee Item 3.1,  
as adopted by City of Toronto Council on April 23 and 24, 2007  
Enacted by Council: April 24, 2007

## **CITY OF TORONTO**

### **BY-LAW No. 358-2007**

#### **To amend the Kensington Market Community Improvement Plan to implement façade improvement policies for certain portions of the Kensington Market Community Improvement Project Area.**

WHEREAS Council of the City of Toronto by By-law No. 369-2002, designated, in accordance with the *Planning Act*, a community improvement project area known as the Kensington Market Community Improvement Project Area; and

WHEREAS Council of the City of Toronto by By-law No. 856-2003 adopted a Community Improvement Plan for the Kensington Market Community Improvement Project Area; and

WHEREAS the funding reserved for the “Commercial Façade Improvement Programme” contemplated in Section 3 of the Kensington Market Community Improvement Plan has been exhausted; and

WHEREAS subsection 28(4) of the *Planning Act* provides for adoption of a community improvement plan within community improvement project areas; and

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

WHEREAS Council has determined it appropriate to amend the Kensington Market Community Improvement Plan with respect to certain lands within the Kensington Market Community Improvement Project Area for the purposes of commercial façade programming;

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

1. City of Toronto By-law No. 856-2003, Schedule “A” is hereby amended by deleting the policies contained at Section 3 “Commercial Façade Improvement Programme”.
2. City of Toronto By-law No. 856-2003 is hereby further amended by deleting Appendix “A” being the “Commercial Façade Improvement Grant Details and Application Procedures”.
3. City of Toronto By-law No. 856-2003 is hereby further amended by inserting the policies attached hereto as Attachment “1” as Schedule “B” to the Kensington Market Community Improvement Plan, such policies to apply exclusively to the area outlined by heavy lines as shown on Map 1 of Attachment “1”.

- 4.** The area outlined in heavy lines on Map 1 of Attachment “1” shall be known as the Kensington Market Façade Improvement Focus Area.

ENACTED AND PASSED this 24th day of April, A.D. 2007.

GLORIA LINDSAY LUBY,  
Deputy Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## **ATTACHMENT “1”**

### **SCHEDULE “B” Kensington Market Façade Improvement Program**

#### **1.0 Context**

##### **1.1 Focus Area**

This Community Improvement Plan applies to the designated Façade Focus Area outlined in heavy lines on Map 1 attached (the “Focus Area”).

##### **1.2 Description**

The Kensington Market area offers a unique shopping experience as it is home to Toronto’s largest concentration of Asian businesses serving residents, other businesses, and tourists alike. While many of the original buildings in this area remain, the uses in them have undergone a number of transformations throughout much of the 20th century - from the early days when Jewish merchants operated small shops as tailors, furriers and bakers to Toronto’s largest Chinatown today.

#### **2.0 Objectives**

The purpose of this 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 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 Focus Area falls within the boundaries of the local Business Improvement Area (BIA), previously designated under the *Municipal Act*. The 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 wellbeing of the Focus Area.

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 mainstreet retail areas but also the City as a whole. The Focus 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 Focus Area. The *Planning Act* further authorizes Council to prepare a plan suitable for adoption as a Community Improvement Plan for the Community Improvement Focus Area.

Among other provisions, the *Planning Act* authorizes the City to make grants or loans to registered or assessed owners of lands and buildings within the Community Improvement Focus 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 Focus 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 facades.

### **5.1 Program Details**

Grants will cover a maximum of 50% of the eligible improvements to commercial and mixed commercial/residential building facades. 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 only offered to commercial property owners or commercial tenants within the Focus Area if the coinciding BIA:

- has a Business Improvement Area Board of Management approved by City Council;
- has 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;
- is in good standing with the respect to the provisions of all applicable legislation and the City's Municipal Code for BIAs; and
- has 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 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 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 not owe outstanding taxes 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 facade program.

## **5.4 Program Administration and Implementation**

A Review Committee consisting of representatives of business and other local interests within the Focus Area will be established to review applications and will make recommendations to the City. The Review Committee and the City 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.

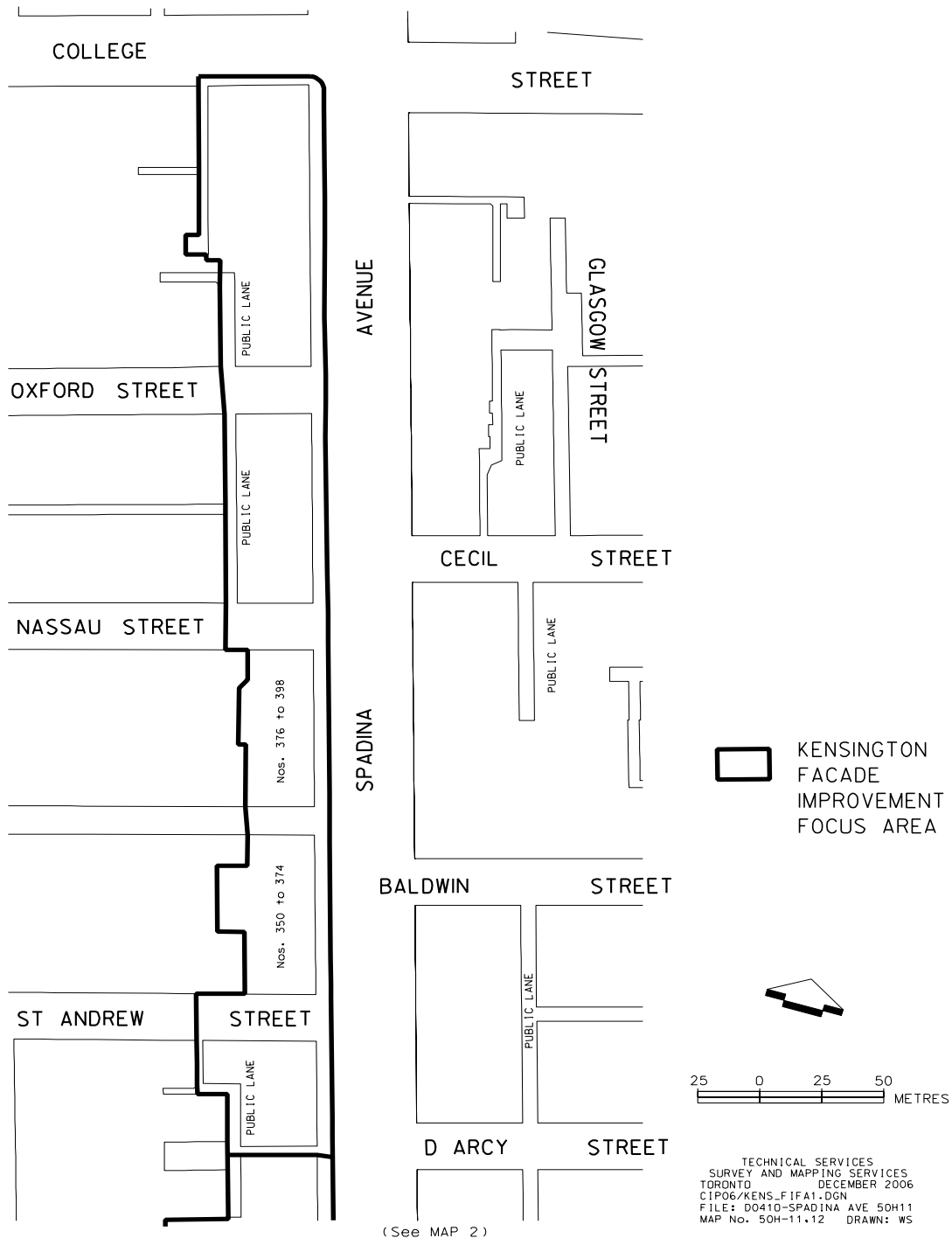
Priority will be given to those applications which:

- 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 facades, either under one or multiple ownerships.

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

## MAP 1

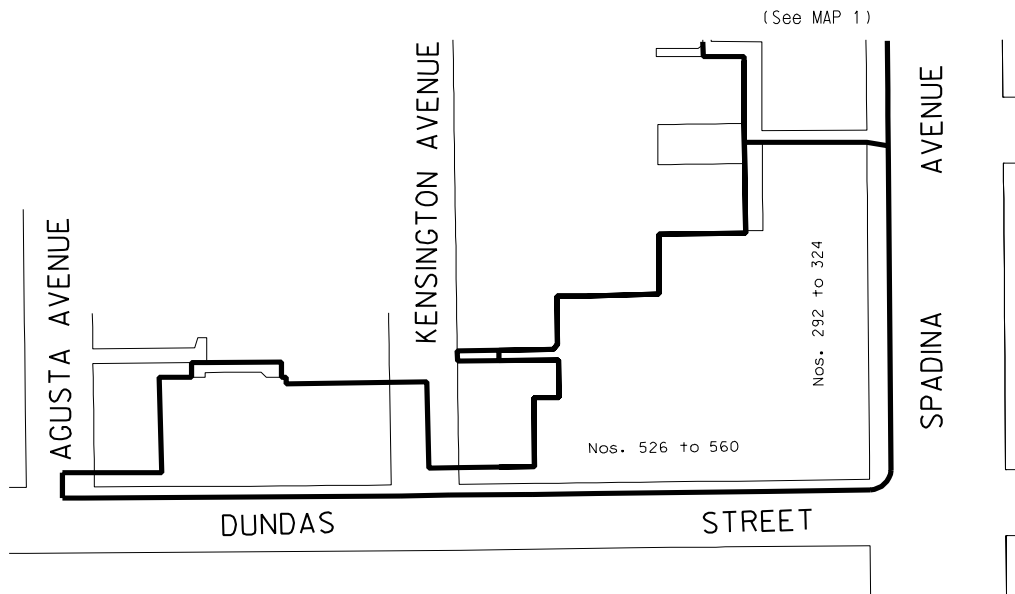
IMAGE 1 of 2



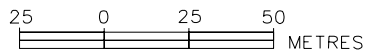
(See MAP 2)

MAP 1

IMAGE 2 of 2



KENSINGTON  
FACADE IMPROVEMENT FOCUS AREA



TECHNICAL SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO DECEMBER 2006  
CIP06/KENS\_FIFA2.DGN  
FILE: D0410-SPADINA AVE 50H11  
MAP No. 50H-11.12 DRAWN: WS