

City of Mississauga

Corporate Report



Date: June 3, 2020

To: Mayor and Members of Council

From: Andrew Whittemore, M.U.R.P., Commissioner of
Planning & Building

Originator's files:
CD.05.POR

Meeting date:
July 8, 2020

Subject

Proposed Expansion to the Port Credit Business Improvement Area (BIA) Boundary

Recommendation

1. That the report titled "Proposed Expansion to the Port Credit Business Improvement Area (BIA) Boundary" dated June 3, 2020 from the Commissioner of Planning and Building, be received.
2. That the City Clerk be authorized to give notice of City Council's intention to enact a by-law to expand the boundaries of the Port Credit BIA as shown in Appendix 3 of the report titled "Proposed Expansion to the Port Credit Business Improvement Area (BIA) Boundary", to the board of management of the Port Credit BIA and to every person that is assessed for rateable property that is in a prescribed business class, within the current Port Credit BIA boundary and the proposed boundary expansion, in accordance with the *Municipal Act, 2001*.

Report Highlights

- On January 20, 2020, Councillor Dasko's office (Ward 1) received a letter from the General Manager of the Port Credit Business Improvement Area expressing their Board of Directors' interest in expanding the boundary of the Port Credit BIA.
- The Port Credit BIA has requested to change its boundaries to include eight additional properties fronting Lakeshore Road West and remove one property on Wesley Ave. The request for expansion was prompted by the Brightwater redevelopment.
- The proposed boundary is acceptable to staff, with one adjustment.
- The next step in the process is for the Office of the City Clerk to notify the board of management of the Port Credit BIA and every person that is assessed for rateable property in all prescribed business classes, as defined under the *Municipal Act, 2001*, within the current BIA boundary (By-law 0062-2015) and the proposed BIA boundary expansion area.

Background

The Port Credit Business Improvement Area (BIA) was first established on April 22, 1977 (By-law 163-77). In the years that followed, several boundary expansion requests were enacted (in 1984, By-law 892-84; in 1990, By-law 518-92; and in 2014, By-law 0062-2015).

On January 20, 2020, Councillor Dasko's office (Ward 1) received a letter from Jake Pedler, Chair of the Port Credit BIA Board of Directors and Beatrice Moreira-Laidlow, Acting General Manager of the Port Credit BIA, expressing the Board of Directors' interest in further expanding the boundary of the Port Credit BIA (Appendix 1). Most of the proposed expansion is within the recently approved Brightwater development.

On May 27, 2020, staff met with the Port Credit BIA Board (via Zoom) to discuss their request, outline legislated requirements for expansion and review the proposed boundary. Based on feedback, the Board agreed to the recommended BIA boundary as shown in Appendix 3.

In early 2020, the Port Credit BIA also consulted with land owners affected by the proposed expansion. Specifically, Councillor Dasko has engaged land owners at 70 Mississauga Road (commonly known as Brightwater/West Village) and confirmed their support for inclusion in the BIA.

Legislative Requirements

The *Municipal Act, 2001* ("the Act") provides the legislative requirements for establishing or expanding the boundaries of a BIA.

In accordance with the Act, the City must pass a by-law to alter the boundaries of a Business Improvement Area. Before such a by-law can be passed, notice of Council's intention to pass a by-law must be sent to the board of management and every person in the current BIA boundary area and proposed expanded area who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class.

It is the responsibility of the property owners to provide a copy of the notice to their tenants and to provide the City Clerk with a list of every tenant to which the notice relates within 30 days after the notice is mailed. The Act prohibits enactment of the by-law if written objections to the by-law are received within 60 days, and signed by at least one-third of the persons entitled to a notice and representing at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes within the current BIA boundary and the proposed boundary expansion. The City Clerk is responsible for determining whether the objection conditions are met.

If the proposed By-law is not enacted, preceding By-law 0062-2015 continues to remain in effect. If the proposal moves ahead, City staff intend to draft a by-law to expand the Port Credit

BIA boundary area. The draft by-law would be brought back to Council for approval in late 2020.

Comments

The Port Credit BIA has requested to change its boundaries to include eight additional properties, and remove one property. The subject properties are generally fronting Lakeshore Road West and accommodate residential and commercial uses.

More specifically, the Port Credit BIA seeks to:

- Add 70 Mississauga Road South (commonly referred to as Brightwater/West Village), and 354, 356, 360, 362, 364, 366 and 368 Lakeshore Road West to the BIA boundary.
- Remove 72 Wesley Ave from the BIA boundary.

Appendix 2 includes a map of the boundary proposed by the Port Credit BIA.

In assessing the proposed boundary, Planning staff considered factors such as: the existing and proposed use of a property (i.e. commercial locations); planning directions contained in the Mississauga Official Plan and Port Credit Local Area Plan; and achieving a contiguous BIA boundary.

Staff agree that the inclusion of identified properties along Lakeshore Road West would benefit the BIA. They form Port Credit's commercial corridor and support the main street character of Port Credit. However, staff recommend that only the northern portion of 70 Mississauga Road South be included in the BIA boundary (See Appendix 3 for staff's proposed boundaries).

- The northern portion of the site fronts Lakeshore Road West, it is designated "Mixed Use" and will have future commercial uses that will support the main street character of Lakeshore Road West.
- Staff advise the southern part of this site does not require inclusion in the BIA at this time. This portion of the property is designated as "Residential High Density" and "Residential Medium Density" and commercial uses will be limited to the base of the residential buildings. The option to include the remainder of this site in the BIA can be revisited as this site develops and commercial/retail uses are established.

Staff agree that 72 Wesley Ave does not benefit from inclusion in the BIA since it is a parking lot located away from the commercial activity along Lakeshore.

Appendix 4 provides the land use designations from the Mississauga Official Plan, including the recommended boundary expansion.

Financial Impact

There would be no financial impact created by the recommendations.

Conclusion

Business Improvement Areas provide many benefits for local businesses and neighbouring residential areas, including making the area more attractive to visit and shop, promoting businesses and assisting in revitalization. The City of Mississauga has five established BIAs: Clarkson, Malton, Streetsville, Cooksville and Port Credit.

The proposed Port Credit BIA boundary expansion, as outlined in Appendix 3, is acceptable to City staff.

It is recommended that City Council initiate the statutory process required to expand the Port Credit BIA boundary. Specifically, by providing notice of Council's intention to enact a by-law to expand the Port Credit BIA boundary to all affected land and business owners to determine their support for the proposal.


Attachments

Appendix 1: Letter from the General Manager and Board Chair of the Port Credit Business Improvement Area, dated January 20, 2020

Appendix 2: Port Credit Business Improvement Area - Proposed Boundary Changes Suggested by BIA (Map)

Appendix 3: Staff Recommended Port Credit Business Improvement Area Boundary (Map)

Appendix 4: Port Credit BIA Land Use Designations, Part of Schedule 10 Mississauga Official Plan (Map)



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

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