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The Role of Business Improvement Areas and Neighbourhood Associations in the City of Toronto

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UNIVERSITY OF TORONTO

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Filling the Gaps: The Role of Business Improvement Areas and Neighbourhood Associations in the City of Toronto

Alexandra Flynn

Abstract

In October 2018, the City of Toronto elected 25 councillors to serve as the "local" voice within the city's governance model. In addition to these local representatives, Toronto has 83 Business Improvement Areas (BIAs) – it was the first city in the world to introduce them – and more than 150 neighbourhood associations (NAs), which claim to represent the interests of residents and businesses on matters ranging from the public realm to planning. There is little information on the role that these bodies play in local decision-making, and the relationship between these local interest groups and elected officials. As City Council reconsiders its governance in the wake of the provincial government's decision to reduce the size of Toronto's City Council, the role of BIAs and NAs must be included. This paper provides background and comprehensive data on the city's BIAs and NAs, including their locations, functions, and correlations with other socioeconomic indicators, such as income. It also identifies the city rules that govern these bodies and their role in planning and other decisions. The paper concludes with options for City Council in reforming its governance model.

Keywords: municipal governance, business improvement areas, neighbourhood associations

JEL codes: R10

Filling the Gaps: The Role of Business Improvement Areas and Neighbourhood Associations in the City of Toronto

1. Introduction

Local decision-making is often thought of in the context of a city council, a body consisting of a mayor and councillors that determines the municipality's policies and by-laws. However, given the breadth of matters within their jurisdiction, large cities delegate to committees, commissions, and other bodies responsibility for certain matters, sometimes as final decision-makers.

Outside formal government and its "top-down" powers of delegation, grassroots or "bottom-up" bodies form at the community or neighbourhood level within cities, nudging and urging transformation, and providing services. Such localized decision-making is seen as a way to fulfil the democratic ideal of representation that is closer to the will of the community. Jane Jacobs (1961) passionately advocated for the importance of neighbourhoods in shaping built form and in urban decision-making. In her view, localized decision-making was more legitimately democratic and connected to the interests and desires of those within neighbourhoods than top-down structures.

This paper describes two kinds of community and neighbourhood bodies, Business Improvement Areas (BIAs) and Neighbourhood Associations (NAs), and suggests how they might form part of Toronto's governance model, including the manner in which the city should oversee these bodies and help them to achieve greater accountability, access, and geographic representation. A BIA is an association of commercial and industrial property owners and business tenants within a specified geographic area district that is officially approved by the City to stimulate business and improve economic vitality (City of Toronto 2016; Hoyt and Gopal-Agge 2007). Comprehensive information on the city's 83 BIAs is available on a publicly accessible website. BIAs are bound by Toronto's procedural by-laws and must adhere to strict accountability and representation requirements. They are a formal part of the city's governance model: they hold events in their neighbourhoods, promote and support local businesses, and have councillor membership on every board. Businesses, but not residents' associations, have institutional support from the City of Toronto.

NAs are groups of local residents who represent the interests of their members in relation to city development. These bodies are civic organizations "oriented towards maintaining or improving the quality of life in a geographically defined residential area" (Logan and Rabrenovic 1990). They are also sometimes referred to as "ratepayers'" or "homeowners'" associations or organizations, terms that can be seen to exclude those who rent property in the area (Miller 2013). Very little is documented on the sizes, geographical boundaries, objectives, and sources

of revenue of the city's neighbourhood associations. Toronto's neighbourhood associations are not officially sanctioned or overseen by any city department, but are private organizations with varying structures. Not all NAs are legally incorporated. The only legal requirements to which neighbourhood associations must adhere are those contained in legislation on the incorporation of such bodies. Such legislation, however, does not concern any responsibilities relating to the associations' accountability to the public. Their budgets generally rely on donations and membership fees and are typically limited.

In 2017, Toronto City Council decided to increase the numbers of wards in the city from 44 to 47 (Flynn 2017a). The following year, the province overturned the city's decision and introduced changes to the *City of Toronto Act*, 2006, to reduce the number to 25 wards, mirroring the federal and provincial electoral districts. As a result of this change, the City of Toronto is reviewing its local governance model. Among other matters, the city will decide how, if at all, the mandates and powers of existing local governance bodies – including BIAs and NAs – should change.

Using data collected in 2016, this paper examines Toronto's BIAs and NAs to understand three aspects of their roles in local governance: (1) their transparency, accountability, and accessibility; (2) the geographical distribution of these bodies and how that distribution affects inclusivity; and (3) their impact. These questions are important in understanding how BIAs and NAs affect local governance and what, if anything, needs to change to improve Toronto's model of local democracy.

Given the City of Toronto's current review of local democracy, there is an opportunity to consider the role and prominence of BIAs and NAs. As this paper shows through mapping and case studies, BIAs and NAs can influence municipal policy and give residents a voice in shaping their neighbourhoods and the city as a whole. Yet BIAs and NAs are predominantly located in wealthier parts of the city. The paper offers a number of recommendations for how the City of Toronto can provide oversight and support, so that all residents can benefit from the potential power of these organizations.

2. What do we mean by "local" governance?

This section briefly explains the justifications for localized governance and the role of stakeholder groups in crafting local decision-making models.

2.1 The justification for local governance

In their study on whether neighbourhood associations encourage political participation, Jeffrey Berry, Kent Portney, and Ken Thomson (1993, 4) argue that the "key to making America more participatory may be making political participation more meaningful in the context of the communities people live in." They suggest that collective challenges are best understood in a more narrow geographical area and ultimately lead to decisions that benefit society as a whole. Elena Fagotto and Archon Fung (2006) conclude that such bodies

permit "deliberative democracy" based on increased neighbourhood capacity for collective action and neighbourhood development.

The question, then, is: how should localized democracy best be achieved? According to Jurgen Habermas (1962), there is an ongoing negotiation between and within groups regarding the boundaries of "neighbourhood" or "community." Archon Fung and Erik Olin Wright (2001) encourage public participation, pointing out that programs that devolve powers to associations, invite associations to share in public power, or open public decisions to citizens directly all tie active citizen participation closely to the exercise of public power. They suggest that linking public power to participation can create connections between residents and improve the quality of democratic governance in several ways. Their arguments acknowledge that the balance of power in the municipal setting is disproportionately weighted towards those with greater resources, putting the obligation squarely on these "weaker voices" to take part in participation exercises in order to be better heard.

Many scholars maintain that localized democracy should be set out formally in law to ensure fair and participatory governance within the city. Erwin Chemerinsky and Sam Kleiner (2013) promote the benefits of local councils, including the way in which they are uniquely positioned to allow historically marginalized residents to engage in the political life of the city. Gerald Frug (1980, 1996) advocates for "charrettes," particularly in planning: these are lengthy negotiation sessions that bring together diverse interests such as developers, neighbourhood residents, bankers, and city officials to provide feedback on development projects and to educate people on the costs and benefits of zoning policies. He argues that these and other community-creating strategies should be embedded in the fabric of local government law, that "community" can be asserted, not merely facilitated, and that there is an obligation on local governments to do so. Each of these conceptions assumes that the state has the power to craft the rules for neighbourhood governance (Briffault 1990).

In her response to the *Localism Act, 2011*, legislation introduced in the United Kingdom to define what was meant by "local," Antonia Layard (2012) writes that the legal construction of "local" in the U.K. context may have jarred with other conceptualizations of the term and the place. "Yet once legally implemented with defined boundaries," she observes, "a locality or neighbourhood takes on a new administrative, political and sometimes socially constructed reality" (Layard 2012, 135). In Toronto's context, numerous iterations of the city's local boundaries have been created through law and policy and over time, with corresponding institutions and governance models introduced as well.

2.2 BIAs and neighbourhood associations as micro-democracies

As in many other urban centres, BIAs and NAs are the principal bodies in local governance in Toronto, although they are not the only ones (Morçöl and Wolf

2010). These small-scale bodies may act as "brokers" between the public and democratic institutions. In their comprehensive study of the nature of BIA governance, Göktug Morçöl, Triparna Vasavada, and Sohee Kim (2014) noted that BIAs can be conceptualized in three different ways: as tools of governmental policies, as actors in urban governance networks, and as private governments. BIAs demonstrate the inadequacy of the categories "public" and "private," as they represent private interests (businesses and property owners), yet are often formally established and sanctioned by municipal governments.

Randy Lippert and Mark Sleiman (2012, 62) suggest that BIAs are not simply private actors seeking additional power and are not necessarily exclusionary or inequality-enhancing. Instead, they are complex organizations that defy easy categorization. The degree to which these bodies are "public" or "private" is also linked to their longevity: as BIAs become service providers, development brokers, and placemakers, there is a corresponding retreat of municipal government (Lewis 2010, 203). Therefore, their longevity changes their role within the urban governance model.

Neighbourhood associations also have an impact on local governance. In his exploration of residents' associations, Richard Thompson Ford (1999, 847) notes that, "Residence in a municipality or membership in a homeowners association involves more than simply the location of one's domicile; it also involves the right to act as a citizen, to influence the character and direction of a jurisdiction or association through the exercise of the franchise, and to share in public resources." Robert Chaskin and Sunil Garg (1997) suggest viewing the neighbourhood association along a spectrum. At one end, they serve as parallel institutions to local government, providing an alternative form of provision of public goods; farther along the spectrum, they are separate but complementary institutions to local government, offering goods and services beyond the scope of local government; still farther along, they are incorporated into local government as formal methods of representation and action; but at the farthest end, they act in opposition to local government, advocating for change. As such, they can serve widely different roles in localized governance depending on their structures and purposes.

Robert Chaskin and David Micah Greenberg (2015) believe that neighbourhood associations are central to local governance, through fostering collective decision-making and encouraging civic engagement, whether or not they are offered administrative and financial support. Even where neighbourhood associations are not part of formal processes, they are embedded in governance mechanisms in the way they leverage relationships with allies and partners and negotiate on behalf of their membership, and can use this "interstitial" space to shape policy and allocate resources in the public realm, ultimately playing a more direct role in governance.

Theorists have raised two main concerns about BIAs and neighbourhood associations. First, some are concerned that territorial notions of neighbourhood and community can have negative consequences. Gregory Alexander and Eduardo

Peñalver (2009) believe in a human or political need to belong, to participate, and to contribute. In this conception, "community" is not a place; it is a coming together of people. They argue that the territorial conception of community – namely, that boundaries create togetherness – has destroyed the conditions under which the intimate relationships that characterize communities may develop. As a result, associations and institutions are the new community.

A second concern relates to the representativeness of such groups in relation to the wider neighbourhood population. Even if small-scale decision-making bodies are fundamental to civic participation, there must be a link between these bodies and the public, and these groups must have a link to political decision-making (Thomson 2001). NAs and BIAs disproportionately allow for the public engagement and influence of economically privileged residents (Levin-Waldman 2013). NAs, in particular, are seen as dominated by white, middle-class homeowners who do not reach out to other members of the community, and focus largely on land use rather than social issues (Alarcon de Morris and Leistner 2009). In Washington, D.C., a study by William Mallet found that BIAs have contributed to racial and cultural inequality by favouring the views of mostly white property owners in their decision-making, opening questions as to who should be permitted to act as a member of these organizations (Mallet 1993).

We now turn to Toronto's BIAs and NAs to understand where they are located and what they do.

3. Toronto's BIAs and Neighbourhood Associations

In Toronto, BIAs and neighbourhood associations use geographically demarcated boundaries to determine and represent their members. Both aim to shape planning decisions and the public realm. Figure 1 shows the locations of BIAs and NAs (both active and inactive) in Toronto.

3.1 Toronto's BIAs

There is no single, uniform definition of BIAs. Other terms used to describe the construct include "Business Improvement District" or "BID," which is the term most commonly used in the United States and the United Kingdom, and "City Improvement District," the name adopted in South Africa (Peyroux, Pütz, and Glasze 2012, 118). Toronto defines a BIA as an association made up of commercial and industrial property owners and business tenants within a specified geographic area district, which is officially approved by the City to stimulate business and improve economic vitality (City of Toronto 2016).

Lorlene Hoyt and Devika Gopal-Agge's (2007, 946) definition of BIAs is "privately directed and publicly sanctioned organizations that supplement public services within geographically defined boundaries by generating multiyear revenue through a compulsory assessment on local property owners and/or businesses," which encompasses three crucial features that are not necessarily made clear in the City's definition. First, the BIA provides a specific set of powers to business and property owners to achieve their mandate, most notably an organizational

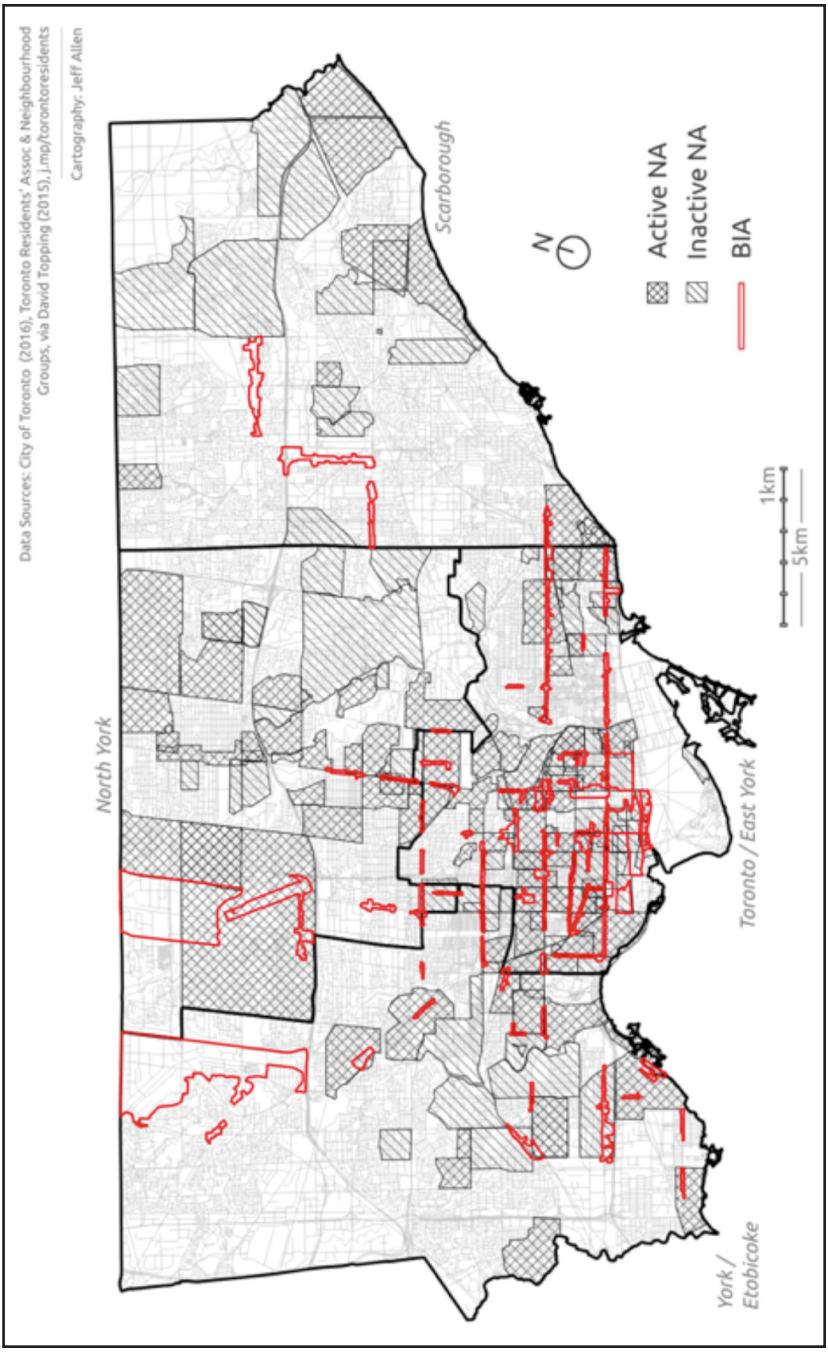

Figure 1: Locations of BIAs and neighbourhood associations (Flynn 2017a)

structure and direct access to the local councillors who serve on their boards (Hoyt and Gopal-Agge 2007). Second, BIAs are funded through a mandatory levy on local property owners or businesses, which functions as a form of taxation. Local businesses cannot avoid paying, even if they voted against forming a BIA or disagree with its activities (Frug 2010). Third, BIAs supplement public services offered by the City, which more broadly defines their entrenched governance role.

Toronto was the first city in the world to create a BIA, introduced in 1970 in Bloor West Village, then a largely suburban section of the city. The BIA was created through provincial legislation to help local businesses compete against malls. The collection of businesses advocated in favour of an independent, privately managed body that would have the power to impose an additional tax on all commercial property owners in the area with revenues directed to local revitalization initiatives (Hoyt and Gopal-Agge 2007, 947). Local business leaders believed that a stable and effective funding source, drawn from member businesses, would help with street beautification and improvement, promote urban business areas, and ultimately allow them to compete with suburban malls, which were increasingly replacing traditional business areas in localized areas (*Pivot Legal Society v. Downtown Vancouver Business Improvement Association* 2012).

The purposes and organizational form of BIAs have remained largely unchanged since the creation of the Bloor West Village BIA. They help to oversee the improvement, beautification, and maintenance of municipally owned land, buildings, and structures in the BIA beyond City standard levels; streetscaping; business promotion; graffiti removal; safety and security measures; strategic planning; and advocating on behalf of the interests of the BIA (Toronto Municipal Code 2019).

Toronto and other Ontario municipalities are now empowered with the design of and rules relating to BIAs. On paper, Toronto's BIAs are highly regulated under the *City of Toronto Act, 2006,* and city by-laws. The Municipal Code specifies procedures for the establishment and operation of BIAs, detailed here to illustrate the extent to which BIAs are municipally regulated (Toronto Municipal Code 2019). Many steps are required for City Council to pass a by-law designating a BIA (Toronto Municipal Code 2019, Chapter 19), including agreement by city staff, conducting formal community consultations, and polling existing businesses.

Ultimately, 50 percent plus one of all potential BIA members must agree to proceed with the creation of the BIA and a minimum number of businesses and commercial or industrial property owners must respond to the poll. A Board of Management for the BIA is created; it is considered "a City board and is an agent of the City." This means that each director and the board must operate in compliance with all applicable laws and City policies, including accountability requirements under the *Municipal Freedom of Information and Protection of Privacy Act* and the

Municipal Conflict of Interest Act. BIAs therefore have significant limitations in exercising their authority, including a requirement that they may not borrow or lend money, pass a resolution or take a position contrary to any Council-approved policy or decision, or support political candidates (Toronto Municipal Code 2019, 19-3.2; *City of Brandon v. Artistic Tattoo* 2003; *Ontario Inc. v. City of Toronto* 2013).

The City of Toronto's bureaucracy provides oversight over BIAs, in a manner that is vastly different from its relationship with neighbourhood associations. The City of Toronto has a BIA Office, which provides professional operational and administrative support to BIAs (City of Toronto 2016). This support includes collecting information on the city's BIAs and storing it in a publicly accessible website; providing training and support to organizations in regard to their governance; collecting and remitting the levy to BIAs; and ongoing interaction with the city councillor who sits as a member on the BIA boards within his or her jurisdiction. The BIA Office also oversees partnership projects with BIAs.

BIAs are subject to mandated restrictions on their formation, oversight, membership, and fees. At the same time, individual businesses have wide latitude to form BIAs in the first place, to draw the applicable boundaries around the BIA area, to form connections with other organizations, and to privilege particular activities over others. As seen in Figure 2, BIAs tend to be located in areas with a high number of business licences, but many robust commercial areas choose not to form these organizations; it is not clear why they do not, although one possibility is the influence of local councillors in stewarding their creation (Flynn 2017a).

Once a BIA is approved by City Council, every business within its boundaries automatically becomes a member and is required to pay BIA levies. Funding is collected through the city's formal taxing authorities, coordinated through the office that supports their operations. The City collects an annual levy from local businesses and forwards it directly to the BIA, which becomes its budget for the year (*City of Toronto Act, 2006*). The levies are collected by the City through the property tax billing process and remitted in full to the BIA (Toronto Municipal Code 2019).

The budget amounts under the authority of Toronto's BIAs are considerable. In 2017, BIAs levied approximately $30 million for commercial area improvements, marketing, promotion, and other economic development initiatives (City of Toronto Staff Report 2017a, 4). There is wide variation in the amounts of levies in individual BIAs across the city, from a few thousand to millions of dollars (CAD). The size of the BIA budget is largely a function of the assessment base in the area; BIAs with large assessment bases are able to raise more funds from their members at the same tax rate as a smaller BIA with smaller assessment base.

BIAs have been described as local, unelected decision-makers, self-interested service providers, or something in between (Hoyt and Gopal-Agge 2007; Morçöl and Wolf 2010; Morçöl, Vasavada, and Kim 2014). On paper, BIAs have a direct

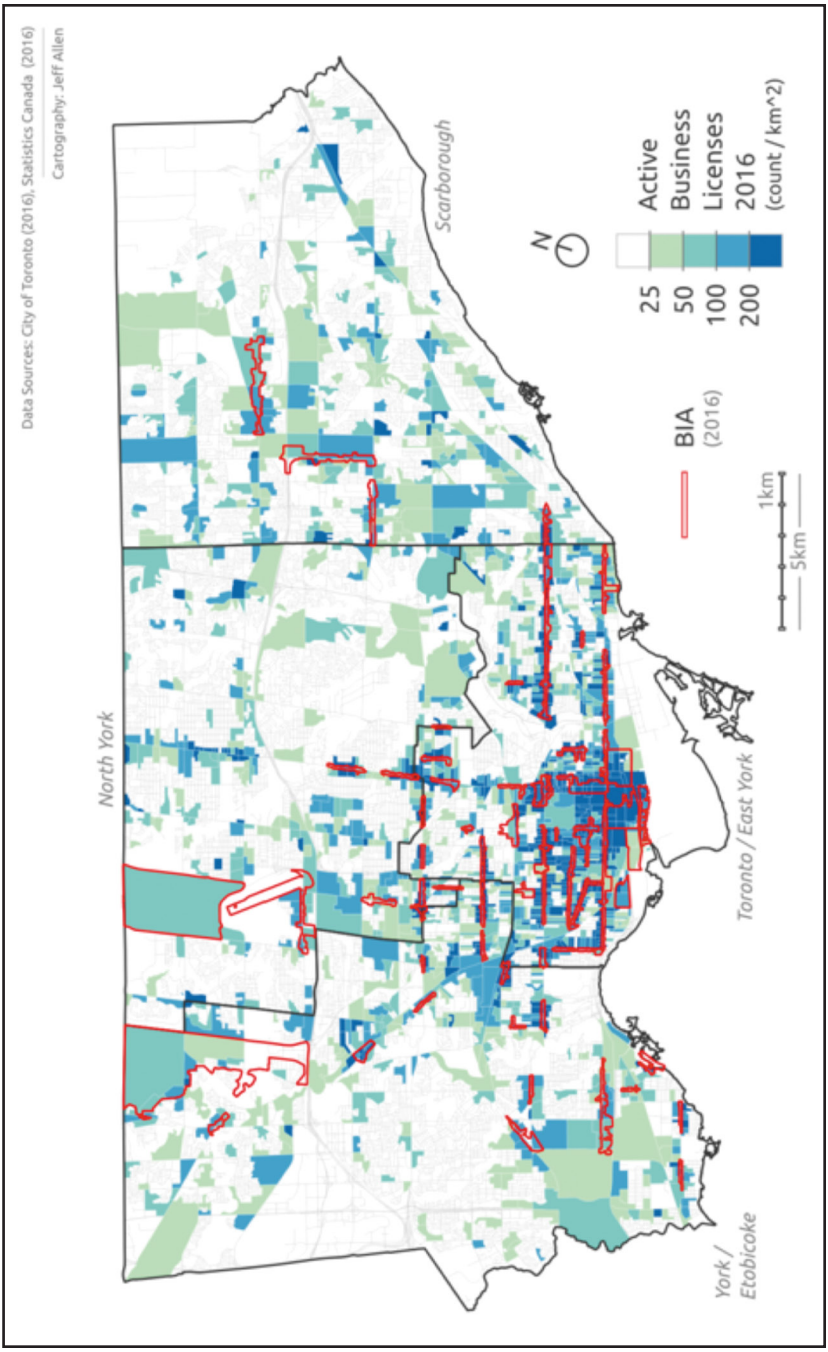

Figure 2: Business activity in Toronto and BIA location (Flynn 2017a)

relationship with local governments. Their establishment is sanctioned through municipal law; they are partners in the delivery of some governmental services; the government has accountability mechanisms to oversee their conduct and their fees. Despite these formal connections with municipal governments, studies have shown that BIA staff do not closely identify with governmental institutions and see themselves as part of the private sector rather than any form of government (Hoyt and Gopal-Agge 2007, 955; Wolf 2006, 70). This perception raises important questions as to whether BIAs should have governance powers if they see themselves as part of the private sector.

3.2 Toronto's Neighbourhood Associations

Toronto's South Rosedale Residents' Association (SRRA) is one of Canada's oldest ratepayer groups (South Rosedale Residents 2016), incorporated in 1931. Some neighbourhood associations have been enormously successful in influencing political debates in the city, the most famous of which are the lobbying efforts of the Annex Residents' Association (ARA), which helped result in the defeat of the proposed Spadina Expressway in 1971. The legacy of this involvement is the view that neighbourhood associations have the power to influence city decisions.

The sizes, geographical boundaries, objectives, and sources of revenue of the city's NAs are not well documented. Toronto has hundreds of these associations, differing dramatically in their size, structure, formality, history, and involvement in local governance. Yet there is no official list of neighbourhood associations. There are no departments within the City of Toronto that assist or otherwise keep track of neighbourhood associations. Because NAs are not formally embedded within the City's bureaucratic structure, data collection is difficult, as NAs form and disband over time and the organizations generally have limited resources. The boundaries of some associations may overlap, so that multiple neighbourhood associations claim to represent a particular area.

To understand more about neighbourhood associations, including their location within the city, I created a detailed list of each organization. I started with a map created by David Topping, a city resident (Topping 2015). He explains, "I moved to a new neighbourhood and couldn't figure out where I could go if I wanted to get more involved. I figured other people might benefit from the same information for their neighbourhoods" (Interview, 2016). I cross-referenced Topping's map with NAs listed on websites or other databases such as the one provided by the Federation of North Toronto Residents' Associations (2016). I prepared a "master list" of Toronto's neighbourhood associations and a chart with each of Toronto's neighbourhood association, including association name, date of establishment, geographic boundaries, eligibility for membership, whether the association charged a membership fee, mandate, community council and ward locations, and included a section for any addition information. I reviewed the neighbourhood associations' websites, where available. Where the information was incomplete or unavailable, I searched online for contact information. In many

cases, I was unable to locate the information needed to complete the chart. There is considerable contrast between the accessibility of neighbourhood associations and City of Toronto's support of the 83 BIAs, which are listed with contact information, offered training, and given other forms of institutional support.

In all, I collected the names of 184 neighbourhood associations across Toronto in 2016. Three limitations must be noted. First, I was able to find comprehensive information on only 100 of these organizations (see the Appendix). In some cases, websites and email addresses were out of date. There are many possible explanations – the neighbourhood association may be dormant, defunct, or the association may conduct its work offline. Some neighbourhood associations form as a result of some sort of planning controversy or development, becoming dormant once the matter has been resolved. Second, new NAs may be created at any time. This paper therefore does not include NAs created since the time the research was done. Third, the research may not capture locally based organizations that do not call themselves "neighbourhood," or "resident," or that focus on providing social services.

Based on the data collected, more than half of Toronto's neighbourhood associations were established following Toronto's amalgamation in 1998 (see the Appendix). Post-amalgamation associations differ in their functions, with a greater emphasis on community events, environmental objectives, safety, and information dissemination. By contrast, pre-amalgamation associations placed a greater emphasis on planning and economic concerns within their areas. Another key difference between pre- and post-amalgamation neighbourhood associations is that the latter are far less likely to have a resident-only policy; instead, non-residents and businesses may also serve as members. Post-amalgamation associations are also significantly less likely to collect a membership fee. For both pre- and post-amalgamation neighbourhood associations, 83 percent of neighbourhood association cite planning as a core function, including participation in hearings of the Local Planning Appeals Tribunal (previously the Ontario Municipal Board).

NAs may exercise more power within local decision-making compared with individual residents, exemplified by their access to councillors to the exclusion of other local actors. As John Logan and Gordana Rabrenovic (1990, 69) note, while other kinds of civic organizations may play a role in representing resident interests, the neighbourhood association "is commonly the vehicle through which neighbors learn about problems, formulate opinions, and seek to intervene in the political process to protect their local interests."

NAs in Toronto are predominantly located in wealthier neighbourhoods, consistent with research findings that individuals and households with higher incomes are more likely to be engaged in civic participation (Alarcon De Morris and Leistner 2009, 48). They exercise a range of authority and power in local areas through advocacy, by attending municipal meetings and meeting with councillors, and by mobilizing members of the community.

In most cities, it is unclear how NAs are incorporated into the overall governance model (Chaskin and Garg 1997, 637). On one hand, NAs enhance civic participation in local government and planning decisions, thus promoting democracy. On the other, they may advocate on behalf of certain narrow interests. They also face administrative challenges. NAs try, often with limited resources, to reach out to those in their neighbourhoods through websites and newsletters. However, unlike BIAs, there is no centralized database that notes where they are located and who has been elected or appointed to represent members.

Both BIAs and NAs may get involved in different city policies and projects, depending on the interests and needs of their members. According to interviews I conducted with three Toronto city councillors in 2016, councillors help form and further the involvement of BIAs and neighbourhood associations in their wards, to allow councillors to have "greater reach within a community" (Councillor #1, 2016), to act as "the glue between different neighbourhoods" (Councillor #2, 2016), or to serve as "citizen experts" (Councillor #3, 2016). The desire to set up BIAs may also speak to the style of representation of particular councillors. One councillor helps to create BIAs to "strengthen the voice of our neighbourhoods, to make them a player and active in the organized, political structure, rather than just be ambivalent and not know what's going on" (Councillor #1, 2016).

3.3 Examples of BIAs' and NAs' involvement in local governance

BIAs and NAs take on many functions within local governance. The following two examples illustrate the roles of these local bodies in recent development efforts.

Mirvish Village redevelopment

In 2010, "Honest" Ed Mirvish, a well-known local businessman, died. In 2013, his family sold the large Honest Ed's discount department store and the nearby Mirvish Village, a cluster of smaller businesses, at Bathurst and Bloor. The land was purchased by Westbank, a Vancouver-based developer, which intended to tear down the enormous dollar store with its famous façade of lights and construct a large, mixed-use neighbourhood in its place.

Community consultation began with neighbourhood associations before the development proposal went to the city planning department. The Palmerston Area Residents' Association conducted a survey on the development of Honest Ed's and Mirvish Village (Palmerston Area Residents' Association n.d.). The Association noted, "if we are to play an active and positive role in shaping the future of our neighbourhood, we need to articulate the values that make this neighbourhood an attractive and vibrant place in which to live." The local BIA was "a supporter of the project from day one" (Brissenden 2015). Bloor-Annex BIA chair Brian Burchell stated, "Based on our communication with [the developer], we're very optimistic that they'll propose an inventive, thoughtful destination space" (Simcoe 2015).

In 2015, the City of Toronto's Planning Division received a formal application to amend the Official Plan and Zoning By-laws to redevelop a number of properties known locally as the site of Honest Ed's and Mirvish Village (Community Planning Director 2017). The development proposal received by the city would result in an increase in building height from five to 26 storeys. The development would include more than 800 new rental residential units, a new public park, a daycare facility, and public realm improvements on Markham Street. The changes would require an Official Plan Amendment.

Despite the initial positive start, once the application proposal was received, neighbourhood associations became concerned about the proposed development. The well-established Harbord Village Residents' Association (HVRA), in response to an October 5, 2015, staff report, did not see the consultation as adequate and proposed a "bottom-up" approach to consider the needs of existing residents (Toronto and East York Community Council 2015). In response, the City Planning Department undertook a wide variety of consultation efforts between 2015 and 2017 in relation to the Mirvish redevelopment (Toronto and East York Community Council 2015). This included several large-format meetings and a drop-in style meeting with city staff and the local councillors. More than 650 people attended these meetings. City Planning staff also met directly with local neighbourhood associations and other organizations. The Mirvish Village Task Group (2017), consisting of NAs, provided written correspondence to City staff, gathering and disseminating information to the public.

City staff convened a Planning Discussion Group in October 2015 with residents, business owners, and local representatives to "contribute local experience and observation to City staff's review of the proposal and to help inform staff comments and eventual recommendations" (Toronto and East York Community Council 2015). The group included members from the four neighbourhood associations who had launched the dedicated advocacy group, representatives of the local BIA, local business owners, residents unaffiliated with the formal groups, and two local councillors. The Planning Discussion Group met eight times over 18 months; these meetings were attended by specialist City staff. The group considered the detailed elements of the proposal, including proposed Official Plan amendments, previewed work on the first set of revisions to the proposal, and discussed the format for the City's second large-format consultation meeting.

A senior staff member I interviewed described the Mirvish Village consultations as a "pretty advanced, sophisticated level of engagement" and noted that "not everybody does this, not every developer" (City of Toronto staff member #1, 2016). To city staff, such a group is invaluable. As the staff member explained, "instead of just going constantly out to big events, you have a small group that stays with you all the way through and they're like your touchstone, where you come back to them and say … can we run our draft presentation by you, how is it reading? … is it making sense to you? … it's a place for us to go to get more intimate feedback and guidance" (City of Toronto staff member #1, 2016).

City Planning modified the proposal to address local concerns. The four neighbourhood associations acknowledged their success in modifying the plan, noting that, "After three years and approximately 100 meetings with city staff, councillors, [the collection of neighbourhood associations], various communities and other stakeholders, Westbank's third proposal was unanimously approved by Toronto City Council on April 28, 2017. The changes made to the development plans are substantial" (Flack 2017). They noted their role as "largely invisible," but one that "deepened our understanding of our communities. And that is city building at its best" (Flack 2017). The group intends to continue stewarding public engagement for the construction plan, site management, streetscape, and park design, a role expressly endorsed by Toronto City Council (Toronto City Council 2017b).

In summary, the residents' associations, long-time fixtures in the community, were deeply engaged community partners in the Mirvish redevelopment. The city planning department, understanding the scope of the changes to be made in the neighbourhood and the importance of these bodies, adopted a comprehensive consultation process that acknowledged the key roles of the residents' associations in the area.

Bloor Street Bike Lane Pilot

In 2016, two downtown councillors initiated a one-year pilot study for a separated cycling path (considered the gold standard for bike lanes) along a 2.4-kilometre street of Bloor Street between University and Shaw, a busy corridor for both cyclists, pedestrians, and drivers (Le Blanc 2017). The Bloor Street corridor had previously been identified as an important cycling corridor in the City of Toronto's 10-Year Cycling Plan. The city's downtown councillors, who favour separated bike paths, have had success through the initiation of pilot studies, a model also used in New York, when it began installing cycling lanes.

The pilot study began in November 2016 and concluded with a request for permanent installation one year later (Aboelsaud 2017). Two of the area's three BIAs were actively involved in the pilot and the debate for a permanent bike path from the start. In October 2015, the Bloor-Annex BIA (BABIA) and the Korea Town BIA supported a study on the local economic impact of bike lanes on a 2.4-kilometre stretch of Bloor Street to be carried out by The Toronto Centre for Active Transportation, in partnership with the University of Toronto, with support from the Metcalf Foundation and the City of Toronto. The objective was to work with the BIAs to develop an evidence-based methodology to assess the economic impact of cycling lanes and to develop a study design for the collection, analysis, and interpretation of data (The Centre for Active Transportation n.d.).

In May 2017, city staff released the Bloor Street West Bike Lane Pilot Project Evaluation with a comprehensive review of findings (City of Toronto Staff Report 2017b). Staff cited a number of reasons for introducing permanent cycling lanes, including "reduced air pollution and greenhouse gas emissions, in keeping with

Toronto's commitments in TransformTO" (City of Toronto Staff Report 2017b, 4). The main focus of the evaluation was economic indicators and, specifically, the impact on local businesses. The study looked at the local business economic impact along the street and nearby corridors, as well as the impacts on parking and safety. The study involved a door-to-door merchant survey and a pedestrian intercept survey and, at the urging of local businesses, a customer spending analysis. The findings confirmed that, despite the removal of approximately 160 on-street parking spots and one traffic lane, business on Bloor Street continued to flourish during the pilot period and that total customer spending in the Bloor area increased (Dandy Horse 2017; City of Toronto Staff Report 2017b, 2). In addition to these positive impacts on local businesses, cycling increased, accidents were reduced, conflicts between motorists and cyclists diminished, and the percentage of visitors cycling to Bloor Street more than doubled from 7 percent to 18 percent.

Community engagement was extensive throughout. City staff consulted the BIAs and three neighbourhood associations (Palmerston Area Residents' Association, Annex Residents' Association, and Harbord Village Residents' Association); held public consultation events, including one attended by more than 330 participants; fielded phone inquiries; and held meetings with local businesses.

Many residents' and business organizations were enthusiastic. For example, the Mirvish Village BIA noted that the "BIA area is undergoing a huge transformation with the pending redevelopment of the Honest Ed's site and Markham Street" and that they "wish to emerge as a local community that includes the increased safety that bike lanes bring for all street users" (Mirvish Village BIA 2017). Other organizations liked the idea of permanent lanes, too. The Federation of North Toronto Residents' Associations, representing dozens of neighbourhood associations in the northern part of the city, far beyond Bloor Street, also supported the initiative (Federation of North Toronto Residents' Associations 2017).

Despite this enthusiastic praise for the bike lanes, there was an underlying discord within the business community. An initial review of the opinions of about 140 local business representatives saw an even split between support and opposition (City of Toronto 2017), with less support among the businesses represented by the Korea Town BIA (Spurr 2016). While these concerns were addressed through modifications to the lanes and parking, a few months before the issue went to the Public Works and Infrastructure Committee for final decision-making and then to City Council, a new business advocacy organization called the Annex Business Bike Alliance (ABBA) was created (IBikeTO 2017). ABBA was not a formal BIA, a process that takes upwards of a year to create, but was instead an informal collection of businesses already represented by the local BIAs.

ABBA claimed that the lanes would negatively affect local retail sales, and proposed changing the design of the lanes and introducing operating hours. The

group stated that "the lanes were rammed into being by a group of ideologues," including the local councillors and the BABIA, with a biased group leading the study. ABBA argued that they "came together in March [2017] after repeated efforts to work with our local BIA failed" (Annex Business Bike Alliance 2017). ABBA's opposition called into question the degree to which BIAs were aligned on this project, how much consultation had taken place, whether the study was accurate, and the conflict of interest in having only some BIAs participate in survey design. In the end, following approval of the bike lanes amidst this discord, City Council ordered that ABBA, not the official BIAs, serve as the community to be consulted in the implementation phase (Toronto City Council 2017a).

This pilot bike path example illustrates how local advocacy groups can go beyond participation to actively spearheading community projects in local sustainability projects. In this case, the BIA participated in the design of the study that would ultimately serve a crucial role in receiving assent for permanent bike lanes. Although BIAs must be formed through a complex, formal process in order to receive approval from City Council, informal business associations can assert authority and claim representation, too. This affirms the strength of community groups – both resident and business – in organizing to achieve policy objectives to represent their members. It also highlights the ability of local stakeholders to create new organizations when they do not agree with the positions of established local bodies.

4. The place of BIAs and NAs in local governance

These two cases demonstrate the capacities and challenges in which BIAs and NAs can influence local decision-making. In both the Mirvish Village and Bloor Street bike lane examples, BIAs and NAs were able to collect input from affected parties and represent their members in decision-making processes.

The two examples demonstrate the power and impact of this overlapping presence. In the Mirvish Village development, the presence of multiple bodies led to the establishment of a robust engagement model, where BIAs and NAs were able to impact the resulting decision. Likewise, in the case of the Bloor Street bike lanes, several local bodies contributed to the study, decision, and oversight of the project.

Most BIAs and neighbourhood associations are located in the central city. As Figure 3 shows, the locations of BIAs and neighbourhood associations lie alongside the areas of the city with the highest income levels. Although BIA geographies are slightly more varied, wealthier sections of the city have representation from both BIAs and neighbourhood associations.

The number of Toronto's BIAs and NAs has doubled since 1998, when the City of Toronto was formed as an amalgamation of six local municipalities and one regional municipality. As the Appendix indicates, the outer areas of the city have seen the greatest increase. Their increased presence could suggest a replacement for a direct connection to local government.

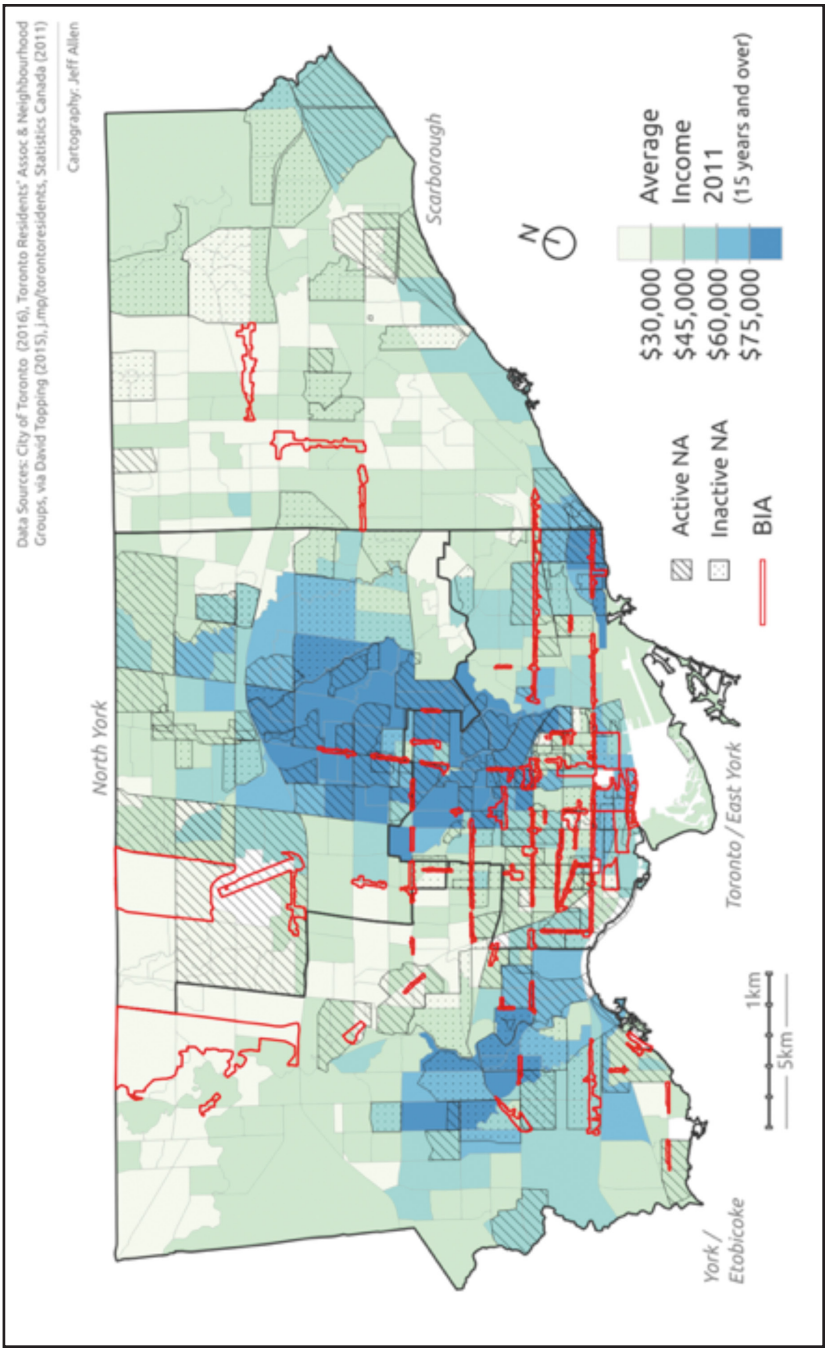

Figure 3: BIAs and neighbourhood associations, and income levels (Flynn 2017a)

The fact that more than half of the city's active NAs have been created since amalgamation (Flynn 2017a) suggests that NAs are asserting themselves in local governance to a greater degree than they did before amalgamation. One possibility is that the loss of councillor representation has led residents and businesses to seek other ways to influence municipal decision-making. The creation of ABBA, a new, informal business association demonstrates how such bodies can be quickly established to influence local governance.

5. Conclusion and recommendations

The City of Toronto's BIAs and NAs play a crucial role in local governance. In the neighbourhoods in which BIAs and NAs are located, city planners and other staff ensure that these bodies are consulted, include them in policy development, and continue engagement after decisions are made. However, these bodies are concentrated in certain parts of the city, meaning that other parts of the City of Toronto do not have the benefit of more comprehensive involvement of resident and business associations. Given their success in influencing policy decisions, residents in unrepresented areas may be less likely to have their concerns included in policy decisions. The parts of the city that have the most NAs are wealthier areas with fewer visible minority residents. In addition, while BIAs receive city support in their establishment and operation, NAs do not. This may lead to a less representative local democracy.

The province's decision to reduce the size of Toronto City Council will have an effect on BIAs and NAs. Councillors may be constrained in their ability to serve on BIA boards, which is a statutory requirement under the city's by-laws. Local officials may also struggle to support the formation of BIAs and NAs, as they did prior to the reduction in the number of wards. As local businesses and residents seek access to decision-making, Torontonians may also see a continued growth in the number of BIAs and NAs.

As the City of Toronto considers its next steps, it will want to evaluate how these local bodies fit into a renewed local governance model, including a potential interplay with community councils (Flynn 2017b; Flynn and Spicer 2017; Spicer 2016). This includes the provision of information on NAs and transparency as to their role in local governance. The municipal government could also use this opportunity to investigate the uneven location of BIAs and NAs, and their placement in the city's more affluent areas, and to investigate inclusive participation and representation more broadly.

Governance reforms should recognize the crucial role played by these bodies in two ways. First, the city should formally recognize NAs as a component of its local governance model. Like BIAs, the City of Toronto should establish a department of local governance, offering city-supported services and resources for NAs to form and operate. This would enable the city to pass along best practices and training to NAs, encouraging democratic processes in selecting NA leadership, ensuring neighbourhood outreach, and dealing with conflict. A centralized

databank at the city would also increase the transparency and accessibility of these bodies. In this process, the City of Toronto should also consider the governance role of informal business representatives such as ABBA. To date, the city has left the question of valid representation to the local body.

Second, in the wake of changes to the city's ward boundaries, whereby each councillor now represents approximately 50,000 more residents each, the City of Toronto should facilitate local democracy, including by encouraging NAs and BIAs in more areas of the city. While BIAs are concentrated in wealthier areas of the city, they are in a more geographically dispersed range. City support may lead to greater geographic representation across Toronto. At a minimum, the City could provide information and training to neighbourhood associations, as it does with BIAs, to strengthen organizational structures, decision-making, and fairness.

Another option is to weave neighbourhood associations into the City's governance structure in a more formalized way, with staff support, operational funding, and opportunities to weigh in on City policy (Chemerinsky and Kleiner 2013). In doing so, the City could develop relationships with neighbourhood associations that better mirror those it has with BIAs. It could also monitor the composition of neighbourhood associations to understand whose voices are heard and to develop capacities for new voices to join the conversation.

These strategies would improve local representation – and ultimately democracy – in Toronto.

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7. Appendix: Data on Pre- and Post-Amalgamation BIAs and NAs (2016)[1]

Business Improvement Areas

		Number of BIAs	% of BIAs
Etobicoke		17	21%
Mixed (crossing boundaries)		6	7%
North York		6	7%
Scarborough		4	5%
Toronto–East York		48	59%
	Total	81	
Before amalgamation		36	44%
After amalgamation		45	56%
	Total	81	

1. Two new BIAs were started in Toronto since this data was collected.

Neighbourhood Associations

	Incorporated	Residents	Fee	Planning and Land Use Focus	Community Focus	Social Programs Focus	Traffic Focus	Environment Focus	Information Focus	Advocacy Focus	Safety Focus	Economic Focus	Located in Priority Area	Coop/Condo
Total # of associations	100	100	100	100	100	100	100	100	100	100	100	100	100	100
# of NAs in category	52	53	54	83	40	3	7	17	29	49	15	9	2	5
% of NAs in category	52%	53%	54%	83%	40%	3%	7%	17%	29%	49%	15%	9%	2%	5%
BEFORE AMALGAMATION														
# of associations	47	47	47	47	47	47	47	47	47	47	47	47	47	47
# of NAs in category	30	33	29	41	17	0	3	5	11	24	3	6	1	4
% of NAs in category	64%	70%	62%	87%	36%	0%	6%	11%	23%	51%	6%	13%	2%	9%
AFTER AMALGAMATION														
# of associations	53	53	53	53	53	53	53	53	53	53	53	53	53	53
# of NAs in category	22	20	25	42	23	3	4	12	18	25	12	3	1	1
% of NAs in category	42%	38%	47%	79%	43%	6%	8%	23%	34%	47%	23%	6%	2%	2%

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