

Authority: Planning and Growth Management Committee Item 19.1,  
adopted as amended, by City of Toronto Council on October 29 and 30, 2008  
Enacted by Council: October 30, 2008

**CITY OF TORONTO**

**BY-LAW No. 1159-2008**

**To adopt the Woodbine Community Improvement Plan for the Development of a Transformative Project with respect to the lands south of Rexdale Boulevard, east of Highway #427, municipally known in 2007 as 555 Rexdale Boulevard.**

WHEREAS City of Toronto By-law No. 516-2008 designated the majority of the City of Toronto as a community improvement project area known as the City-Wide Community Improvement Project Area; and

WHEREAS 555 Rexdale Boulevard is situated within the City-Wide Community Improvement Project Area; and

WHEREAS Section 28(4) of the *Planning Act* provides that the council of a municipality may adopt a community improvement plan for a community improvement project area; 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 community improvement plan attached to and forming part of this by-law at Schedule "A" is hereby adopted.
2. The community improvement plan attached hereto as Schedule "A" shall hereinafter be referred to as the Woodbine Community Improvement Plan for the Development of a Transformative Project.

ENACTED AND PASSED this 30th day of October, A.D. 2008.

GLORIA LINDSAY LUBY,  
Deputy Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

***The Woodbine Community Improvement Plan  
for the Development of a Transformative Project***

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***The Woodbine Community Improvement Plan  
for the Development of a Transformative Project***

**1 PROJECT AREA & SUMMARY**

**1.1 Project Area**

This Community Improvement Plan (CIP) applies to certain lands within the City-wide Community Improvement Project Area. The area to which the plan applies is shown in Map “1” attached hereto, and is referred to as the Woodbine Focus Area.

**1.2 Summary**

This CIP provides financial incentives to encourage the development of a Transformative Project, to be referred to as the Woodbine Live! Transformative Project (and from time to time, the “Project”).

**2 AUTHORITY**

**2.1 Authority for CIP and the provision of Development Grants**

Section 28 of the *Planning Act* authorizes municipalities to designate a Community Improvement Project Area (CIPA) where there is an Official Plan in effect that contains provisions relating to community improvement in the municipality. The *Planning Act* further authorizes Council to prepare a plan suitable for adoption as a Community Improvement Plan (CIP) for the CIPA.

The Woodbine Focus Area is situated within the larger City-wide Community Improvement Project Area, designated by City of Toronto By-law No. 516-2008.

The *Planning Act* authorizes municipalities to use a CIP to “make grants or loans to the registered owners, assessed owners, and tenants to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan” (Section 28(7)).

Section 5.2.2 of the Official Plan states that “Community Improvement Project Areas will be designated by by-law, and CIPs will be prepared to promote the maintenance, rehabilitation, revitalization and/or conservation of selected lands, building and communities facing challenges of transition, deficiency or deterioration or for any other environmental, social or community economic development reason”.

The Official Plan further provides that CIPs will be prepared to provide direction regarding the following:

- allocation of public funds, in the form of grants, loans or other finance instruments, for the physical rehabilitation or improvement of private land and/or buildings including rehabilitation of contaminated properties;
- other municipal actions, programs or investments for the purpose of stimulating production of affordable housing, strengthening neighbourhood stability, facilitating local

physical or economic growth, improving social or environmental conditions, or promoting cultural development.

Further discussion of the Official Plan and the Provincial Policy Statement as the basis for this CIP is contained in Section 4.

### **3 BASIS**

#### **3.1 Financial Incentives for Transformative Projects**

This CIP is based on the principle that the Woodbine Focus Area would likely not be developed with desirable uses but for the introduction of the financial incentives provided for herein. Council recognizes that on rare occasions projects of a truly significant magnitude may come forward that allow the City to quickly achieve a number of its planning and economic development objectives and have the desired effect of transforming the functioning, image and growth potential of a district. These types of developments are termed “Transformative Projects” and are identified based on a number of criteria including the size and cost of the project, their ability to provide jobs and to act as a regional draw.

The Woodbine Live! Transformative Project has been approved by Council as a Transformative Project, eligible for financial incentives.

#### **3.2 The Woodbine Live! Transformative Project**

The Woodbine Live! Transformative Project is proposed to be a mixed-use development containing a potential mix of entertainment, retail, and hotel uses along with offices and housing on 72.8 hectares (180 acres) of land at Rexdale Boulevard and Highway 427.

It is anticipated that the Woodbine Live! Transformative Project will be developed in phases. The following details the proposed elements of the Project as at the time that this CIP was adopted by Council. It is noted that the proposal is subject to change. The description of the project’s elements is grouped according to the expected development phases. All numbers are approximate.

##### **i) Phase 1: Entertainment and Lifestyle District**

An Entertainment and Lifestyle District, made up of:

<u>Type of use</u>	<u>GFA (m<sup>2</sup>)</u>	<u>GFA (ft<sup>2</sup>)</u>
Entertainment/Specialty Retail	77,6405	835,400
Live Entertainment Venue (3000 person capacity)	9,290	100,000
Hotel(450 rooms)	28,850	310,400
Total Floor Space	115,780	1,245,800

The Entertainment and Lifestyle District shall contain an associated outdoor amenity area consisting of a canal, a pond / skating rink, plazas, landscaped open space, streets and sidewalks, to be shown on the approved site plan.

## ii) Phase 2: Large Format Retail and Parking

<u>Type of use</u>	<u>GFA (m<sup>2</sup>)</u>	<u>GFA (ft<sup>2</sup>)</u>
Large Format Retail	59,240	637,400
Parking Garages and Structures serving Phases 1, 2 and 3	94,330	1,015,000
Total Floor Space	153,570	1,652,400

## iii) Phase 3: Mixed Use Offices and Ancillary Retail

<u>Type of use</u>	<u>GFA (m<sup>2</sup>)</u>	<u>GFA (ft<sup>2</sup>)</u>
Offices and Ancillary retail	145,790	1,568,700
Entertainment/Retail	12,360	133,000
Residential/office	35,610	383,200
Total Floor Space	193,760	2,084,900

## iv) Phase 4: Residential

<u>Type of use</u>	<u>Capacity</u>
Residential	2,500 residential units

Not all elements will be eligible for Development Grants. Eligibility is dictated by Sections 7, 8 and 9 of this CIP.

### 3.3 Creating Revenue

The Woodbine Live! Transformative Project will result in the development of up to 180 acres of land that is currently used in part for parking and is otherwise largely vacant. This land has remained underutilized and undeveloped for 50 years.

The Woodbine Live! Transformative Project will significantly raise the assessed value of the property. It is estimated Phases 1 and 2, being the Entertainment and Lifestyle District Phase and the Large Format Retail and Parking Phase, are expected to yield an additional \$291 million in municipal property taxes over 20 years (with a present value of \$147 million). Of this, about \$120 million (present value \$71 million) is proposed to be granted back by way of the Development Grants contemplated herein, yielding a net benefit to the City of \$171 million (present value \$76 million). In addition, these components will yield an additional \$179 million in school taxes (present value \$97 million) for the Provincial government over the same 20-year period.

In addition, it is projected that the federal government would receive \$37 million in income taxes from new employees, \$16 million in Canada Pension Plan Contributions and \$4 million in Employment Insurance contributions as a result of the increased employment at Woodbine Live!. The federal government would also receive a projected \$39 million in Goods and Services Tax revenues.

It is projected that the provincial government would benefit from an estimated \$14 million in income taxes and \$4 million in Ontario Health Insurance Plan payments from new employees of the Project.

Finally, it is expected that the Project will lead to an increase in clientele at the adjacent Woodbine Racetrack thereby increasing its gaming revenue and thereby associated revenues to the province and City.

### **3.4 Economic Development in North Etobicoke**

The North Etobicoke area would benefit from economic development and job growth to support its residents. Compared with Toronto as a whole it has:

- relatively high unemployment levels,
- relatively lower income levels,
- a high proportion of lone-parent families, and
- a high proportion of at-risk youth.

The area has traditionally had a solid manufacturing base, but it has seen the loss of about 7,400 jobs between 2001 and 2007. The proposed Woodbine Live! Transformative Project will provide an estimated 9,400 jobs and generate indirect employment opportunities in the surrounding area.

Furthermore, the adjacent Woodbine Racetrack and its associated operations is a key component of Ontario's horse-racing industry, accounting for 25% of race days and 75% of horse racing wagers in the province. In recent years, the adjacent Woodbine Racetrack has seen a decline in income. Woodbine Entertainment Group, owner of the Woodbine Racetrack has concluded that it must diversify in order for the core horse-racing operation to survive. An effective way to diversify is to use its surplus property, being the Woodbine Focus Area, for uses that are complementary to and compatible with the current racing operations. The development of the Woodbine Live! Transformative Project is expected to accomplish this goal by introducing new visitors to the property thereby bringing in additional income so as to make the Woodbine Racetrack's continued operation viable. Continued viability means retention of the over 5000 jobs currently generated by the Woodbine Racetrack.

### **3.5 Tourism Development**

The City's Agenda for Prosperity identifies tourism as a targeted sector. It identifies actions to be taken to strengthen the City's tourism infrastructure including the development of "policies including sustainable financial models to ensure that unique and new attractions are being developed in Toronto at all times". The Woodbine Live! Transformative Project (specifically Phase 1) will be a major tourism attraction. It will increase the number of visitors to the Racetrack and encourage them to spend more time in the City. The local area will become more attractive to a wider range of tourists, conferences, conventions and trade shows, which will also benefit the existing concentration of hotels and conference facilities in the local area.

### **3.6 Employment Growth in the City**

The City of Toronto Official Plan targets 1.835 million jobs by 2031. The Growth Plan for the Greater Golden Horseshoe also forecasts Toronto's employment to be 1.64 million in 2031<sup>1</sup>. Toronto's employment stood at approximately 1.30 million jobs in 2007. The tools provided in this CIP will assist the City to reach this anticipated employment growth by supporting an estimated 9,400 jobs in the Woodbine Live! Transformative Project as well as indirect employment opportunities in the surrounding area.

## **4 OBJECTIVES OF THE COMMUNITY IMPROVEMENT PLAN**

### **4.1 Primary Objective to Improve Local Social and Economic Conditions**

The primary objective of this CIP is to improve social and economic conditions in the northwest section of the City. By encouraging the development of the Woodbine Live! Transformative Project, the CIP will:

- provide job opportunities for residents of the local area including the Priority Neighbourhoods of Rexdale-Jamestown, Jane-Finch and Weston-Mount Dennis (see Map "2");
- support tourism in the area; and
- support the continuing viability of the Woodbine Racetrack.

### **4.2 City-wide Objectives**

It is also expected that this CIP will achieve broader objectives for the City. It will:

- i) Help Toronto to reach the Official Plan's employment target and the employment forecast in the Growth Plan for the Greater Golden Horseshoe.
- ii) "Promote economic development and competitiveness by:
  - a. providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
  - b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - c. planning for, protecting and preserving employment areas for current and future uses; and
  - d. ensuring the necessary infrastructure is provided to support current and projected needs." (Provincial Policy Statement 2005, Section 1.3.1)

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<sup>1</sup> These employment forecasts are based on the Census 'Place of Work' data, which count more jobs in the City than the Employment Survey.



- iii) Support the Official Plan's view of the City's future as one where diverse employment areas can adapt to changing economic trends and are poised to capture new business opportunities.(OP, p1-3)
- iv) Help enhance Employment Districts in order to ensure they are attractive and function well, through actions such as investing in key infrastructure, or facilitating investment through special tools, programs or partnerships, in order to facilitate the development of vacant lands. (OP, Sec 2.2.4.2 b)
- v) Encourage "the establishment of key clusters of economic activity with significant value-added investment and employment." (OP, Sec 4.6.6 b)
- vi) Improve the built form and physical character of underutilized spaces.
- vii) Improve air quality, energy efficiency and reduce water consumption by requiring development to meet the minimum requirements of Toronto's Green Development Standards before being eligible for development grants.

## **5 MUNICIPAL TAX INCREMENT**

### **5.1 Municipal Tax Increment**

The programs described in this plan will provide financial incentives utilizing a portion of the "Municipal Tax Increment", arising from the development of Eligible Development for which Development Grants are payable, on the vacant land, excess land and farmlands in the Focus Area, which, for the purpose of this CIP shall be defined and calculated as follows:

Municipal Tax Increment = Destination Municipal Current Value Assessment (CVA) Taxes – Base Municipal CVA Taxes.

#### **5.1.1 First Development**

- i) First Development means all Eligible Development reflected in the returned roll following the first reassessment that occurs after either:
  - a. the cessation of the Development Period, or
  - b. at least 75,000 m<sup>2</sup> of Eligible GFA has been Substantially Constructed within the Enhanced Grant Area, if the terms in Section 5.1.1(ii) of this CIP have been met,
 as determined by the Owner.
- ii) Should the Owner exercise its option pursuant to Section 5.1.1(i)(b) of this CIP, Development Grants will only be paid if:
  - a. the outdoor amenity space, including hard and soft landscaping, as shown on the approved site plan, is substantially completed, proportionate to the Substantially Constructed buildings within the Enhanced Grant Area;

- b. all necessary Building Permits have been paid for and issued for the purpose of the development of the Live Entertainment Venue;
  - c. the City is satisfied that the Owner's obligations pursuant to Section 8.8 of this CIP have been met; and
  - d. the Other Conditions as per Section 9.3 of this CIP have been satisfied, as applicable.
- iii) Should the Owner exercise its option pursuant to Section 5.1.1(i)(b) of this CIP, if upon the cessation of the Development Period, the Project does not meet the Minimum Eligibility Requirements listed in Section 7.3 of this CIP, the Owner must repay, in full, the sum of all Development Grants paid.
- iv) Should the Owner exercise its option pursuant to Section 5.1.1(i)(b) of this CIP, if upon the cessation of the Development Period, the Completed Project does not meet the Minimum Eligibility Requirements listed in Section 8.4 of this CIP, but does meet the eligibility requirements for Base Development Grants, the Owner must repay difference in the sum of all paid Development Grants and the Base Development Grants for which the project might otherwise be eligible.
- v) For the purpose of the First Development, Base Municipal CVA Taxes and Destination Municipal CVA Taxes shall be determined as follows:

Base Municipal CVA Taxes means the amount calculated by multiplying the CVA(s) applicable for the 2008 taxation year for the vacant land, excess land and/or farmlands, and/or portion(s) thereof, upon which the First Development is constructed, by the 2008 municipal tax rate(s) applicable for those lands. The Base Municipal CVA Taxes shall be fixed in this manner for the purposes of determining the Municipal Tax Increment for the First Development only, subject to any adjustment arising from assessment appeals, and shall remain unchanged for the duration of the term of the payment of Development Grants for the First Development.

Destination Municipal CVA Taxes means the amount calculated by multiplying the CVA(s) directly attributable to the First Development and the land upon which it is constructed, as reflected in the returned assessment roll applicable to the first full taxation year following reassessment of the First Development, multiplied by the municipal tax rates(s) applicable, at that time, to the land upon which the First Development is constructed and the First Development.

### **5.1.2 Subsequent Developments**

- i) Subsequent Development(s) means all stages of Eligible Development(s) other than the First Development.

- ii) For the purpose of Subsequent Development(s), Base Municipal CVA Taxes and Destination Municipal CVA Taxes shall mean:

Base Municipal CVA Taxes means the amount calculated by multiplying the CVA(s) for the vacant land, excess land and/or farmlands, and/or portion(s) thereof upon which the Subsequent Development is constructed, as reflected in the returned assessment roll applicable to the taxation year immediately preceding the first year the Subsequent Development (or stage thereof) is reassessed, by the municipal tax rate(s) applicable for those lands at that time. The Base Municipal CVA Taxes shall be fixed for the purposes of determining the tax increment for each stage of Subsequent Development, subject to any adjustment arising from assessment appeals, and shall remain unchanged for the duration of the term of the payment of Development Grants for each stage of Subsequent Development.

Destination Municipal CVA Taxes means the amount calculated by multiplying the CVA(s) directly attributable to the Subsequent Development and the land upon which it is constructed, as reflected in the returned assessment roll applicable to the first full taxation year following the first year in which the Subsequent Development (or stage thereof) is reassessed, multiplied by the municipal tax rates(s) applicable at that time to the land upon which the Subsequent Development is constructed and the Subsequent Development.

## **5.2 Assessment Appeals**

If at any time the Owner appeals any assessment relating to the Eligible Development, with the intent of reducing the taxes payable on the Eligible Development the City may withhold a portion of the Development Grant to be provided for under this program for the First Development or Subsequent Development(s), such withholding to be based on a reasonable estimate of the reduction in assessment being sought, pending final disposition of the appeal. If as a result of the decision of the appeal body, the Destination Tax is reduced below that determined in calculating the Municipal Tax Increment for either First Development or Subsequent Development(s), then the reduced Municipal Tax Increment shall be the basis of the financial incentive under this program.

## **6 THE CIP PROGRAM**

### **6.1 Development Grants**

In order to achieve the objectives of this CIP, the City will offer Development Grants, which are designed to provide assistance in the form of a series of annual grants to the Owners of the Woodbine Live! Project. Development Grants are funded from a portion of the Municipal Tax Increment. The grants are referred to as Tax Increment Equivalent Grants (TIEGs).

There are two levels of Development Grants that will be offered, as further described in Sections 7 and 8 below:

- a. **Base Development Grants** will be available for eligible uses developed within the Woodbine Focus Area, except for uses receiving Enhanced Development Grants, gaming-related, residential, parking, and certain retail uses.
- b. **Enhanced Development Grants** will be available for eligible uses within the Enhanced Grants Area.

## 6.2 Definitions

- i) **Ancillary Outdoor Gross Floor Area:** the total area of any outdoor space that extends from the front or side wall of a building or structure that constitutes Eligible Development, that is leased exclusively to a User of that building or structure, to the extent that the boundaries of said outdoor space are clearly demarcated by semi-permanent structures or landscaping during at least the summer months.
- ii) **Building Permit:** a permit to construct a building or structure, pursuant to Section 8 of the *Building Code Act*, S.O. 1992, c.23, as amended, that is issued to the owner or developer of a stage of the development as opposed to a permit issued for the construction of any improvements for any actual or potential User of such development.
- iii) **Complete Building Permit Application:** an application for a Building Permit that meets all requirements of the *Building Code Act*, S.O. 1992, c.23, and its regulations, as amended, such that a Building Permit would issue in accordance with Subsection 8(2) of said Act, as further evidenced by a Declaration of completion, in accordance with Chapter 363 of the City of Toronto's Municipal Code, as amended.
- iv) **Completed Project:** development within the Enhanced Grants Area that is Substantially Constructed within the Development Period.
- v) **Development Period:** a 5 year period commencing on the date that the first above-grade Building Permit is issued, provided that a Complete Building Permit Application for such above-grade Building Permit is made within 10 months of the date that this CIP comes into full force and effect. If no such application is made within the 10 month period, the 5 year period shall commence 10 months after the date that this CIP comes into full force and effect.
- vi) **Eligible Development:** all development eligible for Development Grants in accordance with sections 7, 8 and 9, and subject to 8.6(i), of this CIP, as applicable, to which the Municipal Property Assessment Corporation attributes an assessed value.
- vii) **Eligible Gross Floor Area:** all Gross Floor Area and Ancillary Outdoor Gross Floor Area that is eligible for Development Grants in accordance with sections 7, 8 and 9 of this CIP, as applicable.

- viii) Enhanced Grant Area (EGA): that area within the Woodbine Focus Area shown on Map “1”, attached hereto.
- ix) Financial Incentives Agreement: an agreement entered into between the Owner(s) and the City, pursuant to Subsections 28(7) and 28(11) of the *Planning Act* R.S.O. 1990 c.P. 13, as amended, setting out the terms and conditions of the Development Grant Program. Terms and conditions of the Financial Incentives Agreement will complement and may expand upon, but in no way will detract from the conditions set out in this CIP. The Financial Incentives Agreement will include terms respecting the assignment of Development Grants.
- x) Gross Floor Area (GFA): the total area of all wholly enclosed floors in a building, above and below grade, measured from the exterior of the main walls at the level of each floor, including stairwells and escalators; but excluding areas used by vehicles for purposes of parking or loading, or both.
- xi) Large Format Retail Store: a building or portion of a building, operated as a single store exceeding a Gross Floor Area of 8,000 square metres, for the sale of products displayed and stored in a warehouse format.
- xii) Live Entertainment Venue: the live entertainment venue within the Enhanced Grant Area having a capacity for at least 3,000 seats.
- xiii) Office Building: a building in which at least 80% of the Gross Floor Area is used for offices, including Gross Floor Area attributable to hallways, washrooms and other common areas located on floors of the building predominantly occupied by offices.
- xiv) Owner: the registered owner of the subject parcel of land within the Woodbine Focus Area at the time that this CIP is adopted by Council, and shall include any Owner-authorized lessee/tenant of such parcel of land, or joint venture developer of such parcel of land; and, may include any other individual, secured lender, or entity as determined in accordance with the Financial Incentives Agreement.
- xv) Priority Neighbourhoods: those neighbourhoods shown on Map “2”, attached hereto.
- xvi) Retail Use: lands, buildings or structures or parts thereof used, designed or intended for use for the primary purpose of the sale or rental of services, goods, foods, wares, merchandise, substances, articles or things to the public, and includes offices in connection with, related or ancillary to such retail uses, and includes, but is not limited to, the following:
  - a. Restaurants, fast food restaurants, banquet halls;
  - b. Night clubs;
  - c. Cinemas, movie houses and drive-in theatres;
  - d. Automotive fuel stations with or without service facilities, commercial parking structures, specialty automotive shops, automotive repairs, collision services, car or truck washes, and auto dealerships;

- e. Regional shopping centres, community shopping centres and neighbourhood shopping centres, including more than two stores attached and under one ownership;
- f. Department stores and discount stores;
- g. Bank branches and similar financial institutions, including credit unions but excluding freestanding bank kiosks;
- h. Warehouse clubs and retail warehouses, including commercial establishments which have as their principal use the sale of goods and merchandise to the public in a warehouse format;
- i. Personal service stores and establishments.

Concert halls and theatres are not a retail use for the purposes of this CIP.

- xvii) Retail Store: stores devoted primarily to the sale of goods to the public, but not including restaurants, bars, places of entertainment, personal service stores and establishments, farmers markets, craft markets, fitness centres and spas and their ancillary retail GFA.
- xviii) Substantially Constructed: means that construction of a building or structure has been substantially performed in accordance with the minimums set out in Section 2(1) of the *Construction Lien Act*, R.S.O. 1998, c. C.30, as amended or re-enacted from time to time. For the purpose of this CIP, a building or structure will be deemed to be Substantially Constructed notwithstanding that certain features relating to the building or structure may not be fully completed. Related features may include sidewalks, final asphalt topping, or landscaping, and will be identified by the City, acting reasonably. Improvements made to the interior of a building or structure for the purpose of a specific User whether by the Owner, such User or a third party, shall not be deemed part of any work required to be completed in order for a building or structure to be Substantially Constructed.
  - i) Termination Date: the tenth year anniversary date of this CIP coming into full force and effect.
  - ii) User: any tenant, licensee or other occupant, or any owner of a commercial condominium unit within the Woodbine Live! Transformative Project.
  - iii) Woodbine Focus Area: that area shown on Map “1”, attached hereto.

## 7 BASE DEVELOPMENT GRANTS PROVISIONS

### 7.1 Base Development Grant Calculation

Annual Base Development Grant amounts for Eligible Development of the Woodbine Live! Transformative Project are calculated each year as the following declining percentage of the equivalent of the Municipal Tax Increment:

Year	Grant (as % of tax increment)
1	100
2	91
3	82
4	73
5	64
6	56
7	47
8	38
9	29
10	20

### 7.2 Eligible Uses

- i) Base Development Grants will be available for development within the Woodbine Focus Area, as outlined in Section 3.2 of this CIP, which does not receive Enhanced Development Grants and meets the applicable eligibility requirements and conditions of this CIP, **excluding** the following uses:
- a. Casinos and other uses primarily devoted to gaming;
  - b. Retail Uses, except those in Office Buildings;
  - c. Residential uses; and
  - d. Parking garages and structures.

### 7.3 Minimum Eligibility Requirements

- i) To receive Base Development Grants the Project must meet the following minimum requirements within the Development Period:
- a. a minimum investment of \$250 million in Building Permit and other development related costs, as determined in the Financial Incentives Agreement, related to Eligible Development;
  - b. Substantial Construction of a minimum of 75,000 m<sup>2</sup> (807,000 ft<sup>2</sup>) of new Eligible GFA;
  - c. the creation of at least 2,500 jobs (full time equivalent);
  - d. at least 4 hectares (9.88 acres) of land within the Woodbine Focus Area, have been developed; and
  - e. the Other Conditions listed in Section 9.3, herein, are satisfied.

- ii) No Base Development Grants will be paid until the above criteria have been satisfied, subject to the terms of Section 5.1.1(i)(b), (ii), and (iii) of this CIP.
- iii) Development within the Enhanced Grant Area may contribute to or may satisfy these Minimum Eligibility Requirements.
- iv) If Minimum Eligibility Requirements are met, further development may be eligible for Base Development Grants, in accordance with all relevant terms and conditions of this CIP, if Substantially Constructed prior to the Termination Date.

#### **7.4 Limits**

- i) The total Base Development Grants provided may not exceed the lesser of:
  - a. 60 percent of the total cumulative Municipal Tax Increment resulting from Eligible Development for which Development Grants are payable, or
  - b. the total cost of the development of Eligible Development for which Development Grants are payable, which includes the following costs:
    - the construction costs incurred by the Owner, developer, or authorized tenant of any Eligible Development for which Development Grants are paid, or portion thereof, but not including costs of renovation or refurbishment; and
    - the costs of associated studies and surveys, development of plans and specifications, implementation and administration of the project including staff and professional service costs for architectural, engineering, legal, financial, and planning services incurred by the Owner or developer.

### **8 ENHANCED DEVELOPMENT GRANTS PROVISIONS**

#### **8.1 Calculation**

Annual Enhanced Development Grants are calculated as the following declining percentage of the equivalent of the Municipal Tax Increment:

Year	Grant (as % of tax increment)
1	90
2	90
3	90
4	90
5	90
6	85
7	80
8	75
9	70



Year	Grant (as % of tax increment)
10	65
11	60
12	55
13	50
14	45
15	40
16	35
17	30
18	25
19	20
20	15

## 8.2 Eligible Uses

- i) Enhanced Development Grants will be available for development within the Enhanced Grant Area as outlined in Section 3.2 of this CIP, that meets applicable eligibility requirements and conditions of this CIP, **excluding** the following uses:
- Casinos and other uses primarily devoted to gaming;
  - Large Format Retail Stores;
  - Warehouse clubs and retail warehouses, as per Section 6.2 (xv)(h) of this CIP;
  - Residential uses; and
  - Parking garages and structures.

## 8.3 Limits

- i) Enhanced Development Grants will only be available for the Completed Project, subject to the terms of Section 5.1.1(i)(b), (ii), and (iv) of this CIP.
- ii) Development that receives Enhanced Development Grants will not be eligible for Base Development Grants.

## 8.4 Minimum Eligibility Requirements for Enhanced Grants

- i) To receive Enhanced Development Grants, the Completed Project must meet the following minimum requirements:
- a minimum investment of \$250 million in Building Permits and other development related costs, as determined in the Financial Incentives Agreement, relating to Eligible Development;
  - a minimum of 75,000 m<sup>2</sup> (807,000 ft<sup>2</sup>) of Eligible GFA;
  - the creation of at least 2,500 jobs (full time equivalent);
  - at least 4 hectares (9.88 acres) of land, including common areas, have been developed;

- e. the Live Entertainment Venue is Substantially Constructed;
  - f. the outdoor amenity space, including hard and soft landscaping, as shown on the approved site plan is substantially completed proportionate to the Completed Project, providing that it is Substantially Constructed within one year of the cessation of the Development Period;
  - g. the Employment Centre is Substantially Constructed or provided off-site, in accordance with the applicable provisions of Section 8.8 of this CIP;
  - h. the requirements of Section 8.7, Public Access and Live Entertainment Venue, of this CIP;
  - i. the requirements of Section 8.8, Local Hiring and Training Program, of this CIP;
  - j. the Other Conditions, as contained in Section 9.3 of this CIP.
- ii) No Enhanced Development Grants will be paid until the above criteria have been satisfied, subject to the terms of Section 5.1.1(i)(b), (ii), and (iv) of this CIP.

### **8.5 Maximum Eligible Development**

A maximum of 119,000 m<sup>2</sup> of Eligible Development will be eligible to receive Enhanced Development Grants. Any further development may be eligible for Base Development Grants in accordance with Section 7 and Section 9, herein.

### **8.6 Limits on grants for Retail Stores**

- i) Despite the limits on Development Grant payment for Retail Stores set out in this Section, all Retail Stores within the Enhanced Grant Area shall constitute Eligible Development.
- ii) Notwithstanding Section 8.6(i) of this CIP, total Development Grants paid for Retail Stores may not exceed 40% of the Development Grant payable for GFA in the Completed Project, based on grants payable for Retail Stores and other uses being apportioned according to their Eligible GFA.
- iii) If a portion of Eligible GFA within a Retail Store brings the percentage of the total Development Grant attributable to Retail Stores in excess of 40% of the total Development Grant payable in a given year, then the most recently completed Retail Store Eligible GFA will not be eligible for Development Grants in that year.

### **8.7 Public Access and Live Entertainment Venue**

- i) The Owner shall provide public access to at least all of the outdoor amenity space within the Woodbine Focus Area. The Owner shall make the Live Entertainment Venue available to the City for public events from time to time, at a nominal cost to the City. More specific provisions relating to public access and limits on public access for such reasons as public safety, illegal behaviour, or interference with the public's reasonable enjoyment of the public amenity space, as well as the City's use of the Live Entertainment Venue, will be set out in the Financial Incentives Agreement, and ultimately, the Subdivision Agreement for the development.

## 8.8 Local Hiring and Training Program

The Owner shall, in cooperation with the Service Manager (TSS), participate in the ongoing planning and delivery of a Local Hiring and Employment Strategy that will aim to:

- Provide local residents priority in accessing employment opportunities in Woodbine Live!, including residents of the Priority Areas in the north west quadrant of the city (Rexdale-Jamestown, Weston-Mount Dennis and Jane-Finch) with first priority to residents of North Etobicoke;
- Ensure local residents are prepared for and will be able to access employment and training opportunities resulting from the development;
- Ensure local employment services and agencies are delivering an appropriate range of services and supports to prepare and refer qualified and job-ready candidates.

The Local Hiring and Employment Strategy will include, but not be limited to, the following components:

i) An Employment Centre

The Owner shall provide premises to be used as an Employment Centre, with Toronto Social Services (TSS) acting as the sole service manager. The Employment Centre will include space suitable to deliver services to individuals, large groups and employers. Individual and group services will include: career counselling, employment preparation, employer orientation sessions, access to job posting boards and use of computers.

The Employment Centre shall have a GFA of approximately 930 m<sup>2</sup> (approximately 10,000 ft<sup>2</sup>), and must be finished and initially outfitted by the Owner, including the provision of furniture, furnishings, office equipment, including computers and other chattels, incidental to an employment centre. The Employment Centre will include space for at least 3 offices each having a minimum of 14 m<sup>2</sup> (approx. 150 ft<sup>2</sup>) GFA. The Employment Centre shall be located within approximately 2 kilometres of the Woodbine Focus Area, within the City of Toronto in a location with suitable visibility and accessibility, to the satisfaction of TSS. The Owner will be responsible for all operating and maintenance costs. The design and location of the Employment Centre must be satisfactory to the City. More specific requirements will be included in the Financial Incentives Agreement.

The Employment Centre shall be made available to TSS for sole service management on the earlier of the following dates:

- a. 12 months after the issuance of the first Building Permit, if the Employment Centre is developed within the Woodbine Focus Area, or
- b. 6 months after the issuance of the first Building Permit, if the Employment Centre is leased in an off-site location.

The Employment Centre shall remain available to TSS, for the purposes described above, for the duration of the payment of Enhanced Development Grants. However, should the General Manager of TSS determine, in its sole discretion, that the Employment Centre is no longer necessary, that it can be reduced in size and/or scope of operation, or that it can be relocated, then the Employment Centre may be reduced in size, or otherwise altered, relocated, or closed, in accordance with the decision of TSS.

ii) Advance notice of new jobs

The Owner shall provide residents of North Etobicoke (first priority) and the Priority Neighbourhoods advance notice of all new positions by providing advance posting of jobs in the Employment Centre, and elsewhere as appropriate, at least 5 months in advance of the opening of each stage of the development which will allow for:

- The planning and development of strategies to prepare local residents to compete for jobs (including customized training initiatives).
- Local residents time to acquire or improve their skills, thereby increasing potential success in securing employment.

iii) Priority hiring process

A priority hiring process for qualified candidates will give preferred consideration to residents of North Etobicoke (first priority) and the Priority Neighbourhoods and will include:

- Interviews for qualified candidates;
- The opportunity for local residents to apply in advance of the general public; and
- Priority hiring of qualified candidates, as appropriate, referred through the Employment Centre and graduates of customized employment and training initiatives.

iv) Apprenticeship program

An apprenticeship program for local residents will be established in partnership with the General Contractor, and other relevant stakeholders

v) Monitoring and Reporting

Measures of success and other monitoring and reporting requirements will be established.

In particular, the Owner, in order to demonstrate its commitment to local hiring, shall provide reports to the City (TSS) on all hiring, by postal code, in a form and frequency satisfactory to the City, acting reasonably.

Additional components of the local hiring and training model, and the full range of Employment Centre services that will be delivered in the Employment Centre, will be determined in the Financial Incentives Agreement including mechanisms to establish measures of success for the various initiatives.

The Owner shall use reasonable commercial efforts to have its tenants participate in the Local Hiring and Employment Strategy.

## **9 GENERAL PROVISIONS**

The following General Provisions have general application to the Development Grant Program for the Woodbine Focus Area. Where any of the General Provisions conflict in any manner with the Enhanced Development Grant Provisions, the Enhanced Development Grant Provisions shall prevail.

### **9.1 Relationship with Other Grants**

- i) Development Grants may be reduced to reflect the amount of direct financial assistance received by the Owner from other federal, provincial or municipal sources to the extent that such grants are for the purpose of funding the construction of any stage of the Project.
- ii) Development Grants will not be reduced should the Owner receive heritage grants, tourism grants, energy efficiency grants and other environmental grants, infrastructure grants, training grants, or other such indirect grants as determined by the City.

### **9.2 Adjustments**

- i) Grants Based on Floor Space Occupied by Eligible Uses

The proportion of the Municipal Tax Increment upon which the annual grant will be based will be the lesser of:

- a. the proportion of total floor space occupied by Eligible Development for which Development Grants are payable in the first year in which the Development Grant is payable for the Completed Project; or
  - b. the proportion occupied by Eligible Development for which Development Grants are payable for the year in which the grant is calculated.
- ii) Grant amounts will be adjusted to reflect:
    - a. the amount of any rebate of municipal taxes paid to the property Owner, including rebates to reflect vacancy, charitable status, and/or heritage status.
    - b. any subsequent changes in the total municipal taxes payable in any year due to increases or reductions resulting from assessment appeals. Where such tax changes occur after grant amounts have been paid, future year grant entitlements may be adjusted accordingly. Any overpayment of grant amounts arising from subsequent assessment or tax reductions will be deemed to be a debt owing to the municipality.

### **9.3 Other Conditions**

- i) The Owner shall demonstrate, annually, that the Project has created at least 2,500 jobs (full time equivalent) by way of a survey of employers, in a form satisfactory to the General Manager of Economic Development. The City will maintain the right to conduct audits to confirm the accuracy of the Owner's numbers respecting jobs. Every five years, if the City asks, the Owner will be required to use all reasonable commercial efforts to provide the General Manager a complete accounting of actual employment. If the Project provides less than 2,500 jobs, the Owner shall demonstrate by way of a business plan that it will return to the 2,500 job threshold in a timely fashion, to the satisfaction of the General Manager. If the Owner is unwilling to demonstrate the potential for restoring job numbers, the City may withhold further Development Grants. The Financial Incentives Agreement will provide further detail respecting reporting requirements, as well as remedies.
- ii) All proposed development must conform to all applicable City by-laws, and must substantially comply with all policies, and processes, and all improvements must be made pursuant to an approved Building Permit, and must conform to the *Ontario Building Code* and applicable zoning requirements and development approvals.
- iii) Development must meet the requirements of the Toronto Green Development Standards (GDS) as set out in the Financial Incentives Agreement.
- iv) The applicant must be the registered Owner or have the Owner's authorization to apply for the grant.
- v) Every Owner must enter into a Financial Incentives Agreement with the City to be registered on title.
- vi) The property must not be in arrears of property taxes or other fees and charges on the day the Financial Incentives Agreement is signed.

### **9.4 Payment**

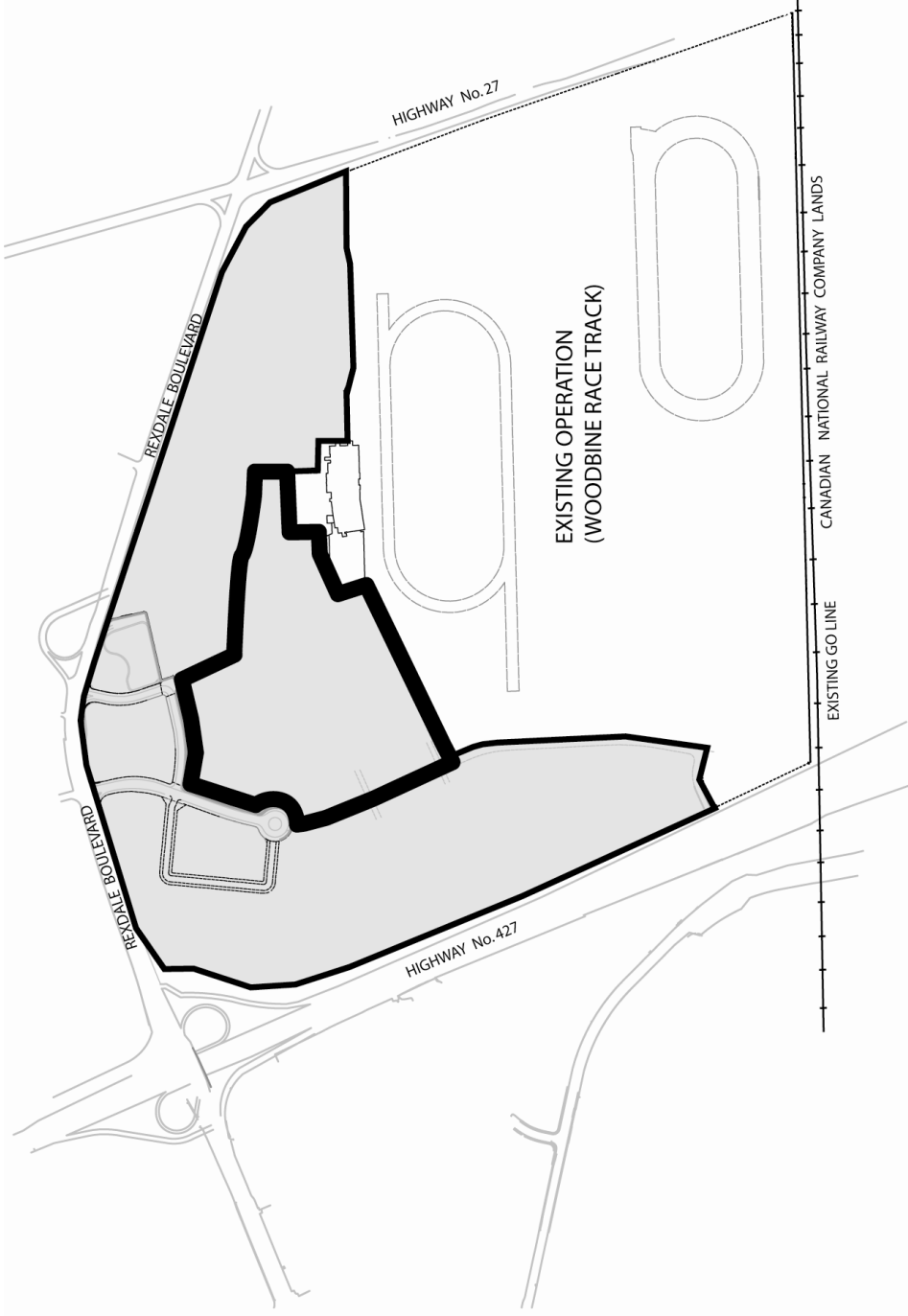
- i) Development Grants for any year shall be paid no later than 90 days after all property tax for that year has been paid, provided that:
  - a. there are no outstanding taxes, water rates, or other sums owed to the City with respect to the property;
  - b. there are no outstanding work orders and/or orders or requests to comply from any municipal or provincial entity; and
  - c. all other eligibility criteria and conditions are met.
- ii) Development Grants will not be applied as tax credits against property tax accounts.
- iii) Development Grants will only become payable after the property is first reassessed by Municipal Property Assessment Corporation (MPAC) to fully reflect the development that is receiving the grant.

- iv) Development Grants will cease for any year(s) in which the development or part there of is converted to an ineligible use or if the building is demolished except to expand an eligible use. Grant amounts that would have been payable in the year in which the demolition occurs or the ineligible use commences will be adjusted on a pro-rated basis to reflect the date of the demolition or ineligible use.

## **9.5 Conflict**

- i) To the extent that any of the provisions of this CIP conflict with the provisions of any other CIP, the provisions of this CIP shall prevail, unless otherwise specified.

**MAP 1**

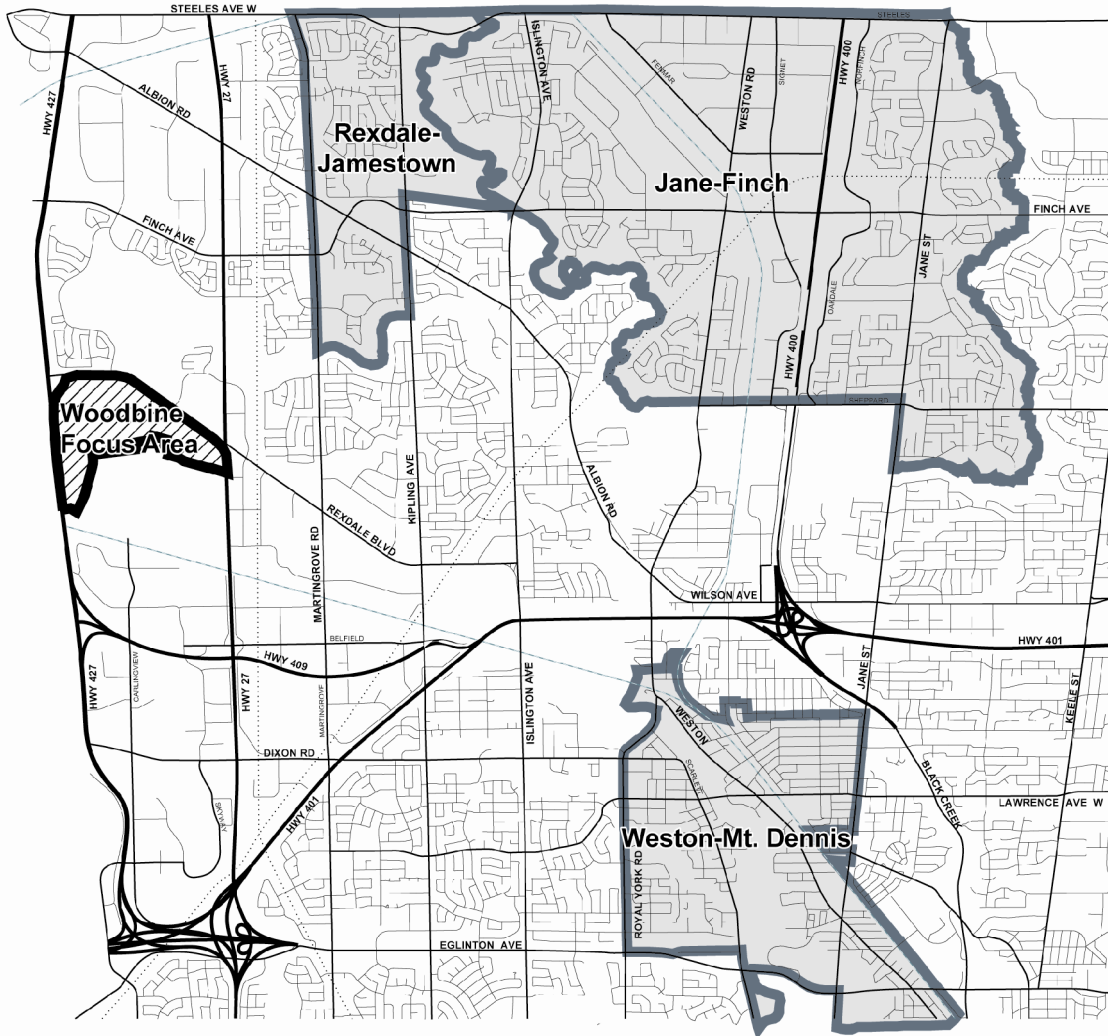


Woodbine Focus Area  
Enhanced Grants Area

Woodbine Community Improvement Plan  
Woodbine Focus Area



MAP 2



-  Woodbine Focus Area
-  Priority Neighbourhoods

Woodbine Community Improvement Plan  
Proximity to Priority Neighbourhoods

Not to Scale ↗