
Economic Development Committee

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|---------------------|-----------------------------|----------------|--|
| Meeting No. | 15 | Contact | Rosalind Dyers, Committee Administrator |
| Meeting Date | Tuesday, July 8, 2008 | Phone | 416-392-8018 |
| Start Time | 9:30 AM | E-mail | edc@toronto.ca |
| Location | Committee Room 1, City Hall | | |

| Economic Development Committee | | |
|---|--|--|
| Councillor Kyle Rae (Chair) Councillor Mike Feldman (Vice-Chair) | Councillor Suzan Hall Councillor Adrian Heaps | Councillor Case Ootes Councillor Michael Thompson |

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Declarations of Interest under the Municipal Conflict of Interest Act.

Confirmation of Minutes – June 12, 2008

Speakers/Presentations - A complete list will be distributed at the meeting

Communications/Reports

| | | | | |
|--------|--------------|--|--|--|
| ED15.1 | Presentation | | | |
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Emirates Airline - Presentation

Summary

Presentation on the activities of Emirates Airline.

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| ED15.2 | ACTION | | | Ward: 2 |
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WoodbineLive!: Financial Incentives to Support a Tourism/Entertainment Attraction "Transformative Project"

(June 25, 2008) Report from Deputy City Manager Sue Corke and the Deputy City Manager and Chief Financial Officer.

Recommendations

The Deputy City Manager of Citizen Focused Services A and the Deputy City Manager and Chief Financial Officer recommend that City Council:

1. Approve the Woodbine Live Project as a “Transformative Project” eligible to receive the Development Grants offered pursuant to the City-Wide Community Improvement Plan for Brownfield Remediation and Development of Prescribed Employment Uses, known as the “Imagination, Manufacturing, Innovation and Technology Financial Incentives Program,” subject to the large format retail, parking and residential components of the development being ineligible to receive Development Grants.
2. Approve, subject to the implementation of an amended CIP under the Planning Act, the provision of increased financial incentives for the entertainment/retail, live venue, outdoor amenity and hotel portion of the Woodbine Live Phase 1A development as shown in Attachment 1 Map 1, but not the large format retail or parking components of the development, subject to the following terms:
 - a. Development Grants in the form of Tax Increment Equivalent Grants (TIEG) be made under the same provisions as the existing policy referred to in Recommendation 1 above, with a modification of the percentage of the taxes to be granted back to Woodbine Live as follows: 90% in each of the first 5 years,

then declining 5% from that level each year from year 6 through year 20, as set out in Schedule 1 of Attachment 3, in this report;

- b. to be eligible to receive the proposed enhanced Development Grants, the eligible uses must be substantially constructed within five years from the date the amendment to the CIP providing for increased grants comes into effect (this status to be referred to as “the completed project”), and in accordance with the other requirements contained in the CIP definition of Transformative Projects;
 - c. a maximum gross floor area of 1.28 million square feet will be eligible to receive enhanced Development Grants;
 - d. total Development Grants for retail stores may not exceed 40% of the total Development Grant payable for the completed project, based on grants payable for retail stores and other uses being apportioned according to their gross floor areas;
 - e. should retail stores comprise more than 40% of the total GFA of the completed project in any given year then the most recently completed retail store GFA in excess of 40% of the total GFA will not be eligible for Development Grants in that year;
 - f. the outdoor amenity space and live venue to be approved in the site plan for the development must be included within the completed project;
 - g. a local hiring program must be undertaken by Woodbine Live with respect to initial hiring for Phase 1A, to provide unemployed and underemployed residents of the local area, including Priority Neighbourhoods in the north-west quadrant of the City, preferred consideration for job opportunities; and
 - h. a local training plan will be created, with the assistance of the Province if possible, to improve the ability of local residents to qualify for the above-noted jobs.
3. Direct staff to bring forward an amendment to the City-Wide CIP to the September 10, 2008 Planning and Growth Management Committee meeting, to provide for the financial incentives outlined in Recommendation 2.
 4. Direct staff to assess and report on the need to adjust the approved schedule of Development Grants should the Province make a direct contribution to Phase 1A, with the understanding that indirect contributions by the Province, such as infrastructure improvements, would not necessitate such an adjustment.
 5. Approve the exemption of the financial incentives outlined in Recommendation 2 from the \$50 million level of commitment that would trigger a review of the CIP's and Financial Incentives Program, as directed by Council on May 26 and 27, 2008.

6. Require that the payment in lieu of parkland for Phase 1A shall be payable prior to the issuance of the first building permit for Phase 2 or on the date which is 2 years from the date of issuance of the first Phase 1A building permit, whichever is sooner, said payment to be secured through a letter of credit. The Subdivision Agreement for Phase 1A and the appropriate development agreement for Phase 2 shall contain clauses to that effect, to the satisfaction of the General Manager of Parks, Forestry and Recreation in consultation with the City Solicitor. City staff shall explore and report back to City Council on what elements of the public amenities in Phase 1A could be deeded to the City as equivalent to parkland for the purpose of reducing the payment in lieu of parkland.
7. Advise Woodbine Live that adoption of this report does not commit the City to any enhanced incentive (TIEG) with respect to any other development phases that may be planned for this site.

Financial Impact

Under the City's Financial Incentive Program, staff recommend that the Woodbine Live proposal qualifies as a Transformative Project and would be eligible for a Tax Increment Equivalent Grant (TIEG) totalling 60% of taxes over a ten-year period, the value of which staff estimate to be \$55.4 million nominal (\$41.7 million present value) based on the proponent's preliminary Phase 1A development plans. However, Woodbine Live has indicated that Phase 1A is not viable nor will they proceed unless they are granted greater and longer tax incentives, as well as relief from the City's Development Charges on the entertainment/retail, live venue, hotel and outdoor amenity components. An independent consultant retained to review the Woodbine Live proposal confirms the need for significant financial incentives to provide adequate returns for this Phase, and consequently for the project to proceed.

The TIEG represents forgone revenue that, but for the development, would not occur. The City is not put at risk because the grants are funded from a reduction in future new taxes that would not otherwise have been received without construction of the project.

To proceed, Woodbine Live is requesting a TEIG at a level of 90% in years 1-5, 80% in years 6-10, 70% in years 11-15, and 60% in years 16-20. Woodbine Live projects their request to result in the City foregoing \$147.3 million in property tax over 20 years (\$78.8 million present value). On the basis of the TIEG request, Woodbine Live estimates the City will realize a positive financial impact from the portion of taxes not granted back, and additional new property taxes from the parts of the development not eligible for relief totalling \$132.7 million (\$62.9 million present value) over the 20 years.

However, staff remain concerned that the proposed TIEG percentage levels remains high (60% or greater) over twenty years, whereas the City's recently approved TIEG program provides a declining grant level over 10 years. The City recognizes that the greatest risk to the developer is in the early years, and that is why the proposed assistance is during this period. Once a project is completed, the risks to the developer decrease, and the declining grant level reflects a sharing of risk. For these reasons, staff recommend providing a TIEG at 90% over the first five years, followed by a declining grant level over the final 15 years. At this level the City will forego \$120.4 million in municipal property taxes (\$71.2 million present value), or a present value of \$7.6 million less than requested.

In summary, the City is expected to derive, in present value terms, \$76.3 million in additional property tax revenue while foregoing collection of \$71.2 million in property taxes.

It is also important to note that the Province will realize even greater direct benefits from education property taxes estimated at \$179.1 million over 20 years (\$96.8 million present value). Column I of Chart 1 below summarizes Woodbine Live's request for financial incentives.

Chart 1 – Estimated Financial Incentives and Property Tax Revenues

| | | | COLUMN I | | COLUMN II | |
|---|-----------------------|--|-----------------------|----------------------|-----------------------|----------------------|
| | | | CORDISH PROPOSAL | | STAFF RECOMMENDATION | |
| ESTIMATED INCENTIVES PROVIDED | | | Nominal | PV | Nominal | PV |
| Taxes Foregone by City | Phase 1A Eligible | Retail/Entertainment, Live Venue, Hotel (1.277 m ft ²) | \$ 147,342,337 | \$ 78,775,548 | \$ 120,409,010 | \$ 71,198,461 |
| | | | CORDISH PROPOSAL | | STAFF RECOMMENDATION | |
| ESTIMATED PROPERTY TAX | | | Nominal | PV | Nominal | PV |
| Taxes Retained by City (Total over 20 Years) | Phase 1A Eligible | Retail/Entertainment, Live Venue, Hotel (1.277 m ft ²) | \$ 52,565,728 | \$ 22,367,745 | \$ 90,930,622 | \$ 35,728,622 |
| | Phase 1A Non Eligible | Big Box (637,450 ft ²), Parking Garages (1.015 m ft ²) | \$ 80,147,073 | \$ 40,550,334 | \$ 80,147,073 | \$ 40,550,334 |
| Total Taxes Retained by City | | | \$ 132,712,801 | \$ 62,918,079 | \$ 171,077,694 | \$ 76,278,956 |
| | | | CORDISH PROPOSAL | | STAFF RECOMMENDATION | |
| PROVINCIAL PROPERTY TAX | | | Nominal | PV | Nominal | PV |
| New Education Property Tax | | | \$ 179,111,590 | \$ 96,822,476 | \$ 179,111,590 | \$ 96,822,476 |

In addition to this, the other orders of government will stand to gain significant revenue from their sales taxes and education development charges pertaining to the development. The increase in visitors is projected to increase gaming revenues of which the Province receives the majority while the City benefits to a lesser extent through the provincial sharing formula. Over a 20-year period the City stands to receive an additional \$75.5 million in slot revenues, based on the expectation that the additional visitors to Woodbine Live will have a spill-over effect on the existing gaming (slots) facility operated at Woodbine by Ontario Lottery and Gaming Corporation.

Woodbine Live is also asking for relief from the City's Development Charges (DC) on the same development components for which they are seeking tax relief, with a current DC obligation estimated at \$7.8 million. The City's current Development Charges by-law does not contemplate any waiver of DC's, however the new DC by-law currently in preparation will propose consideration of exempting development eligible for a TIEG from DC's. If approved, this would have the effect of granting the exemption from DC's sought by Woodbine Live.

Summary

At its July 15 and 16, 2007 meeting, Council approved Official Plan and Zoning amendments to permit a proposed development by WoodbineLive! (Woodbine Live). Woodbine Live is a partnership created between Woodbine Entertainment Group, a not-for-profit corporation without share capital and Cordish Company, a privately owned integrated commercial services and property development company based in Baltimore, Maryland, to build a multi-faceted tourism destination project comprising entertainment, retail, hotel, office and residential components.

The project consists of a “Live District” incorporating a live performance venue, a pedestrian-friendly street layout, outdoor amenity areas, restaurants, bars, night clubs and a hotel, a large format retail district and a district incorporating office and residential components.

Council directed staff to report back on a possible request for incentives by the developer. In late September 2007 Woodbine Live submitted a request to the City for financial incentives required to proceed with the project with a present value (PV), by their calculation, of \$86.6 million for Phase 1A.

The proposed project, when completed, will benefit the City and the local area with:

- over \$1 billion in construction value;
- over 6 million square feet of built space;
- three Priority Neighbourhoods (Jane-Finch, Jamestown and Weston-Mt. Dennis) are in close proximity to the area of the proposed development;
- economic and corresponding social development benefits from the 9,400 new jobs and 4,700 person-years of construction employment;
- Woodbine Live having undertaken to give local residents preferred consideration for jobs, and initiatives underway to make training available to those in need;
- the City’s finances projected to benefit over the next 20 years from an estimated increase in taxes with a present value of \$76.3 million in the first phase; and
- several key investments in transit currently under consideration for this area - significant new development on the Woodbine lands will act as a catalyst to improving local transit, helping to create the critical mass necessary and leading to important regional linkages.

At its meeting of May 26 and 27, 2008, Council adopted the City-Wide Community Improvement Plan (CIP) to implement a City-Wide Financial Incentives Program in the form of Development Grants funded from a portion of the Municipal Tax Increment by way of a tax increment equivalent grant (TIEG), and further directed staff to report back on the steps that may be necessary to accommodate the Woodbine Live proposal to establish a major tourism/entertainment complex in North West Etobicoke, and to prepare a separate CIP

schedule if necessary. A category for Transformative Projects was included in the incentive program with the expectation that a select number of very large and unique projects such as Woodbine Live may come forward that allow the City to achieve multiple goals and that have the desired effect of transforming an area's potential.

A cross-divisional staff team reviewed the Woodbine Live proposal and a third party analysis was conducted on behalf of the City by Hunden Strategic Partners (HSP), a US firm experienced in evaluating similar projects and incentive proposals on behalf of state and local governments. HSP concentrated on the first phase (Phase 1A) of the project as this is the phase for which enhanced incentives are being considered. A summary of the HSP findings is included as Attachment 2.

This report concludes that the Woodbine Live proposal:

- supports the goals of the Agenda for Prosperity;
- supports the fiscal, economic and social development objectives of a “Transformative Project” according to the criteria in the in the City-Wide Financial Incentives Program; and
- recommends Council approve, subject to implementation of an amended CIP, an incentive package beyond the standard TIEG program.

Staff recommends amendments to the Community Improvement Plan be considered at the September meeting of Council. The CIP amendment is required to provide the legal framework for granting the incentives for a “Transformative Project”.

Background Information

2008-07-08-ed15.2-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14463.pdf>

2008-07-08-ed15.2-Attachment 1-Map

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14464.pdf>

2008-07-08-ed15.2-Attachment 2-Hunden Strategic Partners Report

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14465.pdf>

2008-07-08-ed15.2-Attachment 3-Schedule 1

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14466.pdf>

2008-07-08ed15.2-Attachment 4-Summary of Project Scope and Data

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14467.pdf>

Communications

(April 18, 2008) letter from Nasser, Muna, Abdul and Adna Egal (ED.Main.ED15.2.1)

(April 18, 2008) letter from Maryana Ahmed (ED.Main.ED15.2.2)

(April 11, 2008) letter from Aisha Ahmed (ED.Main.ED15.2.3)

(April 18, 2008) letter from Hoden Haji (ED.Main.ED15.2.4)

(April 18, 2008) letter from Abdullah Mohamed (ED.Main.ED15.2.5)

(April 17, 2008) letter from Fatuma Issa (ED.Main.ED15.2.6)

(April 16, 2008) letter from Zahar Moalling (ED.Main.ED15.2.7)

(April 18, 2008) letter from Katra Yusuf (ED.Main.ED15.2.8)

A copy of each of the communications was forwarded to Members of Council only, and a copy is on file in the office of the City Clerk, City Hall.

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| ED15.3 | ACTION | | | Ward: All |
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Winterlicious and Summerlicious Culinary Programs New Criteria and Process for Restaurant Participation

(June 17, 2008) Report from the Executive Director, Cultural Services.

Recommendations

The Executive Director of Cultural Services recommends that:

1. City Council approve “Winterlicious and Summerlicious Prix Fixe Promotion New Criteria and Process for Participation” (Appendix 1) as a pilot project for implementation for Winterlicious and Summerlicious 2009.
2. Staff report back in the third quarter of 2009 on the results of the 2009 pilot Winterlicious/Summerlicious program.

Financial Impact

There are no immediate financial implications arising from the adoption of this report to the 2008 Operating Budget, Cultural Services. Additional program costs associated with the enhanced administrative, research and quality control measures of the new criteria will be identified during the pilot year and reported back in time for the 2010 budget cycle.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

Winterlicious and Summerlicious were initiated in 2003 to promote Toronto’s unique hospitality industry, showcase Toronto’s diverse cuisine, profile fine dining experiences at a range of price points, and generate economic activity for the restaurant industry during a slow time of business.

From 2003 to 2008, Winterlicious and Summerlicious prospective participants have been determined using specific third-party critic and consumer review and rating publications. Due to changes in these publications, they are no longer relevant to the process. Therefore a new criteria and process is being proposed to be implemented as a pilot project for Winterlicious and Summerlicious 2009.

Background Information

2008-07-08-ed15.3-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14371.pdf>)

2008-07-08-ed15.3-Appendix 1-Prix Fixe Promotion

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14372.pdf>)

2008-07-08-ed15.3-Appendix 2-Ipsos Reid Public Affairs

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14373.pdf>)

2008-07-08-ed15.3-Appendix 3-Advisory Board

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14374.pdf>)

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| ED15.4 | ACTION | | | Ward: 13, 14 |
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Junction Gardens Business Improvement Area (BIA) Board of Management Addition

(June 17, 2008) Report from the Director, Small Business and Local Partnerships.

Recommendations

The Director of Small Business and Local Partnerships recommends that:

1. City Council approve an addition to the Junction Gardens BIA Board of Management as set out in Attachment No. 1.
2. Schedule A of the Municipal Code Chapter 19, Business Improvement Areas, be amended to reflect a change to the BIA Board of Management.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Summary

The purpose of this report is to recommend that City Council approve an addition to the Junction Gardens BIA Board of Management. As this BIA is governed by more than one Community Council, City Council must consider the recommendations.

Background Information

2008-07-08-ed15.4-Staff Report and Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14375.pdf>)

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| ED15.5 | ACTION | | | Ward: 20 |
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Intention to Designate the Queen Street West Business Improvement Area (BIA)

(June 23, 2008) Report from the Director, Small Business and Local Partnerships.

Recommendations

The Director of Small Business and Local Partnerships recommends that:

1. The area described by Attachment No. 1 (Maps 1 to 3) be designated as the Queen Street West Business Improvement Area (BIA), under Chapter 19 of the City of Toronto Municipal Code.
2. The City Clerk be authorized and directed to send out a notice of Council's intention to pass a by-law designating the area described by Attachment No. 1 (Maps 1 to 3) as a Business Improvement Area (BIA), in accordance with Chapter 19 of the City of Toronto Municipal Code.
3. The Executive Director of Technical Services be requested to prepare designation by-law maps of the area, as described by Attachment No. 1 (Maps 1 to 3), and submit them to the City Solicitor.

Financial Impact

Capital budgets may be impacted in future years should streetscape or other capital improvements be undertaken by the new BIA. Capital improvements are cost-shared equally between the BIA and the City.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The purpose of this report is to recommend that the City Clerk conduct a poll to determine if there is sufficient support to designate the properties fronting on Queen Street West between Simcoe Street and Bathurst Street as the Queen Street West Business Improvement Area (BIA).

Upon the completion of the poll, the General Manager of Economic Development, Culture and Tourism will report on the results to the Economic Development Committee. Subject to a positive poll result, staff shall prepare the necessary by-laws and bills to give effect thereto.

Background Information

2008-07-08-ed15.5-Staff Report and Attachment 1-Maps 1-3
<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14376.pdf>