



Toronto Community
Benefits Network

Date: April 25, 2018
To: City Clerk for City Council
From: Toronto Community Benefits Network
Subject: EX33.2a RESPONSE TO REPORT FOR ACTION
Supplementary Report - Expanded Gaming at Woodbine

The Report for Action, Supplementary Report - Expanded Gaming at Woodbine Racetrack - City Conditions was released and uploaded to the City's website at 6pm on April 24th and this is TCBN's response.

TCBN is disappointed with the report. Instead of considering the very real needs of the community identified during the City's consultation process, the casino operator has sought to minimize their obligations as it relates to the 21 conditions established by Council. The Supplementary Report repeats the operator's assertion that City Council is handcuffed by a narrow interpretation of compliance with the 21 conditions.

TCBN has sought legal advice on this matter. Our solicitor A. Milliken Heisey, Q.C. is of the firm belief that improvements to the CBA are within the scope of the original 21 conditions set out by Council. **More importantly, those improvements could also be imposed by City Council as part of the conditions of draft plan approval pursuant to its powers under the Planning Act.** His letter is attached.

The report does not identify or address barriers to employment such as childcare, particularly on weekend and evening shifts. It would seem that the casino operator has refused to allow a seat for the TCBN at the Employment and Labour Market Advisory Working Group or the Responsible Gambling Oversight Committee. Nor will they allow the Toronto and York Region Labour Council a seat on either the Community Steering Committee or the Employment and Labour Market Advisory Group. Instead it seeks to exclude UNITEHERE Local 75 whose members currently provide all food and beverage for the Woodbine operation, and the construction unions who represent the apprentices and trained tradespeople who will build the facility.

If you require further information or clarification, please do not hesitate to contact me at by telephone at 416-573-8819 or by email at rpowell@communitybenefits.ca.

Sincerely,

A handwritten signature in blue ink that reads "R Powell".

Rosemarie Powell,
Executive Director

April 23, 2018

File No. 97771

VIA EMAIL - clerk@toronto.ca

**His Worship Mayor John Tory
and Members of Toronto City Council**
12th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Marilyn Toft

Your Worship Mayor Tory and Members of Council:

Re: Woodbine Race Track Expanded Gaming Proposal
Re: Toronto City Council Meeting April 24, 2018 Agenda Item EX33.2 and EY29.2
Re: Applications 17 158697 WET 02 OZ, 17 158704 WET 02 OZ , 17 158705 WET 02 SB

Please be advised that we are the solicitors for the Toronto Community Benefits Network ("TCBN").

TCBN has over 80 member organizations including Rexdale Community Hub, Mt. Dennis Community Association, Delta Family Resources Centre, Dixon Community Services and Rexdale Community Health Centre. TCBN was initially formed as a community-labour coalition to secure jobs and opportunities for the diverse communities located in the vicinity of the proposed Crosstown LRT.

Since 2006, when the first proposal for a Casino complex at Woodbine was made, local residents and local unions mobilized to encourage City Hall to require casino proponents to provide community benefits, focused on training and hiring opportunities, first represented by Community Organizing for Responsible Development ("CORD") and now TCBN.

The TCBN is requesting the following improvements to the terms of the Community Benefits Agreement ("CBA") which will better ensure that the community's perspective and input is reflected in the future success of the development:

Standard Life Centre, Suite 510, 121 King St. W., P.O. Box 105, Toronto, ON M5H 3T9

T: 416 601 1800
F: 416 601 1818

Accountability:

1. Council direct that the final CBA include additional elements that strengthen the monitoring, reporting, and accountability sections to clarify the reporting requirements and to establish remedies and penalties arising from failure to achieve the targets set out in the agreement, particularly if there is persistent failure to achieve a target.

Local Employment and Hiring:**The Terms of The CBA should Include the following requirements:**

- OGGLP will hire a minimum of 50% new hires through social or local hiring, of which at least half must be local hiring;
- After two years of operation, at least 60% of employees shall have full-time employment; and
- Delete the wording "reasonable commercial efforts" in the section for construction, to ensure that a minimum of 10% of the overall trade and craft working hours be worked by apprentices or journeypersons from the Woodbine Local Area or equity seeking groups.

Childcare

OGGLP will provide funding and space for extended hour child care for Woodbine employees, either within or in close proximity to the site.

Strengthening Community And Labour Representation

1. The TCBN be included in representation on the Employment and Labour Market Advisory Working Group and the Responsible Gambling Oversight Committee.
2. The Toronto & York Region Labour Council be included in representation on the Community Steering Committee and the Employment and Labour Market Advisory Group.

The improvements to the CBA sought are within the scope of the original 21 conditions set out by Council, specifically condition 14, 15 and 20 , and could also be imposed by City Council as part of the conditions of draft plan approval pursuant to its powers under the *Planning Act*.

TCBN supports City staff's recommendation 5 in the March 19, 2018 Report to Etobicoke Community Council requiring a CBA be imposed as a condition of draft approval of the plan of subdivision. TCBN is requesting that the CBA required by this condition include the additional requirements listed above.

Alternatively these matters should be made conditions of draft approval, separate from the CBA , pursuant to section 51(25) of the Planning Act.

Council is directed by Section 51(24) of the Planning Act to consider the following in deciding whether to approve a draft plan of subdivision, inter alia:

“(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

(b) whether the proposed subdivision is premature or **in the public interest**;

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;”

Section 2 of the Planning Act requires Council to have regard to matters of provincial interest which include:

“(i) the adequate provision and distribution of educational, health, **social**, cultural and recreational **facilities**;

(k) **the adequate provision of employment opportunities;**”

Council’s review of this plan of subdivision application is independent of , and in addition to the CBA, and whatever conditions Council has previously agreed to.

The protections and benefits sought for the community by TCBN above should be made available to the community in respect of this major casino expansion and required as conditions of draft approval of this plan of subdivision should it be approved.

Please provide the author with notice of any future Council or Council Committee meetings to consider the above referenced matters and applications.

Further, please provide the author with notice of passing of any zoning bylaw amendment or notice of draft approval of the proposed plan of subdivision pursuant to these development applications.

Further, please provide notice of any appeal of the planning applications or instruments adopted by City Council including any appeal of any draft conditions of subdivision approval to the Local Planning Appeal Tribunal.

Kindly acknowledge receipt of this communication in writing.

Yours very truly,



A. Milliken Heisey, Q.C.
AMH/lg

CC Councillor Michael Ford – Councillor for Ward 2 Etobicoke North
CC Toronto Community Benefits Network