

**TO Prosperity: Position on EX29.12 Community Benefits Protocol
Re – City of Toronto Poverty Reduction Strategy
2017 Report and 2018 Work Plan**

Date: November 28, 2017
To: Executive Committee
From: Toronto Community Benefits Network

Community Benefits Agreements (CBAs) Empower People to Help Themselves

TCBN position: Why wait 2 more years before formalizing this process? The research is done; the time to act is now.

Thanks to significant organizing by the community and leadership from the Province, Metrolinx signed a Community Benefits Framework with the community obligating a contractor to provide jobs and opportunities for historically disadvantaged communities and equity seeking groups through the Eglinton Crosstown project. The agreement also supports social enterprise and neighbourhood and environmental improvements.

Since the start of implementation this year, the Metrolinx Community Benefits Framework, has led to the opening of 30 apprenticeship positions for youth and racialized people, 104 professional, administrative and technical jobs for newcomers and approximately 3 million dollars of social and local procurement. We have four more years to go on the Eglinton Crosstown LRT Project and we expect to see this pace significantly ramped up, with over 300 apprenticeship positions offered over the span of the project.

Toronto Community Benefits Network (TCBN) is a coalition of 79 community and labour organizations committed to developing and administering Community Benefits Agreements (CBAs) that help build an inclusive, accountable and thriving city where everyone has safe, clean, and affordable places to live, work, learn and play.

TCBN advances opportunities for the people of Toronto by organizing for, negotiating and implementing meaningful community benefits agreements for major development projects, creating jobs and other opportunities for historically underrepresented groups.

The Timing is Critical

On April 22, 2015, Executive Committee adopted a motion directing staff to create a Community Benefits Agreements protocol to achieve social, economic and environmental benefits for the local communities impacted by proposed development and infrastructure projects, and to support the employment objectives of Toronto's Workforce Development Strategy including the Youth Employment Action Plan, Youth Equity Strategy and Newcomer Strategy. Why start this process again? There has never been a time better than now to address the needs of equity seeking groups. They are ready, willing and able to engage in city building in every aspect of civic life.

The City report planned for this fall has been postponed with the recommendation for two more years of study before action will finally be taken. But the work has already been done in numerous studies as current as this year. Please see links at the end for small sample of several studies that say what the city already knows, CBA's benefit everyone.

CBAs Can Affect Systemic Change

CBAs are uniquely important and should not be confused with other types of benefits or informal community agreements. TCBN applauds the City for everything it does in the name of community benefits, but we would like to clarify how a formal CBA is different. Let's start with a good simple definition from a 2005 book by Julian Gross of California, an attorney and community activist:

Community Benefit Agreements (CBAs) — deals between developers and coalitions of community organizations, addressing a broad range of community needs — are safeguards to ensure that affected residents share in the benefits of major developments. They allow community groups to have a voice in shaping a project, to press for community benefits that are tailored to their particular needs, and to enforce developer's promises. (Community Benefits Agreements: Making Development Projects Accountable, 2005, Julian Gross Published by Good Jobs First and the California Partnership for Working Families)

Many informal agreements may be struck in good faith, but without formal CBAs setting out negotiated targets and machinery for implementing them there are no guarantees. In massive infrastructure projects where billions of public dollars will be spent the best time to ensure residual benefits for community is before a single shovel goes into the ground.

Nor should a CBA be confused with Section 37 benefits arising from negotiations with developers seeking exemptions from zoning restrictions. TCBN supports the effective use of Section 37 agreements but they are not CBAs. A true CBA includes targets defined by the community, timelines to produce systemic change, and machinery to monitor and enforce them.

Current Toronto Projects Under Consideration for CBAs

Consider the scope of these projects. It is easier to plan for CBAs well in advance. It will be easier to plan how these projects can embed community benefits *now*, and will be more difficult after two additional years of project advancement. Why leave the prospect of community benefits from these massive public investments to chance? The City should establish a CBA Protocol to address these projects now.

- Eglinton Crosstown (CBA currently in effect)
- Finch Light Rail Transit
- Woodbine Entertainment
- Greater Toronto Airport Authority
- The Macdonald Block
- The Celestica Redevelopment
- Toronto Community Housing
- Waterfront Toronto/Sidewalk Labs Portlands

Toronto Needs a Community Benefits Protocol to:

- Establish legislative bases for provision of community funds
- Establish the types of development covered by the framework
- Demonstrate equity and fairness in fund allocation among communities
- Show community members that they are being treated fairly
- Avoid delays
- Avoid 'negotiating from scratch' each time a proposal is made
- Provide a framework for dispute resolution and enforcement
- Avoid inconsistencies between agreements in different areas
- Provide guidance on the types of initiatives that can be funded
- Ensure every City entity dealing with capital projects approach community benefits consistently
- Provide greater transparency
- Ensure increased goodwill among local stakeholders
- Provide guidance on how CBAs should be administered/managed

To expedite the process for designing a Community Benefits Framework, the City of Toronto should:

- Gather suggestions and guidance from actors who have previously developed community benefits protocols, such as the Toronto Community Benefits Network and any of its 79 community and labour organizations, Metrolinx, the City of Vancouver, and several cities in the USA
- Put priority on the interdivisional CB framework working group to meet regularly and emphasize the importance of creating the framework quickly and efficiently

- Assess opportunities to support the development of the framework with staff hired from the Toronto and Employment Social Services' Job Incentive Program
- While developing the City-wide Community Benefits Framework, the City of Toronto should immediately focus on developing interim CBA regulations for those major development projects which are currently in the planning phase and may miss opportunities for embedding CBAs over the next two years

Why Put This off Again? The Time to Act is Now.

Postponing an embedded process for CBAs at all three levels of government will only aggravate a situation that has already gone past critical. This year the city of Toronto spent almost \$110 million net to keep it's most vulnerable citizens from destitution. If the City of Toronto takes this opportunity to be the first Ontario jurisdiction to formalize comprehensive policy around CBAs, not only could they start diminishing these costs but they could see a windfall from the newly gainfully employed. The longer we postpone mandating benefits through CBAs, the more vulnerable members of society fall deeper into despair and the harder it becomes to engage communities meaningfully. The time to act is now.

Your sincerely,



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C. Councillor Joe Mihevc, Poverty Reduction Advocate

Reference Material:

Community Benefits Agreements: Empowering Communities to Maximize Returns on Public Infrastructure Investments, Armine Yalnizyan 2017, Institute of Fiscal Studies and Democracy and the University of Ottawa

<http://www.ifsd.ca/web/default/files/Presentations/Reports/17011%20-%20Community%20Benefits%20Agreements%20-%202017%20July%202017.pdf>

Reaping the Benefits of Tower Renewal, Dina Graser, 2016, Atkinson Foundation

<http://atkinsonfoundation.ca/atkinson-field-notes/reaping-the-benefits-of-tower-renewal-and-more/>

Reassembling the Infrastructures of Citizenship, Deborah Cowen, 2016, Trudeau Foundation

http://www.fondationtrudeau.ca/sites/default/files/cowen-project-web_0.pdf

The Prosperous Province: Strategies for Building Community Wealth,

Andrew Galley, 2015, Mowat Centre

http://atkinsonfoundation.ca/wp-content/uploads/2015/08/Mowat.AF_CBA_82415.pdf

Community Benefits Agreements: Making Development Projects Accountable, Julian Gross, 2005, published by Good Jobs First and the California Partnership for Working Families

<https://www.goodjobsfirst.org/sites/default/files/docs/pdf/cba2005final.pdf>