



ISSN 1180-4335

**Legislative Assembly
of Ontario**

First Session, 41st Parliament

**Assemblée législative
de l'Ontario**

Première session, 41^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 23 February 2016

**Journal
des débats
(Hansard)**

Mardi 23 février 2016

**Standing Committee on
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111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 23 February 2016

Mardi 23 février 2016

The committee met at 0900 in committee room 1.

The Chair (Mr. John Fraser): Good morning, everyone, and welcome back to Tuesday morning public appointments and government agencies. I would like to welcome our newest member, Lorne Coe.

Mr. Lorne Coe: Thank you, Mr. Chair.

The Chair (Mr. John Fraser): I'm glad you could be here today.

We have one intended appointee today. But first, we have our subcommittee report to deal with. Would someone like to move it? Mr. Gates.

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, February 18, 2016.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Wayne Gates: My pleasure.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

MS. HELEN BURSTYN

Review of intended appointment, selected by official opposition party: Helen Burstyn, intended appointee as member, Toronto Waterfront Revitalization Corp.

The Chair (Mr. John Fraser): We have one intended appointee today. That intended appointee is Helen Burstyn, nominated as member, Toronto Waterfront Revitalization Corp. Ms. Burstyn, can you please come forward? Thank you very much for being here this morning.

Ms. Helen Burstyn: My pleasure.

The Chair (Mr. John Fraser): You have time to make a brief opening statement. Any time that you do use will be taken from the government's time for questions. Questions will begin with the government.

Again, thank you very much for being here this morning. You may proceed.

Ms. Helen Burstyn: First, thank you for the opportunity to appear before the committee to discuss my interest in and qualifications for this appointment to the Waterfront Toronto board. I'll try to be brief, because I would like to allow as much time for questions as possible.

I'd like to highlight three areas of experience and expertise that I hope to bring to this position. The first is my 25-year history of public service, which began, actually, right here in this building when I worked for the

legislative research service for four years and as staff to the public accounts committee. So I know and appreciate the process that we're going through right now.

I later moved to what was then called the Ministry of Industry, Trade and Technology, first as a senior policy adviser, and then as the deputy secretary to the Premier's council. I then served as director of communications for the ministry and director of community economic development.

In addition to those positions, I also have some agency experience. I served for seven years as the chair of the Ontario Trillium Foundation; and then, after that, the co-chair and executive lead of the Partnership Project, which was an initiative to create a better relationship between the Ontario public service, or the government, and the not-for-profit and charitable sectors. From there, I established the first Office for Social Enterprise in Ontario and also in Canada, working with both not-for-profit and for-profit organizations that met social and community economic development needs. The point is, I have a very deep and thorough knowledge of how government works.

Serving in government in so many different capacities, and particularly during my time as the volunteer chair of Trillium, has been enormously rewarding. At Trillium, I often commented that the pay was lousy but the benefits were great. My Trillium experience probably explains why, in more recent years, I have gravitated from public service towards community service, and, in the last dozen or so years, I've served on a number of boards where effective governance and a high degree of community and stakeholder engagement were involved.

I'll give you some examples. I spent nine years as a trustee of the Centre for Addiction and Mental Health during the time when CAMH was going through a massive redesign, rebuilding and consolidation project of its Queen Street site. I was also a director of TEDCO, the Toronto Economic Development Corp., now Build Toronto, during the period when the first major commercial waterfront development, the Corus building, designed by Diamond Schmitt, was making its controversial debut. I have also served on the board of TIFF, the Toronto International Film Festival, for several years and I continue to serve there. I worked with the organization to realize a permanent home for the festival on King Street West, the TIFF Bell Lightbox, as everyone I hope now knows. I'm currently the chair of Evergreen, a national organization focused on urban and environmental issues, with more

than 6,000 community projects across Canada, but perhaps best known for the distinctive and award-winning Brick Works site in the heart of the Don Valley.

I serve on a number of other boards as well, but I highlight these because, in each case, there was a major redevelopment project under way where community engagement and support was as important to the success of these projects as the buildings themselves.

I've talked about my experience in public service and community service, and the final area I'd like to highlight is my commitment to city building. I believe that no agency or organization or level of government creates anything of consequence in this city or this country by working alone. For instance, Evergreen's campaign to revitalize our ravines and the lower Don, called "the Ribbon," is a cross-sectoral, cross-cultural undertaking that involves working with many partners, including Waterfront Toronto.

On the subject of city building, I'd like to quote my late husband, David Pecaut, from a well-known letter he wrote to the city of Toronto:

"The potential of Toronto lies not so much within its architectural or economic or social possibilities as in what it could represent to the world as a place where amazing things get done because this city is full of conveners, of civic entrepreneurs, of people who understand in their collective DNA how to bring all the parts of civil society around a table to solve problems, seize opportunities, and make great things happen....

"We should stop worrying about global rankings and focus on what will make us truly special—which is that we can be the best in the world at collective leadership."

Collective leadership, for me, leads to a sense of collective ownership, and I believe that's the key to making our waterfront as beautiful and walkable and livable and workable as the ones we admire in other cities—maybe more so.

I think I'll leave it at that and allow you the opportunity to ask me questions now. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Burstyn. Mr. Milczyn.

Mr. Peter Z. Milczyn: Thank you, Ms. Burstyn, for coming this morning and for putting your name forward. In your very long list of qualifications, I was wondering if you could spell out specifically what your involvement has been with Waterfront Toronto or with projects related to Waterfront Toronto's work.

Ms. Helen Burstyn: Well, I first became aware of Waterfront Toronto when I was on the board of TEDCO, because we had some very difficult dealings with Waterfront Toronto in those days. It was early days. It was the early 2000s and we were building the first building on the waterfront, and the design review panel of Waterfront Toronto objected to the design, basically. So we tried to accommodate with various changes to the building—more glass, more openness, less brick, a lot of things. But a lot of that was very fraught with challenges because I think much of it was a competitive process as opposed to a collaborative process.

Waterfront Toronto, then and now, struggles with having three levels of government represented on its board, and its governance—it has taken a while to find its way. Decisions are sometimes hard to come by and take a long time. Sometimes ownership is something that is difficult to establish and maintain. I think that Waterfront Toronto has matured a lot over the years, and I've noticed that particularly in recent dealings in my role at Evergreen. Also, I sit on the board of Luminato, the international arts festival, and we've taken over the Hearn generating station for this year's festival, the 10th-anniversary festival, so the paid programming will happen there. We have to work with Waterfront Toronto. We have to work with all sorts of players in the community to be able to make something like that happen and to make that a jumping-off point for further development that's of a more permanent nature in the port lands.

So mostly really good in recent years; originally, really hard and not so good.

Mr. Peter Z. Milczyn: The next big challenge for Waterfront Toronto will be the flood protection of the port lands and the lower Don. So what is your knowledge of that project, the scale of it and the importance of it?

Ms. Helen Burstyn: I'm not an expert in flood protection or really what's involved in creating the berms and the flood plains that would keep us from having the Brick Works regularly flooded every time there's a major rainfall.

This city is very interconnected in its physical and geographic spaces, so anything that happens on the waterfront, particularly managing the flooding, is something that is not solely a Waterfront Toronto responsibility but affects many others along the ravine—that work that is so extensive and is so integral to the physical geography of Toronto and, beyond Toronto, the GTA, and beyond that it goes up into the greenbelt. So getting the mouth of the Don right is not just a beautification project, although we want it to look good. It really is a protection of the lands and the space that people are and will be living on, where businesses will be setting up shop, and where we hope to attract tourism and other economic activity that is important to this city and beyond.

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On that, I always defer to experts. I don't claim to be an expert in urban planning or development, but I am able to read, appreciate and negotiate with people who have the expertise and the points of view that need to be considered. I also take into account the neighbourhoods. The people who live or work nearby are just as much affected by what is built and what is created that is perhaps more artistic or aesthetic. The impact on the surrounding area has to be considered. So those are things where I like to weigh in as well.

Mr. Peter Z. Milczyn: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Milczyn.

Now to Mr. Coe.

Mr. Lorne Coe: Thank you very much, Mr. Chair. Welcome, Ms. Burstyn. I appreciated your delegation.

The question I have is about budget. We've read recently that the Queen's Quay construction project was approximately 40% over budget. I'd like to hear how you, as a board member, would approach ensuring that taxpayers' dollars are responsibly spent.

Ms. Helen Burstyn: I also read of the overspending. I have not looked at the budget beyond what is available to the public. When I serve on any board, I try to be and often am attached to the finance and audit committee, not because I have a background in finance and audit—actually, I'm an English major by background—but because I always like to follow the money. It tells the story of how an organization or a business is managed. Especially when that management affects the public interest, it's very important that I understand exactly why that overspending has occurred.

So I don't have an answer because I don't know, beyond what I've read and what you've read. I think there may be lots of mitigating factors and explanations for that. I do believe that when a budget is set, everything should be done to stick within it. I also think it's very important, when there is overspending, to have received prior approval for that overspending. It doesn't just happen; it has to be anticipated to some extent, and it has to be agreed upon by a board of directors, because they're in the position to be able to stand behind that as much as the organization itself.

I do feel that Waterfront Toronto, despite whatever problems it has had over the years—and overspending actually hasn't been one of the biggest ones—is very well managed. For the most part, it doesn't overspend. There are no cases that I've ever read of where there have been expenses or other issues of mismanagement.

Mr. Lorne Coe: All right. Thank you for your answer.

In terms of management, my next question centres on accountability and transparency. There are recent reports that are a bit concerning in terms of proper procedure for in camera sessions and public disclosure at Waterfront Toronto. They focused on salary increases in particular. As a board member, how would you ensure that you and the board are being accountable and transparent to the public with respect to these types of meetings that did occur?

Ms. Helen Burstyn: To my knowledge, there was only this one in camera meeting where a salary decision was made respecting three of the senior executives at Waterfront Toronto. The ability to talk in camera is important to a board of directors because there may be issues of personnel and other issues that require discretion. I do think, though, that the obligation to report as fully as possible on the results of the discussion and as soon as possible about the results of the discussion, and to be able to justify the decisions that were made in camera, is really important. I'm not sure all the communication, in this case, might have met that test of accountability.

Mr. Lorne Coe: All right. Thank you for that answer. Thank you, Mr. Chair. Those are my questions.

The Chair (Mr. John Fraser): Questions, Mr. Bailey?

Mr. Robert Bailey: Do I have a couple of seconds?

The Chair (Mr. John Fraser): Yes, you've got about six minutes.

Mr. Robert Bailey: I'm reading some of the notes, Ms. Burstyn. Thank you for your presentation and for being here today. It says here that the corporation expects to run out of money next year. What immediate actions do you think—if you're successful and go on to be a board member—that the board could take? What do you think is fair to ask of the taxpayers to continue funding? Do you have any idea where you'd like to see that go?

Ms. Helen Burstyn: I do. I think that it's important for the corporation to seek—and it has been successful in seeking—private funding to augment whatever asks it has of the three levels of the government to which it will be going.

I think that Waterfront Toronto has spent—for the most part—wisely the \$20 million that it had as an investment from the three levels of government to begin with. It has recently received a very large private donation of \$25 million from Judy and Wil Matthews for Project: Under Gardiner.

I think, as a board member, that I would want to see—and I'm sure Waterfront Toronto would want to see—more matching dollars going into public projects. I don't think any level of government—even the combined governments involved here—can fund, indefinitely and solely, public projects any longer.

I think we're entering into a new phase—probably at an appropriate time—and I think we're starting to see the right kind of noises being made about seeking support from other areas besides government.

I think that the negotiations should have been under way. I don't know that they have been; I assume that they have been. You don't hit a deadline like 2016-17 and say, "Okay, what are we going to do now?" I hope that discussions are well under way with all parties.

Mr. Robert Bailey: Yes, I'm quite impressed when I read some of their goals and what they want to do. It sounds like an exciting project for the future.

Those are all my questions, Mr. Chair.

The Chair (Mr. John Fraser): Thank you very much, Mr. Bailey.

Mr. Gates, good morning.

Mr. Wayne Gates: Good morning. Thanks for coming.

I've got a few questions. In June 2015, the city of Toronto reported that spending on salaries at Waterfront Toronto had stayed roughly at the same level over the last three years, while project spending declined. More recently, the board was told that they had conducted their business improperly when they approved salary increases for three executives last month. Those increases were 8.6% to 11.6%, with the opportunity to earn a bonus of between 20% and 25%.

Do you see these issues as a problem? Do you have any idea on how to reverse this trend?

Ms. Helen Burstyn: I do see this issue. It's just one, to my knowledge. I do see that as a problem. I think that, especially, an experienced board like this one—I do know many of the members of the board and have a high regard for them. I think they have been on the board for long enough to realize that, in this case, even where there were explanations of there being no increases for five years, the proper way to conduct the business of the board is really important and should be known to all members of the board.

I think there was an error, perhaps. If I am appointed to this position, I would certainly want to ask questions about how that error occurred.

Mr. Wayne Gates: Yes, it's kind of interesting. Their justification for it was that they hadn't gotten an increase for a while. But their salaries are between \$232,000 and \$248,000. I'm sure that they could get by on that salary. I'm just guessing, but I think it's pretty fair compensation for the job they do.

One of the biggest issues that you'll be asked to consider as a board member is the fate of the Gardiner Expressway as it relates to the revitalization of the Don Lands. Of the three options currently being discussed—tear it down, modify it or keep it as it is—which would you prefer and why?

Ms. Helen Burstyn: I can't tell you that I have a preference at this point. I have looked at the three options. I'm not an urban planner or an expert. I know that there are a number of considerations that I would want to take into account—cost is one of them, of course.

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But I also think you have to look at what makes sense, not only for drivers, but for the development of those lands. If you take down a part of the Gardiner, what do you get in return, in terms of livability, more parkland or land to use for other purposes? What's the net benefit to drivers? Does it save five minutes or anything more than that? Does it deal with larger transportation issues? It's not just about that stretch.

I can't say how I would place my bets at this point. I know that the hybrid option is the one favoured by the city at this point, but I think that is subject to change too. I'm not sure there has actually been an overall compelling case presented for any one of those options, so I would want to go back and take a look at it again and maybe present the best case based on the best evidence.

Mr. Wayne Gates: During your presentation you said that you knew a lot of the board members whom you may or may not now be working with. Did you ever discuss this issue with them?

Ms. Helen Burstyn: I had a discussion with the chair, Mark Wilson. He's the former chair of Evergreen, and I know him from work we've done in common over the years. I asked whether there would be any benefit to my putting my name forward for an appointment, and he thought I could certainly do that, and that I would be able to fill the role. It's not his decision to make, of course—we know that—but he certainly encouraged me to put my name forward.

Mr. Wayne Gates: Well, it's certainly always important to work with people you can work with. If you have a relationship, that's usually a good start.

Ms. Helen Burstyn: Let's put it this way: I never would have put my name forward for an appointment if I thought the chair of the board would not find me a helpful member of his board.

Mr. Wayne Gates: That makes sense.

As a board member with Waterfront Toronto, how will you work to ensure that everyone, regardless of income or ability, is able to access and enjoy the waterfront?

Ms. Helen Burstyn: I think that more public consultation would be helpful. Sometimes it's hard to figure out how things happen or how decisions are made. They are not made solely by a board or by an organization in consultation with its board; it's the community that matters. I think they need to be an equal partner in decisions affecting how they live and the character and livability of the surrounding neighbourhoods.

Really, the waterfront is a shared asset for all of us in this city and beyond. What I talked about with respect to collective leadership and convening—I think we could see more of that; we can see more community engagement when it comes to these big decisions about our waterfront.

Mr. Wayne Gates: Just a question: Do you have any concern about the number of high-rise condos that are going up, that at some point they may block the sun for the entire waterfront?

Ms. Helen Burstyn: I do. I have concern not just about the waterfront but about how many condos are going up in this city overall. I just wonder about the capacity of this city to have so many towers—yes, blocking the sun, but also changing the character of neighbourhoods.

Along the waterfront in particular, we had some mistakes in the long-ago past. Some big slab buildings were put up, not nicely designed, with no regard to the view of the waterfront, and they're still there. I would hope we could find a way of moving forward on development that is respectful of people who are at ground level, as well as people who live in tall towers.

Mr. Wayne Gates: One of the concerns I certainly have is that there's nothing worse than lying on a beach when there's no sun—just a thought.

Do you believe that the lack of rapid transit in the waterfront area has hurt its development?

Ms. Helen Burstyn: Not necessarily. Again, I would say that I haven't studied this enough to say with certainty, but I don't see that as the most critical issue. I think we need transit along the waterfront, but I don't think it has hampered its development so much.

I know that since trying to add more transit, we've created other problems in the meantime, just being able to get around down there. Whether you're a driver or a pedestrian, it's hard right now, but that's because things are being built and routes are being shifted. We have to face some temporary inconvenience, but I hope the ultimate goal is to make it as easy as possible to get from

one end of the waterfront to the other, whatever mode of transportation you choose, including your own two feet.

Mr. Wayne Gates: I know this question was touched on just a little bit by my colleagues to the right of me, but the board will be facing financial challenges in the near future. How do you expect to contribute to responding to these challenges? I know you touched on it a little bit more with the private, but—

Ms. Helen Burstyn: Yes, maybe I could just add to what I said. I work very comfortably with all three levels of government. I think that working with government, and working with stakeholders and communities, I would hope to encourage more private investment in the future. But I would also hope to make negotiations among the three levels of government for that shared responsibility and funding. I hope to be able to contribute in that way as well; make that less of a struggle. As I said, I really do hope that those negotiations and discussions are under way already, because we wouldn't want to start from a standing position at this point.

Mr. Wayne Gates: You just said that you worked with all three levels of government. Have you ever worked for a party?

Ms. Helen Burstyn: Yes, I have. Well, I've been a member of a party, and I did run for office.

Mr. Wayne Gates: I think everybody here has been. What party would that be?

Ms. Helen Burstyn: Liberal Party.

Mr. Wayne Gates: All right. But you've never worked for the Liberal Party or—

Ms. Helen Burstyn: I ran for the Liberal Party in 2011, unsuccessfully.

Mr. Wayne Gates: You ran?

Ms. Helen Burstyn: Yes.

Mr. Wayne Gates: I can relate to that. I ran seven times before I got elected, so don't give up.

Ms. Helen Burstyn: Okay.

The Chair (Mr. John Fraser): I knew that was coming.

Mr. Wayne Gates: Just putting it out there.

The Chair (Mr. John Fraser): I was just waiting for it.

Mr. Wayne Gates: Just trying to help, you know what I mean? That's the type of guy I am. Thanks very much.

Ms. Helen Burstyn: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Ms. Burstyn, thank you very much for appearing this morning. The time for the interview is now over. You may step down. We're going to consider the concurrence after you step down. You're welcome to stay.

Ms. Helen Burstyn: Thank you.

The Chair (Mr. John Fraser): Thanks very much.

We will now consider the concurrence for Helen Burstyn, nominated as member, Toronto Waterfront Revitalization Corp. Mr. Milczyn?

Mr. Peter Z. Milczyn: Thank you, Mr. Chair. Do we do remarks or—

The Chair (Mr. John Fraser): Just read it out.

Mr. Peter Z. Milczyn: Okay. I move concurrence in the intended appointment of Helen Burstyn, nominated as a member of the Toronto Waterfront Revitalization Corp.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried. Congratulations, Ms. Burstyn. Thank you very much.

That concludes our meeting.

The meeting adjourned at 0928.

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