

## THE GOVERNING COUNCIL

### REPORT NUMBER 160 OF THE ACADEMIC BOARD

February 5, 2009

To the Governing Council,  
University of Toronto

Your Board reports that it held a meeting on Thursday, February 5, 2009 at 4:15 p.m. in the Council Chamber, Simcoe Hall at which the following were present:

Professor Michael R. Marrus (In the Chair)	Professor Alister Cumming	Ms Carole Moore
Professor Brian Corman	Professor Gerald Cupchik	Professor Mayo Moran
Professor David Naylor, President	Professor Gabriele D'Eleuterio	Mr. Andrew Ngo
Professor Cheryl Misak, Vice-President and Provost	Professor Charles Deber	Professor Linda Northrup
Professor Jonathan Freedman, Deputy Provost	Professor Joseph Desloges	Mr. Jeff Peters
Professor Safwat Zaky, Vice-Provost, Planning and Budget	Professor Guy Faulkner	Professor Judith Poe
Professor Varouj Aivazian	Professor Meric Gertler	Professor Cheryl Regehr
Professor Jan Angus	Professor Robert Gibbs	Professor Jolie Ringash
Professor George Baird	Ms Pamela Gravestock	Professor William Robins
Professor Gage Averill	Ms Emily Gregor	Professor Seamus Ross
Professor Ronald Beiner	Professor Wayne K. Hindmarsh	Professor Wendy Rotenberg
Ms Patricia Bellamy	Mrs. Bonnie Horne	Mr. Paul Ruppert
Professor Katherine Berg	Ms Jenna Hossack	Professor Andrea Sass-Kortsak
Ms Marilyn Booth	Professor Glen Jones	Ms Maureen Simpson
Professor Ragnar Buchweitz	Professor Gregory Jump	Professor Tattersall Smith
Mr. Ryan Campbell	Professor Shashi Kant	Professor Elizabeth M. Smyth
Professor Sujit Choudhry	Dr. Chris Koenig-Woodyard	Ms Lynn Snowden
Dr. Christena Chruszez	Ms Lesley Ann Lavack	Miss Maureen J. Somerville
Professor Elizabeth Cowper	Professor Louise Lemieux-Charles	Mr. Olivier Sorin
	Professor Rhonda Love	Professor Romin Tafarodi
	Professor John R. Miron	Mr. Daniel Taranovsky
	Professor Faye Mishna	Professor Njoki Wane
	Professor David Mock	Professor Donald Wiebe
		Dr. Cindy Woodland
<b>Regrets:</b>	Professor Ellen Hodnett	Professor Sioban Nelson
Professor Stewart Aitchison	Ms Tharsni Kankesan	Professor Donna Orwin
Professor Cristina Amon	Dr. Allan S. Kaplan	Mr. Roger P. Parkinson
Professor Christy Anderson	Professor Bruce Kidd	Professor Janet Paterson
Professor Sylvia Bashevkin	Dr. Young M. Kim	Professor Ito Peng
Professor Denise Belsham	Professor Pamela E. Klassen	Ms Sheron Perera
Professor Will Cluett	Mr. Joseph Koo	Professor Susan Pfeiffer
Professor Christopher Damaren	Professor Audrey Laporte	Professor Ato Quayson
Professor Luc F. De Nil	Professor Robert Levit	Miss Charlene Saldanha
Professor Miriam Diamond	Professor Hy Van Luong	Miss Pamela Santora
Professor Wendy Duff	Dr. Gillian MacKay	Mr. Shane Smith
Professor Dickson Eyoh	Professor Roger L. Martin	Professor Suzanne Stevenson
Mr. John A. Fraser	Professor Douglas McDougall	Professor Kim Strong
Professor Avrum Gotlieb	Professor Mark McGowan	Ms Rita Tsang
Ms Jacqueline Greenblatt	Mr. Andrew Mintz	Dr. Robert S. Turnbull
Ms Anne Guo	Ms Michelle Mitrovich	Dr. Donald A. Wasylenki
Professor Rick Halpern	Professor Michael Molloy	Professor Catharine Whiteside
Professor Russell Hartenberger		

**Non-voting Assessors:**

Professor Angela Hildyard, Vice-President, Human Resources and Equity  
 Mr. David Palmer, Vice-President, Advancement, and Chief Advancement Officer

Ms Catherine Riggall, Vice-President, Business Affairs  
 Ms Judith Wolfson, Vice-President, University Relations  
 Professor Jill Matus, Vice-Provost, Student Life  
 Mr. Nadeem Shabbar, Chief Real Estate Officer

Ms Elizabeth Sisam, Assistant Vice-President, Campus and Facilities Planning

**Secretariat:**

Ms Mae-Yu Tan

**In Attendance:**

Professor Joel Baum, Associate Dean, Faculty, Joseph L. Rotman School of Management  
 Mr. Louis Charpentier, Secretary of the Governing Council  
 Mr. Neil Dobbs, Deputy Secretary of the Governing Council  
 Ms Sheree Drummond, Assistant Provost  
 Dr. Anthony Gray, Special Advisor to the President

Professor David Klausner, Vice Dean, Interdisciplinary Affairs, Faculty of Arts and Science  
 Ms Helen Lasthiotakis, Director, Policy and Planning, Office of the Vice-President and Provost  
 Mr. Henry Mulhall, Assistant Secretary of the Governing Council

Ms Anjum Nayyar, *the Bulletin*  
 Professor Mariana Valverde, Director, Centre of Criminology  
 Ms Linda Vranic, Director of Operations, Office of the Vice-President, Research  
 Ms Alison Webb, Committee Secretary, Office of the Governing Council

In this report, items 5, 6, and 7 are recommended to the Governing Council for approval. The remaining items are reported for information.

The Chair congratulated Professor Misak on her appointment as Vice-President and Provost for a term from February 1, 2009 to June 30, 2012. He also welcomed Professor Seamus Ross, Dean of the Faculty of Information, who had recently begun his term.

**1. Approval of Report Number 159 of the Meeting held on December 8, 2008**

Report Number 159 of the meeting held on December 8, 2008 was approved.

**2. Business Arising from the Report of the Previous Meeting**

There was no business arising from the Report.

**3. Report Number 150 (January 27, 2009) of the Agenda Committee**

Report Number 150 of the Agenda Committee was received for information.

**4. Report from the Vice-President and Provost****(a) Canadian Union of Public Employees (CUPE) 3902, Unit 1**

Professor Misak reported that the University was very pleased to have reached an agreement with the Canadian Union of Public Employees (CUPE) 3902, Unit 1. The collective agreement would cover the period May 1, 2008 to April 30, 2011. The positive outcome was most welcome as a strike by members of CUPE 3902, Unit 1, had been avoided and, more importantly, because it demonstrated the possibility of negotiating terms that were acceptable to both CUPE 3902 and an Ontario university. Professor Misak extended her sincere thanks to Professor Angela Hildyard, Vice-President, Human Resources and Equity, and her team, who had worked so diligently throughout the process.

#### **4. Report from the Vice-President and Provost (cont'd)**

##### **(b) Economic Update**

Professor Misak stated that senior administrative and financial staff continued to work with divisions on appropriate cost-containment measures. Divisions had been asked to determine the most suitable approach needed to address their individual financial situations, while keeping their values intact. Professor Misak would periodically update the community on the University's financial position.

##### **(c) Property Acquisition**

Professor Misak spoke of an agreement reached by the University and the Royal Ontario Museum (ROM) for the purchase of the ROM property at 90 Queen's Park. The purchase agreement, which had been announced on January 26, 2009, would ensure that the property would continue to be used for institutional purposes. Professor Misak emphasized that the decision to purchase the property had been made after careful consideration, particularly in light of the current economy. It was evident that the desirable development site that would be gained would be of great benefit to the University, and the administration was confident that friends of the University would support the acquisition.

#### **5. Centre of Criminology: Disestablishment in the School of Graduate Studies and Establishment as an EDU:A in the Faculty of Arts and Science**

The Chair said that the disestablishment of the Centre of Criminology in the School of Graduate Studies (SGS) and its establishment as an extra-departmental unit A (EDU:A) in the Faculty of Arts and Science had been considered by the Planning and Budget Committee (P&B) on January 21, 2009. If approved by the Board, the proposal would be considered for approval by the Governing Council on March 4, 2009.

Professor Rotenberg stated that P&B had agreed that the Faculty of Arts and Science would make an appropriate administrative home for the Centre due to its strong interdisciplinary nature and its connection to the undergraduate program in Criminology at Woodsworth College. At the meeting, Professor Zaky had informed Committee members that the administration and the operating budget of the Centre of Criminology would be transferred to the Faculty of Arts and Science, and that there would be no other implications for the University's budget. Members had also been advised that all those involved with the Centre fully supported the proposal to transfer it to the Faculty of Arts and Science.

Professor Rotenberg reported that Professor David Klausner, Vice Dean, Interdisciplinary Affairs, Faculty of Arts and Science, had attended the meeting and had stated that the establishment of the Centre of Criminology as an EDU:A within the Faculty of Arts and Science met all three of the Faculty's criteria by which it judged such an application - 1) self-determination; 2) strong academic rationale; and 3) no negative financial implications.

Professor Mayo Moran, Dean, Faculty of Law, commented that the Faculty, which jointly administers a Juris Doctor and Master of Arts (JD/MA) program with the Centre, had been consulted and was supportive of the move. Professor Desloges, Principal, Woodsworth College, also expressed support for the move to the Faculty of Arts and Science, and added that it would help to strengthen the already successful interdisciplinary Criminology program. In his opinion, it would provide additional opportunities to promote and enhance the undergraduate program, which was housed in Woodsworth College.

In response to a question from the Chair, Professor Mariana Valverde, Director, Centre of Criminology, assured the Board that the strong interdivisional character of the Centre would be maintained. Professor Klausner added that, over the past few years, the Faculty of Arts and Science had become more experienced in facilitating interdivisional activity.

## **5. Centre of Criminology: Disestablishment in the School of Graduate Studies and Establishment as an EDU:A in the Faculty of Arts and Science (cont'd)**

During a discussion of the impact of the move of the Centre from the SGS, it was noted that the most noticeable effect would be on the program administrators; if the proposal were approved, the Director of the Centre would report to the Dean of the Faculty of Arts and Science rather than the Dean of SGS. A number of centres and institutes had been moving out of SGS and into other divisions that were most closely cognate with them. These developments had been beneficial for the academic units. The move of the Centre of Criminology into the Faculty of Arts and Science would have little effect on the graduate students, who had been consulted during the development of the proposal. In fact, a number of them already held positions as teaching assistants in the Faculty of Arts and Science.

On motion duly moved, seconded, and carried

### **YOUR BOARD RECOMMENDS**

THAT the Centre of Criminology be disestablished as an academic unit in the School of Graduate Studies and reestablished as an extra-departmental unit A (EDU:A) within the Faculty of Arts and Science, effective May 1, 2009.

Documentation is attached hereto as [Appendix "A"](#).

## **6. Declaration of Property as Surplus to University Requirements: 245 College Street**

The Chair explained that declaration of property as surplus to University requirements was within the jurisdiction of the Academic Board<sup>1</sup>, and for this reason, the proposal for the 245 College Street property was before the Board. P&B had considered the item most recently at a special meeting on February 4, 2009, and if approved by the Board, the proposal would be considered for approval by the Governing Council on March 4, 2009.

Professor Rotenberg reported that the special P&B meeting held the previous day had been necessary in order to address questions that had arisen at the Committee's regular meeting on January 21, 2009, when the proposal had first been introduced. She stated that the proposal presented a unique opportunity to enhance the availability of residence space in close proximity to the St. George campus. Additional residence spaces were needed; however, the University was not at this time in a financial position to build more residence facilities on its own.

Professor Rotenberg said that the developer of the third-party residence had significant experience in building and operating this type of facility, and it would be in the developer's best interest to ensure that the project was successful. The developer hoped to expand its assets in this class at other universities in the future. During the P&B meeting, Committee members had been assured that the lease agreement would provide the opportunity for the University to negotiate design and operation standards for the residence. As well, the developer would adopt a Service Level Agreement that would meet the programming standards expected for University residences. The University would also have a voice in the oversight of the facility through membership on its Board.

The Assistant Vice-President, Student Life, the Chief Real Estate Officer, and the Director of Ancillary Services had met with the prospective operators of the residence to discuss at length the expected standards. They had also visited a number of the developer's facilities at other universities, and had met with representatives from those institutions to ensure that the residences were meeting their expectations. The feedback had all been positive. P&B had been informed that, due to its size, the 245

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<sup>1</sup> Section 5.3(b) of the Business Board Terms of Reference (p. 7) states that "For the disposal, or the non-University use or development of University property by the University or others, concurrence of the Academic Board is required, on advice of the Planning and Budget Committee, to indicate that the property is surplus to University requirements."

**6. Declaration of Property as Surplus to University Requirements: 245 College Street (cont'd)**

College Street property would be of limited use for other development, and it was not currently in use for any purpose that could not be easily relocated. The return on investment for the lease was excellent, and the revenue of approximately \$350,000 per year would be used for Student Life programs and services, directly benefitting University of Toronto students. The proposal had been thoroughly reviewed by financial and legal advisors to ensure that there would be no negative economic impact on the University.

Professor Rotenberg reported that P&B was in support of the proposal, which had also been considered by the Real Estate Advisory Board and the Business Board. The Business Board had approved the transaction, subject to the declaration of the property as surplus to University requirements. She added that the Vice-Provost, Students, had also presented the proposal to the University Affairs Board for information on February 3, 2009, and no concerns had been raised.

During the discussion, a number of points were raised including the following.

**a) Demand for Residence Space**

Members expressed support for the innovative proposal that would make additional beds in residence available to students. Professor Misak noted that while the current residence needs of first-year undergraduate students were being met by the University, there was a particular demand for residence space from upper-year and international University of Toronto students, a number of whom wished to live in residence for the entirety of their programs. University staff frequently had to refer students to third-party, off-campus housing, due to lack of space in the University's own residences. In response to a question, Professor Misak explained that the University would have no obligation to fill the proposed residence and that students from other institutions would be able to live there. There was, however, a restriction on the use of the 245 College Street property to student housing; it would not be used, for example, for the development of condominiums.

Some members expressed their hope that the residence rates would be affordable for students. Another member suggested that efforts be made to ensure that the proposed residence was accessible for people with physical disabilities.

**b) Declaration of Property as Surplus**

One member voiced his opposition to declaring the property surplus to University requirements. He pointed to the need for space on campus and to a capital project that would lead to the eventual relocation of office space for a student organization. Professor Misak responded to his concerns, noting that the University administration was working to address multiple priorities in an effort to ensure that all were met.

Another member commented that the property should perhaps be declared "central" rather than "surplus" to the University's needs. President Naylor acknowledged that this was an unusual use of the term "surplus", however, due to the wording of the terms of reference, it was necessary to handle the proposed transaction, which involved a long-term lease, in this manner.

**c) Residence Life Standards**

In response to a question, Professor Misak reiterated that the proposed residence would not be a University of Toronto residence. However, the developer was committed to working with the University to ensure a quality experience for students, and the University would advise the developer in establishing residence life policies, standards, and procedures. Student input would be valued and the University would have representation on the Board of Directors of the residence.

**6. Declaration of Property as Surplus to University Requirements: 245 College Street (cont'd)****d) Financial Agreement**

Noting that the University would receive an annual rent of approximately \$350,000 if the 245 College Street property was leased to the developer, a member questioned whether that was sufficient compensation. Professor Misak assured the Board that the financial arrangement was very favourable for the University and stated that the fee would escalate with inflation.

President Naylor commented that the University had not always been financially able to develop its student residences, and this proposal provided a reasonable alternative. University representatives had done due diligence and were satisfied with the feedback which had been provided with respect to the developer. He noted that it was in the developer's interest to ensure that this project was successful, as it would increase the likelihood of future development of other Canadian university projects. The President urged the Board to approve the resolution.

On motion duly moved, seconded, and carried

YOUR BOARD RECOMMENDS

THAT the 245 College Street property be declared surplus to University requirements.

Documentation is attached hereto as [Appendix "B"](#).

**7. Joseph L. Rotman School of Management Expansion Project: Change of Scope**

The Chair stated that the proposed change of scope of the Joseph L. Rotman School of Management Expansion Project had also been considered by P&B on January 21, 2009. If approved by the Board, the proposal would be considered for approval by the Governing Council on March 4, 2009.

Professor Rotenberg said that, in September 2007, P&B had recommended approval of a project that would allow for a 7,400 net assignable square meter (nasm) expansion of the Rotman School of Management through renovations to the existing building and new facilities to be located on site 11, to the south of the existing School. The Project Implementation Committee had been working with the consulting architects for the past year to finalize the design of the new building. Unfortunately, due to site conditions, budgetary constraints, and program space deficiencies, the resulting design had not successfully accommodated the Rotman School's program requirements. For this reason, a change of scope to the project was being requested. The proposed construction of one additional floor, or 650 nasm, would allow for a fully developed plan. P&B had been informed that no additional budget would be requested at this time and implementation would be contingent on the ability of the Rotman School to obtain sufficient funding for the full project.

During the discussion of the Board, the following points were raised.

**a) Project Cost**

A member commended the Project Implementation Committee for having identified the need for added space at this early stage. He commented that, despite its significance, the operating cost of capital projects presented to the Board was not always fully discussed, and he asked how the current proposal would affect the total project cost. Professor Misak acknowledged that the project cost would be altered and reiterated that the project would only proceed once the Rotman School had obtained full funding.

## 7. **Joseph L. Rotman School of Management Expansion Project: Change of Scope (cont'd)**

### b) Design

Members discussed at length the design aspects of the Rotman Expansion Project. One member expressed deep concerns about the impact of the proposed change of scope on the surrounding community. In his view, there should be more efficient use of space and neighbouring areas should not be overshadowed by the Rotman facilities. Ms Elizabeth Sisam, Assistant Vice-President, Campus and Facilities Planning, assured the Board that much consultation with the community had occurred and would continue as further progress was made on the project design. A member who had served on the architect selection committee for the Rotman project stated that, in his opinion, the design was quite ingenious and the project would add to the architectural quality of the St. George campus.

### c) Impact on Parking Spaces

In response to questions about parking spots that would be displaced because of the project, Ms Sisam assured members that parking, including dedicated spaces for members of the University from UTM and UTSC, would be relocated elsewhere on campus.

On motion duly moved, seconded, and carried

YOUR BOARD RECOMMENDS

THAT a change in project scope of approximately 650 nasm (1,035 gsm) new construction be approved for the Joseph L. Rotman School of Management expansion project with implementation contingent on full funding of the proposed change of scope.

Documentation is attached hereto as [Appendix "C"](#).

## 8. **Items for Information**

Members received the following reports for information:

- (a) **Report Number 138 of the Committee on Academic Policy and Programs** (January 20, 2009)
- (b) **Report Number 127 of the Planning and Budget Committee** (November 27, 2008)
- (c) **Report Number 128 of the Planning and Budget Committee** (January 21, 2009)
- (d) **Appointments and Status Changes**

There were no questions arising from the reports.

## 9. **Date of Next Meeting**

The Chair reminded members that the next meeting was scheduled for Thursday, March 26, 2009, at 4:10 p.m.

## 10. **Other Business**

### a) **2009 Academic Board Election Results**

The Chair announced that six current members and three new members had been acclaimed to serve on the Academic Board for a three-year term (July 1, 2009 – June 30, 2012). An election would be held for one librarian seat on the Board, as there were two candidates, and the nomination period for seven seats on the Board would be re-opened as no nominations had been received. Information about the election process was available from the Governing Council website.

**10. Other Business (cont'd)****b) Space on Campus for Student Groups**

A member expressed concern that the implementation of some capital projects seemed to lead to the relocation of office space provided for some student groups. In his opinion, such required moves negatively affected the relationship between student groups and the central administration. On a related topic, the member stated that he had been informed of an apparent change in a room booking policy of the Office of Space Management; the amount of notice required for students to book space on campus had apparently been increased. The member felt that it was unfortunate that students who wished to contribute to campus life had to overcome such obstacles. Professor Misak stated that she would follow up with member about the matters that he had raised.

The meeting adjourned at 5:35 p.m.

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Secretary

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Chair

February 17, 2009