

Playing Tennis at York University

Game, Set and Match Tennis Canada

By L. Anders Sandberg and Jenny Foster

On the front of the Ross Building there is an inscription by York's first President Murray Ross which reads: "We at York University must give special emphasis to the humanizing of man, freeing him from those pressures which mechanize the mind, which make for routine thinking, which divorce thinking and feeling, which permit custom to dominate intelligence, which freeze awareness of the human spirit and its possibilities." Most likely, we conclude, the words must refer to the activities of faculty members and students. They certainly do not appear to shape the decisions surrounding the university's physical infrastructure and the fate of its extensive lands.

Here the words of Phillip Lapp, the first President of the York University Development Corporation, may be more appropriate: "University property development activities are those needed 'to create value', and should not be left to amateurs or even professional members of related disciplines. A seasoned and experienced real estate developer is needed with the necessary freedom to take appropriate action." This approach is supposedly reflected in the University's recent agreement with Tennis Canada to build a new facility south of Shoreham Drive on the western part of campus. The \$45 million Rexall Centre, named after Canada's largest pharmacy retail network and sponsored by private donors, the federal and provincial governments, will host Tennis Canada's annual Rogers AT&T international tennis tournament and serve as the new year-round facility for Tennis Canada.

We suggest that in this case Lapp's philosophy has resulted in the University paying a high price for dubious benefits, and a continuing entanglement with the corporate world. The negotiations surrounding the deal were almost exclusively framed by Tennis Canada's struggle to meet the demands of the international tennis circuit for a better facility, and to secure financial support. Updating the Steeles Avenue facilities was initially framed within the context of Toronto's latest failed Olympic bid, wherein Tennis Canada also explored a variety of other sites in the Toronto region. York desperately wanted to host the state-of-the-art facilities, and brokered a deal for the picturesque Black Creek tablelands. The \$365,000 annual lease payment and a degree of access to the facilities will surely be welcome by some, and may even reflect the skills of a "seasoned and experienced real estate developer," though the rental fee pales in light of the \$45 million cost to construct the physical facilities. There are other troubling issues. Embedding York's exposure to the wider world

within corporate advertising feeds the disturbing suspicion that a university education is a commodity bought and sold like a can of Pepsi or a headache pill from the Rexall Corporation. We suspect too that the assignment of blocks of tickets to the annual tournament in August to Deans and Vice Presidents and for use for "friend raising and fund raising purposes, including thanking donors, governors etc. for their work on the university's behalf" will further divide the world of university management and money from the world of faculty, students and learning.

We also have grave concerns about the ecological impacts of the deal, particularly as York has now sacrificed what a land inventory of campus once labelled "the most significant landscape feature on campus", containing a

variety of habitats, "including wildflower meadows, the Hoover and Black Creeks, wooded areas, successional fields, hedgerows, and homestead plantings." The two creeks will be modified and rerouted, an intensively engineered drainage system will be introduced, and landscape plans define yearly meadow planting which will be destroyed each July in order to accommodate infrastructure for the big tournament (creating a population sink that attracts wildlife to habitat destined for destruction). The petty \$5,000 incentive to "restore" five extra acres of 'surge space' seems to acknowledge the unfeasibility of the task. Moreover, the agreement that was struck to compensate for destruction of the tablelands' ecology by infilling an eroded portion of Hoover Creek without planting any

vegetation is a classic example of ecological restoration "running behind bulldozers."

The York University Development Corporation will no doubt argue that the University has struck a favourable deal with Tennis Canada, yielding hard cash and some access to the facilities. But overall, York University appears to have acted as compliant client in the Tennis Canada deal, squandering its land endowment to the world of corporate-sponsored sports. It is yet another example of the privatization and corporate branding of the university. We are still waiting for Murray Ross' words to challenge dubious deals struck with corporate players on campus.

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What They Said...

The authors have failed to obtain a copy of the full terms of the agreement with Tennis Canada. No explanation has so far been given for not providing a copy. The following answers to specific questions posed by one of the authors were provided by the University's Counsel Harriet Lewis.

How much land is Tennis Canada allotted in this arrangement?

The premises are 15 acres with an agreement for use of a further 5 proximate acres as "surge space" for the annual summer tournament.

If this is a lease, how long does it run and what happens when it expires?

The arrangement concerning the land is a lease, which has an initial term of 25 years, and an option to renew for a further 24. When the lease expires or is terminated, the property "reverts" to the university.

How is York remunerated?

York will receive financial remuneration in the following ways:

- . base rent of \$365K per annum, which will increase in step with the increase in price of the "VIP" tickets to the main summer tournament.
- . \$20K for the use of the surge space (\$5,000 refundable if premises are properly restored)
- . all revenues from tournament parking (except for 3250 spots for "VIP parking", which is included in the base rent.)
- . income from York services purchased by Tennis Canada such as rental of gyms, fields, exterior courts, hospitality facilities, as agreed from time to time.

Where will the money go?

The money goes to the operating budget and the net proceeds will be

used to support and maintain the campus facilities.

What exposure will York get from the summer tournament?

In addition to the publicity that comes from having the tournament on campus, Tennis Canada has agreed to the following:

- . web link from Tennis Canada site to York site
- . President's message in souvenir programme
- . electronic scoreboard and flag message at each match
- . York sign on tournament premises
- . 10 X 30 second commercials on commercial broadcast of tournament
- . 100X 30 second commercials on CCTV broadcast of tournament
- . information booth in the commercial market area

What access will York members have to the facilities? What York members will have access to the facilities?

- . the public has access to the facilities for the tournaments, to the tennis lessons and camps etc. and there may be hospitality services which are also open to the public, and tennis memberships will be available at low rates to members of the York community.
- . the agreement provides for a total of 920 court hours (indoors and outdoors) for various York purposes including sport and recreation programs, competitions, training, and classes. Included are 84 unorganized

indoor court recreation hours for use of students, faculty and staff.

Will York continue to receive tickets to the summer tournament? What are the specifics on how they are allotted? What type are they and how many go to different constituencies?

The agreement with Tennis Canada includes 8 "Champion Club" tickets for the series as well as a marquee which varies in size from 60 persons to 20 persons (depending on the day). The university pays Tennis Canada for this and the other collateral benefits, a flat fee of \$25,000 per annum. In addition, York sponsors an alumni/community night, for which it buys the tickets.

The marquee and associated tickets are available through the Office of the President. They are assigned in blocks to Deans and Vice Presidents and are used for friend raising and fund raising purposes, including thanking donors, governors etc. for their work on the university's behalf.

Other benefits:

In addition to the foregoing, Tennis Canada will be vacating their current premises and surrendering the lease on that land and the building to the university when it occupies the new premises. The university therefore regains control of valuable lands on Steeles Avenue many years earlier than otherwise, as well as ownership of a small brick office building.