

May 4, 2016

To: The Board of Governors of Exhibition Place

FOR INFORMATION

From: Dianne Young, Chief Executive Officer

Subject: **Relocation of the Garden of the Greek Gods – Report of the Working Group**

Summary:

This report provides the results of the deliberations of the Working Group with respect to possible sites suitable for the relocation of the Garden of the Greek Gods sculptures (“Greek Gods”).

Financial Impact:

The estimated cost for the relocation of the Greek Gods and any reparation of the existing location at Muzik Clubs patio because of the removals, is \$0.45M, which has been included in the 10-year Capital Program, although this funding is not within the City target for Exhibition Place and therefore, is subject to special review and recommendation by City Finance staff and then approval of City Council in March 2016.

Decision History:

At its meeting of April 25, 2003, the Board approved of the terms of the Lease with Muzik Clubs Inc. which was subsequently approved by City Council at its meeting of June 24, 25 and 26, 2003.

<http://www.google.ca/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CB8QFjAAahUKEwj7h6nwuzHAhWEox4KHY5yC9Y&url=http%3A%2F%2Fwww.toronto.ca%2Flegdocs%2F2003%2Fagendas%2Fcouncil%2Fcc030624%2Fpof5rpt%2Fcl017.pdf&usq=AFQjCNFNnGxqiNunUbJ3HheILLjspi6rxw>

At its meeting of April 23, 2010, the Board approved the purchase of the Greek Gods from the CNEA at a value of \$500,000.

<http://www.explace.on.ca/database/rte/files/CNEA%20%20PURCHASE%20OF%20ARTIFACTS.pdf>

At its meeting of May 23, 2014, the Board approved a Member Motion brought by Councillor Layton which recommended that the CEO, with relevant City staff, report to the Board on several matters related to the Greek Gods.

[http://www.explace.on.ca/database/rte/files/MemberMotion-Layton-Art\(1\).pdf](http://www.explace.on.ca/database/rte/files/MemberMotion-Layton-Art(1).pdf)

At its meeting of June 25, 2014, the Board approved recommendations / motions with respect to the development of a policy related to Exhibition Place Public Art Collections; access to, relocation of and determining the condition of the Greek Gods.

[http://www.explace.on.ca/database/rte/files/Item%2012-GGG\(1\).pdf](http://www.explace.on.ca/database/rte/files/Item%2012-GGG(1).pdf)

At its meeting of September 10, 2014, the Board considered an information report and adopted a motion to establish a working group to evaluate options for the relocation of the Greek Gods; costing for the removal; legal implications relating to the lease agreement, copyright etc.

[http://www.explace.on.ca/database/rte/files/Item%2014-GGG\(3\).pdf](http://www.explace.on.ca/database/rte/files/Item%2014-GGG(3).pdf)

At its meeting of December 1, 2014, the Board considered a report from the City Solicitor, which outlined copyright and lease arrangement issues with respect to the Greek Gods sculptures.
[http://www.explace.on.ca/database/rte/files/Item%2012-GGG-Solicitor\(2\).pdf](http://www.explace.on.ca/database/rte/files/Item%2012-GGG-Solicitor(2).pdf)

At its meeting of April 24, 2015, the Board considered a report on the terms of reference of the Working Group and the Final Conservation Report of the Board's consultant and adopted a motion to expand the group membership and to proceed with urgent repairs to the sculptures.
<http://www.explace.on.ca/database/rte/files/Item%2015-GGG.pdf>

At its meeting of February 12, 2016, the Board adopted a motion referring Report No. 21 dated September 25, 2015 entitled "Relocation of the Garden of the Greek Gods – Report of Working Group" to a special meeting of the Business Development Committee, with an invitation to all Board members, followed by consideration of the report and the recommendations of the Business Development Committee at a special meeting of the Board.

Issue Background:

The Working Group had as its main purpose determining a new location for the Greek Gods and achieving the final relocation of these sculptures. The two major reasons to consider relocation of the Greek Gods from the patio area of Muzik Clubs Inc. are as follows:

- The Muzik Clubs patio is an area licensed under the AGCO and thus requires a perimeter fence which has eliminated public access / public viewing to the Greek Gods except for the patrons attending the Muzik Clubs. Because of its active use of the patio, the Tenant has found it difficult to provide time for general public access outside active Club hours.
- The Board is responsible for the condition of the Greek Gods and the Board's conservator in February 2015 indicated that the design and setting of the Muzik Clubs patio is detrimental to the long-term conservation of the sculptures as "the opening in the pavement around each of the terrace-placed sculptures does act to a certain degree like a water basin. Rising damp from the ground, up through the concrete is active... Efflorescence from ground salts (nitrogen) and general damp staining is present... The high absorption and moisture retention of Indiana limestone does make it susceptible to base deterioration where salts are present."

Comments:

The membership and Terms of Reference of the Relocation Working Group are set out in Appendix "A" to this report.

The Working Group developed a ranking tool / matrix to use to rank possible locations for the new home of the Greek Gods. Criterion listed on this matrix include: Accessibility; Site Suitability; Security of Site; Relocation Costs; Ongoing Care and Maintenance Issues; and Acceptance of Site Owner.

The Working Group, individually and as a group, proposed a total of 13 possible locations which were as follows: Rose Garden (Exhibition Place), Stanley Barracks Park (Exhibition Place), Canada Boulevard (Exhibition Place), Trinity Bellwoods (City Park), Philosopher's Walk (UofT), Marilyn Bell Park (City Park), Grange Park (AGO), Sir Casimir Gzowski (City Park), High Park (City Park), Toronto Botanical Gardens (Toronto Garden Society), Guild Inn (City Park), Ontario Place (Provincial Park), Edwards Gardens (City Park). The Working Group did an overview of the sites and because of this some were eliminated and then the Working Group did a detail rating of the remaining sites based on the ranking/matrix attached as Appendix "B". Because many of the sites were public parks, advice was also sought from Mr. Richard Ubbens, Director, City PF&R. Finally, Mr. Trevor Gillingwater, Conservation Services Inc., the Board's consultant

for the conservation of the Greek Gods, provided expert advice to the Working Group on each of the short-listed sites.

After this thorough analysis the Working Group have determined that the best location for the Greek Gods would be the Rose Garden area south of Bandshell Park. Some of the attributes of this site are as follows:

- Publicly accessible from existing waterfront path & from Martin Goodman Trail over the Bailey Bridge
- Flat accessible pathway around grassed areas where sculptures would be situated
- Close to restaurant for food & beverage & washrooms
- Walking distance to local community - South Parkdale and Liberty Village
- Benches and seating areas nearby and good lighting
- Could be included in as part of school visits to see wind turbine
- Public and children could get near sculptures & touch & feel them
- School bus / visitor parking available in front of Bandshell Stage & Taxi drop off
- The Dufferin bus closest stop is located at TFI (Music Bldg.) and it is a 15 minute walk from LRT/GO
- Area closed and gated during the Beer Fest and CNE period only
- The artist noted and liked this site in 1979
- The existing landscaping is suitable for the art, and it is flat with no big trees
- Very historic area with other sculptures (Peace Fountain); heritage structures (Scadding Cabin, Fort Rouille site)
- Fountains in the area could match the water theme of some of the sculptures
- Very popular site for wedding photos, picnics, pedestrian visits
- Not a tourist site but some major events in the area - Becel Ride for Heart, CNE
- Site large enough to accommodate all sculptures although would require design be completed for spacing and placement
- Exhibition Place security staff would be regularly patrolling the area and if graffiti takes place, then cameras could be installed.

Next Steps

As indicated at previous Board meetings, the terms of the Muzik Clubs Lease would require agreement of the Tenant to relocate the Greek Gods from the leased premises. In 2015, Exhibition Place staff have had three meetings with the Tenant and his lawyer about the removal of the Greek Gods. The Tenant has indicated that the Greek Gods are key to the marketing plan for Muzik Clubs Inc. and in the Spring 2015 the Tenant indicated to both Exhibition Place staff and the Chair of the Board that Muzik was not willing to consider removal of the sculptures at this time.

If the position as explained by the Tenant changes during the Term of the Lease, then based on the assessment done by the Working Group, Exhibition Place staff would be recommending to the Board that the Greek Gods sculptures be relocated to the Rose Garden.

However, in the meantime, the focus of Exhibition Place staff will be on maintaining the Greek Gods in the best condition as possible and, as allowed by the Lease, Exhibition Place will be conducting regular assessments of the sculptures and undertaking repairs as recommended. In addition, any damages resulting because of the tenanted activities are to be fixed and paid for by the Tenant as per the Lease. As noted in the February 2015 Conservator report, the construction of the patio by the Tenant has resulted in the sculptures sitting in pits which collect water, do not drain and cause efflorescence which is damaging the sculptural fabric.

The Board's consultant will be providing a proposed direction and costing to fix this problem which will be communicated to the Tenant to action at the Tenant's cost under the supervision of the Board's stone conservator.

Also attached as Appendix "C" are communications received related to the Garden of the Greek Gods and this report.

Contact:

Dianne Young
Chief Executive Officer
Tel: (416) 263-3611
Fax: (416) 263-3640
Email: dyoung@explace.on.ca

Appendix "A"
Working Group - Terms of Reference

Membership:

EB Cox Family

Kathy Sutton

Ed Conroy

Exhibition Place Staff

Dianne Young, CEO

Fatima Scagnol, Corporate Secretary

Linda Cobon, Manager/Records & Archives

Audrey Borges, Records Analyst

Toronto Greek Community

George Manios, President

Hellenic Canadian Congress

City of Toronto

Larry Ostola, Director/Museums & Heritage Services-City

Councillor Mike Layton or representative

Stone Conservator

Trevor Gillingwater

General Purpose:

The purpose of the Working Group is to ensure that the collection of sculptures known as the Garden of the Greek Gods is moved to a suitable and permanent location accessible to the public.

Specific Directions / Tasks to be Undertaken:

1. Develop a list of criteria for any new site.
2. Develop a list of possible sites.
3. Assess each site against the criteria with the aim of determining no more than three preferred sites.
4. At least one of the preferred sites must be somewhere on the Exhibition Place grounds.
5. Seek input on artistic placement of the sculptures.
6. Physical conditions for placement / relocation will be in conformity with the recommendations of stone conservator.
7. Work with Exhibition Place and any outside parties (landscapers, etc.) in relocating the sculptures to their new location.
8. Any outcomes from this Working Group be considered in the development of the Exhibition Place's Public Art Policy.
9. Review that the condition, protection, and treatment of the sculpture is monitored on a regular basis until it is moved.
10. Review that those sculptures most at risk of further damage are relocated for repair and/or protected, in accordance with the recommendations of the stone conservator.
11. Review the Exhibition Place monitoring reports of the sculptures.
12. Review the repair plan and ongoing repairs undertaken to ensure sculptures at risk are addressed.

Timeline for Working Group:

The Working Group will cease to exist after the sculptures are relocated.

Meetings

The Working Group will be chaired by the CEO of Exhibition Place. Meetings will be scheduled in advance every 4 to 6 weeks depending on the majority of member's availability. Members may attend in person or by teleconference.

Reporting of Recommendations:

Any and all reports going forward to the Board of Governors will be prepared by the Exhibition Place Corporate Secretary or Chief Executive Officer and go to the Board on an as needed basis. Any considerations and recommendations of the Working Group will also be reflected in the staff reports.

Communications:

All communications / emails from any members of the Working Group are to be directed and sent to the Exhibition Place Corporate Secretary at FScagnol@explace.on.ca who will distribute to all members of the Working Group.

An agenda for each meeting will be circulated in advance. Minutes of each meeting will be produced and be circulated to the Working Group for comment.

Appendix "B" - Relocation Matrix

Garden of the Greek Gods Relocation							
Prospect Ranking Tool							
Ranking key							
5 = meets criteria				2 = meets very little criteria			
4 = meets most criteria				1 = does not meet criteria			
3 = meets some criteria							
	Criteria	Rose Garden	Comments	Stanley Barracks	Comments	Canada Boulevard	Comments
Accessibility							
1.	For General Public	5	*Accessible from existing waterfront path *Access over Bailey bridge although not AODA accessible *Flat accessible pathway around grassed areas where sculptures would sit *Close to restaurant for food & beverage & washrooms all accessible *Short walking distance to local community - South Parkdale and Liberty Village *Benches and seating areas nearby *Good lighting in the area	3	*Entire park area is accessible *Flat accessible pathways *Close to hotel amenities - restaurants, coffee shop, washrooms *Short walking distance from Fort York neighbourhood *Benches and seating available *Good lighting	3	*No pathways throughout area * Uneven ground * Next to DEC with food service & washroom * Short walking distance to Fort York neighbourhood * Street lighting around area but within area no lighting * No benches or park amenities
2.	**For Children	5	*Could be included in as part of school visits to see wind turbine * Children could get near sculptures & touch & feel them	3	* Children could get near sculptures & touch & feel them	2	*Not recommended given it's in a high traffic area * Children could get near sculptures & touch & feel them
3.	AODA Compliant	5	*See #1 above *Full study on AODA not completed	5	* Park is a new build so would meet all AODA guidelines	3	* See #1 above * Full study on AODA has not been completed
4.	Parking and Drop off for Vehicles/School Buses/Taxis available	5	*School bus parking available in front of Bandshell Stage *Parking for vehicles nearby *Nearby roadways for Taxi drop off	5	* School bus drop off across the street from park * Taxi stand and available taxis 24/7 across the street * Underground parking at hotel	5	*School bus drop off across the street in front of DEC * Taxi stand and available taxis 24/7 in front of DEC

Accessibility							
5.	Close to TTC	3	*Dufferin bus comes through the park and park is close to the stop located at TFI (Music Bldg.) * 10 - 15 minute walk from LRT / GO	4	* Dufferin Bus stops in front of park * 5 minute walk to LRT * 10 minute walk to GO Station	5	* Dufferin bus stops next to area * LRT stop next to area * 10 minutes to GO Station
6.	Public site open year round and not gated or locked	4	*During the Beer Fest (weekend event) and CNE Period (18 days) there is no access to the garden	4	* Open year round - during CNE and Honda Indy access will be through hotel	4	* Open year round
	Sub total	27		24		22	
Site Suitability/Sustainability							
7.	Current function of site is compatible with artwork (relevancy; a good fit)	4	*The artist noted and liked this site in 1979 *The existing landscaping is suitable for the art, and it is flat with no big trees *Close to Scadding Cabin which is heritage cabin *Some other artwork / sculptures at site * Peace Fountain in the area * Close to historic Fort Rouille *Close to wind turbine * Rose bushes in the Rose Garden are also very "historic" *Suitable for picnics * There is fountains that could match the theme of some of the sculptures	2	*Is a public parades area and 1/3 of sculptures would be inside the gates; 2/3 of sculptures would be outside the gates of the park but on still in a public garden (6 outside and 14 outside) *The sculptures would be installed as part of the new landscaping plan * Theme of the Stanley Barracks Park is military park celebrating history from 1840 forward as active military fort * Sculptures are not a good fit with the military theme * Property was also an internment site for WW1 * Exposure of the archeological remnants of Enlisted Men's Quarters is next to the park * Park will have fountains so there could be matching of theme of some of the sculptures	4	*Suggested by Councillor Layton *Close to other sculptures located on east wall of DEC * Not really a park or garden but a treed area next to bus stop and fence line

Site Suitability/Sustainability							
8.	Current events at site in terms of crowds, props, staging, etc. are low or non-existent	4	*Very popular site for wedding photos & EP rents area for photo shoots *Gossip Restaurant is not open every day *There are other sculptures/themes in area *Residents walk through the garden & very popular area *During Becel Ride for Heart event, participants end at the Bandshell area *The existing landscaping is suitable for the art, and it is flat with no big trees	4	* Of the 5.3M visitors to the EP site - 75% are concentrated in this area of the grounds * Landscape plan will be interlock, grass areas, trees, shrubs, fountains	5	*No events take place in this area * Of the 5.3M visitors to the EP site - 75% are concentrated in the area of the DEC although not at main entrance to DEC and could easily be ignored / not visible
9.	Physical environment is suitable for sculptures: even terrain and mostly dry conditions	5		5		2	*Safety concern due to roadway and bus turnaround *Not a park-like setting *Noisy due to traffic
10.	Site large enough to accommodate the collection and not be split up	5	* Site large enough to accommodate all sculptures * Would need to do design for spacing and placement	5	* Site large enough to accommodate all sculptures * Landscape plan has been done to show possible locations	2	*Area not large enough
11.	Night lighting available	5	* Good lighting	5	* Lighting required at AODA standards	3	* Street and sidewalks lit but poor lighting within the area
12.	Close proximity to other tourist attractions is available	3	*Not a tourist site	4	* Next to Direct Energy Centre & Allstream Centre with over 300 event days annually * Hotel is both a "resort" type hotel and a convention site, hence will have a mix of people year round	3	*Next to DEC but away from the main entrance of DEC
Subtotal		26		25		19	
Security on site							
13.	Security cameras present	4	*May not be secure as other sites	5	*After 11 pm the hotel entrance would be closed * There may be security cameras	4	*Security Office nearby * Bus turnaround next to area

14.	Security personnel patrol area	4	*The area would require EP security staff to patrol, and if graffiti takes place, then cameras would have to be installed and more patrol scheduled	5	* Hotel security 24/7	4	*The area would require EP security staff to patrol, and if graffiti takes place, then cameras would have to be installed and more patrol scheduled
15.	Risk of vandalism is low	4	* 24/7 security available across the grounds	5	* 24/7 security from Hotel	4	* 24/7 security available across the grounds
	Subtotal	12		15		12	
Relocation Costs							
16.	*Costs for transportation and labour are low	5	*Site closest to the existing site	4	* Site at the opposite end of the EP site	4	* Site at opposite end of the EP site
17.	*Post relocation landscaping and repairing costs are low	5	* No tree removals required * No tree roots will be damaged	4		3	*Trees are an issue * Many fir trees and question if sap will drip on sculptures
	Subtotal	10		8		7	
Ongoing Care and Maintenance							
18.	*Ongoing Care and Maintenance available	5	*No underground irrigation system *Can be seen from Lakeshore Blvd.	5	* will have underground irrigation system	5	*Underground irrigation & tree roots could make installation difficult *Site may be too small * Limited views from Strachan Avenue if walking on sidewalk * There will be a higher level of gas emission pollutant (i.e. nitrogen) from the heavy traffic movement around this green wooded island - this is a negative that should be considered in the context of being an add-on to issues of slow attrition that regular maintenance may have on the sculpted surfaces. We are talking

Canada Boulevard

Pro: If a good maintenance program is in place to clean the sculptures, any biofilm and stains from the pine trees could be dealt with.

Con: The tree canopy might create a micro-climate at ground level that potentially could cause the area to remain damp longer after a rain or snowfall. This might have an impact on the sculptures. The tree canopy might also make it hard, and therefore more expensive, to place the sculptures because it would be difficult to get the crane in between the trees. So the pieces would have to be moved into place using a forklift, which is fine, but also ease of excavation considering size of equipment, disturbing mature tree roots, underground service cables needs considering.

Security of this ideal nature spot could be an issue. Possibility also of being overlooked in this self-contained space within the Exhibition Place acreage. There will be a higher level of gas emission pollutant (i.e. nitrogen) from the heavy traffic movement around this green wooded island - this is a negative that should be considered in the context of being an add-on to issues of slow attrition that regular maintenance may have on the sculpted surfaces. We are talking of only micron levels of attrition over many decades but it does add up.

Appendix "C"

From: Sculptors Society Gallery [<mailto:cansculpt@gmail.com>]
Sent: March-23-16 5:24 PM
To: Councillor Wongtam; jim@karygiannis.net; councillor_layton@toronto.ca
Subject: Re: Support for Removal and Refurbish of Sculptures by E.B.Cox

Dear Councillor Kristyn Wong-Tam,
Councillor Jim Karygiannis,
Councillor Mike Layton,

Re: Support for Removal, Relocation and Repair of "Garden of Greek Gods", Unique Stone Sculptures by E.B. Cox, on CNE Grounds of Toronto.

On behalf of the Sculptors Society of Canada - I urge the City of Toronto to relocate the above sculptures by E.B. Cox as soon as possible before further damage is unnecessarily inflicted.

Support letters are attached.

We look forward to your assistance and support in this important matter.

Thank you.

Kind regards,
Judi Michelle Young
SSC / CSC



March 4, 2016

Councillor Kristyn Wong-Tam
Ward 27
Municipal Council
Toronto City Hall
100 Queen Street West

Dear Councillor Wong-Tam,

Re: Support for Removal & Relocation of Sculptures by E.B.Cox

We would like to add our voice to the objections to the disrespectful treatment of the sculptures of E. B. Cox entitled "The Garden of the Greek Gods". These sculptures are situated on the current patio by the Muzik night club, on the CNE grounds. As they represent significant work of a renowned Canadian artist, they deserve appropriate stewardship.

Sincerely,



Judi Michelle Young,
Pres. Sculptors society of Canada /
Co-Dir. Canadian Sculpture Centre



March 4, 2016

Councillor Mike Layton
Ward 19
Municipal Council
Toronto City Hall
100 Queen Street West

Dear Councillor Mike Layton,

Re: Support for Removal & Relocation of Sculptures by E.B.Cox

We would like to add our voice to the objections to the disrespectful treatment of the sculptures of E. B. Cox entitled "The Garden of the Greek Gods". These sculptures are situated on the current patio by the Muzik night club, on the CNE grounds. As they represent significant work of a renowned Canadian artist, they deserve appropriate stewardship.

Sincerely,

Judith Michelle Young,
Pres. Sculptors society of Canada /
Co-Dir. Canadian Sculpture Centre



March 4, 2016

Councillor Jim Karygiannis
Ward 39
Chair, Business Development Committee
Municipal Council
Toronto City Hall
100 Queen Street West

Dear Councillor Jim Karygiannis,

Re: Support for Removal & Relocation of Sculptures by E.B.Cox

We would like to add our voice to the objections to the disrespectful treatment of the sculptures of E. B. Cox entitled "The Garden of the Greek Gods". These sculptures are situated on the current patio by the Muzik night club, on the CNE grounds. As they represent significant work of a renowned Canadian artist, they deserve appropriate stewardship.

Sincerely,

Judi Michelle Young,
Pres. Sculptors society of Canada /
Co-Dir. Canadian Sculpture Centre

From: Simone Davis [<mailto:simonedavis1@gmail.com>]

Sent: Friday, March 11, 2016 1:41 PM

To: Councillor Karygiannis

Subject: regarding the relocation of EB Cox's Greek Gods from the Muzik nightclub patio

Dear Councillor Karygiannis:

Greetings, and thanks for the work you do for the people and places of the City of Toronto.

I am writing to ask you to uphold the value of public art by supporting the relocation of E.B. Cox's beautiful Greek Gods. This remarkable grouping of statues by the important Canadian sculptor were created to be enjoyed and appreciated on the public green by people of all ages and all walks of life. E.B. Cox's gods and goddesses are possessed at once of a timeless grandeur and an approachable warmth. It's a pride for this City that we host them.

Today they can be appreciated only as club décor for the tiny subset of Torontonians and visitors who pay the cover and attend this 19+ nightspot. The statues have not been cared for properly since this move and have suffered significant damage; the restoration work will be laborious, but it is certainly not too late to bring them back.

I gather that you chair the Exhibition Place Business Development Committee and thank you for this civic service. I understand that, in a meeting to be held on **March 24th**, if the Exhibition Place Board approves Muzik's request to hold more types of events, the lease has to be opened up. If this happens, it will also be an **opportunity to have the sculpture relocated as part of the deal**.

I am among many Torontonians and art lovers around Canada who agree that it is unacceptable that this wonderful collection of public art is being held hostage on the patio of Muzik Nightclub. I am in favour of it being relocated as soon as possible so that it can be once again enjoyed by the public. I know that there is a Working Group on Relocation that has done considerable research into the best possible sites for relocation.

I hope that you will help make this relocation possible, and thank you so much for your attention.

Sincerely,
Simone W. Davis
7 Jackes Ave.,
Toronto ON, M4T 1E3