

September 25, 2015

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=0CB8QFjAAahUKEwj7h6nwuzHAhWEox4KH5yC9Y&url=http%3A%2F%2Fwww.toronto.ca%2Flegdocs%2F2003%2Fagendas%2Fcouncil%2Fcc030624%2Fpof5rpt%2Fcl017.pdf&usq=AFQjCNFNnGxqjNunUbJ3HhellLjspi6rxw>

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>

#### 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.

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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](mailto: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
<b>Accessibility</b>							
1.	<b>For General Public</b>	5	<ul style="list-style-type: none"> <li>*Accessible from existing waterfront path</li> <li>*Access over Bailey bridge although not AODA accessible</li> <li>*Flat accessible pathway around grassed areas where sculptures would sit</li> <li>*Close to restaurant for food &amp; beverage &amp; washrooms all accessible</li> <li>*Short walking distance to local community - South Parkdale and Liberty Village</li> <li>*Benches and seating areas nearby</li> <li>*Good lighting in the area</li> </ul>	3	<ul style="list-style-type: none"> <li>*Entire park area is accessible</li> <li>*Flat accessible pathways</li> <li>*Close to hotel amenities - restaurants, coffee shop, washrooms</li> <li>*Short walking distance from Fort York neighbourhood</li> <li>*Benches and seating available</li> <li>*Good lighting</li> </ul>	3	<ul style="list-style-type: none"> <li>*No pathways throughout area</li> <li>* Uneven ground</li> <li>* Next to DEC with food service &amp; washroom</li> <li>* Short walking distance to Fort York neighbourhood</li> <li>* Street lighting around area but within area no lighting</li> <li>* No benches or park amenities</li> </ul>
2.	<b>**For Children</b>	5	<ul style="list-style-type: none"> <li>*Could be included in as part of school visits to see wind turbine</li> <li>* Children could get near sculptures &amp; touch &amp; feel them</li> </ul>	3	<ul style="list-style-type: none"> <li>* Children could get near sculptures &amp; touch &amp; feel them</li> </ul>	2	<ul style="list-style-type: none"> <li>*Not recommended given it's in a high traffic area</li> <li>* Children could get near sculptures &amp; touch &amp; feel them</li> </ul>
3.	<b>AODA Compliant</b>	5	<ul style="list-style-type: none"> <li>*See #1 above</li> <li>*Full study on AODA not completed</li> </ul>	5	<ul style="list-style-type: none"> <li>* Park is a new build so would meet all AODA guidelines</li> </ul>	3	<ul style="list-style-type: none"> <li>* See #1 above</li> <li>* Full study on AODA has not been completed</li> </ul>
4.	<b>Parking and Drop off for Vehicles/School Buses/Taxis available</b>	5	<ul style="list-style-type: none"> <li>*School bus parking available in front of Bandshell Stage</li> <li>*Parking for vehicles nearby</li> <li>*Nearby roadways for Taxi drop off</li> </ul>	5	<ul style="list-style-type: none"> <li>* School bus drop off across the street from park</li> <li>* Taxi stand and available taxis 24/7 across the street</li> <li>* Underground parking at hotel</li> </ul>	5	<ul style="list-style-type: none"> <li>*School bus drop off across the street in front of DEC</li> <li>* Taxi stand and available taxis 24/7 in front of DEC</li> </ul>

Accessibility							
5.	<b>Close to TTC</b>	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.	<b>Public site open year round and not gated or locked</b>	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
<b>Sub total</b>		<b>27</b>		<b>24</b>		<b>22</b>	
Site Suitability/Sustainability							
7.	<b>Current function of site is compatible with artwork (relevancy; a good fit)</b>	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	4	* Of the 5.3M visitors to the EP site - 75% are concentrated in this area of the grounds	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	*The existing landscaping is suitable for the art, and it is flat with no big trees	5	* Landscape plan will be interlock, grass areas, trees, shrubs, fountains	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
<b>Subtotal</b>		<b>26</b>		<b>25</b>		<b>19</b>	
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.	<b>Security personnel patrol area</b>	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.	<b>Risk of vandalism is low</b>	4	* 24/7 security available across the grounds	5	* 24/7 security from Hotel	4	* 24/7 security available across the grounds
	<b>Subtotal</b>	<b>12</b>		<b>15</b>		<b>12</b>	
<b>Relocation Costs</b>							
16.	<b>*Costs for transportation and labour are low</b>	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.	<b>*Post relocation landscaping and repairing costs are low</b>	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
	<b>Subtotal</b>	<b>10</b>		<b>8</b>		<b>7</b>	
<b>Ongoing Care and Maintenance</b>							
18.	<b>*Ongoing Care and Maintenance available</b>	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

							of only micron levels of attrition over many decades but it does add up
	<b>Subtotal</b>	<b>5</b>		<b>5</b>		<b>5</b>	
<b>Acceptance by new owner</b>							
<b>19.</b>	<b>*Willingness/acceptance by new owner</b>	5	Yes	5	Yes	5	Yes
	<b>Subtotal</b>	<b>5</b>		<b>5</b>		<b>5</b>	
	<b>Total</b>	<b>85</b>		<b>82</b>		<b>70</b>	
<b>Additional Comments</b>							
<p><b>Rose Garden</b> - Need to - check restaurant hours; check on parking location; determine if this site will be along the proposed bike/walking path that connects the Western Beaches to Ontario Place</p> <p><b>Stanley Barracks</b> - Timing could be a program, as the park must be completed by Nov. 2015; Hotel will need to know soon if this is the location so it can undertake necessary changes to its design</p>							
<b>Notes</b>							
<p>* <b>Might not be able to answer without consulting potential new owners/caretakers</b></p> <p>** <b>Accessible to touch and feel</b></p>							
<b>Stone Conservators Comments</b>							
<b>Rose Garden</b>							
<p><u>Pro</u>: The Rose Garden is a good prospect. Lots of space and sunlight and air flow, no potential hazards except maybe high humidity from grassed and flower bed care and lawnmowers.</p> <p><u>Con</u>: If there is a lot of landfill in the Rose Garden, the bedrock may be a long way down. If that is the case, some of the larger sculptures, like Hercules, might start to sink and tilt. The area would have to be tested to see where the bedrock is. Ultimately though, an Engineer can overcome the issues that ground instability would cause. This may not be a concern because there appears to be other structures in the area which are not sinking.</p> <p>From an aesthetic and intellectual point of view, the Rose Garden isn't as appropriate as a wooded area (as most Greek Gods romped and played in the woods and the original home of the Garden of the Greek Gods had been Georgian Peaks). But as EB Cox liked the Rose Garden, that adds to the positive side.</p>							
<b>Hotel Site</b>							
<p><u>Pro</u>: A lot of advantages at this location in that it is a blank slate and one can work with the landscapers in designing the area and making sure that any irrigation system is installed in such a way as to avoid frequently soaking the sculptures. As far as set-up goes, there are advantages to handling and accommodating their needs in such a new space.</p> <p><u>Con</u>: I actually cannot think of a negative about this site other than a potential for their being in an exclusive location and so cut-off to the sort of general public appreciation that I understand EB Cox envisioned. As well, the actual design of the space, which is already confirmed to be along a rigid formal layout, may be an excessively formal space for their presentation.</p>							

**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.

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