



Tracking Status

- City Council adopted this item on February 3, 2016 with amendments.
- This item was considered by Executive Committee on January 28, 2016 and was adopted with amendments. It will be considered by City Council on February 3, 2016.

City Council consideration on February 3, 2016

EX11.13	ACTION	Amended		Ward:19
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Official Plan Amendment for Exhibition Place

Committee Recommendations

The Executive Committee recommends that:

1. City Council request the Chief Planner and Executive Director, City Planning to determine the appropriate actions and conditions necessary to amend the Official Plan for the buildings within the lands designated Parks/Open Space on the Exhibition Place grounds to permit leases in excess of twenty-one years.
2. City Council, consistent with the August 25, 2014 City Council decision respecting "A Coordinated Planning Approach for Ontario Place and Exhibition Place [EX44.4]":
 - a. Request the Chief Planner and Executive Director, City Planning in consultation with the Board of Governors of Exhibition Place, the Chief Executive Officer, Exhibition Place, and local Councillors, to report to the Planning and Growth Management Committee by the end of the second quarter of 2016 on the development of an appropriate Official Plan Amendment for the Exhibition Place / Ontario Place precinct with the objective of protecting and preserving heritage properties, public space, event accommodation and public enjoyment of this site, among other considerations.
 - b. Request the Chief Planner and Executive Director, City Planning to consult with the Ontario Government to develop joint planning process and public consultation that incorporates Ontario Place into the planning exercise.

Background Information (Committee)

(September 4, 2015) Report from the Chief Executive Officer, Exhibition Place on Official Plan Amendment for Exhibition Place

(<http://www.toronto.ca/legdocs/mmmis/2016/ex/bgrd/backgroundfile-87168.pdf>)

Communications (Committee)

(September 17, 2015) E-mail from Virginia Ludy, General Manager, Canadian National Exhibition (EX.Main.EX11.13.1)

(<http://www.toronto.ca/legdocs/mmmis/2016/ex/comm/communicationfile-57928.pdf>)

- (September 18, 2015) E-mail from Officials from Shows and Events, Canadian National Exhibition, submitting a jointly signed letter (EX.Main.EX11.13.2)
<http://www.toronto.ca/legdocs/mmis/2016/ex/comm/communicationfile-57925.pdf>
- (September 20, 2015) E-mail from Ric Amis (EX.Main.EX11.13.3)
- (September 21, 2015) Letter from Councillor Mike Layton and Councillor Gord Perks (EX.Main.EX11.13.4)
<http://www.toronto.ca/legdocs/mmis/2016/ex/comm/communicationfile-57924.pdf>
- (September 1, 2015) E-mail from Nick Di Donato, President and CEO, Liberty Entertainment Group (EX.Main.EX11.13.5)
<http://www.toronto.ca/legdocs/mmis/2016/ex/comm/communicationfile-57926.pdf>
- (January 12, 2016) E-mail from Lorna Tomassoni (EX.Supp.EX11.13.6)
- (January 13, 2016) E-mail from Lorna Tomassoni (EX.Supp.EX11.13.7)
- (January 25, 2016) E-mail from Ralph Daley (EX.Supp.EX11.13.8)
- (January 25, 2016) E-mail from Kathy Sutton (EX.Supp.EX11.13.9)
- (January 26, 2016) E-mail from Ric Amis (EX.Supp.EX11.13.10)
- (January 28, 2016) Letter from Councillor Mark Grimes (EX.New.EX11.13.11)
<http://www.toronto.ca/legdocs/mmis/2016/ex/comm/communicationfile-58623.pdf>
- (January 28, 2016) Submission from Ric Amis (EX.New.EX11.13.12)

Motions (City Council)

1 - Motion to Amend Item moved by Councillor Mark Grimes (Carried)
 That City Council delete Executive Committee Recommendation 2b

Recommendation to be deleted

b. Request the Chief Planner and Executive Director, City Planning to consult with the Ontario Government to develop joint planning process and public consultation that incorporates Ontario Place into the planning exercise.

and adopt instead the following new recommendation 2b:

b. Request the City Manager, in consultation with the Chief Planner and Executive Director, City Planning to continue the joint planning process currently underway, including public consultation, with the Province of Ontario for Exhibition Place and Ontario Place.

2 - Motion to Amend Item moved by Councillor Mike Layton (Carried)

That City Council amend Executive Committee Recommendation 2.a. by deleting the words "Planning and Growth Management Committee" and inserting the words "appropriate committee", and adding the words "and to include details of a public consultation strategy in the report" so that the recommendation now reads as follows:

2. City Council, consistent with the August 25, 2014 City Council decision respecting "A Coordinated Planning Approach for Ontario Place and Exhibition Place [EX44.4]":

a. Request the Chief Planner and Executive Director, City Planning in consultation with the Board of Governors of Exhibition Place, the Chief Executive Officer, Exhibition Place, and local Councillors, to report to the appropriate committee by the end of the second quarter of 2016 on the development of an appropriate Official Plan Amendment for the Exhibition Place / Ontario Place precinct with the objective of protecting and preserving heritage properties, public space, event accommodation and

public enjoyment of this site, among other considerations, and to include details of a public consultation strategy in the report.

3 - Motion to Amend Item moved by Councillor Gord Perks (Lost)

That City Council delete Executive Committee Recommendation 1.

Recommendation to be deleted

1. City Council request the Chief Planner and Executive Director, City Planning to determine the appropriate actions and conditions necessary to amend the Official Plan for the buildings within the lands designated Parks/Open Space on the Exhibition Place grounds to permit leases in excess of twenty-one years.

Motion to Adopt Item as Amended (Carried)

Executive Committee consideration on January 28, 2016

Source: Toronto City Clerk at www.toronto.ca/council



ACTION REQUIRED

Official Plan Amendment for Exhibition Place

Date:	September 4, 2015
To:	Executive Committee
From:	Chief Executive Officer, Exhibition Place
Wards:	N/A
Reason for Confidential Information	

SUMMARY

This report requests City Council to instruct the Chief Planner and Executive Director, City Planning Division to commence the process for an Official Plan Amendment with respect to all leased buildings within that part of the Exhibition Place site designated as Parks/Open Space to permit the granting of leases of those buildings for terms in excess of 21 years.

RECOMMENDATIONS

It is recommended that City Council request the Chief Planner and Executive Director, City Planning Division to determine the appropriate actions and conditions necessary to amend the Official Plan for the buildings within the lands designated Parks/Open Space on the Exhibition Place grounds to permit leases in excess of twenty-one years.

DECISION HISTORY

At its meeting of September 4, 2015, the Board of Governors of Exhibition Place approved, subject to the approval of City Council, Report No. 20 dated July 19, 2015, from the Chief Executive Officer with respect to an Official Plan Amendment for Exhibition Place.

<http://www.explace.on.ca/database/rte/files/Item%2020-Muzik%20Official%20Plan%20Amendment.pdf>

ISSUE BACKGROUND

The Board and City Council approved a (20) twenty-year lease with Muzik for the Horticulture Building and surrounding landscape area which lease expires on February 15, 2024. In October 2012, Exhibition Place staff were approached by Muzik with a plan that would see the Tenant invest \$5.0M in the Leased Property to expand and enhance the outdoor patio area. This Lease

amendment was approved by the Board subject to City Council approval but it did not proceed to City Council because of the issue with the City Official Plan (OP) as detailed below.

COMMENTS

Lease Term Extension and City of Toronto Official Plan:

In late 2012, the Tenant requested a ten-year extension to the current lease term extending it from February 15, 2024 to February 15, 2034 in order to amortize its proposed \$5.0M investment in the patio for the Leased Property. However, because such an amendment to the lease term extended it past 21 years, the Leased Property had to be declared surplus in accordance with City disposal policies prior to proceeding to City Council for approval of the proposed extended term. Upon receiving the Board's request to declare the Leased Property surplus, City Real Estate Services staff, who administers the disposal process, informed Exhibition Place that the Horticulture Building lies within an area designated as Parks/Open Space within the City's OP. The OP prohibits the disposal of City-owned lands designated as Parks/Open Space without an OP Amendment. A disposal is defined to include the granting of any lease with a term of 21 years or more.

While most of Exhibition Place is designated as Regeneration under the City's OP, the designated heritage pavilion buildings - Horticulture Building (Muzik Clubs Ltd), Ontario Government Building (Liberty Grand), Arts, Crafts & Hobbies Building (Medieval Times) – and the parkland surrounding these buildings are all within the Parks/Open Space designation and therefore, are treated differently than areas / leases with a Regeneration designation. The Tenant was informed of the City staff advice outlined above in early 2013 and the need for the Tenant to apply and be granted an OP Amendment through the normal City process before the extension of the lease term could be considered by City Council. The Tenant decided not to pursue the OP Amendment; the Tenant proceeded and completed the patio renovations without the lease amendment in 2014; and the Board report was never submitted to City Council.

Information about City Leases in Parks / Green Space Areas

As a result of questions raised by Board Members regarding other long-term leases in City park/green space settings that may or may not be subject to the OP Prohibition to not allow for a lease term longer than 21 years, City Legal staff undertook a review of recent long-term leases and identified that all fell within the following types of transactions:

- Those properties at Exhibition Place have lease terms greater than 21 years (i.e. Hotel X and Medieval Times). For Hotel X this property is not caught by the OP Prohibition for Parks/Open Space as it falls in lands designated as Regeneration and for Medieval Times this lease was approved in 1993 prior to enactment of the Official Plan;
- Those where the transaction predated the OP Prohibition (e.g. Palais Royale and The Boulevard Club);
- Those where the property in question was not subject to the OP Prohibition as it was not "City-owned land" (e.g. The Brickworks and the Boardwalk Cafe/Tuggs), both of which are owned by the Toronto and Region Conservation Authority;
- Those that were subject to site specific exemptions from the OP Disposal Prohibition by Chapter 7, Section 265 of the OP (e.g. The Guild Inn, John Street Roundhouse); and.
- Two long term leases that are subject to the OP Prohibition but were approved by Council subject to compliance with the City's disposal regime, including the requirement to obtain an Official Plan amendment (e.g. Grenadier Restaurant and The Island Yacht Club).

Meeting with City Planning and Legal

On June 11, 2015, a meeting was held with Councillor Grimes, Chair of the Board, Councillor Layton, Board member, Exhibition Place and City staff to review the legal and planning issues related to the proposed extension of the Lease term for Muzik. The outcome of this meeting was a consensus to recommend to the Board and Council the direction as recommended by this report which is consistent with the statutory requirements of the City and the treatment of other commercial leases within City-owned Parks/Open Space areas as noted above.

Typically, an Official Plan Amendment process will take about one year to complete and at the end of that process, a report to Council for final approval will be required. Therefore, if the process is undertaken now, it is anticipated that any final approval of such an amendment would be late 2016.

Previously, the Tenant had been informed that it would have to apply and receive approval of an Official Plan Amendment if it wished to pursue the extension of the term of the Lease, consistent with Section 6.5 of the Lease which places responsibility on the Tenant for obtaining all planning approvals associated with its use of the leased property. This report is recommending that the Board and the City initiate and complete the Official Plan amendment at its cost, thus relieving the Tenant of this responsibility and cost. One advantage of the City taking carriage of the matter is that the OPA will be in respect of all of the buildings within the lands designated Parks/Open Space at Exhibition Place, leading to a consistent approach for all affected tenants.

CONTACT

Dianne Young
Chief Executive Officer/Exhibition Place
Tel: 416-263-3611
Fax: 416-263-3690
E-mail: dyoung@explace.on.ca

Dianne Young
Chief Executive Officer



CANADIAN NATIONAL EXHIBITION  THEEX.COM

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September 17, 2015

EX11.13.1

City of Toronto Executive Committee
City of Toronto
City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Dear City of Toronto Executive Committee:

Subject: **EX8.35 Official Plan Amendment for Exhibition Place (Ward 19)**

On behalf of the CNEA, I am writing to you today in regard to EX 8.35 – Official Plan Amendment which is set for consideration at your September 21, 2015 meeting of the Executive Committee.

Since 1879 the CNE has operated on the grounds of Exhibition Place, growing from a local agricultural fair to an exciting entertainment experience enjoyed by more than 1.5 million visitors per year. As stewards of the grounds, historical tenants and believers in the value of public gathering spaces, the CNEA would like to be engaged in discussions around any future developments at Exhibition Place. In fact, together with other tenants, show producers, local residents' associations and other interested parties, the CNE has recently been engaged in discussions around a proposal to allow Exhibition Place to achieve its full potential by unlocking the western waterfront, increasing access to public space and ensuring the continued viability of our fair.

EX 8.35 proposes to have Executive Committee recommend City Council *"instruct the Chief Planner and Executive Director, City Planning Division to commence the process for an Official Plan Amendment with respect to all leased buildings within that part of the Exhibition Place site designated as Parks/Open Space to permit the granting of leases of those buildings for terms in excess of 21 years."* We believe consideration of a change of this nature to be premature. While our plans remain preliminary in nature, we believe there exists at this time an opportunity to re-envision Exhibition Place and the surrounding area to the benefit all interested.

As such, we are requesting a deferral in the consideration of this item to allow for it to be considered in the context of broader plans and proposals.

Please feel free to contact me directly with any questions. I thank you for your consideration.

Sincerely,

Virginia Ludy
General Manager

copy: Clerk of the Executive Committee, Jennifer Forkes
Councillor Mike Layton, Ward 19

Let's Go to The Ex!

EX11.13.2

Date: September 18, 2015
To: City of Toronto Executive Committee
From: Charlie Johnstone, Chief Executive Officer, Royal Agricultural Winter Fair
Duncan Payne, Managing Director, National Home Show – BILD Home Shows
Linda Waddell, President, Canadian Boat Shows
Patti Stewart, Vice President, Informa Canada – One of a Kind Show
Virginia Ludy, General Manager, Canadian National Exhibition Association
Subject: **EX8.35 – Official Plan Amendment for Exhibition Place (Ward 19)**

We are writing to you today in regard to a matter being discussed at the upcoming meeting of the Executive Committee, scheduled for Monday September 21, 2015.


EX 8.35 – Official Plan Amendment for Exhibition Place seeks the endorsement of Executive Committee to recommend that City Council *"instruct the Chief Planner and Executive Director, City Planning Division to commence the process for an Official Plan Amendment with respect to all leased buildings within that part of the Exhibition Place site designated as Parks/Open Space to permit the granting of leases of those buildings for terms in excess of 21 years."*

As long time show producers of Exhibition Place – and significant drivers of tourism and local revenue – we have an obvious and strong interest in any future developments at Exhibition Place. We believe that consideration of EX 8.35 at this time is premature in that it fails to account for the ongoing development of a broader proposal to unlock the western waterfront currently underway in collaboration with show producers, tenants, residents' associations and civic leaders.

While these plans remain preliminary in nature, we believe there exists an opportunity to re-envision Exhibition Place and the surrounding area in a way that provides greater linkages to the waterfront, increased public space and continued viability for the activities of current Exhibition Place tenants.

As such, we are requesting a deferral in the consideration of this item to allow for it to be considered in the context of broader plans and proposals.

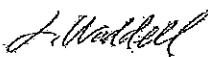
Sincerely,



Charlie Johnstone
Chief Executive Officer



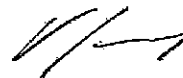
Duncan Payne
Managing Director



Linda Waddell
President



Patti Stewart
Vice President



Virginia Ludy
CNE Association



From: Ric Amis
To: [Executive Committee](#)
Cc: [Councillor Layton](#); [Councillor Perks](#)
Subject: Agenda Item EX8.35 - Sept. 21st
Date: Sunday, September 20, 2015 12:38:08 PM
Attachments: [WSSC-ExhibitionPlace-June12-2015.pdf](#)

EX11.13.3

Dear Executive Committee Members,

Re: item EX8.35 - Official Plan Amendment for Exhibition Place (Ward 19)
at the September 21st meeting.

Exhibition Place (EP) is a City-owned regional amenity of extremely high public value, comprised of 192 acres in the core of one of North America's largest cities. As Toronto's population continues to grow and the City becomes increasingly developed, Exhibition Place has the unparalleled potential to offer the residents of Toronto access to much-needed open space. Exhibition Place also has the clear potential to become a world-class urban attraction.

Recent events indicate that, under the problematic direction of the Exhibition Place Board of Governors, the City is in grave danger of losing much of this valuable amenity for future generations.

As one illustration of this problematic direction: the Board has proposed an Official Plan Amendment (OPA) that would extend the lease period of Exhibition Place buildings to private businesses beyond the current 21-year limit. The proposed means of extending the lease period is to change the designation of the lands in the Westerly portion of Exhibition Place from 'park/open space' to 'rejuvenation area'---in other words, to remove public open space in order that private businesses may benefit from public assets indefinitely into the future.

In addition, the report makes clear that this OPA is primarily offered on behalf of the owners of Muzik, a nightclub at which there were recently two murders, which the local Councillors believe is not in the public interest, and which use in no way enhances Exhibition Place or conforms to the sort of uses to which these lands were originally to be put. To add insult to injury, the report is explicit that taxpayers, as opposed to Muzik, are to foot the bill for bringing the OPA forward for the benefit of this problematic establishment.

These recommendations, and more generally the piecemeal apportioning of Exhibition Place lands to the highest bidder, are coming forward without there having been any comprehensive public process aimed at identifying the presently desired uses of this valuable amenity and creating a comprehensive vision for realizing the potential of what could be one of Toronto's most impressive public amenities. Indeed, we suspect that most Torontonians aren't even aware that this vast amount of open space is owned by the City.

We, along with a number of other West End community associations, are interested in bringing the agenda of EP to the forefront of citywide issues, before we lose this valuable public amenity for good. We feel that the city should immediately halt any development on the site, and

go on to create a vision and master plan informed by ample public consultation. We hope you agree.

Attached for your convenience please find:

A letter of June 12, 2015 from six West End community associations, calling for the City to conduct public consultations concerning the vision for Exhibition Place.

Sincerely,

Ric Amis

Secretary, Parkdale Residents Association

Endorsements from:

Ossington Community Association (OCA)

Beaconsfield Village Residents Association (BVRA)

Active 18 (A18)

Roncesvalles-Macdonell Residents Association (RMRA)

Parkdale Residents Association (PRA)

Councillor Mark Grimes – Chair, Exhibition Place
Councillor Justin Di Ciano – Member, Exhibition Place
Councillor Mike Layton – Member, Exhibition Place
Councillor Giorgio Mammoliti – Member, Exhibition Place
Councillor Jim Karygiannis – Member, Exhibition Place

The Board of Governors of Exhibition Place
100 Princes' Blvd. Suite 1
Toronto, ON M6K 3C3

June 12, 2015

Dear Councillors,

A meeting was recently convened of representatives from six (6) residents associations: Parkdale Residents Association (PRA), Roncesvalles–Macdonell Residents Association (RMRA), Beaconsfield Village Residents Association (BVRA), Active 18 (A18), Ossington Community Association (OCA), and Liberty Village Residents' Association (LVRA). These groups represent the citizenry in the catchment area in close proximity to Exhibition Place and as such have vested interest in the 192-acre site.

Exhibition Place is a valuable asset on the edge of Lake Ontario in the heart of the City, which is mandated to be strategically and fiscally managed by the City of Toronto for the citizens of Toronto.

As representatives of residents and others in the vicinity of Exhibition Place, we would like to participate in the process of planning for redevelopment of this municipal asset.

Towards this end, we would like to request that a City-led Exhibition Place Working Group be formed, with representatives from our resident associations.

Sincerely,

Ric Amis

Secretary, Parkdale Residents Association

On behalf of six (6) residents associations

Brian Torry – Roncesvalles–Macdonell Residents Association (RMRA)

Randy Kerr – Beaconsfield Village Residents Association (BVRA)

Graham Caswell – Active 18 (A18)

Jessica Wilson – Ossington Community Association (OCA)

Todd Hofley – Liberty Village Residents' Association (LVRA)

CC Ana Bailão – Councillor Ward 18

Gord Perks – Councillor Ward 14

Community Planning – Lynda Macdonald

Waterfront Secretariat – David Stonehouse



EX11.13.4



Councillor Mike Layton

Phone: 416-392-4009
Fax: 416-392-4100
councillor_layton@toronto.ca

Councillor Gord Perks

Phone: 416-392-7919
Fax: 416-392-0398
councillor_perks@toronto.ca

Dear Mayor and Executive Committee members,

Re: Item EX8.35 Official Plan Amendment for Exhibition Place

We are writing to request a deferral of item EX8.35 until such time as Toronto and East York Community Council's request to the AGCO for a Licence Appeal Tribunal for the liquor licence can be considered. We also believe details of past and ongoing police and AGCO investigations need to be reported to City Council before an Official Plan Amendment (OPA) is initiated at the City's expense.

Given the city-wide implications of an OPA for this Official Plan policy, the length of the proposed lease extension (until 2034), and the ongoing dangerous activity at the establishment identified in the report (see below), we feel it would be prudent for Council to defer any decision on initiating a study until such time as all information pertaining to this application can be made available.

Toronto Police Service (TPS) has had on-going dealings with the Premises. Since June 2012, there have been numerous incidents reported to TPS in association with the Premises, including several assaults (9 occurrences), assaults causing bodily harm (7 occurrences), assaults with a weapon (2 occurrences), sexual assaults (2 occurrences) and discharge of a firearm (1 occurrence). In February 2013, TPS conducted a murder investigation directly linked to the Premises. On August 5, 2014, there was a shooting incident directly linked to the Premises. On August 4, 2015, a second shooting incident inside the Premises resulted in the deaths of two patrons. No charges have yet been laid for the August 4, 2015 incident, but TPS officers continue to investigate.

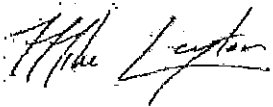
The Premises has a business licence from Municipal Licensing and Standards (MLS) for operating as an Entertainment Establishment/Nightclub. In the last 18 months, MLS staff have received four noise complaints with regards to the Premises.

Between the years 2012 and 2015, the AGCO conducted 14 inspections of the Premises and have recorded six infractions. Amongst these infractions have been those pertaining to drunkenness on the Premises, promoting immoderate consumption on the Premises, use of narcotics on the Premises, and permitting disorderly behaviour on the Premises. In addition to numerous warnings, the AGCO has levied fines totaling approximately \$6,000 against the Licensee in this time period. Currently, we are awaiting the results of a Freedom of Information Act inquiry into the facts surrounding these infractions.

We would also like to draw to your attention that the Royal Agricultural Winter Fair, The National Home Show, the Canadian Boat Shows, the One of Kind Show, and the General Manager of the Canadian National Exhibition Association have all written to the Mayor and Executive Committee members also requesting a deferral of this item because they believe it to be "premature in that it fails to account for the ongoing development of a broader proposal to unlock the western waterfront currently underway in collaboration with show producers, tenants, residents' associations and civic leaders." They "believe there exists an opportunity to re- envision Exhibition Place and the surrounding area in a way that provides greater linkages to the waterfront, increased public space, and continued viability for the activities of current Exhibition Place tenants" and prefer that a lease extension in excess of 21 years not be granted until it can be considered in the context of these broader plans currently underway.

It is for these reasons that we are requesting that this item be deferred indefinitely and placed back on the agenda at a later time when it can be considered following the AGCO's response and within a renewed planning context for unlocking the western waterfront.

Sincerely,



Mike Layton
City Councillor
Ward 19, Trinity-Spadina



Gord Perks
City Councillor
Ward 14, Parkdale-High Park



C (e)

This Communication relates to Report No. 20 entitled "Official Plan Amendment for Exhibition Place on the Board's Agenda for September 4, 2015"

Tuesday, September 1, 2015

EX11.13.5

To: The Board of Governors of Exhibition Place

From: Nick Di Donato
President & CEO, Liberty Entertainment Group

CC: Diane Young
Chief Executive Officer, Exhibition Place

Re: Official Plan Amendment for Exhibition Place

In response to the recent request by Exhibition Place to the Board of Governors of Exhibition Place to pursue an amendment to the Official Plan for buildings within the lands designated Parks/Open Space on Exhibition Place grounds; the Liberty Grand and Liberty Entertainment Group offers this letter in support of this request and respectfully requests the Board of Governors of Exhibition Place pursue this course of action.

The specific amendment to the Official Plan that the Liberty Grand and Liberty Entertainment Group supports is the re-designation of Parks/Open Space at Exhibition Place which currently prohibits leases for building on these lands in excess of 21 years.

The Liberty Grand strongly supports the request by Exhibition Place to have buildings within the lands currently designated Parks/Open Space on Exhibition Place grounds, re-designated as Regeneration space/area or any kind of re-designation that would permit for a lease term of more than 21 years.

As a long standing tenant of Exhibition Place, the Liberty Grand and Liberty Entertainment Group has spent significant capital investment on our leased property over the past 16 years. These capital investments represent not only the initial renovation and rebuild of the interior of the facility, but the monthly and annual capital investments necessary in order to maintain and keep current the Liberty Grand in an ever competitive special event venue market such as the Greater Toronto Area.

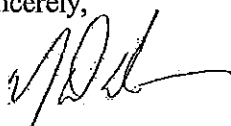
Many of these capital investments, particularly towards the latter term of a lease, cannot be amortized over a short number of years. As an independent business group willing to spend and invest millions of dollars on annual capital improvements on our leased property, it is imperative that the length of lease terms allow our company to realize the benefit of those investments and upgrades to the building. Otherwise, further and future capital investments will need to be dictated by the remaining terms of the lease agreement which would restrict the amount of capital investment the Liberty Grand and Liberty Entertainment Group can commit to the facility while remaining financially viable.

The re-designation of buildings such as the Liberty Grand from Parks/Open Space to Regeneration space/area, or any kind of re-designation that would permit for a lease term of more than 21 years, would allow the Liberty Grand and Liberty Entertainment Group to continue to contribute significant capital investment and facility improvements.

Currently the Liberty Grand requires significant capital investment to replace the majority of its heating & air conditioning units as well as repairs to an ever aging roof. These repairs and investments cannot be completed without an extended lease that allows for these significant costs to be amortized over more than 21 years.

The Liberty Grand and Liberty Entertainment Group fully support this Exhibition Place initiative. We further and respectfully request that the Board of Governors of Exhibition Place pursue this course of action so that our company, and other tenants, can continue to invest in the future of our facilities and buildings here at Exhibition Place.

Sincerely,



Nick Di Donato B.A.Sc.,P.Eng.
President & CEO
Liberty Entertainment Group

EX11.13.6

From: mr TOMASSONI
To: Executive Committee
Subject: January 28th Executive Committee meeting
Date: Tuesday, January 12, 2016 11:20:58 PM

Hi. I live in south Parkdale near Exhibition Place. It is my understanding that Muzik's proposal, to extend their lease at Exhibition Place until 2034, is on the agenda for the January 28th meeting. Also, I believe that the Alcohol and Gaming Commission was planning to review the operation of Muzik and make recommendations to the Executive Committee.

Our neighbourhood does not support the continuation of Muzik's operations at Exhibition Place. We have a document that was reviewed by the East York Executive Committee and, the Board of Governors at Exhibition Place, outlining our concerns. I was wondering if we can send you a copy of our issues with Muzik to share with the members of the Executive Committee prior to the meeting. Please let me know if this is possible and, if not, what my other options would be.

Thank you.

Lorna Tomassoni

Submitted by Lorna Tomassoni

EX11.13.7

January 28, 2016
City of Toronto
Executive Committee

The South Parkdale Neighbourhood Group, just north of the Dufferin Gate, this past summer created two petitions to close Muzik; one on line (245 signatures) and one door to door (90 signatures) which were presented to City Council on September 30, 2015. We would like the City to understand that our neighbourhood has family homes, apartments, group homes and seniors facilities that live in a wonderful, cohesive community bordering the CNE.

You are probably asking why we did this. Our neighbourhood believes that Exhibition Place and the Board of Governors seem to forget that the Canadian National Exhibition grounds are part of an old Toronto neighbourhood. We have families who are third and fourth generation residents in family homes. Many, like myself, have lived in the neighbourhood from 20 to 35 years.

We love living here. When you buy a house or move into an apartment, you hopefully have researched the neighbourhood and appreciate the community events that happen in your back yard. That is what the CNE was considered, our back yard. It had beautiful architecture and a wonderful park near the lake. There were fun-filled events that brought people and music and festivities to the grounds. As a neighbourhood, we accepted and lived with the excitement. Yes, on occasion, there have been incidents but not on a regular basis. Also, by midnight events closed and people went home.

Since Muzik moved in, the grounds have changed. Muzik was presented to us by David Miller's councillors, as a transparent venue. We would still be able to appreciate the Horticultural Building and the statues of the Greek Gods. We would have easy access to the park and clear access to Lake Ontario. Slowly, over the years, Muzik took over the corner. As neighbours we were stunned. How did this happen? Who gave permission for the fences, the pools and the rowdy guests.

In our petitions, we list the issues that we have with Muzik's operation. In summary they are:

1. preventing Torontonians from enjoying the "Garden of the Greek Gods", (
2. creating a dangerous environment, with drunken and/or drug using patrons roaming around the EX grounds and violating nearby neighbourhoods.
3. presenting unacceptable risks of criminal activity which include assaults and murders some of which are currently being investigated by the Toronto Police Services.
4. risking the safety of Torontonians living near and/or visiting Exhibition Place.

In our petition we have requested:

1. the cancellation of Muzik's lease, (
2. restoring the use of the Horticultural Building as a site for family activities,
3. revoking the liquor license for Muzik Clubs Inc.,(
4. restoring calm for the neighbourhoods bordering the grounds where Muzik is (located, (
5. preventing the approval of a facility that can risk violence and death to those frequenting Exhibition Place, and (
6. restoring the beautiful architecture and landscape of the grounds.

The western part of the CNE was considered a family area. There is the playground, the outdoor basketball courts, the outdoor children's water pool and Medieval Times. Liberty Grand hosts many weddings and private events that seem to be well controlled. The Raptors practice facility will provide a learning and practicing spot for youth who love basketball. All of this is positive for the area.

How does Muzik fit in to the family based, community model of these venues?

We recommend the closure of Muzik, the restoration of the Horticultural Building, community access to the statues of the Greek Gods and the ability to appreciate the beautiful park.

Please do not forget the safety of our neighbourhood and, the possible consequences that venues may have on our community when planning new venues at Exhibition Place.

Thanks you.

EX11.13.8

From: Ralph Daley
To: Executive Committee
Subject: GCA comments for 2016.EX11.13 on January 28, 2016 Executive Committee
Date: Monday, January 25, 2016 3:02:09 PM

To the City Clerk:

Please add my comments to the agenda for the January 28, 2016 Executive Committee meeting on item 2016.EX11.13, Official Plan Amendment for Exhibition Place

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments:

Dear Members of Executive Committee,

The Grange Community Association joins the six local area residents associations in close proximity to Exhibition Place in opposing the rezoning of Exhibition Place via the Official Plan amendment before you.

Exhibition Place, established in 1878, is owned by the city, and its purpose is to serve the citizens of Toronto through its existence as "park/open space."

Changes to the use of the Exhibition Place grounds via an Official Plan amendment should wait until a comprehensive master plan is in place.

Sincerely,

Ralph Daley

President
Grange Community Association

41 Soho Square
Toronto, Canada M5T 2Z2
Phone: (416) 204-1108
Cell: (416) 301-1636
Fax: (416) 204-1131
Email: ralph@grangecommunity.ca

EX11.13.9

Kathy Sutton
302-1 Palace Pier Court
Toronto ON M8V 3W9

January 25, 2016

TO: Mayor John Tory and members of City of Toronto Executive Committee
CC: Councillors Mike Layton and Mark Grimes

RE: EX11.13 - OFFICIAL PLAN AMENDMENT FOR EXHIBITION PLACE

Dear Mr Mayor and Councillors:

I am the daughter of the artist E.B. Cox, who created the sculpture collection known as the "Garden of the Greek Gods" at the south side of the Horticulture Building at Exhibition Place. This public art was donated to the City and installed in 1979 for permanent enjoyment by the public. Unfortunately, Exhibition Place included the sculpture in the 2004 lease to Muzik Nightclub and it can no longer be seen by the public.

I would greatly appreciate if all members of the Executive Committee would take the time to review the enclosed article prior to your meeting on January 28. The article is entitled "**Public Art Caught in Middle of Muzik Nightclub Negotiations**" and was published in TORONTOIST on January 21, 2016. It provides essential background information that is pertinent to your discussions regarding an Official Plan amendment for Exhibition Place.

Please note that I believe that my father's moral rights (protected under Canadian Copyright Law) are being violated due to the way in which the art is being displayed and treated by Muzik Nightclub.

Sincerely,

Kathy Sutton

416-239-4087
kmsutton@rogers.com

ARTICLE PUBLISHED IN TORONTOIST

JANUARY 21, 2016 AT 3:30 PM

CITYSCAPE

Public Art Caught in Middle of Muzik Nightclub Negotiations

Daughter of sculptor E.B. Cox claims the statues are being held "hostage" to gain leverage in lucrative lease negotiation.

BY JACOB LORINC



The Garden of the Greek Gods in 2003, before Muzik's lease. Photo courtesy of Kathy Sutton.

Amidst ongoing negotiations over Muzik nightclub's lease, a small cluster of sculptures has become a bargaining chip for the nightclub's lobbyists, according to the artist's daughter.

The “Garden of the Greek Gods,” sculpted by the late E.B. Cox and donated to the city in 1979, is currently located on city-owned property that was leased to Muzik in 2004. Along with the historic Horticulture Building, the initial lease included Cox’s sculpture garden, and has since become a source of agitation for the artist’s family, who claim they were neither consulted nor informed when the sculptures were included in the lease.

As Muzik seeks to extend their lease, Cox’ daughter contends that the nightclub’s high-profile lobbyists are holding the public art hostage in order to negotiate on behalf of their client.

The Exhibition Place’s Board of Governors agreed to relocate the art in 2014, but despite the formation of a working committee meant to establish alternative options for the Greek Gods’ placement, the art-rescuers have come head-to-head with Muzik nightclub, whose owner Zlatko Starkovski wants to extend Muzik’s Exhibition Place lease by 10 years. The lease is scheduled to expire in 2024.

The nightclub’s lobbyists, who have renewed a push for Muzik’s lease extension since May 2015, come in the form of high-profile lawyer and political fundraiser Ralph Lean (currently the Chair of Muzik), and former mayoral candidate Joe Pantalone. Both Lean and Pantalone were, at one point, chairs of Exhibition Place’s Board of Governors (Pantalone was the chair during the time when the board first leased the art to Muzik).

According to the artist’s daughter Kathy Sutton, Lean has suggested that the art will not be returned unless Muzik receives a 10-year lease extension. Sutton recounts a meeting with Lean at city hall last November: “I asked [Lean] if he would be willing to let the sculpture be moved as a goodwill gesture, but he just leaned back and said, ‘not going to happen.’ To me, that’s treating the art like it’s a pawn or hostage... [the art] belongs to the public realm, not trapped away in the nightclub to be used as a negotiating item for his lease.”

Neither Lean nor Pantalone could be reached for comment.

Starkovski and Sutton first arranged the meeting on an informal tour of Muzik that Starkovski gave Sutton. According to Sutton, they both agreed that a meeting must be called in order to address the sculpture situation, but, come meeting time, the owner was a no-show, and was represented by Lean and Muzik’s lawyer, Michael Binetti. At that point, Sutton says she realized what Muzik’s intentions were.

“I don’t see why the nightclub, like Ralph Lean and Zlatko Starkovski, don’t say ‘Ok fine, our clientele did not appreciate the sculptures. It should never have been here in the first place. Exhibition Place can pay for moving it and repair the patio afterwards.’ I don’t see why they won’t do that. But I guess the fact of the matter is they see it as a way of getting what they want.” Located on a patio that Muzik built in May 2014, the sculptures have become a convenient spot for club-goers to put out their cigarettes, and are slowly deteriorating.



The public art is now fenced off. Photo courtesy of Kathy Sutton.

Although the family would like to see the art relocated, Sutton notes that, on principal alone, the trade-off isn't worth it. "As a citizen of Toronto, I think that's just not right to have an untendered lease extension for a nightclub...that's not a good trade. I think they should just give up the art."

Muzik is not new to controversy. Last August, the club became the focal point for criminal activity in Toronto, when an attendee was shot and killed during Drake's OVO-fest after-party. Following the incident, councilors Mike Layton (Ward 19, Trinity-Spadina) and Gord Perks (Ward 14, Parkdale-High Park) penned an open letter requesting that the AGCO either remove or suspend Muzik's liquor license, highlighting a trend in assaults and violence that has occurred at Muzik over the past dozen years.

Layton, who is on the board and who has previously motioned to relocate the art, said that he's skeptical of Muzik's lease request, and not simply because of Muzik's past incidents.

“It’s a sole-source extension for 10 years to someone who’s only 10 years into their lease. It’s not like their lease is about to expire,” he said. “You’re essentially locking it in until the 2030’s... Why would we want to put ourselves in such a negative financial position that we’d have to buy ourselves out of a lease like that?”

Eight years remain on the club’s 2004 lease, meaning that an additional layer of extensions could grant them access to the Horticulture building until 2034.

Perks added that “the history of violence and the problems for the community that come from [Muzik] make me believe that they’re not fit to run an establishment. Extension or not, they should be closed tomorrow.”

The Exhibition Place Board of Governor’s passed club owner Zlatko Starkovski’s motion for a lease extension in May of 2013. Following the August shootings, Layton motioned the board to defer negotiations regarding the lease extension, but was outvoted 4-2. The city’s executive committee then deferred the request until 2016. Now, in order for the extension to be approved, the request must pass through the City Executive and then through City Council.

The Board of Governors will hold a meeting on February 22 to discuss Starkovski’s request for a lease extension, where Sutton is hoping there will be an opportunity to discuss reclaiming the Greek Gods. She adds that, despite her grievances towards Muzik, the crux of this problem lies within the 2004 Board’s decision to lease the art in the first place.

“In a way, I don’t blame [Muzik]. It was part of their lease. They didn’t ask for it to be put there. Exhibition Place basically gave away the public art along with the land and the building to the nightclub.”

UPDATE: 3:38 PM We updated this article to indicate that Joe Pantalone could not be reached for comment.

FILED UNDER JOE PANTALONE, PUBLIC ART, CITYSCAPE, E.B. COX, GARDEN OF THE GREEK GODS, KATHY SUTTON, MUZIK, MUZIK NIGHTCLUB, RALPH LEAN, ZLATKO STARKOVSKI

SHARE  92    
REPORT ERROR · SEND A TIP

EX11.13.10

From: Ric Amis
To: Executive Committee
Cc: Virginia Ludy; Councillor Perks; Councillor Layton
Subject: My comments for 2016.EX11.13 on January 28, 2016 Executive Committee
Date: Tuesday, January 26, 2016 7:39:42 AM

To the City Clerk:

Please add my comments to the agenda for the January 28, 2016 Executive Committee meeting on item 2016.EX11.13, Official Plan Amendment for Exhibition Place

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments:

Dear Mayor Tory and Executive Committee Members,

Re: item EX11.13 - Official Plan Amendment for Exhibition Place (Ward 19) at the January 28th meeting.

On behalf of six local area residents associations in close proximity to Exhibition Place, we would like you to consider the following:

Many Torontonians may not realize that Exhibition Place (EP) is owned by the city and its purpose is to serve the citizens of Toronto not private interests.

Exhibition Place is a remarkable civic asset, one that we have inherited from the past and could never replicate if it were lost. It has a rich history and incredible potential. As such, any further changes to the grounds should be put on hold until such time as a comprehensive master plan can be developed through open and democratic consultation with the users of Exhibition Place and the citizenry of Toronto. We need to have a clear vision of how our city intends to use this unparalleled open space amenity.

Recent development has proceeded in a piecemeal way, leaving Exhibition Place with an incoherent mix of uses that have little to do with the purpose for which it was originally intended. In contrast to the thoughtful planning of the past, there is currently no master plan for the site. The public is being left in the dark about the intentions for this valuable piece of publicly owned open space.

We call on you the City of Toronto Executive Committee to reject the recent request from the Board of Governors of Exhibition Place for an Official Plan Amendment that would change the designation of the western portion of Exhibition Place from "park/open space" to "rejuvenation area". This change threatens to destroy one of North America's most overlooked and important urban spaces for the benefit of private business interests.

Exhibition Place (formerly called Exhibition Park, and often referred to as the CNE grounds) is 192 acres of prime waterfront land owned and operated by the City of Toronto. It was first established in 1878 to host an agricultural fair that later evolved into the Canadian National Exhibition. In 1902 Toronto city council hired the prominent local architect George Gouinlock to create a master plan for the grounds and design new buildings in the exuberant Beaux-Arts exhibition style that was popular at the time. He designed fifteen buildings altogether, five of which still stand in the very portion of the grounds that would be affected by the Official Plan Amendment. In 1988 these buildings were designated a National Historic Site of Canada in recognition of their historical and architectural significance.

These buildings were built to house the cultural, educational, and industrial exhibits of the CNE, and the grounds around them were designed to serve as a public space the city could be proud of. Today, however, under the leadership of the current Board of Governors, Exhibition Place is being treated primarily as source of revenue and a potential redevelopment site. Gouinlock's remaining buildings have been leased to private businesses (including the controversial Muzik nightclub) and are mostly inaccessible to the general public. The move to change the designation of the western portion of the grounds from "park/open space" to "rejuvenation area" will further erode the character of Exhibition Place and its potential as much-needed public space for the City of Toronto, the local area residents of Parkdale / Liberty Village, and it also threatens the integrity of an officially designated National Historic Site of Canada.

As such, we are requesting rejection or deferral in consideration of this item and the approval of a master plan to focus on a re-visioning of Exhibition Place grounds.

Please feel free to contact me if you have any questions.

Sincerely,

Ric Amis
Secretary, Parkdale Residents Association

On behalf of six (6) Toronto residents associations:
Roncesvalles-Macdonell Residents Association (RMRA) - Brian Torry
Beaconsfield Village Residents Association (BVRA) - Randy Kerr
Active 18 (A18) - Graham Caswell
Ossington Community Association (OCA) - Jessica Wilson
Liberty Village Residents' Association (LVRA) - Todd Hofley
Parkdale Residents Association (PRA) - Andrew Emery



MARK GRIMES
CITY COUNCILLOR
WARD 6, ETOBICOKE-LAKESHORE

TORONTO CITY HALL
100 QUEEN ST. WEST
SUITE C48, TORONTO,
ONTARIO M5H 2N2

January 28, 2016

EX11.13.11

Dear Mayor Tory and Members of the Executive Committee,

RE: EX11.13 Official Plan Amendment for Exhibition Place

Unfortunately, I am unable to attend the January 28th Executive Committee meeting to provide my support for item EX11.13 – Official Plan Amendment for Exhibition Place. In my absence, I have asked Connie Dejak, Vice Chair of the Board of Governors of Exhibition Place to attend and participate in the Committee meeting.

As Chair of the Exhibition Place Board, I am supportive of the Chief Executive Officer's report recommending that the City commence the appropriate actions for an Official Plan Amendment (OPA) for the leased buildings within the Exhibition Place grounds currently designated as Parks/Open Space, which include the Horticulture Building, Ontario Government Building, and the Arts, Crafts and Hobbies Building. These recommendations were approved by the Exhibition Place Board on September 4, 2015. This OPA will bring these buildings into compliance with the permitted use of the site and will be consistent with the current leases of the buildings.

The impetus for this report and OPA recommendation was based on the request by one of the building lessee's to extend its lease term, however it was determined that a lease extension would require an OPA to change the land designation. On June 11, 2015, I participated in a meeting with Councillor Layton, Exhibition Place staff, and City staff regarding this issue, and we were able to reach a consensus on the direction as outlined in the Chief Executive Officer's report.

As you know, if the OPA process is approved by the Executive Committee, the City will go through the same planning process that every other land owner goes through as outlined in the Planning Act, including a statutory public meeting and a Final Report that will ultimately require Council approval. If this is achieved, the lessee's of the buildings in question will then have to seek an additional Council approval, as the Exhibition Place Board does not have the authority to grant lease extensions.

Based on these factors, I ask that the Executive Committee support the OPA process for the aforementioned buildings.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Grimes".

Mark Grimes
City Councillor, Ward 6, Etobicoke-Lakeshore
Chair, Exhibition Place Board of Governors

T: 416.397.9273

F: 416.397.9279

E: councillor_grimes@toronto.ca

www.markgrimes.ca

EX 11.13.12

January 28th, 2016

Dear Mayor Tory and Executive Committee Members,

Re: item EX11.13 - Official Plan Amendment for Exhibition Place (Ward 19) at the January 28th meeting.

On behalf of six local area residents associations in close proximity to Exhibition Place, we would like you to consider the following:

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Please feel free to contact me if you have any questions.

Sincerely,

Ric Amis
Secretary, Parkdale Residents Association

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