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January 16, 2006

To: The Board of Governors of Exhibition Place

From: Dianne Young  
General Manager & CEO

Subject: **Soccer Stadium at Exhibition Place – Update #2**

Purpose:

This report provides a status update on the soccer stadium development at Exhibition Place.

Financial Implications and Impact Statement:

There are no financial implications.

**Recommendation(s):**

**It is recommended that the report be received for information.**

Background:

At its special meeting of October 19, 2005, the Board approved of entering into a Letter of Intent with Maple Leaf Sports & Entertainment Ltd. (MLSEL) and the Canadian Soccer Association (CSA) to recommend to City Council the funding and construction of a 20,000-seat soccer stadium at Exhibition Place.

At its meeting of October 26, 27, 28 and 31, 2005, City Council approved of Clause No. 36 of Report No. 9 of the Policy & Finance Committee which basically adopted the report and recommendations of the Board.

At its meeting of December 5, 6 and 7, 2005, City Council approved of Clause No. 64 of Report No. 9 of the Toronto and East York Community Council approving the location of a billboard sign (attached as Appendix "A"). At the same meeting, Council also considered Clause No. 14 of Report No. 10 of the Policy and Finance Committee concerning the designation as a municipal capital facility (attached as Appendix "B").

Comments:

Since the last update in December, 2005, the following actions have been taken by staff:

- Meetings continue to be held between City Finance staff and the provincial and federal counterparts to review and finalize the contribution agreement.
- Meetings have been held between MLSEL, the Board and City planning staff relating to design, site planning and building permit issues.
- City Council approved an amendment to the City sign by-law to allow for the location of a billboard sign for the Stadium as outlined in the report attached.
- MLSEL has filed the necessary documents for a Provincial Record of Site Condition and receipt is expected shortly.
- The award of the Design Build RFP was made to PCL Ltd. partnering with Brisbin Brooks Beynon and a Construction Agreement was executed by MLSEL.
- Drafts of the Project Agreement and Management Agreement between the Board and MLSEL are in circulation.
- MLSEL has applied for a demolition permit with respect to the Halls of Fame Building and MLSEL is working with City Heritage staff to preserve certain heritage features of this building.
- Initial meetings have been held with CSA, the Board, NTC and CNE staff and MLSEL and PCL concerning the soccer stadium program requirements and construction issues.
- Initial meetings with Champ Car are scheduled to address the 2006 construction and the 2006 Molson Grand Prix.
- NTC staff will be holding meetings with each of its major show producer.
- An arborist was engaged by MLSEL to assist with tree preservation and relocation.
- MLSEL engaged Marshall Macklin Monahan to complete the necessary transportation plan and on-site traffic management plan.
- The Environmental Assessment screening for the project has been completed by the Federal government with no substantial requirements imposed.
- The City Solicitor's report recommending that the soccer stadium be declared to be a *municipal capital facility* was considered at the December Council meeting.
- Canada Sports Hall of Fame has moved into Stanley Barracks.
- Canadian Motorsports Hall of Fame has found a new home although the location has yet to be announced and they will be vacating Exhibition Place prior to February 1, 2006.
- The Canadian Bureau for the Advancement of Music is working with the Toronto District School Board to find a new location given 100% of their program is related to music in the school system.
- If the necessary permits are issued by the City, construction hoarding will be erected in early February around the Halls of Fame Building and around the top westerly section of the old stadium parking lot and demolition of part of the Halls of Fame building will commence in February along with demolition of the old stadium foundations and relocation of underground services in the parking lot area. Princes' Boulevard will remain open in February during this work.

Conclusions:

This report updates the Board on actions that have been taken since the last update report in December 2005.

Contact:

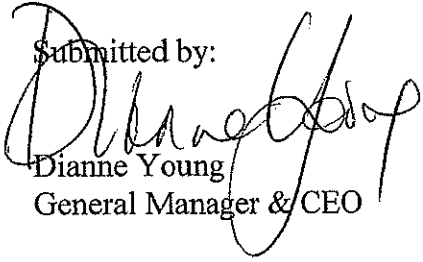
Dianne Young, GM & CEO

Tel: 416-263-3611

Fax: 416-263-3640

Email: [dyoung@explace.on.ca](mailto:dyoung@explace.on.ca)

Submitted by:

A handwritten signature in black ink, appearing to read "Dianne Young", written over the printed name and title.

Dianne Young

General Manager & CEO

Consolidated Clause in Toronto and East York Community Council Report 9, which was considered by City Council on December 14 and 16, 2005.

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**Variations from Chapter 297, Signs, of the former City of Toronto Municipal Code - 2 Strachan Avenue, south-east corner of the Food Building in the CNE Grounds (Ward 20 – Trinity-Spadina)**

*City Council on December 14 and 16, 2005, adopted the following:*

*"That:*

- (1) the request for a variance to permit, for the purpose of identification and advertising, a ground sign at the south east corner of the Food Building site at Exhibition Place, 2 Strachan Avenue, be approved; and*
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Chief Building Official and General Manager, Building."*

*This Clause, as amended, was adopted by City Council.*

*Council also considered additional material, which is noted at the end of this Clause.*

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*City Council on December 5, 6 and 7, 2005, postponed consideration of this Clause to its special meeting on December 14, 2005.*

*Council also considered additional material, which is noted at the end of this Clause.*

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**The Toronto and East York Community Council submits this matter to City Council without recommendation.**

**The Toronto and East York Community Council submits the report (November 9, 2005) from the Director, Community Planning, Toronto and East York District:**

Purpose:

To review and make recommendations on a request by Jeremy Kramer of Kramer Design Associates for Maple Leaf Sports and Entertainment Limited, for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit, 1 ground sign, for

Recommendations:

It is recommended that:

- (1) City Council declare the proposed soccer stadium at Exhibition Place to be a municipal capital facility for the purposes of the municipality and public use pursuant to section 110 of the *Municipal Act, 2001*, and pass a by-law to authorize the entering into of an agreement for the provision of the facility;
- (2) City Council request the City Clerk to give notice of the municipal capital facility by-law as required under the *Municipal Act, 2001*; and
- (3) staff be authorized to take all necessary action to give effect to these recommendations, including the introduction in Council of the necessary bill.

Background:

At its meeting of October 26, 27, 28 and 31, 2005, City Council considered and adopted the recommendations of staff, as amended, with respect to the construction and operation of a soccer stadium at Exhibition Place. As part of its direction to staff, City Council also adopted the following recommendation:

“That recommendation (4) contained in the staff report be deleted and the following inserted instead:

‘(4) the City Solicitor be requested to report on the legality and appropriateness of declaring the proposed soccer stadium to be a municipal capital facility for the purposes of the municipality and public use pursuant to s. 110 of the *Municipal Act, 2001*.’”

This recommendation replaced a recommendation in the original staff report requesting that City Council approve the designation of the proposed soccer stadium as a municipal capital facility.

Comments:

Regulation 46/94 under the *Municipal Act, 2001* lists the classes of municipal capital facilities which may be included under section 110 of the Act. This list explicitly includes “municipal capital facilities used for cultural, recreational and tourist purposes”. The proposed soccer stadium is a public/private project which will be owned by the City of Toronto and dedicated to municipal purposes and public use, including professional soccer and other cultural and recreational events. The contractual arrangements for the construction, management and use of the soccer stadium are complicated, involve multiple parties, and will result in both private and public benefits to the parties who have invested in the stadium construction. It is therefore my view that it would be both legal and appropriate that the stadium be declared a municipal capital facility under section 110 so as to authorize the agreements and preclude any potential bonusing arguments which might be made with respect to any aspect of the proposed arrangements.

At its meeting of October 26, 27, 28 and 31, 2005, Council approved the soccer stadium proposal at Exhibition Place and adopted the following motion, that: "the scoreboard and marquee sign is erected beyond the 45-metre setback from the F.G. Gardiner Expressway, and that consideration be given to restricting the video imaging aspect of the sign." The proposed sign will be located 112 metres from the Gardiner Expressway, and there is no video imaging.

Heritage Preservation Services have reviewed the advertising proposal for the proposed soccer stadium. The proposal is to locate an advertising tower at the front of the Food Products Building at Exhibition Place. Built in 1954, this building was listed on the City's Inventory of Heritage Properties by City Council in May 1993.

These plans do not include a west elevation drawing that would illustrate the visual impact of the proposed sign upon the building. However, given the close proximity of the sign to the building's entrance, staff are of the opinion that the scale and height of the proposed tower would have a direct negative impact upon the building's setting that is important in defining the overall heritage value of the Food Products Building.

Heritage Preservation Staff do not support the proposal.

Although the proposed ground sign satisfies City Council's requirements, Planning staff have reviewed the proposal and have found it to be inappropriate for the site. The "G" (park) zoning prohibits a ground sign in order to maintain the physical attractiveness and character of the site. Exhibition Place is a property that features many historic buildings, and therefore, the proposed ground sign would not be compatible with the existing visual context. In addition, two large ground signs, at the east and west ends of the grounds already exist.

It is staff's opinion that this proposed ground sign would negatively impact the site, surrounding uses, and streetscape.

Conclusions:

Staff recommend refusal of the application as the requested variance are not appropriate, nor within the general intent of the sign provisions of the Municipal Code.

Contact:

Diane Silver, Assistant Planner, West Section  
Telephone: 416-397-4647; Fax: 416-392-1330; E-mail: dsilver2@toronto.ca

(Copies of the following Attachments were forwarded to all Members of the Toronto and East York Community Council with the agenda for its meeting on November 15, 2005, and copies are on file in the City Clerk's Office:

- Attachment 1: Elevations;

- Attachment 2: Back (South) Elevation;
- Attachment 3: Front View;
- Attachment 4: Rotated Plan View; and
- Attachment 5: Site Plan.)

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**City Council – December 5, 6 and 7, 2005**

*Communications:*

- *(November 18, 2005) from John Turner [Communication 14(a)(1)];*
- *(November 18, 2005) from Paul Ledoux [Communication 14(a)(2)];*
- *(November 18, 2005) from Larry Westwood and Robert Paterson [Communication 14(a)(3)];*
- *(November 18, 2005) from Andreas Seibert [Communication 14(a)(4)];*
- *(November 19, 2005) from Peter Elson [Communication 14(a)(5)];*
- *(November 19, 2005) from Hein Wick [Communication 14(a)(6)];*
- *(November 19, 2005) from Judi Charlton [Communication 14(a)(7)];*
- *(November 21, 2005) from Margaret Bryant [Communication 14(a)(8)];*
- *(November 21, 2005) from Peter Elson, Chair, Roncesvalles Residents' Association [Communication 14(a)(9)];*
- *(November 21, 2005) from Dieter Heinrich [Communication 14(a)(10)];*
- *(November 21, 2005) from Peter Carr-Locke [Communication 14(a)(11)];*
- *(November 21, 2005) from Denis Lefebvre [Communication 14(a)(12)];*
- *(November 21, 2005) from Ken Sharratt [Communication 14(a)(13)];*
- *(November 28, 2005) from Gabrielle David [Communication 14(a)(14)];*
- *(November 29, 2005) Jean Hodder [Communication 14(a)(15)];*
- *(December 2, 2005) from Xzavier Onasis [Communication 14(a)(16)];*
- *(December 2, 2005) from Ron Nurwisah [Communication 14(a)(17)];*

- (December 2, 2005) from David Nichol [Communication 14(a)(18)];
- (December 2, 2005) from Alice Barton [Communication 14(a)(19)];
- (December 2, 2005) from Andrew Brett [Communication 14(a)(20)];
- (December 2, 2005) from Daniel Luciani [Communication 14(a)(21)];
- (December 2, 2005) from Cynthia Gould [Communication 14(a)(22)];
- (December 2, 2005) from Kate Opashinov [Communication 14(a)(23)];
- (December 2, 2005) from Rami Tabetlo [Communication 14(a)(24)];
- (December 2, 2005) from Albert Kwan [Communication 14(a)(25)];
- (December 2, 2005) from Alison Gorbould [Communication 14(a)(26)];
- (December 2, 2005) from Josh Paterson [Communication 14(a)(27)];
- (December 2, 2005) from Emily J. Alfred [Communication 14(a)(28)];
- (December 2, 2005) from Fraser McDonald [Communication 14(a)(29)];
- (December 2, 2005) from Frances Smith [Communication 14(a)(30)];
- (December 2, 2005) from Liz Hayward [Communication 14(a)(31)];
- (December 3, 2005) from Liam O'Doherty [Communication 14(a)(32)];
- (December 3, 2005) from Andrew Woodrow [Communication 14(a)(33)];
- (December 3, 2005) from ChronoLogix [Communication 14(a)(34)];
- (December 3, 2005) from Andrew Brown [Communication 14(a)(35)];
- (December 4, 2005) from Todd Irvine [Communication 14(a)(36)];
- (December 4, 2005) from Katherine [Communication 14(a)(37)];
- (December 4, 2005) from Raj Bharati [Communication 14(a)(38)];
- (December 5, 2005) from Michael Pereira [Communication 14(a)(39)]; and
- (December 5, 2005) from Steve Mercer [Communication 14(a)(40)].



**City Council – December 14 and 16, 2005**

*Council also considered the following:*

*Communications:*

- *(November 18, 2005) from John Turner [Communication 14(a)(1)];*
- *(November 18, 2005) from Paul Ledoux [Communication 14(a)(2)];*
- *(November 18, 2005) from Larry Westwood and Robert Paterson [Communication 14(a)(3)];*
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- *(November 21, 2005) from Peter Carr-Locke [Communication 14(a)(11)];*
- *(November 21, 2005) from Denis Lefebvre [Communication 14(a)(12)];*
- *(November 21, 2005) from Ken Sharratt [Communication 14(a)(13)];*
- *(November 28, 2005) from Gabrielle David [Communication 14(a)(14)];*
- *(November 29, 2005) Jean Hodder [Communication 14(a)(15)];*
- *(December 2, 2005) from Xzavier Onasis [Communication 14(a)(16)];*
- *(December 2, 2005) from Ron Nurwisah [Communication 14(a)(17)];*
- *(December 2, 2005) from David Nichol [Communication 14(a)(18)];*
- *(December 2, 2005) from Alice Barton [Communication 14(a)(19)];*
- *(December 2, 2005) from Andrew Brett [Communication 14(a)(20)];*

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- *(December 4, 2005) from Katherine [Communication 14(a)(37)];*
- *(December 4, 2005) from Raj Bharati [Communication 14(a)(38)];*
- *(December 5, 2005) from Michael Pereira [Communication 14(a)(39)]; and*
- *(December 5, 2005) from Steve Mercer [Communication 14(a)(40)].*

Consolidated Clause in Policy and Finance Committee Report 10, which was considered by City Council on December 5, 6 and 7, 2005.

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**Proposed Soccer Stadium at Exhibition Place,  
Designation as Municipal Capital Facility**

*City Council on December 5, 6 and 7, 2005, amended this Clause by adding the following:*

*"That:*

- (1) the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee for its next meeting on January 23, 2006, on the value of the financial benefits to be bestowed upon the private sector as a consequence of declaring this facility a Municipal Capital Facility; and*
- (2) the Deputy City Manager and Chief Financial Officer, in consultation with the Acting Executive Director, Economic Development, be requested to report to Council, through the Policy and Finance Committee, no later than May 2006, on specific costs which will be incurred by user groups across the City in their use of the soccer facility."*

*This Clause, as amended, was adopted by City Council.*

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**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (November 14, 2005) from the City Solicitor.**

Purpose:

To report as requested by City Council on the "legality and appropriateness" of declaring the proposed soccer stadium at Exhibition Place to be a municipal capital facility under section 110 of the *Municipal Act, 2001*.

Financial Implications and Impact Statement:

This report has no financial implications.

the purpose of identification and advertising, at the south east corner of the Food Building. The sign would be associated with the proposed soccer stadium at Exhibition Place.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that the request for a variance be refused to permit, for the purpose of identification and advertising, a ground sign at the south east corner of the Food Building.

Background:

The property is located south of the Gardiner Expressway and north of Lake Shore Boulevard West. The district is zoned 'G'.

The proposed sign is part of the planned soccer stadium at Exhibition Place. The sign is made up of three major components:

- a) Channel lettering on top of the sign identifying the stadium (total area 24 sq.m.), with a three-sided, backlit team logo above (total area 4 sq.m.)
- b) An electronic text-based message centre with colour graphic capability (total area 31.2 sq.m.)
- c) A tri-vision display board (total area 62 sq.m.)
- d) A backlit static display board, facing south (total area 116 sq.m.)

The total height of the sign is 35.31 metres and features a) to c) are duplicated on the east and west faces of the sign. Advertising on the signs will be limited to stadium suppliers, teams and stadium sponsors.

Comments:

The sign does not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in the in the following ways:

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
Chapter 297-9 A (1), 11 II	To install a ground sign in a 'G' district.	A ground sign is not permitted in a 'G' district.

In addition, Section 297-11 B. prohibits a ground sign between the Gardiner Expressway and the lake.

Conclusion:

It is recommended that City Council declare the proposed soccer stadium at Exhibition Place to be a municipal capital facility for the purposes of the municipality and public use pursuant to section 110 of the *Municipal Act, 2001*.

Contact:

Edward Earle, Solicitor, Legal Services Division  
Tel: (416) 397-4058, Fax: (416) 397-5624  
e-mail: wearle@toronto.ca

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Mr. Alan Kasperski, Strathcona Sport Group/FieldSports, addressed the Policy and Finance Committee and filed a written submission.

