



## STAFF REPORT ACTION REQUIRED

### Toronto Museum Project

<b>Date:</b>	May 20, 2008
<b>To:</b>	Executive Committee
<b>From:</b>	Sue Corke, Deputy City Manager
<b>Wards:</b>	All
<b>Reference Number:</b>	

#### **SUMMARY**

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The Toronto Museum Project is dedicated to chronicling the extraordinary story of Toronto as seen through the lens of social, cultural and economic diversity with a strong emphasis on the development of the city after World War II. It will deepen the relationship between Toronto's residents and their aspirations by exploring Toronto's past, present and future.

As Canada's largest urban region, Toronto is uniquely positioned to address contemporary issues of provincial, national and international significance. The Toronto Museum Project will provide a physical presence for global dialogue, and a hub for exploring liveable cities in the complex and challenging global era. It is aligned with the Agenda for Prosperity and promotes a strong tourism sector which will support Toronto's overall success as a globally competitive city.

The Toronto Museum Project, to be a private non-profit entity, is proposed to be built on the Canada Malting site at 5 Eireann Quay as part of a mixed-use redevelopment. A feasibility study has been completed which provides a draft vision, mission, and mandate, a program strategy, space and facility requirements, a business plan with capital costs, marketing strategies, operating revenue/expenses and attendance projections. The concept is based on three themes: gathering place, global village and city soul.

As a defining feature of the inner harbour, the iconic and historic silos at the Canada Malting site would have a powerful impact on the museum's identity and enrich the visitor's overall experience. Although a significant investment is required to stabilize the derelict city-owned site, this is a great opportunity of creative adaptive reuse that would contribute to the synergy of cultural amenities in the area.

This report envisions a two-stage selection process to bring a developer into the project. The first stage will pre-qualify a short list of developers to participate in any potential second stage request for proposals. The results of stage one will be reported back to Council along with recommendations on whether to proceed with stage two.

## **RECOMMENDATIONS**

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The Deputy City Manager responsible for Economic Development, Culture and Tourism recommends that:

1. Council approve in principle the revised and reduced scale for the Toronto Museum Project as outlined in Attachment #1 and approve the continued development of the Museum Project;
2. Council recognize the Toronto Museum Project Champions, listed in Attachment #2, as primary community stewards to provide advice and advocacy in the development of the Toronto Museum Project;
3. Council authorize the General Manager of Economic Development, Culture and Tourism, with the assistance of the Toronto Museum Project Champions and in consultation with the City Manager, to apply to the Provincial and Federal Governments for developmental funding to support the necessary background studies for the Toronto Museum Project and to negotiate and execute any required agreements in that regard, on such terms and conditions as are satisfactory to the General Manager of Economic Development, Culture and Tourism, and the City Manager, in a form acceptable to the City Solicitor;
4. Council direct the Deputy City Manager and Chief Financial Officer to establish a Toronto Museum Project Reserve Fund to accept donations and other contributions in support of the project;
5. Council authorize the General Manager of Economic Development Culture and Tourism in consultation with the Chief Corporate Officer and other City staff as required, to issue the first stage of a potential two-stage request for proposal to invite interest from private sector developer(s) in a mixed-use redevelopment of the Canada Malting site shown in Attachment #3, to include the Toronto Museum Project, and to prequalify such developer(s) for participation in any further call process, based on the following key elements:
  - a. qualifications, reputation and creativity of the developer;
  - b. qualifications and relative experience of the architect and consultant team being proposed;

- c. financial ability and stability of the developer;
  - d. understanding of and integration of the Toronto Museum Project into the proposed mixed-use redevelopment;
  - e. respect for and preservation of the heritage of the Canada Malting site and understanding of how best to integrate any private mixed-use development into the neighbouring urban fabric; and
  - f. value of financial return to the City.
6. Council direct the General Manager of Economic Development, Culture and Tourism and the Deputy City Manager and Chief Financial Officer to report back on the results of stage one of the Request for Proposals and on the associated impact on the financial viability of the Toronto Museum Project business plan;
  7. Council authorize the General Manager of Economic Development, Culture and Tourism to proceed at the appropriate time with all necessary planning studies required to accommodate the proposed mixed-use redevelopment on the Canada Malting site;
  8. Council direct that any mixed-use redevelopment of the Canada Malting site strive to retain those portions of those structures on this site that the City has determined to be of significant cultural and heritage value, particularly, but not limited to, the 1928 and 1944 silos as iconic, landmark elements;
  9. A further report be submitted by the Chief Corporate Officer identifying the estimated amount to stabilize and make safe the 1928 and 1944 silos in order to provide public access to Ireland Park and with the intention that Facilities and Real Estate's capital budget request for 2009 be increased to include this work;
  1. Council authorize the Chief Corporate Officer in consultation with the General Manager of Economic Development, Culture and Tourism, to enter into negotiations with the Toronto District School Board to amend the lease and licence agreements and any other relevant agreements between the parties on such terms and conditions as are deemed appropriate by the Chief Corporate Officer and the General Manager of Economic Development, Culture and Tourism to facilitate any proposed mixed-use redevelopment of the Canada Malting site, and to report back to the Council on the results of such negotiations;
  2. Council authorize the Chief Corporate Officer in consultation with the General Manager of Economic Development, Culture and Tourism to take the necessary steps to amend or remove the restrictive covenants on title to the Canada Malting site to allow for the proposed mixed-use redevelopment, on such terms and conditions as are deemed appropriate by them, in a form satisfactory to the City Solicitor;

3. Council authorize the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism to identify and negotiate appropriate amendments, including termination, to the terms and conditions of any other agreements and instruments which affect title or impact the proposed mixed-use redevelopment of the Canada Malting site, and to report back to Council on the results of such negotiations.

## **FINANCIAL IMPACT**

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The Toronto Museum Project is being planned to have minimal financial impact on the City of Toronto. A mixed-use redevelopment of the City-owned Canada Malting site could generate a significant portion of the required funding to complete the Toronto Museum Project, with the balance being obtained from other sources including from private and corporate donations, and government funding. There is a need for a modest City investment in the developmental stages of the project so that the plans can be articulated in further detail and to allow the Request for Proposal for the Canada Malting site to proceed.

### **Capital Budget**

The Canada Malting site will require substantial investment to stabilize the silo structures, demolish any structures that will not be retained and, if necessary, to remediate the soil. It is intended that the City will stabilize the structures in order to provide public access to Ireland Park, but any other rehabilitation or demolition work that would be undertaken as part of the proposed mixed-use redevelopment would be the responsibility of and at the discretion of the developer(s). Facilities and Real Estate is in the process of having a report completed that will address the immediate repairs to stabilize the silo structures and make it safe for public access along the east and south elevations of the building. Once that report is completed, a further report will be submitted by the Chief Corporate Officer requesting an increase to Facilities and Real Estates' 2009 Capital Budget.

In 2008, Culture requires \$170,000 in debt funding to begin work on the background studies required for any mixed-use redevelopment of the site, prepare the first stage of the recommended Request for Proposals and further develop the content and approach for the Toronto Museum Project. Culture can allocate \$50,000 from the Conservation and Collections Care sub-project and the Fort York Restoration sub-project for this purpose. Before additional funds are expended, the Deputy City Manager responsible for Economic Development, Culture and Tourism will identify a source of funds for \$120,000 for the Toronto Museum Project in the second quarter Capital Variance report.

For 2009, funding of \$650,000 gross/\$350,000 net has been included in the Culture Capital Budget plan to cover the expenses associated with any subsequent stage to the Request for Proposals process that may be authorized by Council following the results of the first stage.

In the 10-year Capital Budget Outlook, the Toronto Museum Project is being planned so that it can be constructed with no debt financing from the City of Toronto. The estimated \$100 million cost of this project is currently forecasted in Culture Capital in 2013 as \$100 million gross/\$0 net (in 2008 dollars). The Toronto Museum Project would be funded by contributions from other levels of government, corporations and individual donors.

## **Operating Budget**

It is proposed that the Toronto Museum Project would be operated by a private non-profit entity with a total budget of approximately \$8 million, (in 2008 dollars) when it opens in 2015. It would then require funding from the City in keeping with the level of City support for Major Cultural Organizations.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with the financial impact information.

## **DECISION HISTORY**

At its meeting held on February 1, 2 and 3, 2005, City Council considered a report entitled “Humanitas: Feasibility Study for a New Cultural Attraction on Toronto’s Waterfront” from the Commissioner of Economic Development, Culture and Tourism. As part of that report, Council endorsed the concept for the Humanitas cultural attraction and directed the Commissioner of Economic Development, Culture and Tourism to move forward with the project next steps, including stakeholder consultation on:

- governance leadership and fundraising;
- production of a foundation document to inform the content development for the project; and
- site finalization, preparation and building design.

The report had also asked for authority to register the name “Humanitas” as an official mark of the City of Toronto. Council referred this recommendation back to the Commissioner for further consideration of the name “Humanitas”.

<http://www.toronto.ca/legdocs/2005/agendas/committees/edp/edp050310/it014.pdf>

At its meeting held on July 30, 31 and August 1, 2002, Council considered a report on the results of the termination of the Metronome Canada Incorporated Master Agreement for the redevelopment of the Canada Malting Site at 5 Bathurst Street and directed the Commissioner of Economic Development, Culture and Tourism, in consultation with various stakeholders, including local residents, to report on the appropriate next steps for the Canada Malting Site.

<http://www.toronto.ca/legdocs/2002/agendas/council/cc020730/edp7rpt/cl016.pdf>

## **ISSUE BACKGROUND**

### **Toronto Museum Project Concept**

In March 2004, the City of Toronto completed “*Humanitas: Feasibility Study For A New Cultural Attraction On Toronto’s Waterfront.*” The cultural attraction, a pro-active, state-of-the-art and symbolic facility on the waterfront, would tell Toronto’s rich 11,000 year history to Canadians and the world, and would reveal the perspectives of its diverse people while informing its past, present and future. The theme of global relationships and interconnections would be explored through the global cities gallery, a hub for learning, research and development of liveable, sustainable cities.

Toronto has a rich heritage and experience as a city, and is home to a host of city-owned and other museums, however there is no one place that illustrates the complete picture of Toronto’s remarkable history. In 2002 the City commissioned Lord Cultural Resources, with Canadian Urban Institute, Lura Consulting and ERA Architects to complete a feasibility study to develop a new museum. The study was completed over a 17-month period, and involved extensive consultation across the city and an international review of museum models and best practices.

Through detailed research and analysis a draft vision, mission and mandate, program strategy, space and facility requirements, a business plan with capital cost, marketing strategy, operating revenue/expense and attendance projections were developed. Recommended to be built in two phases, the museum would be operated as a private non-profit entity with a self-recruiting board. Capital costs were based on site, exhibition and constructions costs. Phase 1 capital costs were estimated at \$130 million, with an estimated size of 247,298 square feet (176,642 net square feet). Phase 2 was estimated at \$31 million, with a size of 71,432 square feet (51,023 net square feet). Overall cost of the project was \$161 million, with a size of 318,730 square feet (227,664 net square feet).

The initial concept was based on three themes: gathering place, global village, and city soul. It proposed that the museum have four components: Main Visitor Experience (core component with exhibits, programs, rides, special events etc.); Global Cities Gallery (independent institute that would explore urban issues in Canada and world wide); the Found-ary (open storage/collection space); and the International Travelling Exhibition Hall (mixed venue space).

To spark interest, the Humanitas Festival was initiated in June 2006 based on the concept and vision outlined in the feasibility study. The month long festival involved events, forums, exhibitions, stories, performances and debates that illustrate and animate how Toronto’s creative energy is deeply rooted in its history and diversity.

### **Policy Alignment**

The idea of a new museum of Toronto has evolved through many stages, and has been approved in key City policy documents.

### Canada's Urban Waterfront: The Waterfront Culture and Heritage Infrastructure Plan

In 2001, the City's Culture Division commissioned *Canada's Urban Waterfront: The Waterfront Culture and Heritage Infrastructure Plan*. The Plan set the "context for implementing a waterfront vision centred on cultural resources, a vision which anticipates the revitalization of Toronto's waterfront under the direction of three levels of government." The Plan proposed a number of initiatives to promote, protect and enhance cultural activities and heritage resources on the waterfront, including a new cultural attraction on the waterfront that would be a tourist destination and a focus for Torontonians to tell their stories. In adopting the Plan, City Council directed Culture to proceed with a feasibility analysis of the proposed centre.

### Culture Plan for the Creative City of Toronto

In 2003, Council adopted the *Culture Plan for the Creative City*, a ten-year strategy outlining 63 recommendations to position Toronto as a Creative City and a global cultural capital. The *Culture Plan* confirmed that Toronto's arts, culture and heritage are essential to Toronto's economic future, and to its quality of life. The Plan proposed a significant new cultural facility where the entire diversity of Toronto's stories could be told, and innovative partnerships that would enhance the City's cultural assets.

### The Agenda for Prosperity

In January 2008, Council adopted *The Agenda for Prosperity*. The Agenda presents an achievable vision for growing the city's long-term prosperity while positioning it as a leading global city of the 21st century. *Global Toronto: Internationalization* (pillar 2), includes an action item to establish Toronto as a global centre for cities with a virtual and physical centre for the advancement of cities. The Agenda endorsed a "new era" museum that will build upon Toronto's history as a meeting place and as a gathering place for the world, and will showcase Toronto as a geographic centre of diversity.

## **COMMENTS**

The Toronto Museum Project is dedicated to chronicling the extraordinary story of Toronto with a strong emphasis on the development of the city after World War II. It will deepen the relationship between Toronto's residents and Toronto's past through programs that define Toronto, its people, and its aspirations within a Canadian and a global context. It will bring the experience of other cities to Toronto, and take Toronto to the world.

Situated on the waterfront, where Toronto's story begins, Toronto Museum Project will articulate our shared story of social, cultural and economic diversity. Something unique is happening in this city where more than half of our residents were born outside of Canada.

Toronto, as Canada's largest urban region, is uniquely positioned to address contemporary issues of provincial, national and international significance. The Toronto Museum Project will provide a physical presence for global dialogue.

### **Revised Concept**

Since 2004 there has been much progress in the development of the Toronto Museum Project. Council instructed staff to reconsider the earlier name for the project – “Humanitas” and based on stakeholder consultation, the working title has been changed to the Toronto Museum Project.

As the project has developed, several of the key planning assumptions on which the original feasibility study’s Business Plan projections were based on have changed. Consequently, Culture requested Lord Cultural Resources to update the original Business Plan projections (Attachment #1) taking into account the changed assumptions.

Toronto Museum Project will now be built in one phase as a fully functional stand-alone museum with high regard for museum professional standards. Given the opportunities of the site, the total space requirements are recommended at 110,657 net square feet or 154,919 gross square feet. Total building construction costs are estimated to be \$62 million, project costs are estimated to be \$16 million, and exhibitions will be in the range of \$17 million. The total cost, including all design fees, has been estimated at \$100 million.

When completed, the Business Plan estimates that the Toronto Museum Project would have attendance of 350,000 per year with about 50% being tourists, and have an operating budget of approximately \$8 million. The institution would be operated by a private non-profit entity, and would take six years to plan, design and construct.

## **Consultations**

Community engagement and consultation is a key value of the Toronto Museum Project. Waterfront Toronto has been consulted throughout the process of the Toronto Museum Project, provided representation on the steering committee overseeing the original feasibility study, and provided advice on the request for proposal process.

Building on community stakeholder consultations conducted in July 2007 and in February 2008, Toronto Culture hosted a Community Design Charrette in March 2008. The purpose was to begin exploring visions and possibilities for locating the Toronto Museum Project at the Canada Malting site from the combined perspectives of the local community and the design community. The design charrette brought over 300 local residents, neighbourhood and condo associations, and community groups together with architects, designers, urban planners and university students. Staff, Councillor Adam Vaughan, and Toronto Museum Project Champions also attended the full-day event held at the Harbourfront Community Centre.

While there were different perspectives on the future of the Canada Malting site at the charrette, there was common ground on the needs and wants of the community. The community was excited about the museum concept, particularly as it connects to the restoration of the silos. This potential location is a historically significant landmark, close to the water and parks, and surrounded by a strong mixed community. There was concern over the accessibility of the site and to the water’s edge, community amenities and non-



residential uses, and parking. The idea of residential and hotel proved the most concerning, although if they were deemed to be a necessary revenue source to allow for site improvements, the community was more open to the idea. Two key priorities resulted from the day:

- a. the community must maintain a meaningful and continuing role in the decision making process;
- b. the development, if it is to include a mix of commercial, retail and residential, must be carefully planned as a precinct that takes into account community amenities and aspirations, and green space.

### **Governance and the Toronto Museum Project Champions**

The original feasibility study recommended that the museum be governed by a private non-profit entity with an active partnership philosophy with formal operating agreements, including one with the City of Toronto, plus other public and private organizations at the local, provincial, federal and international levels. This model can best achieve the goals of fundraising and community engagement.

Toronto Culture was awarded a governance and fundraising grant from the Federal Canadian Arts & Heritage Sustainability Program in July 2005. The grant was used to research modes of governance for the Toronto Museum Project, and hire consultants to identify and recruit volunteer leadership from Toronto's ethnically and culturally diverse community. The consultants interviewed key corporate, government and community individuals, which also helped to confirm that the project concept was viable and sustainable from a fundraising context. At a meeting in January 2006 of more than fifty Toronto Museum Project advocates, including Mayor David Miller, a process was formalized for identifying potential founding board members and a fundraising cabinet.

In January 2007, a second event was held to poll community leaders and fundraisers for advice and input on establishing a founding board, fundraising cabinet and fundraising strategy. This resulted in the formation of the Toronto Museum Project Champions with Sarmite Bulte as Chair and David Crombie as Honourary Chair. To date, nineteen community and private sector individuals have become Toronto Museum Project Champions. The full list of the Toronto Museum Project Champions is included in Attachment #2.

The Toronto Museum Project Champions can provide leadership in developing the project's mission, vision and mandate and participate in the community outreach and consultation process. They can be advocates for the project's fundraising program and attend meetings on behalf of the project with private and public leaders and decision makers. In addition, the Toronto Museum Project Champions can review the progress of the project's overall development program on an annual basis, and will form the basis of the founding board.

### **Canada Malting Site**

The Toronto Museum Project could be built at the Canada Malting site, a prime central waterfront site, and could provide facilities that are necessary to support the redevelopment of this under-used but critically important western section of the central waterfront as a vital public space. Eleven site criteria to identify a museum location were developed in the original feasibility study as the result of public consultations:

- public ownership
- neighbourhood aspect
- synergy to location and other institutions
- along a cultural corridor, green space
- room for expansion
- compatible land uses
- adaptive reuse of building
- public transit
- easily accessible
- and parking;

Three sites were listed as potential locations: Canada Malting Property, 1 Yonge Street, and the East Bayfront Area. These sites were defined in *Canada's Urban Waterfront: The Waterfront Culture and Heritage Infrastructure Plan* as culturally important places that represent unique opportunities to build on and strengthen the culture and heritage infrastructure of the waterfront.

The historically significant Canada Malting site, on Eirann Quay, shown in attachment #3, was identified as a proposed site as it addresses all of the site selection criteria. With incomparable views, it also presents an opportunity of creative adaptive reuse. The museum could be integrated into a mixed-use development at the site so as to complement the silos and existing neighbourhood. It could benefit from the close proximity to new and existing communities, and contribute to the synergy of the cultural amenities in the area. The landmark is a visually unique industrial structure that adds a layer of history to the changing land use of Toronto's waterfront, and acts as the western anchor to the inner harbour. While the silos are the defining feature of the site, the Toronto Museum Project would not be built inside the silos.

### **Central Waterfront Secondary Plan**

The selection of the Canada Malting site would strongly support policies in the Central Waterfront Secondary Plan. The Plan specifically states "the Canada Malting site, a landmark and important heritage feature on the Central Waterfront, will be retained and improved. The City will pursue innovative proposals for a mix of public and private activities and uses that can successfully transform the silos building into a unique special place on the Toronto waterfront."

The Plan identifies the Canada Malting site as an Inner Harbour Special Place. It also indicates that properties listed on the City's Inventory of Heritage Property will be

protected and improved where feasible and that designated heritage buildings will be conserved for creative reuse in their original locations. In addition, the Plan states that strategies to attract high-value tourism to the Central Waterfront will receive priority in order to strengthen Toronto's role as the cultural capital of the nation by becoming the future location of major international-caliber cultural, entertainment and other tourist attractions.

### **Mixed-Use Redevelopment Proposal**

To date there has been a significant amount of interest and positive energy emanating from the community in support of the Toronto Museum Project being potentially located at the Canada Malting site. The City is working with the community to address concerns and improvements to surrounding public amenities. The Canada Malting site, an iconic city-owned, yet derelict site, is essentially the “completer piece” to the immediate community which has been in transition for years.

There is considerable development potential for a mix of suitable uses at the Canada Malting site. Given the size of the site (3.5 acres) and the proposed size of the museum (154,919 gross square feet), additional uses could be incorporated to address community interests. Any redevelopment on this site would strive to retain those structures that are determined to have significant cultural heritage values, including the landmark 1928 and 1944 silos.

The rehabilitation of the Canada Malting site, to include the Toronto Museum Project, would increase the value of the site, and would create a unique destination. This process of cultural and transformative investment has been repeated in many major redevelopments around the world, including Salford Quays in the docklands of Greater Manchester, the London Docklands and the Silvertown Quays development in London.

### **Canada Malting Company Complex as a Heritage Site**

The former Canada Malting Company complex at 5 Eireann Quay is owned by the City of Toronto and has been listed on the city's inventory of heritage properties since June 20, 1973. The City of Toronto's Facilities & Real Estate Division commissioned a comprehensive structural condition assessment of the complex, prepared by Trow Associates Inc., to document the existing condition of the structures and recommend repair options.

Based on the assessment prepared by Trow Associates, Facilities and Real Estate has recommended the demolition of all structures west of the silo units, and the rehabilitation of the silo units and executive building. According to the survey, since no details of the future use of the structures are known at the time, the objective of the described “restoration” is to clean the structures, repair them so that further deterioration is stopped or limited, and protect them from the elements. Restoration of the entire group of structures is technically, but not financially feasible.

At the request of the Manager, Heritage Preservation Services, a heritage impact assessment was undertaken by Historica Research Limited (October 2007) to recommend an overall conservation strategy to guide the City's decision pertaining to proposed demolition and silo restoration. Despite numerous reuse and preservation proposals put forward since the plant closed in 1987, none have proven to be viable given the industrial complex's vast scale and specialized design. In the absence of any plan for adaptive reuse it was stated that if demolition of the buildings west of the silos will lead to conservation of the landmark elevator complex, partial preservation is better than none. The report also recommends that city staff determine if the complex has physical value as well as associative and contextual value. Reuse of the kiln/germination complex is not a specific component of the museum proposal.

A report on the structural condition assessment and heritage impact assessment was brought to the Toronto Preservation Board in December 2007. The Board recommended that it would be premature to approve the demolition of any part of the Canada Malting site prior to a more comprehensive understanding of the site's current adaptive re-use potential.

It is intended that the City will stabilize the structures in order to provide public access to Ireland Park, but any other rehabilitation or demolition work that would be undertaken as part of a proposed mixed-use redevelopment would be the responsibility of and at the discretion of the developer(s). Facilities and Real Estate is in the process of having a report completed that will address the immediate repairs to stabilize the silo structures and make it safe for public access along the east and south elevations of the building.

### **Request for Proposals**

This report envisions a two-stage selection process to determine interest from private sector developers in a mixed-use redevelopment of the Canada Malting site, to include the design of the Toronto Museum Project. The intention is to yield the highest standard of building design and community integration, while achieving the best possible financial return for the municipal asset. In order to determine the level of interest, the first stage will invite interest from private sector, and will pre-qualify a short list of developers to participate in any potential second stage of the request for proposals. It is intended that the second stage of the request for proposals will consist of a design competition between the pre-qualified developers and would require detailed submission and a full design.

The stage one selection criteria for developers will be based on the following:

- a. qualifications, reputation and creativity of the developer;
- b. qualifications and relative experience of the architect and consultant team being proposed;
- c. financial ability and stability of the developer;
- d. understanding of and integration of the Toronto Museum Project into the proposed mixed-use redevelopment;

- e. respect for and preservation of the heritage of the Canada Malting site and understanding of how best to integrate any private mixed-use development into the neighbouring urban fabric; and
- f. value of financial return to the City.

It is anticipated that the results of stage one of the Request for Proposals will be reported back to Council along with the recommendations on whether to proceed with a stage two proposal call, and if so, a process for doing so. Should Council authorize the second stage Request for Proposal, it is intended that the short-listed developers will be paid a fee to prepare detailed submissions and designs.

### **Municipal Planning Approvals**

The Canada Malting site is within an area that remains under the former City of Toronto Official Plan and particularly, the Harbourfront Part II Plan. The Canada Malting site is within the Bathurst Quay South area of the Harbourfront Part II Plan. Policies specific to Bathurst Quay South identify the Canada Malting site as “an area of public park” permitting public park uses, community services and facilities, institutional uses, and surface parking for the Toronto Island Airport.

While the Canada Malting site is still subject to the former Official Plan and Secondary Plan policies, any mixed-use redevelopment must have regard for the new Official Plan and the Central Waterfront Secondary Plan. The new Official Plan designates the Canada Malting site as “Parks”. The Central Waterfront Secondary Plan designates the site Parks and Open Space, Inner Harbour Special Places permitting parks, open spaces, natural areas and plazas.

The Canada Malting site is zoned G in the Harbourfront Zoning By-law which permits parks and public recreation uses, and uses accessory to parks and public recreation as set out in the By-law.

It is anticipated that a mix of uses would be proposed on the Canada Malting Site, including the Toronto Museum Project. Given that the Official Plan and Harbourfront Zoning By-law would not allow for a mix of uses proposed for the site, official plan amendments would be required. It is important to note that there are policy and contextual issues that would need to be addressed as part of any application, including:

- Official plan policies that do not permit the sale of parkland;
- Parking, transportation and transit service;
- Competing interests for use of space around the Canada Malting site particularly to serve the school/community centre/day care and the neighbourhood use of space; and
- Relationship of the Toronto Museum Project to the surrounding residential uses, Little Norway Park and Ireland Park, and Portland Quay.

Submission of development applications would follow the City of Toronto's municipal planning approval process satisfying all requisite preliminary reviews and preparation of required background reports in order to submit a complete development application. A mixed-use redevelopment would be subject to full fees as required for all development applications made by the City of Toronto.

Any proposal would be subject to environmental standards, including the City of Toronto Green Development Standard and the Ministry of Environment's Record of Site Condition. Further, the development will be subject to the City of Toronto Harbourfront Design Guidelines.

### **Site Agreements and other Encumbrances**

While City staff believe the Canada Malting site has great potential as the home for the Toronto Museum Project, it is certainly not without complications. There are a number of legal and physical impediments that would need to be dealt with before any mixed-use redevelopment could occur. A non-exhaustive list includes two (2) restrictive covenants encumbering the site agreed to by the City in 1992 in exchange for the transfer of the Harbourfront Lands from the federal government. One restricts the use of the land or any part to "public purposes" which would not include the mix of uses envisioned for the redevelopment. The other restricts sponsorship opportunities so as not to conflict with existing Harbourfront activities. These agreements must be renegotiated and the restrictions removed to allow for a mixed-use redevelopment to proceed.

There are also a number of leases and licenses and other agreements involving third parties, including the Toronto District School Board, affecting title or redevelopment that would need to be reassessed and either renegotiated or removed. This in turn would require that appropriate City staff be authorized to negotiate amendments or new agreements with the affected parties, in a form satisfactory to the City Solicitor, to allow the redevelopment to proceed.

### **CONTACT**

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### **SIGNATURE**

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Sue Corke, Deputy City Manager

## **ATTACHMENTS**

Attachment 1 - Toronto Museum Project Update to the Business Plan April 2008

Attachment 2 - Toronto Museum Project Champions

Attachment 3 – Toronto Museum Project Proposed Location – Canada Malting Site