



June 27, 2016

Dear Mayor and Executive Committee,

Re: Ex 16.43 Muzik Clubs Lease Terms and Conditions

We don't often get a second chance to right a historic wrong. Today you have that chance.

In front of you is a recommendation from the Board of Governors of Exhibition Place responding to a request from Councillor Karigiannis to amend the lease for Muzik Clubs to permit Muzik Clubs to host banquets on the premises, something prohibited by the existing lease. This stands to financially benefit the tenant without compensation in return to the City despite the impact this will have on other tenants who currently have exclusivity to host banquets.

Several news reports over the past two years have highlighted a major error in the original lease to Muzik Clubs - the inclusion in the lease of City owned public art by *EB Cox's the Garden of the Greek Gods*. Since construction of a new patio at Muzik Clubs, the statues have been hidden from public view and some statues have been damaged.

We can all agree that public art should be publicly accessible. In this case, this historic art is hidden behind fences, with several statues located behind portable buildings. EB Cox is an internationally renowned Canadian Sculptor with work on display across Canada. The Garden of the Greek Gods was a gift to the City of Toronto and should be celebrated.

Discussions over the last few years with the tenant, the Board and the artist's family, have hit an impasse as there has been no incentive for the tenant to permit Exhibition Place to return the statues to their rightful place in public view. Until now.

Given the significant value of the permission being offered to Muzik Clubs before you today, I hope that City Council can right this historic wrong and move the statues to a site that is publicly accessible on the Exhibition Place grounds as already proposed by the Exhibition Place Board of Governors.

I request that you amend recommendation 1 from the Board of Governors of Exhibition Place by adding **“on the condition that Muzik Clubs also agrees to amend the Muzik Clubs Lease to allow the removal of the Garden of the Greek Gods (referred to in the Lease as the “Existing Statuary”) from the Leased Premises at the Board’s expense:”**



So that the recommendation would now read:

1. City Council approve the following amendments to the Muzik Clubs Lease and any other terms that may be required by the Chief Executive Officer and City Solicitor **on the condition that Muzik Clubs also agrees to amend the Muzik Clubs Lease to allow the removal of the Garden of the Greek Gods (referred to in the Lease as the “Existing Statuary”) from the Leased Premises at the Board’s expense:**

a. amend sections 5.1 and 5.2 of the Muzik Clubs Lease to allow Muzik Clubs to host banquets provided that if Muzik Clubs, in any one year, contracts to hold more than thirty (30) banquets, Muzik Clubs will provide notice to the Liberty Grand Entertainment Group ("Liberty"), and Liberty will have the right to cater such banquets, in accordance with Liberty’s price listing so that the amended sections of the Muzik Clubs Lease will be substantially as provided in Appendix "A".

Thank you,

Mike Layton
City Councillor
Ward 19, Trinity-Spadina