

Ontario Place Redevelopment - Priority Areas for Collaboration and Development Approvals Process

Date: January 12, 2022

To: Executive Committee

From: Deputy City Manager, Infrastructure and Development Services

Wards: All

SUMMARY

The purpose of this report is to address two June 2021 City Council directions for reports related to the Ontario Place redevelopment:

- A report on a formal Toronto-Ontario agreement on the priority areas for City and Provincial collaboration related to the Ontario Place redevelopment; and
- A report on the process that will be utilized for Planning Act and Ontario Heritage Act approvals for the Ontario Place redevelopment.

This staff report summarizes City staff activity since June 2021 and outlines how City staff, including staff of Exhibition Place, will approach working with the Province on finalizing an agreement and reviewing project-related development applications. Descriptions of the three forthcoming development proposals, key dates and City priorities for the development of Ontario Place are also provided.

On July 30, 2021, the Province announced further details of its plans to redevelop Ontario Place, including the preferred participants from their 2019 Call for Development process (Therme Group, Live Nation and Écorécrcéo Group), that have been identified to develop new and/or expanded major attractions on the site. The Province is also continuing to work with the City and the Ontario Science Centre to explore opportunities to deliver science-related tourism and educational programming at the Cinesphere and Pod complex at Ontario Place.

Toronto-Ontario Major Terms and Conditions

Further to the Terms of Reference adopted by City Council on June 8, 2021, staff entered into a structured engagement process with the Province to work on the next phase of the Ontario Place redevelopment, with a view to optimizing the potential of both the Ontario Place and Exhibition Place sites and other nearby City assets.

The June Terms of Reference set out a framework for cooperation, coordination and engagement, and identified the following areas for further collaboration between the City and Province: site planning, permitting and approvals; site servicing; land requirements; and Ontario Place / Exhibition Place linkages.

The attached document titled "Toronto-Ontario Major Terms and Conditions" (Attachment 1) reflects the work done to date through the tables established under the Terms of Reference, and is intended to confirm the ongoing collaboration in more detail. It deals with a number of issues, all of which are described below:

- A process for Planning Act and Ontario Heritage Act approvals;
- The approach that the Province will take to servicing the site, working with the City, Exhibition Place and relevant utilities;
- The status of negotiations of the proposed real estate transactions between the City and the Province; and
- Enhanced integration between Ontario Place and Exhibition Place sites related to issues such as 'last mile' transit, joint programming, parking, parks and public realm connections and improvements, and other issues as identified.

Planning Act and Ontario Heritage Act Approvals

It is proposed that Planning Act and Ontario Heritage Act approvals by City Council be sought and processed in two phases. In phase one, the Province, working through Infrastructure Ontario, will submit an application for a site-wide Official Plan and Zoning By-law Amendment. The amendments are intended to seek development permissions for various uses to be described in full, in forthcoming planning applications. The Province is working through the procurement process to retain consultant teams to advance this work. Following the Official Plan and Zoning By-law Amendment application submissions, in phase two, the three proposed tenants will submit site plan applications for their individual projects as required.

The proposed process for Planning Act and Ontario Heritage Act approvals is described in some detail below, including in Attachment 2. The process will follow the City's established standard review process for high-profile and complex development applications. This process is well understood by all commenting partners. Recognizing the short timelines, resourcing discussions are ongoing with the Province to enable an efficient and thorough review.

The majority of Ontario Place is owned by the Province and the site is considered a Provincial Heritage Property of Provincial Significance. As such, the development review process will consider heritage as part of the approval process. Provincial standards under the authority of the Ontario Heritage Act require that a Strategic Conservation Plan be prepared in accordance with the property's Statement of Cultural Heritage Value to provide guidance on the appropriate management and conservation of Provincial Heritage Properties. The Strategic Conservation Plan will include an assessment of the cultural heritage resources on the Ontario Place site and details how the property will be conserved consistent with the Standards and Guidelines for the Conservation of Provincial Heritage Properties. The Province has retained a consultant team that is currently engaged in this work; City staff will be consulted on this work at key milestones.

In addition, the development review process will emphasize the importance of a comprehensive and holistic public realm. Development proposals and public realm concepts will be reviewed through the lens of inclusivity and accessibility, ensuring that public access to the shoreline is secured and enhanced. The Province recently retained a public realm design team, led by a landscape architect, to develop a public realm master plan and establish design standards to apply across the Ontario Place site to create a unified experience for the public, and to ensure integration between government and privately leased lands and to also ensure an integrated and comprehensive landscape approach is taken across the entire site. This work will also include soil management and remediation, engineering, grading and, shoreline repair works. This work will be guided by a number of considerations, including: ensuring continuous public access to the waterfront; a high-quality, cohesive and consistent public realm; and respect for the unique character of the original Zeidler/Hough design. Consistent with Official Plan (OP) policies contained in the Central Waterfront Secondary Plan, throughout the development review process the City will explore mechanisms to secure improved public access and a continuous waterfront park system.

Throughout the development review process, City staff will make use of the Guiding Principles for the Revitalization of Ontario Place that were recommended by Toronto-East York Community Council and approved at the May 14, 2019 meeting of City Council. The guiding principles were based on the Central Waterfront Secondary Plan themes of:

- Removing Barriers/Making Connections;
- Building a Network of Spectacular Waterfront Parks and Public Spaces;
- Promoting a Clean and Green Environment;
- Creating Dynamic and Diverse New Communities; and
- Openness and Transparency.

Real Estate Matters

To facilitate the redevelopment of Ontario Place, the Province has indicated that it requires some City-owned land and water at Ontario Place. The Province is interested in acquiring approximately six acres of City-owned land and approximately ten acres of City-owned water at Ontario Place. City staff are supportive of investigating opportunities for a potential transaction with the Province of Ontario related to City-owned land and water at Ontario Place, subject to a review of conformity with the Official Plan and appropriate compensation to the City. City staff would investigate the use of covenants or other mechanisms to ensure that any transferred lands would continue as publicly-accessible parkland and water. The City would maintain ownership of the majority of water to the west of the Ontario Place islands, known as the Western Water Course. Discussions with the Province are ongoing. City Council authority will be further sought in the event that a final real estate transaction is negotiated with the Province.

Public Engagement

The City is leading a public and stakeholder engagement program specific to its role as planning approval authority. Engagement activities will be robust and similar in format to other high-profile and complex applications. Public and stakeholder input will be vital to inform the review of the forthcoming applications.

City staff will seek the advice and guidance of the Indigenous Affairs Office in a parallel consultation approach early in the process. The Province has also initiated a public engagement process including its duty to consult; the process will include engagement with Indigenous rights holders -- with people and organizations that represent First Nations, Inuit and Métis peoples and all urban Indigenous communities, including Treaty and Territorial partners such as the Mississaugas of the Credit.

Key Dates

It is expected that ground leases with the tenants will be executed by the Province in Q1 of 2022, recognizing that these lease agreements will not preclude substantive changes, revisions and addressing issues identified by the City through the development review process. The timelines outlined in this report, including all appendices, reflect this expectation. Should lease executions be delayed for any reason, the timelines contained herewith may also need to shift accordingly. The City and Province commit to continued collaboration prior to lease execution.

It is expected that the Province will submit a formal and complete development application for a site-wide Official Plan and Zoning By-law Amendment in October 2022. In the lead up to this formal submission, City staff will continue to engage the Province in a rigorous pre-submission consultation period, with City input to be assisted and informed by each of: a robust consultation program that includes a City-led Stakeholder Advisory Committee; numerous Design Review Panel presentations; and an internal Technical Working Group to be co-chaired by dedicated full-time City staff members from the City Planning Division's Community Planning and Waterfront Secretariat sections.

A preliminary report on the Province's October 2022 planning applications is anticipated for presentation at the first Toronto and East York Community Council meeting of the next Council term. This preliminary report will provide detailed feedback on the application materials submitted to date, and will summarize the various stakeholder and technical input recorded throughout the pre- and post-submission period for the planning applications. The three proponents, stakeholder groups and the public will also have the opportunity to make a public deputation on the preliminary report at Toronto and East York Community Council.

Following publication of the preliminary report, the applicant will undertake necessary revisions to their application before a formal resubmission is filed in June 2023. Applications for site plan control may be filed as early as summer 2023, potentially in conjunction with the anticipated June 2023 resubmission of the Official Plan Amendment and Zoning By-law Amendment applications.

A preliminary report on the land use planning applications is anticipated to be presented to Toronto and East York Community Council for the first meeting of the next City Council term; a final report will proceed to City Council by the end of 2023.

Next Steps and Reporting Back

City staff will continue to use the current pre-submission consultation period to engage with the Province and their tenants in collaborative and productive issues identification. This will include identifying and addressing technical questions and concerns ahead of receipt of formal planning applications and will continue to engage various waterfront and project stakeholders in order to ensure a broad representation of interests and voices throughout this process.

RECOMMENDATIONS

The Deputy City Manager, Infrastructure and Development Services recommends that:

1. City Council authorize the Deputy City Manager, Infrastructure and Development Services in consultation with the City Solicitor, to negotiate and execute an "Ontario Place Redevelopment Agreement" based substantially on the Toronto-Ontario Major Terms and Conditions document contained in Attachment 1, and including such other terms and conditions as are satisfactory to the Deputy City Manager, Infrastructure and Development Services, in consultation with the Deputy City Manager, Corporate Services, Executive Director, Corporate Real Estate Management, Chief Executive Officer, Exhibition Place, and any other relevant Official, in a form acceptable to the City Solicitor.
2. City Council direct the Executive Director, Corporate Real Estate Management, in consultation with the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation to continue negotiations with the Province of Ontario on a potential transaction with the Province of Ontario related to City-owned lands and water at Ontario Place, subject to a review of conformity with the Official Plan and appropriate compensation to the City.
3. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, in consultation with the Chief Planner and Executive Director, City Planning, the General Manager, Parks, Forestry and Recreation and Chief Executive Officer, Exhibition Place where the matters referred to in this Recommendation affect Exhibition Place lands, to approve, execute and administer temporary access agreements, licenses, easements or similar permissions over City-owned lands and water in favour of the Province in order to facilitate the required servicing, site preparation, preliminary testing and design for the redevelopment of the Ontario Place property, at nominal value, and on such other terms and conditions deemed appropriate by the Executive Director, Corporate Real Estate Management, and in a form acceptable to the City Solicitor.

4. City Council direct the Executive Director, Corporate Real Estate Management, to report back to City Council for the necessary approval prior to the execution of any real estate transaction with permanent impact on City-owned real estate interest.

5. City Council request that the Chief Planner and Executive Director, City Planning Division, in consultation with appropriate City divisions, as well as stakeholders and the public, reinforce the "Guiding Principles for the Revitalization of Ontario Place" adopted by City Council on May 14, 2019, including the importance of heritage preservation and expansion of publicly accessible open spaces and parks, in all matters of municipal interest and authority with respect to redevelopment of the Ontario Place property.

6. City Council request the Chief Planner and Executive Director, City Planning Division, working with other Divisions and Exhibition Place, to continue a robust public consultation and stakeholder engagement process to inform the City's review of the Ontario Place redevelopment including engagement with The Board of Governors of Exhibition Place and the Canadian National Exhibition Association.

7. City Council request the Chief Planner and Executive Director, City Planning Division to prepare a comprehensive preliminary report on the detailed planning applications anticipated to be submitted by the Province, along with a general update on progress of the Ontario Place redevelopment, for the first scheduled meeting of the Toronto and East York Community Council in the next Council term.

FINANCIAL IMPACT

There are no financial implications arising from the approval of this report.

In 2015, City Council approved the allocation of \$2 million to a Corporate Initiatives capital account for "Ontario Place Development Plans" through the Capital Budget. As of December 31, 2021, just over \$300,000 had been spent to support the Exhibition Place Master Plan process and the Province's Ontario Place redevelopment project. To date, funds have been allocated to two temporary staff positions (a Senior Planner and Project Manager in City Planning), public and stakeholder consultation, and technical/consultant studies. Additional temporary staff positions and consultant assignments will be required. The unspent portion of the available funding is identified in the proposed 2022 Capital Budget and Plan, in the Corporate Initiatives capital account for "Ontario Place Development Plans". Any additional costs will be identified and reported through budget variance reports and future year budget processes.

City staff are in discussions with the Province about recovering the costs described above. The land use development applications described in this report will be subject to application and permit fees. City staff will seek additional funding to support the pre-application activities described in this report. City staff will report on this through budget variance reports and the 2023 Capital Budget process.

The Province will be responsible for the costs of implementation for the Ontario Place Servicing Renewal Program. The City may elect to undertake works (public realm, active transportation, municipal infrastructure, etc.) in coordination with the Province, and may entertain cost-sharing for its portion of any work, subject to further Council approval. Financial impacts related to the implementation of any City projects, as well as any cost-sharing arrangements with the Province related to this coordinated work will be subject to future City Council reporting and necessary authority and direction. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact Section.

RECONCILIATION AND EQUITY IMPACT

Ontario Place has been, and will continue to be, an important public feature of Toronto's waterfront that integrates inclusive public amenities and climate-resilient design, as well as built and natural heritage. The process outlined in this report will allow for the redevelopment to reflect current City priorities, including those related to Reconciliation and social equity. As part of this process, City staff will undertake a public consultation and stakeholder engagement specific to its role as planning approval authority. The stakeholder engagement will include engagement with Indigenous rights holders -- with people and organizations that represent First Nations, Inuit and Métis peoples and all urban Indigenous communities, including Treaty and Territorial partners such as the Mississaugas of the Credit. In addition, the process will include outreach to people and organizations that are involved with social equity issues.

DECISION HISTORY

On June 8, 2021, City Council adopted *EX24.3 Ontario Place Redevelopment Update*, which directed staff to report back on:

- A formal Toronto-Ontario agreement on priority areas for collaboration on the Ontario Place redevelopment; and
- The process that will be utilized for Planning Act and Ontario Heritage Act approvals for the Ontario Place redevelopment.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX24.3>

On September 30, 2020, City Council adopted *TE18.42 Exhibition Place Master Plan - Phase 1 Proposals Report* which directed City Council to rely on the findings of the Phase 1 Proposals Report to: a) inform future conversations with the Province regarding the joint revitalization of Ontario Place and Exhibition Place; and b) inform future consultations with Metrolinx regarding the Ontario Line.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE18.42>

On May 14, 2019, City Council adopted *EX5.1 Ontario Place/Exhibition Place Revitalization* which directed City staff to engage the Province in developing a joint strategy to plan the future of Ontario Place and Exhibition Place in a collaborative, co-operative, and consultative manner with all stakeholders, and adopted 5 Guiding Principles for the revitalization of Ontario Place.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX5.1>

On May 14, 2019, City Council received for information *TE5.27 Ontario Place Revitalization - Results of Subcommittee Consultation, Guiding Principles and Next Steps* which considered feedback from the public that came through the Subcommittee on Ontario Place established by the Toronto and East York Community Council.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE5.27.6>

On May 14, 2019, City Council adopted *PB5.4 Inclusion on the City of Toronto's Heritage Register - 955 Lake Shore Boulevard West - Ontario Place*, which added Ontario Place to the City's Heritage Register in accordance with a Statement of Significance outlining the reasons for inclusion.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PB5.4>

COMMENTS

Ontario Place Redevelopment Process

On July 30, 2021, the Province announced further details of its plans to redevelop Ontario Place, including the successful participants from the 2019 Call for Development process (Therme Group, Live Nation and Écorécréo Group), that will be developing three new major attractions on the site:

- Therme Group is building Therme Canada | Ontario Place, a family-oriented all-season recreation and wellness attraction, including pools, waterslides, botanical gardens and sports performance and recovery services. The proposal will be located on the West Island, and include approximately eight acres of free, publicly accessible gathering spaces, trails, parkland, gardens and beaches.
- Live Nation is redeveloping the existing Budweiser Stage amphitheatre into a year-round indoor-outdoor live music and performance venue with operable exterior walls, and expanding capacity to 20,000 in the summer and close to 9,000 in the winter.
- Écorécréo Group is building an all-season adventure park for all ages, including aerial obstacle courses, net-based aerial adventures, zip lines, climbing walls, escape rooms and other activities. Écorécréo Group will also operate Segway, quad-cycle, canoe, paddleboat and kayak rentals at the site.

The current proposal from each development partner is discussed in further detail below.

The Province is also working with the Ontario Science Centre to explore opportunities to have science-related tourism and educational programming in the Pod and Cinesphere complex at Ontario Place. This use permission would also be required as part of the Official Plan Amendment.

Following City Council's direction of June 2021, City Divisions are actively collaborating with the Province to discuss how the interrelated works enabling the redevelopment of Ontario Place should be structured. These talks have included advancing the attached Toronto-Ontario Major Terms and Conditions document and a series of development

approvals-related discussions. A structure is being jointly refined that sets out a collaborative process to clarify expectations and prepare for development application submissions.

Toronto-Ontario Major Terms and Conditions

Attachment 1, the proposed Toronto-Ontario Major Terms and Conditions document includes five areas of collaboration and identifies points of agreement and next steps. The Province has identified several key milestone dates in the Major Terms and Conditions as being critical to progress. As indicated in the proposed Major Terms and Conditions, while the Province prefers to work in partnership with the City, if key milestones are not met, it is prepared to use other tools at its disposal to facilitate the timely redevelopment of Ontario Place.

Process to be Utilized for Planning, Permitting and Approvals

The City's established standard review process applied to high-profile and complex development applications across the City will be employed to review the Ontario Place development application. This process is well-established and understood by all commenting partners. Recognizing the short timelines, resourcing discussions are ongoing with the Province to enable an efficient and thorough review.

Provincially-led Development Application

The Province is in dialogue with the City and the proposed tenants in preparation for submission of a site-wide development application. Work is underway to inform the submission including clarification of application requirements, retaining consultant teams, and completing studies and reports that will enable a fulsome review.

Following lease execution and detailed design work, submission of a site-wide Official Plan and Zoning By-law Amendment application is targeted for October 2022. The amendments are intended to seek development permissions for the three proposed tenants and adjacent public realm. Adaptive re-use programming for the Cinesphere and Pods is also under consideration.

Pre- application meetings with the Province will be an opportunity for the City to communicate its priorities for the waterfront.

Should lease executions be delayed for any reason, the timelines may also need to shift accordingly. The City and Province commit to continued collaboration prior to lease execution.

Provincially-led Public Realm Master Plan

The City was not directly involved in the preparation of the Request for Proposals for the Public Realm Master Plan released by the Province. The City does share the goal of the Master Plan to create a high-quality setting for new development as well as to ensure that a unified, cohesive and attractive public experience is created.

The design team will be led by a landscape architect and will develop a Public Realm Master Plan. The team will create design standards, to apply across the Ontario Place site, to: create a unified experience for the public; ensure integration between government and privately-leased lands for the non-tenanted portions of Ontario Place; and, ensure that an integrated and comprehensive approach is taken overall. This work will address soil management and remediation, grading, shoreline repair, engineering, landscape design and tree preservation, amongst other matters. This work will be guided by a number of considerations:

- Ensuring continuous public access to the waterfront;
- Ensuring the public realm for all of Ontario Place is experienced as a cohesive whole;
- A high-quality, safe, universally accessible, cohesive and consistent public realm;
- Respecting the unique character of the original Zeidler/Hough design, and demonstrated consistency with their forthcoming Strategic Conservation Plan also being prepared for the site which will set a comprehensive approach to heritage;
- Public consultation on design;
- Engagement of team members including a landscape ecologist and an Indigenous advisor;
- Inclusion of detailed design, construction documents and warranty oversight;
- Improving the interface with Lake Shore Boulevard West;
- Important views and vistas;
- Requirement for a Category C Public Works Class Environmental Assessment (EA) to evaluate the Public Realm Master Plan;
- A commitment to participate in a joint Design Review Panel (details below);
- A collaborative role with the City and Exhibition Place;
- Up to 4 design working sessions with City staff during conceptual and detailed design; and
- Consideration of input from community and stakeholder consultation.

Public realm design options are required to be evaluated as a part of the Category C Public Works Class EA. Scheduling discussions are ongoing regarding how the Public Realm Master Plan can address EA requirements while also ensuring the outcomes are available early enough to meaningfully inform the forthcoming development applications. To date, some assumptions regarding the Public Realm Master Plan are reflected in the conceptual designs for the three tenant proposals. These assumptions require verification in the context of the public realm approach for the entire site set out in the forthcoming Public Realm Master Plan. A prime consultant for the Public Realm Master Plan was retained in early 2022 with the final design scheduled for selection in mid to late 2023.

Capital funding for implementing the preferred option for the Public Realm Master Plan is forthcoming. It is the expectation of the City that the Province will secure the funding for implementation in advance of the issuance of building permits.

Provincially-led Heritage Strategic Conservation Plan

The majority of Ontario Place is owned by the Province and the site is considered a Provincial Heritage Property of Provincial Significance. In this case, Provincial standards under the authority of the Ontario Heritage Act require that a Strategic Conservation Plan be prepared to provide guidance on the appropriate management and conservation of provincial heritage properties. The Strategic Conservation Plan includes an assessment of the cultural heritage resource and details how the property will be conserved consistent with the Standards and Guidelines for the Conservation of Provincial Heritage Properties. The Province has retained a consultant team that is currently engaged in this work.

The City is a stakeholder in the Strategic Conservation Plan process and is being consulted with as part of its drafting and development. Deliverables are expected for the City to review in early 2022. City commentary will be provided in order for this document to guide the forthcoming applications and public realm work.

City-led initiatives in Progress

The City of Toronto is advancing a number of works in anticipation of receiving development applications from the Province. These activities include a range of stakeholder engagement activities outlined in the City-led Stakeholder Engagement section below as well as coordinating with internal working groups and commenting partners in order to advance a timely development review.

The City is also in the process of identifying resources required to augment internal review capacity required to meet the Provincial development timelines.

See Attachment 2 of this report for an outline of the proposed development approvals process.

Infrastructure analysis, environmental assessments and connectivity studies enabling the redevelopment of the site are currently underway.

Site Readiness

Site Servicing Renewal

Servicing for the Ontario Place site was originally implemented in 1970 and was adapted as new uses came online (e.g. Budweiser Stage, Trillium Park). The current infrastructure is outdated and nearing the end of its useful life. A number of infrastructure projects are required to continue existing operations on site as well as enable the redevelopment of Ontario Place.

Servicing infrastructure upgrades to water, wastewater, electrical, telecommunications and gas are currently being undertaken by the Province through a master servicing approach.

The Province is currently leading consultations with key stakeholders and authorities to inform ongoing servicing renewal planning and design work. Appropriate implementation strategies are being developed to coordinate the design and delivery of this infrastructure for master servicing renewal works and early/enabling works that need to proceed, ahead of tenant-led site works. Collaborative issues identification and discussions are ongoing.

A Category B Class Environmental Assessment (Class EA) under the Public Works Class EA is being completed by the Province to support the site servicing upgrades. This EA was launched in October 2021 and Indigenous communities, as well as the City and other stakeholders have been consulted on anticipated impacts and mitigation measures.

Site Development

Site development works that are to be led by the Province, including public realm design options, will be evaluated through a Category C Class EA under the Public Work Class EA process. This is a comprehensive EA process including mandatory notices, Indigenous and public engagement and consideration of alternatives. The anticipated public events of the Category C Class EA are captured in Table 1 below:

Table 1: Category C Environmental Assessment Public Events

Environmental Assessment	Activity
Category C Class Environmental Assessment Sequencing of Public Events	Notice of Commencement
	Public Open House #1 – EA Launch and Public Realm Visioning
	Public Open House #2 – Presentation of Alternative Methods/Design
	Public Open House #3 – Presentation of the Recommended Alternatives/Design Concepts
	Public Open House #4 – Confirmation of Preferred Alternative/Design Concepts and results of assessment including mitigation measures
	Release of the Notice of Completion and Environmental Study Report documenting the EA process (30 day posting)

Shoreline protection and any related shoreline rehabilitation and/or lake fill activities will also be contemplated and analyzed as a part of the Category C Public Works Class EA as well as through the municipal approval process and other necessary statutory approvals to be determined. Official Plan policies in section 3.4 speak to the criteria for lake filling activities in Lake Ontario, including works that create natural habitat, public recreation and essential public works.

Real Estate Requirements

To facilitate the redevelopment of Ontario Place, the Province has indicated that it requires some City-owned land and water at Ontario Place. A map of existing City-owned land and water is included as Attachment 4. The City-owned assets include approximately six acres of land and twenty-one acres of water.

The Province is interested in acquiring approximately six acres of City-owned land and approximately ten acres of the City-owned water at Ontario Place.

In 2019, City Council provided direction to staff to contemplate the rationalization of land ownership matters at Ontario Place and Exhibition Place as part of TE5.27, Ontario Place Revitalization - Results of Subcommittee Consultation, Guiding Principles and Next Steps.

City staff are supportive of investigating opportunities for a potential transaction with the Province of Ontario related to City-owned land and water, subject to a review of conformity with the Official Plan and appropriate compensation to the City. City staff would investigate the use of covenants or other mechanisms to ensure that any transferred lands would continue as publicly-accessible parkland and water. The City would maintain ownership and management of the majority of the water to the west of the Ontario Place islands, known as the Western Water Course.

Official Plan Requirements

The City-owned land that the Province is interested in acquiring is designated as Other Open Space Areas and is part of the Green Space System in the Official Plan. The majority of the City-owned water does not have an Official Plan designation. Some of the water is designated as part of the Downtown and Central Waterfront area, and some is part of the City's Green Space System.

The Official Plan prohibits the sale or disposal of City-owned lands within the Parks and Open Space Areas designation (Policy 4.3.8). However, such lands may be exchanged for other lands if these are 1) nearby, 2) equivalent or larger in area, and 3) of comparable or superior green space utility.

In addition, Policy 2.3.2.4 directs that the sale or disposal of publicly owned lands in the Green Space System will be discouraged and the sale or disposal of such City-owned lands is not permitted. However, City owned land in the Green Space System may be exchanged for other lands if these are 1) nearby, 2) equivalent or larger in area, and 3) of comparable or superior green space utility.

Policy 2.3.2.5 of the Official Plan directs that development will not result in the loss of public space within the Green Space System. In addition, policy 2.3.2.9 directs that the sale or disposal of publicly owned lands on the water's edge will be discouraged.

An Official Plan Amendment would be required to permit the disposal of Green Space System lands and Parks and Open Space Area lands without an exchange of nearby lands of "equivalent or larger in area" and "comparable or superior green space utility".

Real Estate Transaction Considerations

To date, the Province has identified a potential opportunity to transfer to the City approximately 1.8 acres of land adjacent to the City-owned Inukshuk Park, land which is currently designated as "Parks" in the Official Plan; with this parcel the City could make significant improvements to the connection between the City-maintained Martin Goodman Trail and the William G. Davis trail at Ontario Place, and improve the utility of Inukshuk Park by expanding it on to these lands. City staff and the Province will continue to work to identify further land and water that may be available for an exchange (land for land, water for water) that would satisfy the requirements of the Official Plan. City staff would investigate the use of covenants or other mechanisms to ensure that any transferred lands and water would continue as publicly-accessible parkland and water.

Timing

The City and Province will continue to work together to identify key timing considerations for the completion of a real estate transaction. The Province has indicated a desire to identify the lands to be exchanged and related terms by September 30, 2022. City Council authority will be further sought in the event a final real estate transaction is negotiated with the Province. The Province has indicated a desire for the land and water to be transferred to Provincial ownership by December 31, 2023.

Interim and Temporary Interests

The City will provide temporary access agreements, licenses, easements or similar permissions, for nominal value, to the Province as are reasonably required by the Province to enable site servicing and site preparation in advance of the completion of the final real estate transaction.

Parking

The Ontario Place site currently accommodates approximately 1,240 surface level parking spaces. As a part of the proposed Ontario Place redevelopment, the Province will be pursuing multi-modal transportation solutions for site users, including connections to transit and active transportation links. Transportation Demand Management measures will also be incorporated.

Any proposed parking solution would seek to minimize parking supply by optimizing parking space requirements based on peak-time forecasts of the different proposed tenant operations. The Province is currently exploring several on-site options, with a

preference for low impact solutions. The Province is in the process of procuring a transportation consulting team to undertake detailed parking analysis and design to further inform their proposed parking solutions for the site.

City commentary will be provided in order to guide the forthcoming applications, including identifying a parking solution.

Last Mile Connection

Informed by the Guiding Principles in the Toronto-Ontario Major Terms and Conditions, City staff are in dialogue with the Province and Metrolinx on an integrated planning approach to natural linkages between Ontario Place, Exhibition Place and the surrounding neighbourhoods. An Ontario Line subway station and improved service at the existing GO Transit stop are planned at Exhibition Place. Improvements are also planned to the TTC streetcar network. These transit investments represent an opportunity to advance connectivity goals in the area.

Working groups led by Metrolinx addressing last mile connectivity between the planned Ontario Line station, Exhibition Place and Ontario Place are gathering information and comments from City Divisions to guide potential solutions. Discussions to date addressed managing crowd capacity, potential impacts to Exhibition Place, integration of multiple modes of travel, accessibility and the possibility for multiple technical solutions.

Improving connections between Ontario Place and Liberty Village and surrounding neighbourhoods continues to be a priority. Consideration for a variety of travel patterns and capturing surrounding neighbourhood users who may be using the last mile solution as their point of origin, as well as potential to improve overall access, circulation and parking around the site (e.g. normalizing intersections and pedestrian crossings) will inform City inputs into the process.

City-led Stakeholder Engagement

The Province and the City have distinct roles in the redevelopment of Ontario Place. Accordingly, the Province and the City are leading separate engagement processes tailored to their respective roles. Some stakeholders are expected to be involved in both of these parallel engagement programs.

A public engagement consultant was retained by the City in December 2021 to assist in its role as approval authority for the forthcoming proposals. The scope of services includes engagement support typical to a high profile development proposal, including assistance for public facing community consultation meetings and stakeholder group coordination.

The City convened a Stakeholder Advisory Committee to broaden and further inform the City staff in its review of the proposals. A kickoff meeting was held on December 17, 2021 to brief the committee members. Discussion touched on last mile connections with Exhibition Place, the relationship of proposals to the findings of the forthcoming heritage Strategic Conservation Plan and the extent of the public realm and water-lot access.

City staff will seek the advice and guidance of the Indigenous Affairs Office in a parallel consultation approach early in the process. City Staff will engage Indigenous rights holders -- people and organizations that represent First Nations, Inuit and Métis peoples and all urban Indigenous communities, including Treaty and Territorial partners such as the Mississaugas of the Credit.

Development Concepts: Tenanted Areas

Design and development concepts for each of the three prospective tenanted areas are at an early stage and are considered conceptual. Recognizing that each tenant is working on a separate development timeline, the below outlines information available so far in their respective design process. This information is high-level and subject to change.

As site-specific development applications are officially submitted to the City, the established process of detailed comments from City Divisions and partners together with inputs and feedback from public engagement processes will inform how the development proposals evolve.

See Attachment 3 for a conceptual site plan showing the three applications for the site.

Therme Proposal Conceptual Directions

Location	West Island and portion of Mainland
Uses	Water-based recreation centre and wellness facility that includes pools, water treatments, spas, saunas, sports rehabilitation, a variety of water-based recreational activities, family entertainment areas, restaurants, indoor gardens and event spaces.
Scale*	Main building ~35-45 metres in height, distributed over 9 levels.
Gross Floor Area*	~62,000 square meters (~667,000 square feet)
Capacity	8,000 people
Private Components	<ul style="list-style-type: none"> • Entry pavilion; • Portion of bridge connecting to West Island; • Main building; • Outdoor pools; • Canoe/paddleboard/kayak rentals on a public pier.

Adjacent Public Components	<ul style="list-style-type: none"> • ~8 acres of new and upgraded park space and public realm; • Trail and path connections to existing network; • Wetlands; • Public garden area; • Public beach; • Canoe and Kayak pier, including change rooms and bathrooms.
Sustainability Objectives	<p>Therme targets LEED Platinum and WELL Building Standard V1 certifications.</p> <p>Proposed building systems include efficient water treatment technology and sustainable building materials to allow for energy savings, including:</p> <ul style="list-style-type: none"> • Heat transition materials allow for approximately 65% energy savings designed to minimize solar heat gain; • Reduced water consumption by recirculating water treatment technologies, rainwater usage, greywater re-usage, wastewater technologies, water consumption regulations in showers, lavatories and kitchens; • High performing building envelope, efficient triple glazed walls and roofs; • Efficient mechanical and electrical systems.
Other	<ul style="list-style-type: none"> • Lake filling and shoreline repair activities are proposed to enable an expanded public realm, beach area and many of the proposed public components.

*preliminary concept and subject to change

Écorécréo Proposal Conceptual Directions

Location	Lower East Island and Marina Village area
Uses	<ul style="list-style-type: none"> • A family-focused all-season adventure park located on the lower East Island offering aerial obstacle courses, net play, zip lines, climbing walls and event spaces. <p>Écorécréo will also provide equipment rentals across the site, including bicycles, quadricycles, segways and small watercraft such as paddle boats.</p>
Scale	Buildings will be limited. Climbing and play structures proposed up to ~25 metres in height.
Floor Area	Interior floor area will be limited. ~1,100 square meters (~12,000 square feet) (footprint of new play structures).

Capacity	2,000 people
Private Components	<ul style="list-style-type: none"> • Ticketed areas around recreation uses in a "pay to play" model; • Use of rentals; • Limited indoor recreation areas.
Adjacent Public Components	<ul style="list-style-type: none"> • Public access through the outdoor areas of the site is currently being explored.
Sustainability Aspirations	<p>Écorécréo targets low impact development and construction practices, sustainable materials and protection of existing landscape, including:</p> <ul style="list-style-type: none"> • Retention of existing trees/flora/fauna; • Low impact design via minimal new construction/optimization of existing landscape; • Low energy usage given outdoor type of activities during operations.
Other	Proponents are working with Live Nation to explore activation of the nearby channels and connectivity. The concepts focus on outdoor-oriented programming with limited indoor floor area.

Live Nation Proposal Conceptual Directions

Location	Central Island
Uses	A substantial redevelopment to enhance the existing entertainment venue located on the Centre Island able to host year-round performances and events. The venue will be complemented by new retail, restaurants and a multi-use plaza space for outdoor programming.
Scale	Not yet available
Floor Area*	~30,000 square metres (~ 330,000 square feet)
Capacity	<ul style="list-style-type: none"> • Up to 20,000 people: 9,000 covered seats; 11,000-person lawn.
Private Components	<ul style="list-style-type: none"> • Indoor seating; • Outdoor seating (e.g. lawn); • Main amphitheatre venue; • Concessions, restaurants, retail.

Adjacent Public Components	<ul style="list-style-type: none"> • Exploring development of a new public plaza east of the Amphitheatre for use during non-event times.
Sustainability Aspirations	<p>Live Nation will develop a sustainable year-round amphitheatre that will utilize efficient construction design and optimized energy solutions during operations to minimize carbon and energy footprint, including:</p> <ul style="list-style-type: none"> • Landscape design using natural ecology; • Building designed to minimize solar heat gain; • Low emissions building materials; • Passive cooling strategies.
Other	<p>Proposes a redevelopment of the existing location of the Budweiser Stage. Proposal includes operable exterior walls which would allow the venue to be closed off so it may continue to operate in winter months.</p>

*preliminary concept and subject to change

Public Realm Master Plan: Non-Tenanted Areas

Public realm concepts will flow from the Public Realm Master Plan for the non-tenanted public portions of the revitalized Ontario Place (part of the Category C Class EA). These areas may require Site Plan Approval. For more detailed information on the Public Realm Master Plan see the Areas of Collaboration section above.

Policy Considerations

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform to applicable Provincial Plans which, in the case of the City of Toronto, includes A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Central Waterfront Secondary Plan

The City's interests in and vision for Ontario Place is described in the Central Waterfront Secondary Plan. Since 2003, the Central Waterfront Secondary Plan has informed the City's position on the future of Ontario Place in the form of four Core Principles as follows:

1. Removing Barriers/Making Connections;
2. Building a Network of Spectacular Waterfront Parks & Public Spaces;
3. Promoting a Clean & Green Environment; and
4. Creating Dynamic & Diverse New Communities.

City Council adopted a series of "Guiding Principles for the Revitalization of Ontario Place" based on the themes in the Central Waterfront Secondary Plan. Key principles, including coordinated planning and complementary programming, synergies between the Ontario Place and Exhibition Place sites, enhanced connectivity and waterfront access, improved transit links and expanded open space and parks, are clearly reflected in the Toronto-Ontario Major Terms and Conditions.

The principles of the Central Waterfront Secondary Plan will continue to be foundational in guiding the redevelopment of Ontario Place.

Exhibition Place Master Plan

City Council adopted the Exhibition Place Master Plan - Phase I Proposals Report on September 30, 2020, which outlines a vision to affirm Exhibition Place as Toronto's preeminent gathering place, where visitors can experience spaces for relaxation, entertainment and exhibition. These spaces will be bound together with a cohesive public realm network both within the site and connecting to the surrounding city. The report emphasizes connections to Ontario Place and identifies potential new connections, entry points and bridges, as well as opportunities to improve existing connections both within the site and to the surrounding areas. The improvement and expansion of connections and open space is planned to provide east-west and north-south connections, creating a strong link to Ontario Place, in particular through the addition of a "park link" bridge over Lake Shore Boulevard West.

Preliminary Comments Related to City Priorities

The following represents a set of early City priorities that will inform the development review process for Ontario Place. This section is not intended as a comment on designs to date, but is instead provided to clarify expectations and themes of specific interest. The focus and input of City staff is expected to evolve as more information becomes available.

Central Waterfront Secondary Plan Direction

The Central Waterfront Secondary Plan speaks to Ontario Place being woven into the waterfront park system with better access for the public to enjoy its facilities and paid attractions. A new trail system with enhanced connectivity for pedestrians and cyclists will be created across Ontario Place. The overall policy direction is to reaffirm Ontario Place as an important destination for major festivals and tourism events and for the celebration of innovative architecture and landscape design.

Improved public access is a key theme that will guide the review of the applications, specifically as it relates to the interaction between the public realm and private tenanted areas.

Land Use

The Official Plan designates the site as Other Open Space Area which includes golf courses, cemeteries, and open spaces associated with utilities and other specialized

uses and facilities. The Official Plan Amendment will be assessed in the context of its conformity to this land use definition in addition to other policies.

The Central Waterfront Secondary Plan designates the site as Parks and Open Space. In addition to permitting parks, plazas, and natural areas this designation contemplated parks-compatible uses including community, recreation, cultural, restaurant and entertainment facilities. The proposed land uses for a wellness centre, outdoor recreation and entertainment venue are in keeping with the Central Waterfront Secondary Plan vision for Ontario Place as a major event and tourism destination and represent a redevelopment and continuity of the past and present activities on the site. Although the vision expressed in the Plan is respected, an Official Plan Amendment is required to allow for the particular range of uses proposed and to provide more specificity in terms of the public realm, heritage and other key features that support the character, scale and public nature of Ontario Place.

The proposed land uses are supportable in principle, provided that they meet the criteria of the Toronto-Ontario Major Terms and Conditions guiding principles. City staff will work to ensure that land uses are deployed at an appropriate scale and sensitively designed to respond to cultural and natural heritage, public realm and other key considerations identified in the review process. It is important that the overall idea and experience of Ontario Place not be subsumed by its constituent parts.

Heritage: Strategic Conservation Plan

The iconic modernist architecture, soft play innovations and forward-thinking ecology and landscape design elevate Ontario Place as a heritage site of international significance. The Strategic Conservation Plan is a foundational document that will inform all elements of the redevelopment of Ontario Place. This heritage document will detail how the property and its cultural heritage value will be conserved in accordance with the Standards and Guidelines for the Conservation of Provincial Heritage Properties. It will set the groundwork for landscape and public realm design, natural heritage features, and how buildings are located on the site. The Strategic Conservation Plan will also be a key input into urban design considerations of identifying views and managing interfaces with major streets, parks and water elements. Works as diverse as site ecology and infrastructure improvements can also be tied back to the Strategic Conservation Plan.

While the Toronto-Ontario Major Terms and Conditions provides for the conservation of the unique modernist architecture of the Pods and the Cinesphere, the Strategic Conservation Plan will inform how the design intent of the original cultural heritage landscape for Ontario Place is respected and reflected in proposed changes to the site.

This plan is expected in early 2022 and will inform all forthcoming development proposals.

Public Realm Master Plan

The public realm in and around Ontario Place represents a vital waterfront asset for all Ontarians to enjoy, as demonstrated by the ongoing success of Trillium Park and the

significant increase in park users on the William Davis Trail and Martin Goodman Trail during COVID-19 lockdowns. Similar to the Strategic Conservation Plan, the Public Realm Master Plan is a foundational document that will implement the Central Waterfront Secondary Plan objective of creating a high-quality, continuously accessible public realm network as a free public amenity. This plan will provide guidance for parks planning, recreation, education programming, trails, linkages, landscape, tree planting, biodiversity, sustainability and other works. Development proposals and public realm concepts will be reviewed through the lens of inclusivity and accessibility, ensuring that public access to the shoreline is secured and enhanced.

The Public Realm Master Plan scope of work recognizes that it is essential that the public realm across the site is cohesive, reinforces a high-quality public experience, and reflects the vision for Ontario Place while respecting the unique character of the original Zeidler/Hough design. The plan will assist the development review process by ensuring a sensitive treatment of cultural heritage landscapes, appropriate location and scale of buildings, improved access and generous provision of public realm for all to enjoy. Existing assets within the cultural heritage landscape are expected to guide the functionality and organization of the development sites.

As the Public Realm Master Plan is linked to the Category C Class EA process and associated timeline challenges, both parties are collaborating to expedite deliverables as early as possible to ensure this work meaningfully informs the three applications.

Sustainability

On October 2, 2019, City Council voted unanimously to declare a climate emergency and accelerate efforts to mitigate and adapt to climate change, adopting a stronger emissions reduction target of net zero by 2050 or sooner. On December 15, 2021, City Council adopted the TransformTO Net Zero Strategy with a new target of net zero GHG emissions community-wide by 2040. The applications will be reviewed with these targets in mind, using Transform TO and the Toronto Green Standards to achieve a high degree of sustainability and building performance outcomes.

Ecology and Tree Preservation

Ontario Place is home to significant mature tree canopy and plays an important ecological role. The City will require a robust tree planting, preservation and replacement strategy that recognizes the ecological importance of the site.

Development concepts and related grading and shoreline works for the West Island (Therme proposal) currently suggest limited opportunity for tree preservation which will require changes consistent with City Council direction and opportunities to protect habitat, increase tree canopy and mitigate impacts of climate change. Details of the final design - including the landscape plan and planting schedule have not been completed. The City will be consulted as this design is finalized.

Water and Sewer Servicing Capacity

Adequate water and sewer servicing capacity is required to accommodate the proposed land uses. As this is a key requirement for the redevelopment of the site, this is being prioritized accordingly.

Coordination

Multiple complex projects are required to enable the redevelopment of the site. Coordination of information across projects is as an ongoing challenge. Last mile studies, infrastructure/site servicing works and development application review are proceeding in tandem, each with their own timelines and milestones.

Continuing to identify workable solutions to ensure meaningful and timely integration of information and outcomes is recognized as a priority item for all parties.

Timelines

Key dates outlined in the Approvals Process section of this report are based on an optimistic set of assumptions. The timelines assume an efficient and collaborative working relationship with the applicant teams, timely availability of information and high-quality development application submissions. Applicant teams are expected to be highly responsive to comments from City divisions in order to meet established timelines.

CONCLUSION

The land uses for the Ontario Place redevelopment articulated by the Province (illustrated in Attachment 3 and summarized in the Development Concepts section above) are generally consistent with City Council's Guiding Principles on Ontario Place Revitalization and the intent of the Central Waterfront Secondary Plan.

The proposed mix of land uses, along with commitments to keep new attractions family-friendly and affordable, publicly accessible and environmentally sustainable, provides considerable potential for economic development and synergies with Exhibition Place that would revitalize the entire precinct. The proposals also include the creation of new public amenities and parkland, which would benefit residents and visitors, including those that do not patronize the new commercial attractions. The land uses proposed as a part of the redevelopment are supportable in principle, provided that the applications meaningfully address the items set out in the Preliminary Comments Related to City Priorities section above.

The proposed approach to the development approvals process is also supportable. Following both the City's established standard planning review process for high-profile and complex development applications, and the Province's requirements under the Ontario Heritage Act for a Strategic Conservation Plan, will ensure that all proposals receive robust and thorough consideration.

The proposed Toronto-Ontario Major Terms and Conditions document includes ambitious timelines for City staff to review and meet key milestones in the development review process, including review of the Province's application for a site-wide Official Plan Amendment and Zoning By-law Amendment that will lay the groundwork for forthcoming site-specific planning applications. Collaborative progress and cooperation is in the best interests of City and Ontario residents, and the path most likely to lead to success. Discussions to date have been focussed and outcome-oriented with both parties clarifying their priorities and assumptions. Committing to the proposed Toronto-Ontario Major Terms and Conditions would continue these discussions with the Province in a productive and efficient manner along an agreed-upon pathway to meet mutual objectives.

Robust public and stakeholder consultation, together with Indigenous rights-holder engagement activities, are fundamental to realizing mutual objectives and advancing the public interest in the redevelopment of Ontario Place.

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ATTACHMENTS

- Attachment 1: Toronto-Ontario Major Terms and Conditions
- Attachment 2: Further Detail on Development Approvals Process
- Attachment 3: Concept/Vision for the Ontario Place Redevelopment
- Attachment 4: City-Owned Land and Water at Ontario Place

Attachment 1: Toronto-Ontario Major Terms and Conditions

<p>1.0 Background</p>	<p>The 2019 Toronto-Ontario Cooperation and Consultation Agreement is a formal agreement between the City and the Province of Ontario (the “Parties”) that sets out the roles and responsibilities of each to consult on issues or policies of mutual interest.</p> <p>In 2021, the Parties executed a Terms of Reference that acknowledged their mutual interest in continued collaboration to enable the revitalization of the City’s waterfront, with a focus on the redevelopment of Ontario Place by the Province and the master planning of Exhibition Place by the City. The Terms of Reference confirmed that: (i) the Parties’ engagement processes will be guided by the applicable principles and provisions of the Toronto Ontario Cooperation and Consultation Agreement; and (ii) the Parties will operate within the Toronto-Ontario Cooperation and Consultation Agreement framework. The Terms of Reference also identified the rules of engagement and a governance structure to guide the collaboration of the Parties.</p> <p>When approving the execution of the terms of reference, City Council asked the Deputy City Manager of Infrastructure and Development Services to report back to the City’s Executive Committee on a formal Toronto-Ontario agreement on the priority areas for collaboration on the redevelopment of Ontario Place (the “Agreement”).</p> <p>In making the commitments contained in this Major Terms and Conditions document, the parties recognize and acknowledge the impacts which the current COVID-19 pandemic may have on the staffing and resources of the City and the Province.</p>
<p>2.0 Purpose</p>	<p>The purpose of the Agreement is to identify the following: (i) Planning, Permitting and Approvals; (ii) Site Readiness; (iii) Real Estate; (iv) Parking; and (v) Last Mile Connection as the priority areas for collaboration and to set out how the City and the Province (the “Parties”) will assist each other to address and achieve outcomes that will enable the advancement and delivery of the Ontario Place Redevelopment Project and related improvements at Exhibition Place.</p>
<p>3.0 Planning and Development Approvals</p>	<p>The Parties agree to enable the progress of the Ontario Place Redevelopment Project in alignment with the Terms of Reference and the concept/vision set out on the last page of this Major Terms and Conditions document (see Attachment 3 of City staff report).</p>

The Parties agree to make every possible effort to facilitate the planning process that is required to enable the timely consideration of an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) by City Council to be in place for Ontario Place by December 31, 2023.

The Province will:

(i) Undertake a pre-application consultation process with the City (with support from third party consultants) to facilitate a timely approvals process;

(ii) File development applications for the City's consideration of an OPA and a ZBA for Ontario Place; and

(iii) Engage and collaborate with the City during the development approvals process to ensure that process milestone dates are met.

The projected key process milestone dates are as follows:

- February 2022 – targeted completion of the Strategic Conservation Plan for Ontario Place
- October 2022 – OPA/ZBA application submission
- Q3 2022 or before – identification of the preferred option for the Public Realm Master Plan
- Q4 2022 – City circulation, comment and review of OPA and ZBA submissions
- First meeting (Q4 2022/Q1 2023) of the new City Council term – Preliminary Report on OPA/ZBA application
- June 2023 – Revised OPA/ZBA Submission/Site Plan Submission
- December 2023 or before – Final Report to Council and decision on OPA and ZBA applications

The City will manage a development approvals process in a manner that will enable City Council to make a decision on the OPA and ZBA applications by December 31, 2023.

If an OPA and ZBA permitting the redevelopment of Ontario Place are not in place by December 31, 2023, the City acknowledges that the Province may utilize other tools available to the Province to ensure the further progress of the Ontario Place Redevelopment Project. This acknowledgement does not limit any rights the City may have to respond to the Province's use of other tools. Applications for approvals other than an OPA and a ZBA, such as Site Plan Approval applications and any minor variance applications, will be filed by one or more of the Tenants with the written consent and authorization of the owner of the relevant lands.

	<p>The City will allow Site Plan Approval applications to be filed in advance of a decision on the OPA and ZBA.</p> <p>The City will make every possible effort to expedite consideration of Site Plan Approval applications.</p> <p>The Province acknowledges that it may be required to file a Site Plan Approval application for the non-tenanted portions of the property.</p>
<p>4.0 Site Servicing (Readiness)</p>	<p>The Province will, at its sole cost except as otherwise agreed, implement a master servicing renewal program to replace or upgrade the core servicing network necessary for the redevelopment of Ontario Place (the “OP Servicing Renewal Program”). The OP Servicing Renewal Program will include off-site municipal water, sewer and storm water works. The program will be implemented as an early works project, which will proceed independent from and ahead of the development approvals process. The Province acknowledges that additional servicing requirements may be required to be satisfied by the Province and/or the Tenants as a result of the development approval process.</p> <p>The Province will complete a Functional Servicing Report that outlines a recommended new servicing strategy, as per the City of Toronto requirements.</p> <p>The City will make all possible efforts to expedite, subject to statutory requirements, the review and processing of all municipal approvals, permits and/or agreements (e.g. for new/modified connections to the municipal system) that are required to implement the OP Servicing Renewal Program.</p> <p>Where the OP Servicing Renewal Program requires access to, and the right to construct on, City-owned lands, the City will provide such temporary access agreements, licenses, easements or similar permissions on such terms as may be agreed. For works requiring access to municipal rights-of-way, the Province will file the appropriate municipal permit applications as required by the City.</p> <p>The City will work with the Board of Governors of Exhibition Place to expedite any required infrastructure upgrades to Exhibition Place to enable coordination with the Ontario Place Redevelopment Project’s timelines. The City will work with the Board of Governors of Exhibition Place and the Province will work with the Operator of Ontario Place, to enable the coordination of site construction and large event schedules.</p>

	<p>The Province will be solely responsible for the costs associated with the completion of the OP Servicing Renewal Program, except as otherwise agreed.</p> <p>The Parties acknowledge the mutual benefit that will result from a co-ordinated program of service infrastructure upgrades. To this end, where appropriate and practicable, the Parties will coordinate their respective relevant service infrastructure upgrades.</p> <p>The City will work with the Province to identify upgrades to City infrastructure at Exhibition Place and in the vicinity of Ontario Place that could be coordinated with the planned infrastructure upgrades at Ontario Place. Where appropriate and practical, the City will expedite any required upgrades to enable coordination with the Ontario Place Redevelopment Project’s timelines.</p>
<p>5.0 Real Estate</p>	<p>The Parties are negotiating real estate matters relating to the Ontario Place Redevelopment Project.</p> <p>If the Parties fail to reach an approved real estate agreement by September 30, 2022, the City acknowledges that the Province may pursue any means available to the Province to acquire the City-owned lands at Ontario Place. This acknowledgement does not limit any rights the City may have to respond to the Province’s use of other means to acquire the City-owned lands.</p> <p>The City will provide, in a timely manner and on such terms as may be agreed, such temporary access agreements, licenses, easements or similar permissions to the Province as are reasonably required by the Province to enable site servicing and site preparation for the Ontario Place Redevelopment Project.</p> <p>Both Parties agree that recreational use of the Western Water Course shall continue.</p>
<p>6.0 Parking</p>	<p>The City acknowledges that the Province is actively seeking a new parking solution to address an increase in parking demand resulting from the Ontario Place Redevelopment Project. In the interim, Ontario Place will continue to operate with its existing parking facilities.</p> <p>The Parties also acknowledge that they may, in future, explore joint parking solutions that would benefit both Ontario Place and Exhibition Place and be implemented through an appropriate cost sharing arrangement.</p>

	<p>If the Parties are unable to agree on a joint solution by a mutually agreed upon date, the Parties agree that the Province will pursue a solution solely for Ontario Place.</p> <p>The Parties will work together to prepare parking and traffic management plans (or a single traffic management plan that addresses all elements), to be implemented during construction.</p>
<p>7.0 Last Mile</p>	<p>The Parties acknowledge and agree that a transit and active transportation last mile solution that connects the Exhibition Place Ontario Line terminus and Ontario Place needs to be developed and implemented.</p> <p>The Province and/or its Crown agency, Metrolinx, will:</p> <ul style="list-style-type: none"> (i) Include the City and the Exhibition Place Board of Governors as stakeholders in Metrolinx’ last mile business case and option development/assessment process; (ii) Identify a preferred last mile solution; (iii) Work with the City and the Exhibition Place Board of Governors to minimize impact of any last mile solution on Exhibition Place operations; (iv) Fund the cost of the transit infrastructure that is required specifically to implement the last mile solution; and (v) Work with the City to seek a prompt endorsement of the last mile solution. <p>Should the Parties agree to implement any non-transit related programming, namely active transportation and public realm improvements across Exhibition Place and/or enhancements to the bridges over Lake Shore Boulevard, cost sharing will be negotiated.</p>
<p>8.0 Approvals/Non-Binding</p>	<p>The Parties acknowledge that certain of the decisions that the Parties may reach in the Priority Areas, will require further approvals, including some or all of Toronto City Council, the Board of Governors of Exhibition Place, the Operator of Ontario Place or Ontario’s Treasury Board and Management Board of Cabinet. Each Party will (i) identify the further approvals that may be required to the other Party at the earliest opportunity; and (ii) work to facilitate such further approvals within the Ontario Place Redevelopment Project timelines.</p> <p>The Parties acknowledge that this Major Terms and Conditions document is not legally binding. Legally binding obligations will result only upon the receipt of all required approvals and the execution of the final Agreement as contemplated herein.</p>

Attachment 2: Further Detail on Development Approvals Process

Guiding Principles

Official Plan Amendment / Zoning By-law Amendment:

- The Province shall submit a combined site-wide OPA and ZBA application. The OPA and ZBA submissions will be led by the Province and coordinated with tenants. A third-party land use planning consultant shall be the authorized agent for the OPA and ZBA applications;
- The City will apply the Planning Act, PPS and the City's Official Plan to determine the scope of the OPA for Ontario Place;
- OPA and ZBA application requirement checklist will be reviewed and confirmed during the pre-consultation phase once the Province's planning consultant has been retained. To facilitate a timely development review process, the City will allow for the submission of certain information at the resubmission stage if it is unavailable at the time of the initial submission;
- The City shall commit to regularly collaborating with the Province and its tenants on the application submissions and will continue to coordinate internally to ensure a timely review by commenting partners to the greatest extent possible. The OPA/ZBA circulation and review process will continue during the municipal election 'blackout period';
- The Province will continue to pursue robust comprehensive pre-application consultation with the City on the OPA and ZBA to keep City Staff informed of design modifications, emerging issues and to ensure co-ordination between the Province, the City and all other third parties involved in the approval process;
- The Province shall seek input from a joint Design Review Panel of the Waterfront Toronto Design Review Panel and the City of Toronto Design Review Panel at key milestones, in accordance with the draft development review schedule below (Table 1);
- The target date for a City Council decision on the OPA and ZBA is December 2023. This decision may be subject to appeals to the Ontario Land Tribunal.

Site Plan Approval:

- The City will accept and evaluate tenant-led Site Plan Control application(s) in tandem with review of the OPA and ZBA and in accordance with the draft development review schedule below (Table 1);
- Site Plan Approvals to be undertaken for each of the tenant areas (3 zones). The Ontario Place tenants will be the applicants for these Site Plan Approval submissions, with authorization from the Province. A Site Plan Approval may apply to the non-tenanted public realm areas if required to implement the directions of the OPA. The City will confirm applicability of Site Plan Approval for the non-tenanted portion of the site once further information is available on the public realm strategy;
- If modifications to existing, or proposed, buildings or structures are proposed that do not meet the requirements of the amended Zoning By-law, minor variance(s) for a change or permission from the specific requirements of the By-law will be pursued by the tenants through the Committee of Adjustment provided that the changes are

considered minor. More significant changes may require an OPA or further amendments to the Zoning By-law;

- The City shall consider providing conditional building permits for development when the Site Plan Approval process is at an advanced stage (development approved would be conditional on requirements being met in timely manner);
- The City has agreed to review certain aspects of the required studies at the site-wide application re-submission stage or, where applicable, the Site Plan Approval stage;
- The Province will be given the opportunity to review any conditions imposed by the City on Site Plan Approvals related to redevelopment of Ontario Place.

Approach

To implement the vision for Ontario Place, an OPA and ZBA are required. To the extent possible, the development review and approvals process will be coordinated by the parties, in keeping with the prescribed requirements of the Ontario Planning Act and all applicable law, to accelerate the bringing forward of recommendations to City Council on the OPA and ZBA. The process will be informed by a set of Guiding Principles and will be designed to ensure alignment with project timelines and a targeted construction start in 2024.

Development Approval Process

Reasons for the Application

The Ontario Place redevelopment project ZBA and OPA will permit a recreation and wellness centre, outdoor adventure play and entertainment uses, as part of a comprehensive plan by the Ontario government to redevelop Ontario Place as a tourism destination. Additional OPA detail and relief required from the Zoning By-law will be assessed as more information becomes available.

The Province is also working with the Ontario Science Centre to explore delivering science-based programming in the Pod and Cinesphere complex at Ontario Place. This use permission would also be required as part of the OPA. A final decision on the programming of the Pods and Cinesphere is anticipated in the coming months.

The current and proposed future uses for the proposals align with the City's vision for Ontario Place as a "waterfront destination" described in the policies of the Central Waterfront Secondary Plan. The policies and land use maps for the site shown in the Central Waterfront Secondary Plan require an Official Plan Amendment in order to provide the detailed policy framework to bring the proposed redevelopment project into conformity.

Overall Approach

A standard review process will be used to evaluate the forthcoming applications. This process is well understood by all commenting partners and has been applied to high-profile and complex development applications across the City. Discussions are ongoing with the Province to assist in resourcing the review team in order to enable an efficient and thorough review.

Phase One [OPA/ZBA]:

- Led by Infrastructure Ontario (IO) on behalf of the Province;
- Combined site-wide Official Plan Amendment and Zoning By-law Amendment for all three tenant proposals, plus use permissions related to the science-based programming;
- Extensive pre-application period of approximately 12 months that includes ongoing consideration of new submission materials, project and consultant team onboarding, working group meetings and coordination of objectives, milestones and timelines;
- An application submission and one resubmission are anticipated, to be augmented by detailed technical briefings from the applicant team;
- Stakeholder input and community consultation meetings to inform the review of the application will be City-led. Consultation will be coordinated with and consider input from Province-led consultation processes where appropriate;
- All parties acknowledge that tenancy agreements will not preclude revisions to the proposals identified through the development review process;
- The above assumes a best case scenario timeline.

Phase Two [Site Plan Approval]:

- Led by each of the three proposed tenants;
- Future ZBA to be pursued to allow for science-based uses in Pods and Cinesphere, if necessary.
- Submission of three distinct Site Plan Control applications for proposed tenants;
- Each Site Plan Control application will be advancing on a separate timeline;
- Timelines are not yet determined;
- Minor changes to the outcomes of Phase One to be considered through the Committee of Adjustment or other means as necessary;

Official Plan Amendment & Zoning By-law Amendment

The OPA and ZBA applications will be submitted as a single application for the entire Ontario Place site by IO on behalf of the Province. These applications will seek development permissions for the three proposed attractions. The OPA will also consider proposed science-based programming for the Cinesphere and Pods. As these are understood to be advancing on separate development timelines, sufficient site due diligence and design details must be provided up front to inform the combined applications.

The combined application package is expected to be submitted to the City in October 2022. A final report to City Council is targeted for December 2023. Assumptions informing this scenario are discussed in the Preliminary Comments section of the covering report. Given schedule constraints identified with City review timelines, a series of technical briefings by tenant consultant teams to City commenting partners is proposed in order to expedite review where possible.

City staff may recommend that Holding Provisions be used in association with zoning recommendations related to the Ontario Place redevelopment. Holding Provisions may be applied to an amending by-law to delay building permits until infrastructure reports

are received and implementing projects are in place. This approach may allow some information to follow a Council approval, provided that City staff and commenting partners are satisfied. This allows the development process to continue to advance while ensuring that the City's interests are legally secured. Holding Provisions, if they are used, would be included in a zoning by-law amendment for the site.

Site Plan Control

The applications are subject to Site Plan Control. Separate Site Plan Control applications will be submitted over time as the timing for design development advances for each of the proposed tenants.

Depending on design progress, the first site plan may be submitted as early as summer 2023, which will create some overlap with the OPA and ZBA review. Site plan submission timelines are not yet determined.

There is the potential that Site Plan Control may apply to the non-tenanted areas as well, based on detailed information that will come forward from the public realm master plan being prepared by the Province and emerging OPA directions.

Site Plan agreements will be signed by the Province and registered on title to secure the terms of Site Plan Approval for both the tenanted and non-tenanted site plan applications.

Public Realm Master Plan

The Provincially-initiated Public Realm Master Plan process is not a distinct development application but will be a critical element informing the Official Plan and Zoning By-law applications review. The Public Realm Master Plan is intended to provide a unified approach and identity to Ontario Place that will be implemented for the site at large as each new development proceeds. The Public Realm Master Plan review process is expected to occur through regular working group sessions with ongoing opportunities for the City and commenting partners to provide comments to inform design development.

Different public realm approaches will be developed to allow for review and selection of the preferred approach in Q3 2022. Discussions around the sequencing challenges and solutions to expedite this work early enough to inform the development applications is ongoing. The above noted potential for site plan control which addresses the non-tenanted areas would focus on implementing the findings of the Public Realm Master Plan and achieving the objectives of the City's Official Plan, as further refined through the site-specific OPA. The development of acceptable site plans for the tenanted and non-tenanted portions of the site will be dependent, in part, upon the public realm design which will result from the Public Realm Master Plan.

Joint Design Review Panel

The Waterfront Toronto and City of Toronto Design Review Panels will form a joint panel to consider the application. The Public Realm Master Plan process is currently

expected to be heard at 3 panel sessions. The first session is targeted for April 2022 in an effort to provide input and review as early as possible in the process, recognizing that the public realm design work will be at an early stage.

A further round of Design Review Panel sessions for each of three site plan applications is anticipated, with dates yet to be confirmed.

Heritage: Strategic Conservation Plan

The Province is expecting to deliver a draft Strategic Conservation Plan in February 2022 in order to inform a comprehensive development review process with heritage as a foundational input. The City is a stakeholder in the Strategic Conservation Plan process and is being consulted as part of its drafting and development. The draft final Strategic Conservation Plan will also be reviewed by City staff and commentary will be provided in order to guide the forthcoming applications and public realm work.

Pre - Application Discussions

The Province and the City are in discussions clarifying application requirements and sequencing. A preliminary application checklist was provided to the Province in the fall of 2021. An application is expected in October 2022. This checklist will be re-confirmed once the Province's planning consultant has been retained. Discussions have included application fees and the provision of additional funding to cover staff and consultant costs to support expedited approvals and specialized areas of expertise.

This pre-submission collaboration period of around one year is more extensive than average in order to allow for the applications to integrate City priorities and early commentary (see Preliminary Comments in attached report).

Supplementary Strategies

The timelines shown below require supplementary strategies to achieve key milestones provided by the Province. These strategies include: technical briefings provided by the applicants' consultants to City commenting partners; responsive ongoing addendums made to applications as required; and a regular dialogue to ensure that submissions address issues identified.

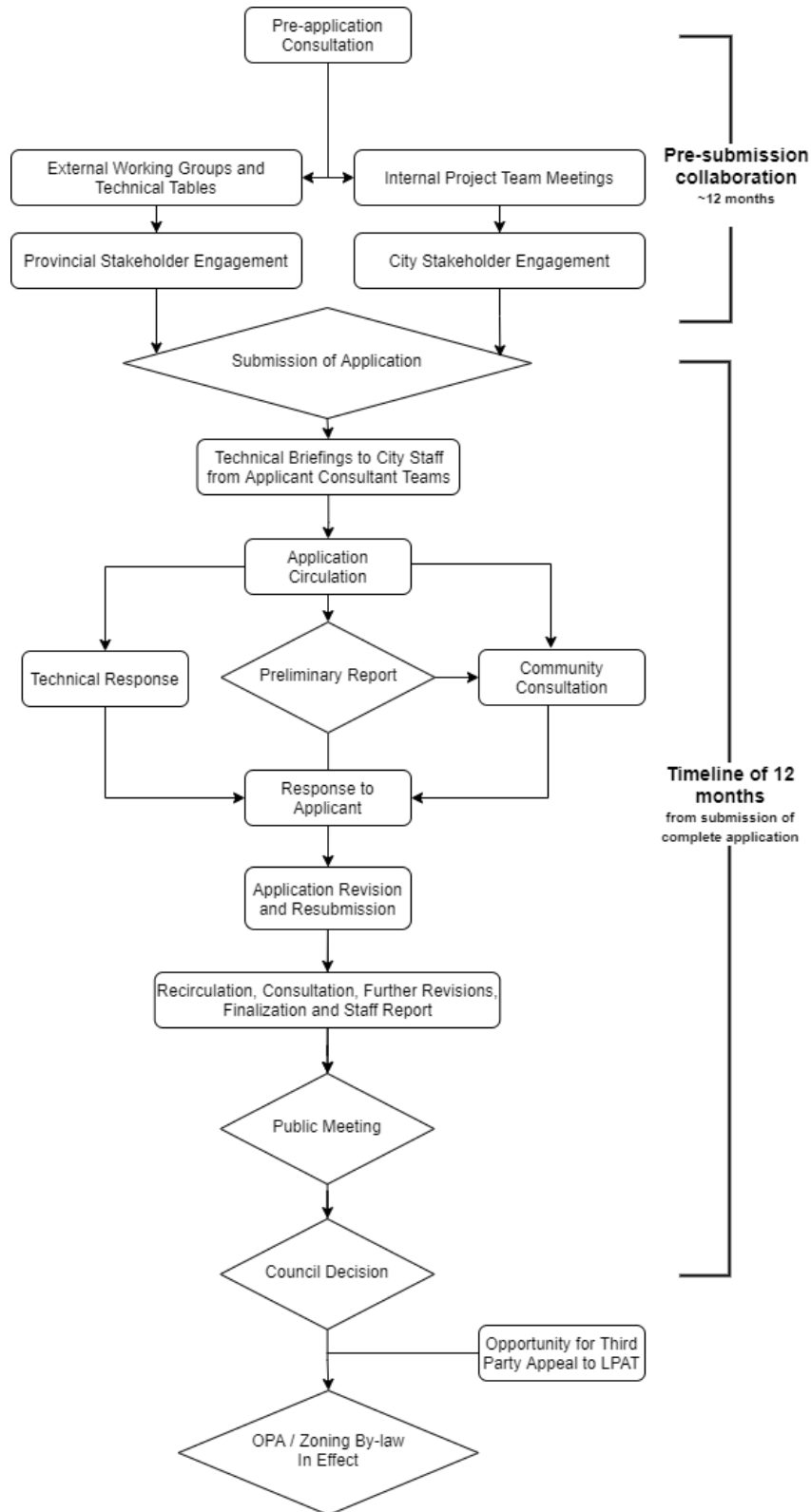
Draft Development Review Schedule

The draft schedule is preliminary, working to dates to be provided by the Province. It is also subject to Council direction resulting from the Preliminary Report. The below represents a best case scenario and depends on a collaborative and responsive working relationship, limited addendums and best efforts from all parties.

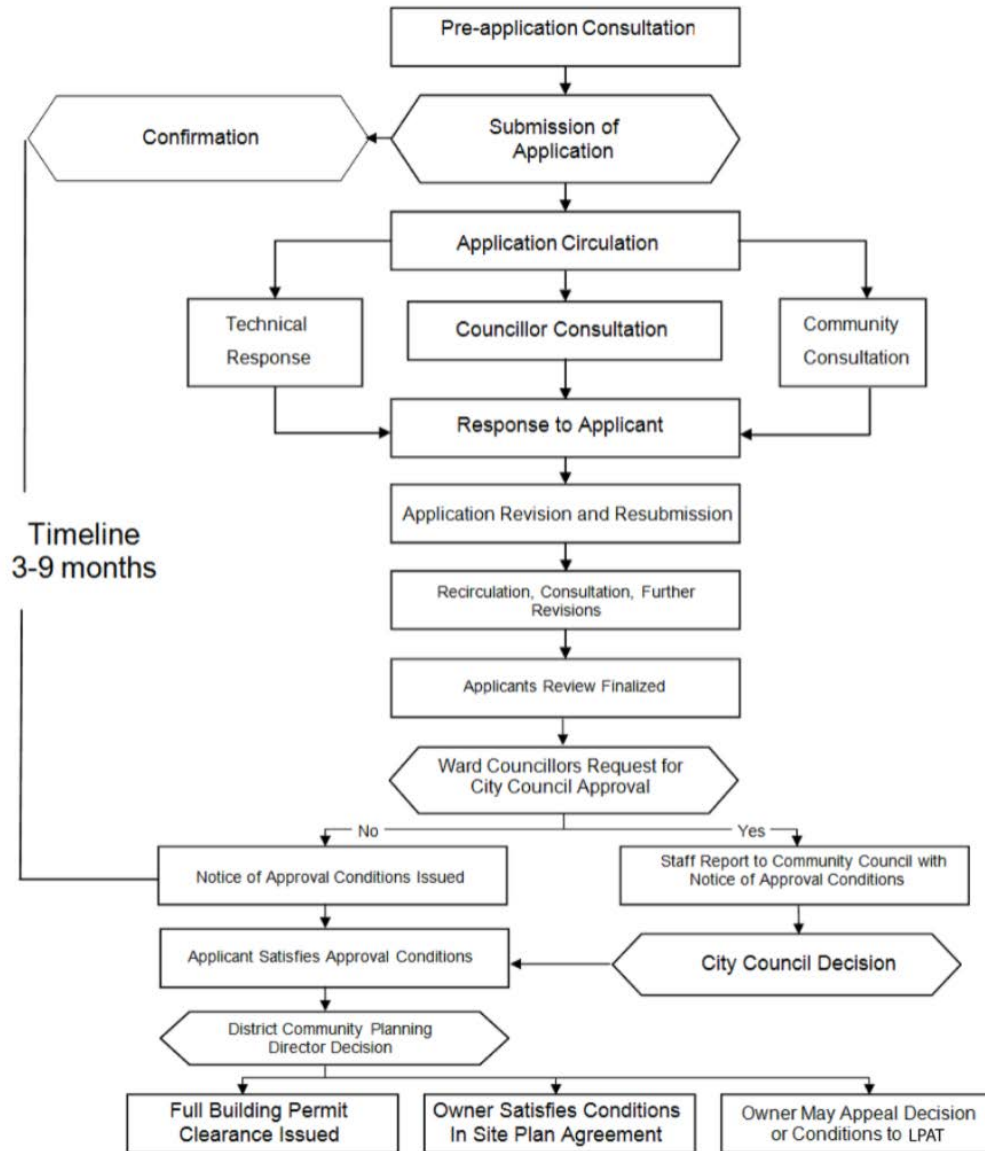
Table 1: Draft Development Review Schedule

ITEM	TARGET DATE
Joint Waterfront Toronto and City of Toronto Design Review Panel #1 (Issues Identification)	April 2022
Pre-application consultation (ongoing)	Summer 2021 - October 2022
Joint Waterfront Toronto and City of Toronto Design Review Panel #2 (Preliminary Draft Plan)	August 2022
OPA/ZBA application submission to City	Mid October 2022
Staff circulation, comment and preliminary report	Mid October 2022 - January 2023
Joint Waterfront Toronto and City of Toronto Design Review Panel #3 (Draft Final Plan for Public Realm Master Plan + OPA directions)	February/March 2023
Resubmission preparation and ongoing technical working sessions with City Staff	January - June 2023
Resubmission	Late June 2023
Staff circulation, comment, ZBL and mapping	July - October 2023
Statutory Notice of Public Meeting	Mid October 2023
Final Report to Toronto and East York Community Council	November 2023
Final Report to City Council	December 2023

Development Review Process Chart: Ontario Place OPA & ZBA

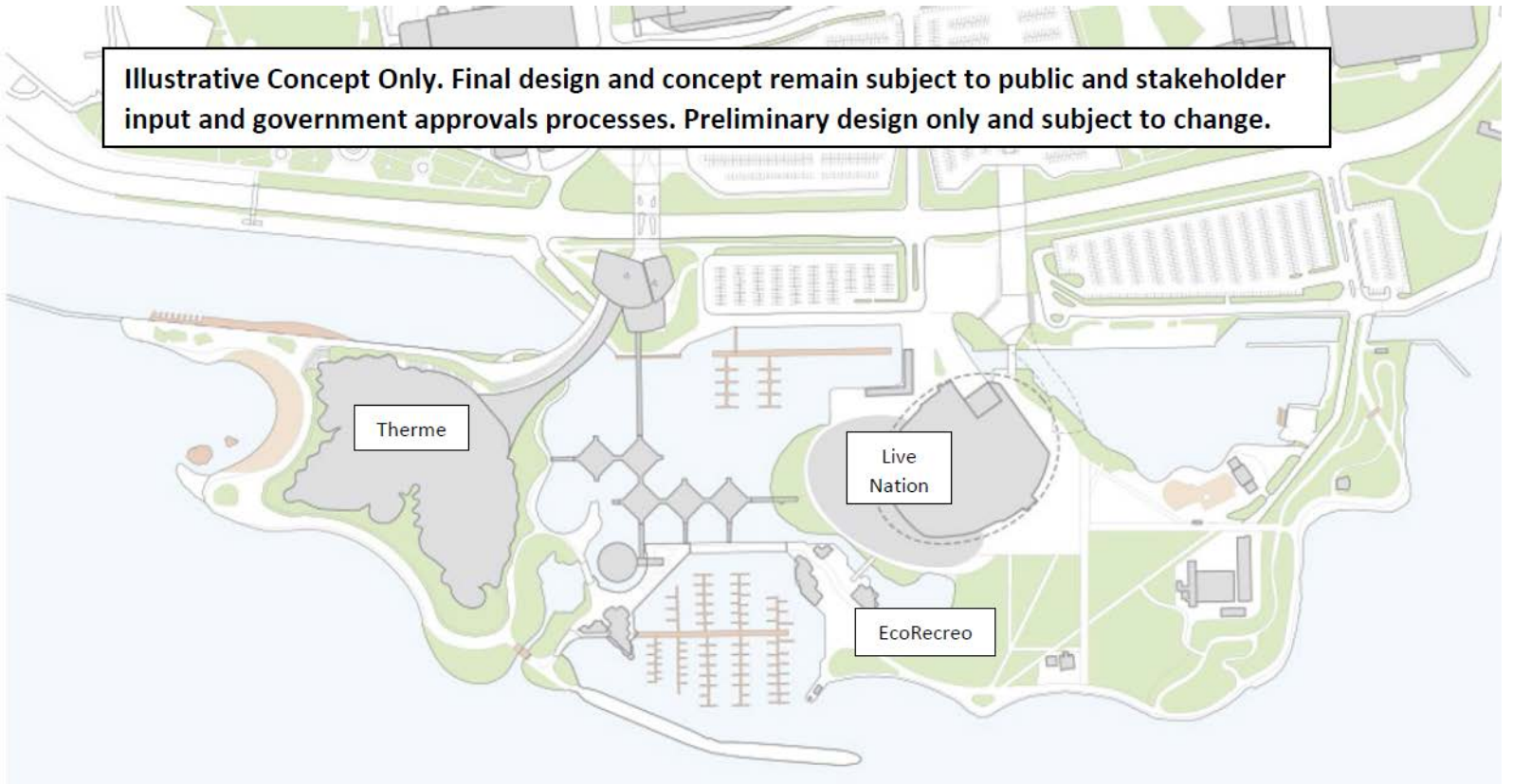


Development Review Process Chart: Site Plan (City Standard)



Attachment 3: Concept/Vision for the Ontario Place Redevelopment Project (Illustrative concept only)

Illustrative Concept Only. Final design and concept remain subject to public and stakeholder input and government approvals processes. Preliminary design only and subject to change.



Attachment 4: City-Owned Land and Water at Ontario Place



Ontario Place - City Owned Land and Water

