

MINUTES of the 45<sup>th</sup> meeting of the Board of Directors of the Toronto Waterfront Revitalization Corporation held at the Hilton Toronto, 145 Richmond Street West, Toronto, Ontario, on Thursday, October 27, 2005, at 8:00 a.m., local time.

PRESENT:            Robert Fung, Chairman  
                      Bill Charnetski  
                      Murray Chusid  
                      Tony Dionisio  
                      Vivien Dzau  
                      Kevin Garland  
                      Marilyn Knox  
                      Ross McGregor  
                      Peter Smith  
                      Mark Wilson

ABSENT:            John Ronson

In addition to the general public, the following persons were in attendance, unless otherwise noted, throughout the meeting or only for particular business items as noted in these minutes: John Campbell, President and Chief Executive Officer (“CEO”); Edward Dato, Chief Financial Officer; Victor Wong, V.P. Legal; Christopher Glaisek, V.P. Planning and Design; Kristin Jenkins, V.P. Public Affairs; Marisa Piattelli, V.P. Government Relations and Special Project Management; Allan Leibel, Goodmans LLP; Bruce Bodden, Toronto Waterfront Joint Venture; David Matheson, McMillan Binch Mendelsohn LLP; Mayor David Miller; Leslie Woo, Special Assistant to the Mayor; Jeff Steiner, President and CEO of the Toronto Economic Development Corporation (“TEDCO”); Ron Soskolne, Consultant to TEDCO and Jack Diamond, Diamond and Schmidt Architects, consultant to TEDCO; Fred Koetter, Koetter Kim & Associates and Marta Farevaag, Phillips Farevaag Smallenberg, consultants to the Corporation.

The Chairman, Robert Fung continued as chairman of the meeting, the in-camera portion of the meeting having taken place immediately prior to this public portion of the meeting; and Ann Marie Landry continued to act as secretary of the meeting.

The Chairman declared that a quorum of Directors was present and that notice of the meeting having been duly sent to all Directors in accordance with the Corporation’s By-laws, the meeting was duly called and regularly constituted for the transaction of business.

## **1.     Approval of Minutes**

The minutes of the 44<sup>th</sup> meeting of the Board held on October 5, 2005 were tabled, and **ON MOTION** duly made, seconded and carried, it was **RESOLVED** that the minutes of the 44<sup>th</sup> meeting of the Board held on October 5, 2005 were approved subject to comments regarding inconsistencies made by Mayor Miller to be considered for future minutes.

## 2. Chairman's Remarks

The Chairman addressed the Board members and the general public highlighting the following points:

- the milestones reached in the past year and the Corporation's move forward from a planning to an implementation stage;
- the Board approved the submission of the East Bayfront (the "EBF") Precinct Plan to the City at the November, 2004 Board meeting, the Plan was submitted to the City in March, 2005 and since then management has been working with City staff to finalize the plan;
- the Corporation has gone through a very thorough public process with regard to the EBF Precinct Plan in that they have held 5 public meetings, and 5 stakeholder meetings and has convened 5 meetings with EBF landowners;
- the Precinct Plan is being brought before the Board again as there have been improvements made to the Plan which are important for the Board to review and there is a significant disagreement with TEDCO on the development concept and therefore the Plan;
- the Corporation was specifically created by the three levels of Government with the mandate to hire the best experts and to use their best collective judgements, after reflecting on global best practices, to come to a decision;
- the Corporation will submit a plan to City Council for approval - TEDCO may choose to intervene if the TEDCO proposal is not chosen for the Corporation's submission and City Council may come to a decision without the benefit of the Corporation's in-depth overall background, research (including global research) and design expertise;
- if City Council's decision is not in favour of the Corporation's submitted plan, whatever the plan is, there will be a serious undermining of the Corporation funded by the three levels of Government specifically set up to lead the revitalization of the Toronto waterfront; and that could be fatal;
- the Corporation has therefore asked TEDCO to present their plan after which the Corporation's consultants will remind and update the Board on the plan which has been put together with significant public and stakeholder input;
- there are two different concepts - the Corporation's plan is about rebranding Toronto and Canada with an image of a dynamic creative city environment;
- the TEDCO vision is different in concept as will be obvious once the presentations are made;

- this should not be the Corporation versus TEDCO - it is about what is right to ensure Toronto and Canada's place in the 21<sup>st</sup> century as the best place in the world to live and to work;
- this is not about choosing one plan over the other - it is about making sure that the principles of the plan and the vision are in accordance with the mandate which the three levels of Government agreed to and imparted to the Corporation;
- prior to the meeting, Julie Beddoes of Gooderham & Worts Neighbourhood Association and Cindy Wilke of the West Don Lands Committee asked that the Corporation not break faith with the community that has worked hard with the Corporation to produce the plan which the Corporation will present at this meeting.

### **3. East Bayfront Precinct Planning - Introduction**

John Campbell provided the Board with a report on the events leading up to today's presentations regarding the EBF Precinct Plan and a synopsis of the differences between the two plans in three key areas such as the width of the water's edge promenade, the use of the ground floor along the promenade and the amount of public space on the Queen Elizabeth Docks. He then introduced Jeff Steiner, President and CEO of TEDCO to speak on behalf of their plan.

### **4. TEDCO Presentation on East Bayfront**

The Chairman then introduced Jeff Steiner. Mr. Steiner thanked the Corporation for the opportunity to make a presentation to the Board. He then provided the Board with background on TEDCO, highlighting the following:

- TEDCO is designated by Council as the City of Toronto's redevelopment agency;
- TEDCO is responsible to direct and encourage investment into strategic areas;
- TEDCO is tasked with piloting and implementing financial incentives;
- TEDCO has shareholder direction to manage lands as a "prudent owner"; and
- Most of TEDCO's lands are owned by TEDCO in fee simple.

He then emphasized that TEDCO's key message was that there were no significant issues or differences on the visions and that TEDCO was working on a small portion (25.5 acres) of EBF known as the Queen Elizabeth Docks and commenting on Queen's Quay which is an important link.

Mr. Steiner then introduced the TEDCO consultants, being Jack Diamond and Ron Soskolne.

Jack Diamond then outlined to the Board the principles of the TEDCO plan, highlighting the following:

- arterial streets (Jarvis St. and Parliament St.) ending in slips should be anchored at the waterfront with a large public space;
- the public space should be proportionate to the building structure;
- scale of buildings should be low at the water's edge (6 storey maximum), stepping up in height to Queen's Quay Blvd and beyond;
- the promenade should be publicly accessible;
- during the winter months there should be some kind of protection from the elements;
- continuity on the waterfront is essential;
- width of the waterfront is recommended at 15 metres only - any wider and the potential for vehicles is always there; and
- Toronto is a city of neighbourhoods and in order that this is a successful neighbourhood, it has to be good for the region and the residents.

Mr. Diamond then outlined the "Aims" of the TEDCO plan, highlighting the following:

- to extend the Toronto street grid to the waters edge for public visual and physical access;
- to develop a viable Toronto neighbourhood with mixed residential, retail and other uses;
- to create an intimately scaled and animated urban public lake edge for pedestrians and cyclists;
- to establish a local and regional open space system;
- to utilize existing road alignments, waterways and historical features;
- to accommodate both visitor, residential and employment functions;
- to incorporate a comprehensive public transportation infrastructure;
- to render the community sustainable, consistent with current "green" building practices; and
- create the drama of maritime waterfronts

Mr. Diamond presented the TEDCO plans for parks and public spaces as well as the parking recommendations for the area. He addressed their view of the need for a 15 metre water's edge and provided examples from around the world where he indicated that this has worked successfully.

Mr. Diamond then introduced Ron Soskolne to explain the retail strategy of the TEDCO plan, stressing the need for the proper relationship and balance between parks, public spaces and development. Mr. Soskolne provided the Board with the plan's overall approach to retail which in summary is to cluster the retail uses at strategic locations to extract the maximum effect and animation which can be done in configurations in which the microclimate can be enhanced. He noted that the appropriate locations for such clusters are at the Jarvis and Parliament Quays and at the base of Sherbourne St., the terminus of arterial streets. He further noted that for the remainder of the water's edge frontage, the uses of the ground floor of the promenade fronting buildings might best be determined by the market, whether commercial, food services, arts institutions, or work-live units.

Mr. Soskolne then addressed the problems of waterfront retail as experienced at the Queen's Quay Terminal ("QQT") such as Toronto's climate, the lack of abundant and accessible parking and location in relation to the downtown core. He noted that the QQT's critical mass was 100,000 ft<sup>2</sup> and is now 50,000 ft<sup>2</sup>.

He then outlined TEDCO's retail recommendations, highlighted as follows:

- 25,000 ft<sup>2</sup> shops and restaurants and 25,000 ft<sup>2</sup> of museums, etc.; and then allow the market to take its position;
- subsidize retail space to animate retail;
- a large quantity of ground floor space to designate priority areas for retail; and
- establish proper zoning to allow for live and work mix.

*Board comments on TEDCO's East Bayfront Plan and response to such comments:* Discussion ensued and questions raised and answered, and comments were made on the retail strategy in general and more specifically the idea of allowing the market to take its position as opposed to leading the market, plans for servicing retail, plans for and the accessibility for parks and public spaces. The Board expressed concern that the TEDCO plan, although with merits, was perhaps creating a local, comfortable neighbourhood to be used more or less by local residents as opposed to a vibrant area to which the public would be attracted. The Board asked that Mr. Diamond provide five principal differences between TEDCO's plan and the Corporation's plan. Mr. Diamond responded with the following differences:

- TEDCO's plan allows for buildings surrounding the parks rather than in the midst of the parks;
- TEDCO's plan does not allow for cars on the waterfront;

- TEDCO's plan allows for a balanced neighbourhood with the provision of housing typologies and continuity of urban edge resulting in a cohesive waterfront;
- Sherbourne St. does not end in an anchor on the Corporation's plan, whereas on the TEDCO plan does.

## **5. East Bayfront Precinct Plan**

John Campbell introduced Fred Koetter and Marta Farevaag members of the Corporation's consultant team that developed the EBF Precinct Plan. Mr. Koetter emphasized that the Corporation's EBF Precinct Plan constitutes the last piece of Toronto's waterfront that can be looked at as a whole neighbourhood in its own right and that the Corporation's vision for the EBF is for both a dynamic commercial/cultural destination and a unique residential neighbourhood. He noted that EBF is Toronto's front door to the world and as a residential realm and that the Corporation's Precinct Plan establishes EBF as an integral part of the larger City and its population; a dynamic alternative for suburban expansion - live/work neighbourhood. He further noted that the EBF can be socially, culturally and economically sustained with the proper planning.

Mr. Koetter outlined on the key principles of the Corporation's EBF Precinct Plan, highlighting the following:

- ensuring public accessibility including a continuous and public water's edge promenade;
- developing spectacular parks and public spaces;
- making strong connections with the city by extending the existing grid and opening view corridors;
- creating significant destinations at the foots of major streets;
- encouraging a vibrant and dynamic waterfront with year round use; and
- promoting public transit as the primary mode of transportation.

Mr. Koetter then highlighted attributes of the Corporation's EBF Precinct Plan as well as the changes made to the original EBF precinct plan, following consultation with City staff, the public and the stakeholders:

- Sherbourne Street is the street of the greatest opportunity but the least defined at the present time - it has great views, solar exposure and accessibility;
- Sherbourne Street ties the EBF to the north with the St. Lawrence market area enhancing the public accessibility to the area;

- Sherbourne Park is a community park that ties the building space together (with buildings on 3 sides of the park) and allows for waterside performances which will entice the general public to the area;
- the potential for an iconic structure at the end of Jarvis St. such as an all weather winter garden;
- a two level water's edge where the upper level relates to the building - interaction with storefronts, commercial space, etc. as well as provide space for special events, fairs and markets and the lower level is provides for pedestrian traffic - walking, biking, etc.;
- the revised precinct plan reduces the visual impact of development without sacrificing much of the allowable building floor area;
- the maximum base-building height along Queen's Quay Blvd. has been set at 38 metres instead of 40 metres to preserve a 1:1 ratio with the width of Queen's Quay Blvd.
- mid-rise towers contemplated along Lakeshore Blvd. have been eliminated in favour of maintaining a consistent 46 metre base building, which accommodates the same floor area density without adding more towers to the skyline;
- The revised precinct plan increases the amount of parks and public space from 9 to 13 acres, almost 25% of the precinct area. Many of the public spaces have been reconfigured to accommodate more diverse uses which are also better articulated in the revised plan. The widths of the water's edge promenade and boardwalk have not been changed and remain at 19 and 5 metres respectively;
- Sherbourne Park remains 2.4 acres south of Queens Quay but now extends north of Queens Quay to Lakeshore Blvd.;
- The public space at the foot of Jarvis Street has been formalized and enlarged to serve as a gateway to visitors to the eastern waterfront; and North of Queens Quay, the open space has been expanded and reconfigured to make it more useable;
- What were private courtyards in the original precinct plan have been opened up into public squares both north and south of Queens Quay. A new north/south street joins these two spaces making them more accessible and strengthening north/south connections from Lakeshore Boulevard to the water;
- Parliament Street – Public space on the quay has been expanded and will serve as the play yard for the new school which has been relocated from the foot of Sherbourne Street. A new .8 acre park now extends north of Queens

Quay between Berkley and Parliament and is intended as an interactive sculpture garden for children;

- Grand vistas have been created between Lakeshore Blvd and Lake Ontario at Jarvis, Sherbourne and Parliament. In the original plan, towers with base buildings were strategically placed along Lakeshore Boulevard to demarcate major north/south gateways to the precinct. The building site and towers have been shifted to accommodate increased public space between Queens Quay and Lakeshore. These new parks line up with public space south of Queens Quay providing unobstructed view corridors from Lakeshore Blvd to the water;
- Queen's Quay Right of Way/Redpath Rail Spur - negotiations yielded an agreed-upon solution for co-locating dedicated TTC line and Redpath rail spur, allowing cycling lanes and wider sidewalks to be provided on Queens Quay Boulevard. In the original precinct plan, a right of way for the Redpath freight train was to be integrated into either the LRT median or into an eastbound traffic lane and cycling was accommodated on a secondary street; and
- The site at the southwest corner of Parliament Slip has been designated as the appropriate future location for a public school to serve this area. Combined with a community recreation center, this facility will have public open space along the waterfront that provides recreational activities for children and the local population.

Marta Faravaag then outlined the proposed public realm for EBF, highlighting the six public parks and/or spaces as follows:

- Jarvis Slip Park is a regional destination park which can accommodate visiting ships, temporary markets, artists and booksellers, outdoor cafes, people watching and views into the Winter Garden;
- Waterfront Promenade is a regional destination route accommodating pedestrian traffic, outdoor cafes, convenience shopping, people watching, sitting and sunning;
- Sherbourne Park is a community park which may be used for community gatherings and events, informal play on the grass, enjoyment of pond, skating in winter, heritage interpretation of industrial past and meeting with neighbours;
- Semi-Public Pedestrian Route North of Queens Quay is a pedestrian only route allowing for community circulation and stormwater interpretation and management;



- Central Squares are community parks which can accommodate outdoor eating around a water feature, people watching, a children's playground and quiet space for reading;
- Parliament Slip Park is a community/school park which can accommodate a sculpture garden, outdoor play for the school, basketball and court play, outdoor space to be programmed by the Community Centre, ecological water garden and stormwater remediation; and
- Queen's Quay is a collector road which is active and interesting for pedestrians, a commuter cycling route, a transit median, a place for outdoor cafes and heritage interpretation.

John Campbell then presented the ground floor animation strategy stressing the fact that ground floor animation is the key to the revitalization vision of an active, vibrant, mixed-use and public destination with shopping, cultural and heritage attractions and which also creates an east/west and north/south corridor link. Mr. Campbell highlighted the following points:

### **Challenges**

- ensure width and multiple transportation uses of Queen's Quay do not act as a barrier or impact negatively on viability of retail;
- ensure water's edge is animated as a double-sided street;
- counteract lengthy winter conditions;
- absence of critical daytime mass of established commercial/residential;
- project must be a true destination with anchor components drawing independently;
- changing attractions to ensure repeat visits;
- identify successful merchandising mix (1/3 formula);
- activity period - long attendance window (2 hours minimum); and
- identify successful integrated cultural/retail typology and mix.

### **Key Assumptions Made**

- lead with culture  $\pm$  100,000 ft<sup>2</sup> of destination cultural attractions to be secured for East Bayfront;
- culture, food and beverage will anchor retail;
- integrate best practices and successful retail design elements in planning.

- Space Allocation
- 1/3<sup>rd</sup> culture anchors, 1/3<sup>rd</sup> retail and 1/3<sup>rd</sup> food and beverage; and
- retail category split to be “chore” shopping on both sides of Queen’s Quay with the balance to be “pleasure” shopping.

### **Ground Floor Engagement**

- on street parking on Queen’s Quay year round and adequate parking closest to retail areas with easy pedestrian access to all retail;
- engage and integrate key existing retail anchors (Loblaws and LCBO) in strategy development;
- focus on population in 5 minute radius of EBF in terms of shopping/retail requirements;
- compliment not compete with Distillery - retail “leisure shopping” should also cater to residential in and around Distillery;
- build up strong daytime population through employment node - financial incentives planning with City staff;
- retail storefronts as “seamless flow” Jarvis to Parliament;
- develop a phase-in approach of appropriately sized culture/retail for interim flexible leasing and long term tenants;
- issue request for qualifications to determine and select cultural organizations/tenants for EBF;
- develop legal framework for ground floor ownership;
- celebrate authenticity of waterfront/harbour location - emphasis on total visitor immersion rather than purely visitor attractions;
- leverage opportunities for innovative companies and new forms of entertainment - merge cultural/retail/food and beverage uses that rely on telecommunication technologies to create new forms of entertainment;
- design both internal spaces and external buildings and public spaces to become icon for community and city; and
- typology of retail/cultural use matrix

### **Potential Cultural Uses**

- cultural industry, film, TV, publishing, multi-media;

- museums;
- visual arts; and
- performing arts;

### **Next Steps**

- develop a phase-in approach of appropriately sized culture/retail for short term flexible leasing and longer term market tenants;
- seek out cultural uses through a request for qualifications process using the matrix to guide the selection of cultural uses, especially program and facilities requirements; and
- develop an ownership model for the ground floor - separate ownership or lease tenure for the ground floor space.

*Board comments on the Corporation's EBF Precinct Plan:* Discussion ensued and comments, among others, were made on the phasing of the Corporation's EBF Precinct Plan, including on the issue of a 40 storey building and setting a precedence on the waterfront, on the cultural component - is a square or park more effective, on the amount of retail being discussed - ground floor space, and on the effectiveness of linear retail space as opposed to clustered retail space. The Board was advised that the ground floor space being discussed is 300,000 ft<sup>2</sup> and the 40 storey building is not central to the Corporation's plan, but was suggested as a way to accommodate commercial requirements while also ensuring public space. Further comments and inquiries were made on the differences between the plans on Sherbourne Park, the relationship between St. Lawrence and the site and on the lack of residential development on the water. It was noted that having residential development at grade, the TEDCO plan seems to have a strong flavour for privatization or sterilization. Another observation was that the TEDCO plan has a good balance of residential and public space development and that if the area is made too public, residential development will not happen.

The Board members reiterated the Chair's view that the Corporation's EBF Precinct Plan was developed with a great deal of public input and engagement, whereas the TEDCO plan was prepared largely without public consultation. It was also observed that the TEDCO plan has not had to stand up to public scrutiny, as has the Corporation's plan. It was further noted that adopting the TEDCO plan would break faith with the public and question the transparency of the Corporation as well as the public consultation process.

Further discussion ensued. It was recommended that the Board approve the Corporation's East Bayfront Plan for submission to City Council for its approval and that management be asked to consider issues raised in the meeting during the presentations.

Further discussion ensued, and **ON MOTION** duly made, seconded and carried, it was **RESOLVED** that the Corporation adopt the Corporation's Precinct Plan for submission to City Council, with the understanding that the Plan adopted is an evolving plan and may be subject to changes. Kevin Garland recorded her opposition to the motion.

## 6. CEO's Report

John Campbell tabled reports and information on various matters, which included the following subjects and information and on which the following Board and Management comments were made:

- *West Don Lands ("WDL")* - The first meeting of the Steering Committee for the proposal call was held and the first draft of the request for qualifications document was tabled. The target date for release to the market place is early November.
- *Western Beaches Watercourse* - Work has started with an official kick-off on October 11, 2005 with Minister Volpe, Minister Caplan and Mayor Miller attending along with other representatives of the three levels of government. There is a minor complication with the Aecon contract regarding indemnities which is being dealt with by looking at insurance as a possible methodology.
- *John Quay* - The Request for Proposals ("RFP") went out this week. There was a delay issuing the RFP due to a funding issue in that the Contribution Agreement was on hold pending receipt of the Federal CEA.

## 7. Chief Financial Officer's Report, Quarter Ended September 30, 2005

Edward Dato presented his financial report and tabled unaudited interim financial statements for the current quarter ended September 30, 2005. He responded to questions from the Directors and provided, among other things, current month and year to date actuals and budget figures for various projects, a variance analysis, procurement update, funding update, consultant costs highlights and an update on corporate finance related matters.

Discussion ensued, and **ON MOTION** duly made, seconded and carried, it was **RESOLVED** that the interim financial statements for the period ended September 30, 2005 be approved.

Edward Dato then tabled a report on the 2005/06 Revised Budget, first forecast as well as the 2005/06 Business Plan. Discussion ensued, questions were asked and answered and **ON MOTION** duly made, seconded and carried, it was **RESOLVED** that the Revised 2005/06 Forecast be approved.

At the previous Board meeting a request was made to have the financial statements audited by an outside source prior to presenting them to the Board and the public and Edward Dato agreed to acquire a quote for this. Mark Wilson advised the Board that an audit review of the financial statements would double the Corporation's expenditures from \$40,000 to \$80,000 but that the Audit Committee felt this was important and recommended doing this.

Edward Dato then reported on the Long Term Business Plan, which reviews project deliverables by project based on funding availability. He advised that the three levels of government have agreed on a funding allocation for all of the Corporation's projects over the next 10 years. He reported that the long-term funding plan is to be considered at the next Intergovernmental Steering Committee meeting on September 6, 2005; and that the

Corporation's 2005/06 budget and the Long Term Business Plan have to change to reflect the funding reality, where it is practical. Mr. Dato then went through such Business Plan deliverables in detail.

**8. Environmental Issues**

As previously reported, Victor Wong advised the Board that Bill 133 was passed in June 2005 but until the regulations are passed, the Corporation will not know if it is caught within the Bill. Mr. Wong advised that until such time as the regulations are passed, the Corporation will carry on with its best practices.

**9. Adjournment of the Meeting**

There being no further business **ON MOTION** duly made, seconded and carried, it was **RESOLVED** that the meeting be terminated.

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Chairman

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Secretary of the Meeting