



The Case Against the Redevelopment of Ontario Place

By Anneli LeGault

SCAN!'s Position

SCAN! strongly opposes the Government of Ontario's proposed redevelopment of the Ontario Place site. We fully support the position taken by Ontario Place for All Inc.

By way of background, the provincial government has entered into a secret and confidential agreement or agreements with Therme Group, a European spa company, for the construction of a large spa, an administration building, restaurants, indoor and outdoor pools and entertainment venues, underground and surface parking lots, along with the bulldozing of the contoured landscape of the west island and significant landfill. The agreement with Therme apparently includes a 95-year lease on secret terms and conditions. What we do know is that the taxpayers of Ontario will be responsible for a number of undisclosed costs, presumably for the next 95 years, as the provincial government is currently engaged on site preparation, has tendered a contract for tree removal, and the government will remain liable for the costs of maintaining the parking garage of roughly 2100 parking spaces, the parking lot of roughly 630 parking spaces and the public spaces that will remain after the spa is built. Construction of parking alone is modestly estimated to cost \$300-600 million, payable by Ontario taxpayers.

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There are numerous reasons to oppose this redevelopment, including: the secrecy and mysterious haste of the redevelopment activities, the loss of free public green space on the waterfront to be replaced by a facility that charges admission (admission alone will start at around \$40 for anyone over 2 years of age; Therme's European spas charge various hourly and daily fees of up to 57 Euros (\$84) for a day and they charge for towels and bathrobes), the unknown costs to be borne by Ontario taxpayers, the lack of meaningful public consultation, the feasibility and increasing maintenance costs for the public of underground parking structures to be built in landfill on the shores of a lake whose level is predicted to rise due to the effects of climate change.

Downtown Toronto has changed significantly since 1971, when Ontario Place opened. The downtown core, particularly near the lakefront, is now home to a large population housed in fairly small condominium units and apartments, sometimes without balconies, frequently without green spaces. Moreover, the staggering cost of living in downtown Toronto has further amplified the need for free spaces. As a result, the Ontario Place site and surrounding area have become a very popular outdoor green space for these urban dwellers. The need for more open, free green spaces for the downtown condo and apartment dwellers has been particularly acutely felt since the COVID lockdowns. While there has been increasing demand for parks and green spaces, there has been no outcry for more spas.

The Therme MegaSpa Development and Climate Change

SCAN! further opposes the redevelopment for a number of significant climate change related reasons.

As the "Climate Atlas of Canada" states: 'The process of 'greening' a city can have numerous offshoot benefits, among them increased resilience to the unavoidable effects of climate change. For example, revitalizing an urban forest can provide shade to residents during a heat wave, stabilize the soil, help sequester carbon from the air, and manage runoff and flooding during a rainstorm. All these effects help lower the city's carbon footprint and prepare it to deal with more extreme weather.'

Cities have been recognized as major contributors to climate change. As noted in, "Green Growth in Cities, OECD Green Growth Studies" (2013): 'Cities play disproportionately large roles in the economic and environmental performance of countries.... Urban polices can play an important role in achieving national environmental and green growth goals.' Similarly, the World Bank Group, in "Making Cities Green, Resilient and Inclusive", notes that a lack of vegetation in large cities can exacerbate the impacts of extreme heat events in cities'. For the Ontario government to destroy trees, vegetation and open waterfront green space at such a critical moment in the global climate emergency is an unjustifiable, retrograde and harmful action – and not what the people of Ontario want or need.

Specifically, the proposed redevelopment presents serious climate emergency concerns, some of which are:

- the loss of 840 trees and vegetation and open green space
- the carbon emissions of the construction of the 22,000 square metre administration building and spa (apparently of concrete, steel and glass) with a floor are of 61,342 square metres, roadways and parking lots and 5-level underground parking garage
- the destruction of aquatic habitat due to the filling in of portions of Lake Ontario – apparently 36,000 square metres above water and 25,000 square metres below water; nor is it known what this landfill will consist of and what will be stirred up by this work
- the traffic emissions which will be caused by the school buses bringing students to the proposed Ontario Science Centre which is to be located adjacent to the mega spa complex
- the impact on birds of the glass spa with the proposed height of up to 12 storeys; Ontario Place is currently a Confirmed Landbird Migratory Stopover Area

SCAN! calls on all members to oppose this destructive redevelopment. You can find updates on the ongoing actions taken by Ontario Place for All here: <https://ontarioplaceforall.com/>

A Time Line

Architect Eberhard Zeidler's vision for Ontario Place was a space that could represent all of Ontario. Searching for a "neutral ground" that could be a site for his showpiece, Ziedler proposed building directly on top of the province's namesake: Lake Ontario itself. [Heritage Toronto]

May 22, 1971 Ontario Place opens

1974 almost 3 million people visit at a time when the population of the entire Toronto Metropolitan Census Area was 2.7 million

2012 Ontario Place is closed by the Government of Ontario

2013 Ontario Place is designated a Provincial Heritage Property of Provincial Significance under the *Ontario Heritage Act*

2019 Ontario Place is added to Toronto's Heritage register, for a number of reasons including recognition of "the impact this site's opening had in changing Torontonians' relationship with the waterfront": Heritage Toronto

2020 the World Monuments Fund places Ontario Place on the watch list for important cultural heritage sites at risk

November 3, 2023 the Office of the Auditor General confirms it is conducting value-for-money audits of the plan for Therme Group to build its facility on Ontario Place's west island and for moving the Ontario Science Centre to the site

November 16, 2023 Ontario Place for All Inc. files an Application in the Ontario Superior Court of Justice seeking a review of the decision to exempt the development from an environmental assessment; an order to produce the lease and other contracts with Therme Group, as well as the business case for the spa and west island redevelopment; an injunction to stop any further damage to trees or to the landscape until an environmental assessment is completed

November 27, 2023 the Ontario government introduces the *Rebuilding Ontario Place Act, 2023*, which passes First Reading. The legislation grants extraordinary powers to the Minister of Infrastructure under the *Planning Act*, provides exemptions from the *Environmental Assessment Act*, states that the *Ontario Heritage Act* will not apply to portions of Ontario Place, permits the Minister of Infrastructure to issue ministerial zoning orders (MZO's), removes the City of Toronto's ability to prohibit and regulate noise emitted from Ontario Place, amends the *Environmental Bill of Rights*, and allows the government to make regulations to impose limits on the powers of the City of Toronto under the *City of Toronto Act, 2006* if the government wishes to further facilitate construction at the site.

November 27, 2023 as part of the City of Toronto's "New Deal" with the Province, Mayor Chow concedes that the land on which Ontario Place sits belongs to the Province; thus, the City would not be taking legal steps to stop the redevelopment.

December 4, 2023 *The Trillium* newsletter reports that the federal government has opted not to conduct the environmental impact assessment of Ontario Place that many have called for.

March 27, 2024 the Ontario Superior Court of Justice – Divisional Court issues its decision rejecting a Motion by the Ontario Government to immediately quash Ontario Place 4 All's application (See above – **November 16, 2023**). Specifically, the Ministry of Infrastructure, the Ministry of Tourism, Culture and Sport and Infrastructure Ontario all argued that, by quickly passing the *Rebuilding Ontario Act* on December 6, 2023 the Ontario Government retroactively exempted the Ontario Place West Island redevelopment from the *Environmental Assessment Act*. The Government also argued that the West Island redevelopment is a private undertaking rather than a public undertaking and is, therefore, not covered by the *Environmental Assessment Act*. The single Judge denied the Government's Motion to

quash, saying, “it cannot be said that OP4A’s concerns about governance in defiance of environmental legislation are frivolous or unworthy of argument before a panel of the court, notwithstanding the passage of legislation which purports to retroactively sanitize the initial allegedly unlawful conduct”. She also noted that these are legal issues that have not been dealt before which exist in “the context of significant public law interest and concern”. Accordingly, the Judge adjourned the matter to be heard by a full 3-judge panel of the Divisional Court.