

## **40 Temperance Street Public Art Plan**

Date: September 16, 2019  
To: Toronto East York Community Council  
From: Director, Urban Design  
Wards: Ward 13 - Toronto-Centre

**Planning Application Number:** *12 210516 STE 28 SA*

### **SUMMARY**

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The purpose of this staff report is to seek City Council approval of 40 Temperance Street Public Art Plan. The Plan, which is included as Attachment 1 of this report, outlines the method by which the owner will commission public art on a publicly-accessible area of the development site.

The Public Art Plan provides a framework and description of the commissioning of public art including: introduction; context and location; precinct site plan; renderings; art site; primary art site locations; secondary art site; the artwork vision and requirements; the art selection process; art advisory committee; mentorship program; maintenance obligation; preliminary budget and preliminary timeline.

The attached plan meets the objectives of the City Planning's Percent for Public Art Guidelines and is supported by the Toronto Public Art Commission.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council approve 40 Temperance Street Public Art Plan as attached (Attachment 1) to the report dated September 16, 2019 from the Director, Urban Design.

### **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## PROPOSAL

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The development site is at 40 Temperance Street, fronting Richmond Street West and Temperance Street with Arnell Plaza and Cloud Garden forming the two open spaces on the south and east side of the site. This development is part of the third phase of the Bay Adelaide Centre, known as the North Tower. The proposal is a 32-storey office tower including a 9-storey podium built over an existing parking garage and concourse level.

The development review process has resulted in a commitment to public art, resulting in the Public Art Plan (Attachment 1).

## APPLICATION BACKGROUND

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City Council on July 12, 2011 adopted Final Report - 10 and 40 Adelaide Street West, 333 Bay Street, 40 Temperance Street and 118 Yonge Street - Part Lot Control Exemption Application.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.TE8.7>

City Council on October 26, 2009 adopted the Final Report - Plan of Subdivision - 333 Bay Street, 10 and 40 Adelaide Street West, 40 Temperance Street and 118 Yonge Street

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE28.9>

Included in this approval were a Section 36 Agreement dated October 21, 1999; An Amendment to the Section 36 Agreement dated July 14, 1999; and An Amendment to the Section 37 Agreement dated May 23, 2006 with an obligation is 1% for the value of the project gross construction cost towards Public Art.

### Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

*Chapter 3 - Building a Successful City*

*Section 3.1.4 Public Art*

Policy 1. e) encouraging the inclusion of public art in all significant private sector developments across the City.

## COMMENTS

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Bay Adelaide North will be the third and last component of the Bay Adelaide Centre, the first two phases, Bay Adelaide West completed in 2009 and Bay Adelaide East

completed in 2015 both have successfully integrated public art. In the West Tower art by James Torrell and in the East Tower art by Micah Lexier all located in the lobbies of those buildings, visually and physically accessible to the public.

The development for Bay Adelaide North will also include the restoration of Cloud Garden and the revitalization and reinstated of the art by Margaret Priest situated in the open space.

The proposed primary public art site will be located similarly to the other two in the East and West Towers within the lobby area of the North Tower. The art will be viewed from three sides of the building, Richmond Street West, Temperance Street and Arnell Plaza and Cloud Garden in keeping with the continuity of art in the lobby, established by the contextual relationship of the three buildings and the existing artworks in the East and West Towers. The two existing artworks are also lit at night for full visibility, as is the proposal for the North Tower lobby. A secondary art site within Arnell Plaza privately owned publically-accessible open space (POPS) may also provide an opportunity for art. The potential for art here would be a smaller intervention and complementary work to the primary art proposed in the lobby as such the budget would be proportioned as indicated in the Public Art Plan.

The proposed art location is supported by City Planning staff and the Toronto Public Art Commission.

An artist will be selected through a one-stage invitational competition process. The short list of artists will submit their proposal to the public art consultant and owner to be reviewed for technical feasibility and budget for information to the art advisory committee. The art advisory committee/jury will be selected by a five (5) person jury composed of three (3) independent art experts including one (1) resident of the Ward and one (1) Owner representative. The art selection process, with majority art experts is in keeping with the City's Percent for Public Art Guidelines.

The owner has identified a monetary contribution towards a Mentorship Program that will provide a young artist with an opportunity to learn about the public art process, while working with the chosen artist, owner and art consultant. These funds will come out of the contingency budget. The estimated budget allocation for the art, administration and maintenance is described in the public art plan which is in compliance with the City's Percent for Public Art Guidelines.

In accordance with City policy, City Planning continues to encourage the developer to seek artistic excellence and expertise with broad representation from the art community in the selection of artists and jury members.

This proposal is supported by City Planning staff and was presented to the Toronto Public Art Commission at its meeting on June 19, 2019 which recommended approval of the proposed plan.

## **Conclusion**

40 Temperance Street – Public Art Plan is in compliance with the City's objectives for the provision of public art associated with development. This on-site program is in accordance with the City Planning Percent for Public Art Program, and is supported by the Toronto Public Art Commission. Upon City Council's approval, the owner will commence with the artist selection process as scheduled in the attached plan.

We look forward to the results of the public art completion.

## **CONTACT**

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## **SIGNATURE**

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Lorna Day, Director Urban Design  
City Planning Division

## **ATTACHMENTS**

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Attachment 1: Public Art Plan