

1- 7 Yonge Street - Public Art Plan

Date: January 25, 2021
To: Toronto East York Community Council
From: City Planning Division Director, Urban Design
Wards: Spadina-Fort York - Ward 10

Planning Application Number: 13 129256 STE 28 OZ
20 152435 STE 10 OZ

Related Applications: 19 234404 STE 10 OZ, 17 108913 STE 28 SA
16 269114 STE 28 SA, 16 126393 STE 28 SB

SUMMARY

The purpose of this staff report is to seek City Council approval of 1 Yonge 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 adjacent to the corner plaza which is publicly owned.

The Public Art Plan provides a framework and description of the commissioning of public art including: introduction and background; project team; reference to the Section 37 agreement; public art objectives; mentorship opportunity; maps and renderings; public art north contribution location; public art south contribution location; budget; selection process; jury composition and schedule.

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

The City Planning Division recommends that:

1. City Council approve 1 Yonge Street Public Art Plan as attached (Attachment 1) to the report dated January 25, 2021 from the Director, Urban Design.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

PROPOSAL

The development site is located at 1 Yonge Street, at the southeast corner of Yonge Street and Lakeshore Boulevard. The development is part of a multi phased mixed-use developments (Phase 1-5) bounded by Yonge Street, Lake Shore Boulevard *East*, Queens Quay East and Freeland Street. Phase 2, the subject area of this report, is bounded by Yonge Street, Lakeshore Boulevard, the future extension of Harbour Street and the adjoining phases to the east, Phase 1 and 3.

The Central Waterfront Secondary Plan, Lower Yonge Precinct Plan and the Urban Design Guidelines have provided a framework for the development and the potential opportunity for Public Art.

The future public plaza at the north west corner of the development will be created with the reconfiguration/normalization of the intersection at Lakeshore Boulevard and Queens Quay. This public plaza will be the forecourt to the development and will be publicly accessible. The proposed art site within the privately owned lands of this plaza will also be publicly accessible with seamless landscape integration and public art presence.

This approach is supported by City Planning through the Percent for Public Art Guidelines, The Public Art Strategy 2020-2030 and the Toronto Public Art Commission.

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

APPLICATION BACKGROUND

The Central Waterfront Secondary Plan (CWSP) was passed as Official Plan Amendment No. 257 by City Council on April 16, 2003 as an amendment to the former City of Toronto Official Plan.

The Lower Yonge Precinct Plan and implementing draft OPA was endorsed by City Council on June 7, 2016. The Precinct Plan provides the comprehensive framework intended to guide development in the Precinct. The Council decision is located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE16.4>

The Lower Yonge Precinct Municipal Class Environmental Assessment (MCEA) was adopted by City Council in July 2017.

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The Council decision can be located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW22.7>

A Zoning By-law Amendment application was submitted by Pinnacle International for the subject site in March 2013. In consultation with City staff, the applicant later determined that an Official Plan Amendment to the former City of Toronto Official Plan was required, as the proposal did not conform to some of the policies within this Plan that are still in force for portions of the waterfront area. The Official Plan Amendment application was submitted in November 2013. Both applications were subsequently appealed to the Local Planning Appeals Tribunal (formerly Ontario Municipal Board) due to Council's lack of decision on the application. The Preliminary Reports for both those applications are located at the following links:

Zoning By-law Amendment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE25.64>

Official Plan Amendment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE30.53>

In June 2016, Council endorsed a Report from Community Planning recommending the City proceed to a Settlement based on merits of the improved proposal. The Request for Directions report for this application is located at the following link:

Request for Direction:

<https://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-93840.pdf>

The Local Planning Appeals Tribunal (LPAT) approved a settlement (PL140008) between Pinnacle and the City of Toronto in March 2017, and subsequently issued an order in April 2019. The settlement allows for a mixed-use residential and commercial development to include buildings ranging in heights from 65 storeys (204.2 metres) to 95 storeys (294.2 metres) for the mixed use residential buildings on the north block, and 22 storeys (92.2 metres) to 35 storeys (144 metres) for the commercial development on the south block. It also requires that Pinnacle satisfy its parkland dedication requirements through an off-site contribution to the Lower Yonge Park, which will be located on the neighbouring LCBO lands.

On January 30, 2019 a Three Party Agreement between the City, the owner and Redpath was entered into dealing with matters respecting noise and odour studies to be undertaken in accordance with the LPAT settlement.

The settlement also includes a number of holding provisions within the approved By-law to address technical matters, which may be lifted through a phased-approach.

A related zoning by-law amendment application filed by Pinnacle Inc. was adopted by City Council on November 25, 2020. This removed the holding symbol (H) from Phase 2 of the development, a portion of the lands on the north block of this subdivision application. The Council decision is located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE20.2>

An application to revise the approved site specific Official Plan and Zoning By-law provisions as they relate to the south block, to allow for the inclusion of a hotel use, was submitted on June 4, 2020. The preliminary report for this application is located at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE18.34>

1-7 Yonge Street - The Draft Plan of Subdivision Final Report was considered by Toronto East York Community Council on January 12, 2021 and was adopted without amendments. The Final Report can be found at the following link.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE22.5>

The owner has entered into an Agreement dated January 28th, 2019 pursuant to Section 37, of the Planning Act to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, and the Section 37 Agreement will be registered on title of the property to the satisfaction of the City Solicitor, securing community benefits and other matters to support the development, including: One Million Dollars (\$1,000,000.00) for the Public Art located on the north block of the Lands, comprising the lands currently anticipated as Phase 1, Phase 2 and Phase 3 ("Public Art North Contribution") and Five Hundred Thousand Dollars (\$500,000.00) for the Public Art located on the south block of the Lands, comprising the lands currently anticipated as Phase 4 and 5 ("Public Art South Contribution") collectively known as the "Public Art Contribution".

Toronto Official Plan

Public art was secured when this application was reviewed against the policies of the City of Toronto Official Plan as follows:

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.

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

COMMENTS

The proposed public art site will be visually and publicly accessible at all times. It is located in a prominent location within the north west corner of the development, in the privately owned area fronting the publicly owned open space plaza.

The total public art budget for phases one to five has been identified in the Section 37 agreement and described in the Public Art Plan. The art site associated with the development of phase one to three is identified as the public art north contribution. The associated budget for phase's four and is the public art south contribution, and will be submitted at a later date to coincide with the build out of those phases of the development. The artist for both the public art north site and south site will be selected through the process identified in the Public Art Plan, as summarized below.

An artist will be selected through a two-stage design competition process.

Stage 1: Invitational Competition.

The art consultant, owner representative and jury will review the long list of artists' responses to determine a minimum of a short list of four (4) artists to advance to the second stage.

Stage 2: Finalist Brief.

The short list of four artists will develop concept proposals for the jury to review. From this review, the jury will select the artist.

The artist will be selected by a three (3) person jury composition, drawn from the list provided in the Public Art Plan. The selection process, is in keeping with the City's Percent for Public Art Guidelines. The jury will consist of independent art experts including one (1) resident of the Ward and one (1) Owner representative.

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.

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. The Public Art Plan describes a mentorship program including a budget for mentorship of an emerging artist in alignment with the Percent for Public Art Program and The Public Art Strategy.

This proposal is supported by City Planning staff and was presented to the Toronto Public Art Commission at its meeting on December 2, 2020, which recommended approval of the proposed plan.

Conclusion

1 Yonge Street – Public Art Plan is in compliance with the City's objectives for the provision of public art associated with the 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.

CONTACT

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SIGNATURE

Lorna Day, Director Urban Design
City Planning Division

ATTACHMENTS

Attachment 1: Public Art Plan