

## **1680 Brimley Road - Public Art Plan**

Date: May 24, 2024  
To: Scarborough Community Council  
From: Director, Urban Design, City Planning Division  
Ward: 21 - Scarborough Centre

**Planning Application Numbers:** 06 200146 ESC 37 OZ

### **SUMMARY**

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The purpose of this staff report is to seek City Council approval of the 1680 Brimley Road - Public Art Plan ("The Plan"). The Plan, which is included as Attachment 1 of this report, outlines the method by which the owner will commission public art within a new Privately-Owned Public Space on the site.

The Public Art Plan provides a framework and description of the commissioning of public art including: a project overview; project background; city consultation and community considerations; proposed location; selection process; mentorship program; amending procedure; communication and education strategy; budget and schedule.

The attached Plan meets the objectives of the City's Percent for Public Art Guidelines and is supported by the Toronto Public Art Commission (TPAC).

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council approve 1680 Brimley Road Public Art Plan as attached (Attachment 1) to the report dated May 24, 2024 from the Director, Urban Design.

### **FINANCIAL IMPACT**

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The recommendation in this report has no financial impact.

### **PROPOSAL**

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1680 Brimley Road, "Town Centre Place", is proposed as a four tower residential development with building heights of 38, 40, 41 and 47 storeys that would contain 1,591 residential units, 3,293 square metres of retail uses and an 855 square metre childcare facility.

The site is rectangular in shape and has an approximate area of 17,941 square metres, with a frontage of 127 metres on Brimley Road, 124 metres on Progress Avenue and industrial uses to the south and west. The site is situated on the southwest corner of

Brimley Road and Progress Avenue, west of the Scarborough Town Centre with access to nearby transit, amenities and retail.

Site mobilization and early works have begun to facilitate the construction of Towers 1 and 2 along the west side of the property. The public art installation will be implemented as part of the construction of Towers 3 and 4, within a Privately-Owned Public Space ("POPS") located between the towers and fronting onto Brimley Road.

The public art installation is in keeping with the goals of the Scarborough Centre Public Art Masterplan ("SCPAMP") in reinforcing the urban design objectives for the site, street and district. The public artwork is proposed to culturally enrich Scarborough Centre and respond to the local context while being of highest quality, visually stimulating and of enduring value to the surroundings.

Public art was reviewed in accordance with the policies of the City of Toronto Official Plan as follows:

*Chapter 3 - Building a Successful City*

*Section 3.1.5 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/>

## **DECISION HISTORY**

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On May 28, 2015, the applicant appealed their Zoning By-law Amendment and Site Plan applications to the Ontario Municipal Board ("OMB"), now known as the Ontario Land Tribunal ("OLT"), citing Council's failure to make a decision on the applications within the time allotted by the Planning Act.

On July 4, 2017 City Council authorized the City Solicitor and City Planning staff to attend any OLT hearings in support of the settlement described in the report (May 26, 2017) from the Director, Community Planning, Scarborough District including the draft Zoning Bylaw Amendment.

On June 8, 2022 the OLT issued its Order approving the settlement and City Council adopted Zoning By-law 1192-2022 (OLT) on September 29, 2022 which permits a mixed-use development consisting of four high-rise towers with 1,591 dwelling units, 4,770.8 square metres of non-residential floor area, a day nursery, a POPs and public art pursuant to a Section 37 agreement.

For more information:

[1680 Brimley Road - Zoning By-law Amendment and Site Plan Applications - Request for Direction Report \(toronto.ca\)](#)

The following public art requirements were outlined through the Section 37 Agreement registered May 2, 2022:

*" The owner shall provide a one-time contribution of \$300,000.00 to commission public art in a process generally in accordance with the Percent for Public Art Program. A letter of credit in the amount of \$300,000.00 will be provided prior to the issuance of the first above-grade building permit, which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. Prior to the issuance of the first abovegrade building permit, the owner will submit a plan detailing the possible locations of any public art installations on the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor."*

The funds will be allocated as follows: \$250,000 of the \$300,000.00 for the artwork, comprised of artist fees, expenses, drawings, fabrication consultants, fabrication, insurance, transportation of artwork and artist honoraria. The remaining \$50,000 will be allocated to maintenance, mentee honoraria, art consultant fees and contingency.

## COMMENTS

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The public art is proposed to be installed in a prominent location in a new Privately-Owned Public Space located on the 1680 Brimley Road site fronting onto Brimley Road between towers 3 and 4. This location is accessible to all, either physically and/or visually, and intends to be a highly impactful feature of the overall development.

The public art objectives will encourage and consider the following: quality, site specificity, integration, technical review, public use, scale, safety standards, and maintenance durability.

The proposed public art will be highly visible on this site. The selection of the final artist will be commissioned through a two-stage invitational competitive process. This process is supported by City Planning staff and TPAC.

In accordance with City policy, City Planning continues to encourage applicants to seek artistic excellence and expertise with broad representation from the art community in the selection of artists and jury members, including representation from the Indigenous, Black and equity-deserving groups or communities.

Artist Selection Process:

Stage 1: An invited call to a long list of artists will be issued to solicit Expression of Interest ("EOI") submissions. Evaluations of EOI's to be carried out by the Public Art Consultant, Owner and Design Team and result in a short list of artists to advance to stage 2.

Stage 2: The shortlist of artists will be invited to interviews by a selection jury made up of one owner representative and two independent art experts with one living or working in the ward. The artists will be provided with a project brief prior to being interviewed. The interviews will result in an award recommendation and the selected candidate will

prepare sketch concepts under the terms of a Letter of Intent and will receive an honorarium for their submission.

The jury composition is proposed to be a selection of the following individuals although final jury selection is subject to change based on a required future update to the public art plan: Tessa Shank, Anishnaabe artist; Devon Sioui, Wendat Huron artist; Samantha Dennis, Scarborough artist; Gaetane Verna, museum director, curator Canadian Pavilion Venice Biennale; Faith Rajasingham, Curator, Scarborough Arts.

#### Mentorship Program:

One local, emerging, or mid-career artist will be selected by the Public Art Consultant and the Primary Artist as a mentee who will undergo public art training that will be comprised of no fewer than 5 online sessions. The mentorship will be facilitated by the public art consultant. The lessons will cover advice on calls to artists, the application process for Request for Proposals or Expressions of Interest, commissioning contracts and fabricator agreements.

The selection process, mentorship program and estimated budget allocation for the art, administration and maintenance as described in the Public Art Plan is in general compliance with the City's Percent for Public Art Guidelines.

As outlined in the Section 37 agreement, a future update to the Public Art Plan is required:

*“4.6.1 Prior to the issuance of the first Above-Grade Building Permit for Tower 4 (Phase Two), the Owner shall provide an update to the Public Art Plan to the Commission and the Chief Planner. The Public Art Plan Update shall include:*

*4.6.2 the cost of the proposed Public Art work (which shall not exceed the amount of the Public Art Financial Security) as well as the reasonable base costs of any such element;*

*4.6.3 the final location of the Public Art work;*

*4.6.4 the distribution of the Public Art Budget;*

*4.6.5 the jury composition*

*4.6.6 if the call for proposals is to be by invitation, the a draft proposal call and a list of the artists to whom the proposal call is intended to be sent.*

*4.7 The Public Art Plan Update shall be subject to the approval of the Commission and the Chief Planner, and may be subject to further approval by Council if, in the opinion of the Commission and the Chief Planner, the Public Art Plan Update involves material changes relative to the Public Art Plan.”*

The attached Public Art Plan is supported by City Planning staff. It was presented to TPAC at its meeting on April 24, 2024 where it gained unanimous support.

## **CONTACT**

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## **SIGNATURE**

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Emilia Floro, Director of Urban Design  
City Planning Division

## **ATTACHMENTS**

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Attachment 1: 1680 Brimley Road - Public Art Plan