

MAKING OUR MARKHAM

PUBLIC ART MASTER PLAN 2020-2024



Top Garden conceptual image by GUILD



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THE CITY OF MARKHAM
BY

WORKSHOP
architecture

FINAL DRAFT SEPT 2019

MAKING OUR MARKHAM

PUBLIC ART MASTER PLAN 2020-2024

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EXECUTIVE SUMMARY

It is time for the City of Markham to renew its vision, objectives and definition of Public Art in order to cultivate a Public Art Program that distinguishes Markham from other Greater Toronto Area municipalities, to be a leader in the field in Canada and beyond. Innovative Public Art will highlight the city's unique characteristics and create new experiences and destinations through which local residents and visitors can engage with each other and the rich surroundings in Markham.

Public art can animate public spaces in the city, give people a sense of belonging and add another dimension to the city's built and natural spaces to make for an engaged, diverse, vibrant and thriving city. Public art will be one way the City can grow and foster an environment for the arts and creative communities to flourish and enrich the fabric of Markham's neighbourhoods.

A Public Art Policy Framework for the City of Markham (then Town of Markham) was approved by the City Council in 2003. This led to the initiation of the Markham Public Art Program and the founding of the Markham Public Art Advisory Committee. In 2012 Markham approved a Public Art Policy to direct the integration of public art into public places and in the same year approved a Culture Plan that identified public art as a key contributor to the uniqueness and identity of Markham. In 2013, the part time contract position of Public Art Coordinator was established. Since then, five permanent, major public art works in the city have been commissioned through the program, with two more on the way, to be completed in 2019. Private developers have been encouraged to contribute to the public art collection in Markham and over the past five years the City has received \$2.47 million from private sector developers to be used for the production of public art.

This Public Art Master Plan will support the City of Markham in realising public art projects that will: Inspire people to live in, work in, visit and invest in Markham; Celebrate the diverse cultures and heritage in Markham from multiple points of view; and Connect residents to Markham's built and natural environment. The seven recommendations listed on the next page will direct the development and implementation of a successful public art program from 2020 to 2024 including prioritizing potential sites and opportunities for new public art projects in Markham, and identifying best practices for the administration and implementation of public art projects.

RECOMMENDATION 1: Adopt updated vision, objectives and guiding principles within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined in Section 1 below.

RECOMMENDATION 2: Adopt updated definitions within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined in Section 2 below and in **Appendix A**.

RECOMMENDATION 3: Adopt revisions to the City of Markham Public Art Policy—Private Sector to reduce from five to three the current options for participation in the Markham Public Art Program by eliminating Options D and E and revising the remaining options to follow best practices, as outlined in Section 3 below.

RECOMMENDATION 4: Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to funding investments as follows and as outlined in Section 4 below:

- a. As per the existing 2012 Public Art Policy, contribute up to 1% of the capital budget of major City capital projects to integrating Public Art into the public facility, including parks, trails, community centres, libraries, streetscapes and infrastructure (bridges, walls, waterworks, etc.).
- b. Private development projects to participate in the Markham Public Art Program as per Recommendation 3.
- c. Establish an annual municipal funding of at least \$250,000 for the Public Art Program.
- d. Encourage partnerships and private donations for further investment in the City's Public Art Program, to follow the City's donation and acquisition processes.

RECOMMENDATION 5: Adopt the proposed Public Art Site Selection criteria, types and sites as presented in Section 5 below and **Appendix C**.

RECOMMENDATION 6: Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to art acquisitions, including procurement and assessing donations and gifts, as outlined in Section 7 below and in **Appendix D**.

RECOMMENDATION 7: Adopt revisions to the City of Markham Public Art Policy—Municipal Projects including the governance process as outlined in Section 6 below and in **Appendix E**.

FINDINGS SUMMARY

WHAT WE HEARD

Over the course of preparing the master plan, we received a wide range of input from the Public Art Master Plan Steering Committee, the Public Art Advisory Committee, the Mayor, CAO and Commissioners. We met with internal stakeholders representing a wide range of departments on 14 November 2018 and held an external stakeholder meeting on 27 November 2018 attended by local developers, York University, Parks Canada and the non-profit group Park People. In January 2019 we met with the York Region Arts Council and in March 2019 we held a well-attended Public Meeting with thirty members of the public, the Mayor and five Councillors participating.

City staff in various departments were interested in having clear definitions of Public Art and other Public Realm initiatives as well as defined roles, responsibilities and a plan for asset management. They were concerned with the process governing the City's public art. They also cautioned against being too prescriptive so as not to limit the ability of staff to work with artists and art organizations on program initiatives.

Staff from Planning and Engineering would like to see artwork assist in meeting active transportation goals in Markham, while staff in Urban Design and Public Realm would like to see more artwork integrated into major new City facilities and parks, major development sites and the gateways being identified through the City's Gateway Master Plan, currently in process. There was overall support for both highlighting key sites in the City and providing art in underserved neighbourhoods, and to see artwork at popular public sites, but also in areas to be discovered.

At the external stakeholder meeting the two developer representatives were interested in knowing how the funds already collected from them for public art would be deployed, as they saw benefit to having more public art in the City of Markham and wanted to ensure their investment in the program is put to work. Parks Canada

saw a lot of potential in partnering with the City and using art projects, and in particular a gateway and temporary art projects, to bring people to Rouge Park as the trails are developed and connected between now and 2022.

Both internal and external groups supported a focus on digital artwork and viewed the program as having tourism potential if it was of a high quality and unique amongst the Greater Toronto Area's public art offerings. Participants would like public art to engage all communities in Markham, to share a sense of belonging and to help nurture a vibrant community. This objective would need to be supported by community engagement in the development of the Public Art project. It was noted that there is a lot of celebration of European settlers in the current Public Art Collection, but not as much space given to more recent, culturally diverse residents and to Indigenous stories. This was a point that came up again amongst residents during the Public Workshop. They were interested in the Public Art Program sharing a wider variety of stories including those of the many cultures that are here today, but also the stories from those that were displaced, such as the Indigenous communities. The latter narratives counterpoint and complement the settler stories.

Other feedback shared by multiple residents at the Public Workshop include encouraging the Public Art Program to be open to playful, interactive and digital forms of artwork as well as temporary art projects. Residents would also like the Public Art Program to include art that is visible from major roads and highways balanced with art integrated into streetscapes and trails in a way that it can be discovered by people walking.

CITY OF MARKHAM PUBLIC ART WORKSHOP



BACKGROUND DOCUMENT REVIEW

Public Art was identified as a priority in each of the following: Markham's Integrated Leisure Master Plan (2010), Markham's Culture Plan (2012), Markham's Public Realm Strategy (2014) and Markham's Official Plan (2014). Public Art was identified in these documents as a means to demonstrate the unique character of Markham's neighbourhoods, heritage districts and business areas, enhance public spaces, define gateways, create landmarks, recognize local cultural identity including commemorating historic events and/or persons, and engage the public.

- In accordance with Section 6.1.7 of the City of Markham Official Plan (OP), public art is a key element of place making. It has the power to define a community and create a unique sense of place. It can enhance the urban fabric of the community by creating landmarks, recognizing local culture as well as global influences and contributing to social and economic vibrancy. Further, according to the Official Plan, Markham supports the provision of public art as a means of fostering community identity by:
 - Incorporating public art into Markham's public places, facilities and infrastructure;
 - Encouraging other public agencies to incorporate public art into public places, facilities and infrastructure; and
 - Encouraging the private sector to incorporate public art into their developments and sites.
- Although they are supportive of the provision of public art, Markham's Official Plan, Secondary Plans and area-Specific Policies should make explicit reference to Markham's existing 2012 Public Art Policy.
- Public Art Policy – Municipal: Council will allocate up to 1% of Markham capital projects for the Public Art Program, but not all eligible projects have seen a Public Art investment.
- Art approvals go through Markham's Public Art Advisory Committee (MPAAC) and Council both before and after the artist/artwork is selected. This is not recommended as it adds confusion to the process,

particularly with the involvement of an external Art Selection Committee. The roles of each committee, and the approval process, need to be clarified.

- The Public Art acquisition process outlined in the existing Public Art Policy should be made more flexible to accommodate all potential acquisition and commissioning scenarios.
- Public Art Policy – Private Sector: The goal of up to 1% contribution of construction cost from developers, is encouraged, not mandatory, but in practice has been very successful.
- Markham's Public Realm Strategy: Goal 5. Creating Gateways and Destinations and Action 5.1 and 5.3 relate directly to Public Art.
- City of Markham Culture Plan and Policy 2012 reinforces the municipal and private sector Public Art policies:
 - Action 24 - Establish internal guidelines for cultural enhancements to civic facilities as new buildings are constructed or as renovation projects occur;
 - Action 34: Establish a formal process for integrated planning between the Culture and Planning Departments to advance public art and cultural spaces within private development.

PLANS IN PROGRESS

- A strategic initiative entitled "Destination Markham" is currently in development. This strategy is intended to promote greater awareness of Markham as a preferred place to visit, work, invest, study, live, celebrate, engage in sports and be entertained.
- The Public Realm program within the City's Operations Department is preparing a vision and Gateway Master Plan for the City. This will include recommendations for gateway development that will integrate a strong sense of place defining entry/exit into and around the City.
- The 2019 Intergrated Leisure Master Plan Update reconfirms the importance of Public Art in Markham.
- City of Markham's Strategic Plan 2020-2023

1. PUBLIC ART VISION

RECOMMENDATION 1: Adopt updated vision and objectives within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined below.

Public art can animate public spaces in the city, give people a sense of belonging and add another dimension to the city's built and natural spaces. Public art can also help to support City goals and initiatives – for example, building Healthy Communities or reinforcing Walk-to-school routes. With a renewed vision, objectives and definition of Public Art, the City of Markham can cultivate a Public Art Program that distinguishes Markham from other Greater Toronto Area municipalities to be a leader in the field in Canada and beyond.

Markham is a growing city that still feels like a town at heart. It has changed rapidly over the last few decades with a growing number of residents, many of them new immigrants from Asia, but it has also remained close to its settler roots. Markham is a city of opposites co-existing. Nineteenth century heritage towns and new communities sit alongside each other. Higher density developments and tech-sector companies are balanced by a rich natural environment of rivers, parks and trails – including the Cornell Rouge National Urban Park.

The history and accomplishments of the colonial settlers are well-documented in Markham through prominent works of Public Art and in place names, yet other aspects of the city's identity are not as well marked – including the vibrant multi-generational Asian community and the long story of the Indigenous presence in the area which predates colonial settlement by thousands of years. Markham is also a city in flux. A Public Art Program should not be limited to commemorations but could instead brandish a new vision for what Markham aspires to be and can become.

VISION

It is time to make our mark! Innovative Public Art will highlight the city's unique characteristics and create new experiences through which local residents and visitors can engage with each other and the rich surroundings in Markham.

OBJECTIVES

Each public art project will meet at least two of the following objectives:

1. **INSPIRE** people to live in, work in, visit and invest in Markham.
2. **CELEBRATE** the diverse cultures and heritage in Markham from multiple points of view.
3. **CONNECT** residents to Markham's built and natural environment.

GUIDING PRINCIPLES

The City of Markham's Public Art Program follows the guiding principles below:

1. Community engagement and education
2. Cultivation of the local arts sector - in a wide variety of art forms and practices
3. Artistic excellence and innovation
4. Protection of artists' integrity - fair pay for artists and retention of their copyright and moral rights
5. Professionalism, fairness and equity in processes
6. Financial sustainability and responsibility of the program
7. Accessibility and geographic reach of the collection

PUBLIC ART EXAMPLES: VISION AND OBJECTIVES



INSPIRE people to live in, work in, visit and invest in Markham.

images: Berzcy Park fountain by Claude Cormier, Toronto (left); Herald/Harbinger by B. Rubin and J. Thorp, Calgary (right).



CELEBRATE the diverse cultures and heritage in Markham from multiple points of view.

images: Cracked Wheat by Shary Boyle, Gardiner Museum, Toronto (left); Artist Greg Hill with the Samuel de Champlain monument, Ottawa. Photo by Jeff Thomas (right).



CONNECT residents to Markham's built and natural environment.

images: Elevated Wetlands by Noel Harding, Toronto (left); Garden of Future Follies by Studio of Received Ideas (right).

CASE STUDY

MÜNSTER SCULPTURE PROJECTS

Münster Sculpture Projects is a one-hundred day exhibition of sculptures in public places in the town of Münster, Germany (population 310,000). It has been held every ten years since the 1977. It was initiated by the Westphalian State Museum to bridge understanding about art in public places following the public outcry for the placement of a sculpture by George Rickey. The exhibition now shows the works of dozens of invited international artists in public places across Münster.

The artists are selected by a curatorial committee of international art experts. Each artist then chooses a site and develops an artwork for the specific site. The exhibition is paid jointly by the municipality, the province, the state and private sponsorships. In 2017, the budget was approximately \$11 million, with 35 artworks, 40 artists, over 70 corporate and art foundation sponsors and approximately 650,000 visitors from 72 nations. Tours were available in 11 languages as well as in accessible formats (e.g. sign language). After every exhibition, the city buys a few of the exhibited sculptures for permanent installation – there are currently thirty-five works in the collection that premiered at the exhibition.

HOW THIS IS RELEVANT TO MARKHAM: With a population of 310,000 people, Münster is approximately the same size as the City of Markham. This model shows how, with a strong vision, Markham can build on their public art program to become a tourist destination known for innovative contemporary art. Previous exhibitions such as Land | Slide at the Markham Museum have laid the groundwork for developing further contemporary art events and collaborations and the Varley Art Gallery provides a solid foundation from which to build potential partnerships and future donors.

Images top to bottom: Superwoman by Tom Otterness; On Water by Ayse Erkmen; We Are Still and Reflective by Martin Boyce; Celestial Masks by Herve Youmbi.



2. DEFINING PUBLIC ART

RECOMMENDATION 2: Adopt updated definitions within the City of Markham Public Art Policies, Markham Municipal Projects and Private Sector, as outlined below and in Appendix A.

There are many different definitions of Public Art and a broad or theoretical definition is useful when framing the benefits of artistic work in the public domain.

For a municipality a definition of Public Art should not shut out artforms or art practices, but it will need to establish a boundary.

The City must determine the kinds of work for which it will and will not maintain responsibility. For this reason, the following definition of public art is proposed for the City of Markham Public Art Collection:

Public Art, for the purposes of the curated Public Art Collection is an original work in any medium that meets all the following criteria: the work is created by one or more Professional Artists; the work is relevant to its site and context; the work has been planned and executed with the specific intention of being sited or staged in a public space; and the work has been acquired following the City of Markham's established processes.

There is a strong program of Public Realm initiatives in the City of Markham including Community Art projects such as murals painted by students under the guidance of an artist or art teacher, and Public Realm Elements such as utility box wraps or landscape gateway features. Even when created or led by a Professional Artist, these are not defined as Public Art as their acquisition does not follow the City's established processes, and the works will not be insured and maintained within the Public Art Collection. For clarity we recommend defining the various categories of artwork and outlining the basic roles and responsibilities for each.

In **Appendix A** you will find the full list of updated definitions.

Public Realm is defined as all privately and public owned spaces, indoors and outdoors, which are generally accessible, either visually or physically, to the public free of charge. Also referred to as public places; when referred to as public domain it can as a social space, a forum for discussion, a place to reach consensus.

A **Professional Artist** is someone who: earns a living through art making; or possesses a diploma in an area considered to be within the domain of the fine artist; or teaches art in a school of art or applied art; or whose work is often seen by the public or is frequently or regularly exhibited; or is recognized as an artist by consensus of opinion among professional artists.

Note: the definition is the International Artists Association definition used by the Canadian Artists Representation (CARFAC).

Public Art Collection shall be defined as the works of public art belonging to the City of Markham. The Public Art Collection will only include work that is defined as Public Art and that will be maintained and insured by the City of Markham for more than one year. The Public Art Collection will include Stand-alone Public Art, Integrated Public Art, Public Art Platforms, Social Practice Art and two-dimensional works of art. It will include Commemorations and Street Art when they are conceived by a Professional Artist. The Collection will not include Temporary Art, Non-sanctioned Public Art, Community Art, Commemorations that are not by a Professional Artist, and/or Public Realm Elements.

PUBLIC ART EXAMPLES: DEFINITIONS



Stand-alone Public Art is a work of public art that is not a physical part of a building, structure or landscape. Image: Digital Orca by Douglas Coupland, Vancouver.



Temporary Public Art is created for a specific occasion, specific time frame or event and is situated at a particular site on a temporary basis. Image: The House That Sets the North by Xiaojing Yan, Mississauga.



A **Commemoration** is a work that is designed to honour a particular idea, individual or to commemorate a particular event. If a Commemoration is created by a Professional Artist and sited or staged in public space, it will also be a work of Public Art. Image: Salvatore Allende Monument, Michel de Broin, Montreal.



Integrated Public Art forms a physical part of a building, structure or landscape. If the site were to be redeveloped, the art would be as well. Image: Chromatic Induction Seats by Carlos Cruz-Diez, Caracas.



A **Public Art Platform** is a place and/or infrastructure in the Public Realm that is reserved for a rotating exhibition of art-work. An art platform can take many forms including a physical podium, a sanctioned street art wall or a digital screen. Image: Alison Lapper Pregnant by Marc Quinn, Fourth Plinth art program, Trafalgar Square, London, UK.



Street Art is an urban style of temporary public art on walls, sidewalks and roadways that is sanctioned and permitted. It is distinct from graffiti which is not-sanctioned or permitted and is a form of vandalism. Image: Mural by Maya Hayuk, Wynwood Walls, Miami, USA.

3. DEVELOPMENT AND PUBLIC ART

RECOMMENDATION 3: Adopt revisions to the City of Markham Public Art Policy—Private Sector to reduce from five to three the current options for participation in the Markham Public Art Program by eliminating Options D and E and revising the remaining options to follow best practices.

There is a high level of development interest and activity in Markham. Local land developers have been very engaged in the Public Art Program through providing artwork and through financial contributions to the Markham Public Art Acquisition Reserve Fund utilized by the City to develop artwork.

The developer investment in Public Art is supported by Section 37 of the Ontario Planning Act and is outlined in the City of Markham Public Art Policy—Private Sector. This Private Sector policy is out of date and needs to be reviewed. There are currently five options for private sector development contributions, but it is recommended to simplify the policy. The options should be reduced to three, with revisions to their descriptions in the policy to ensure that the proposed contribution follows best practice in public art: Option A, a financial contribution to Markham in trust for the commissioning of public art located on the site of the development project; Option B, a developer undertakes its own public art project on the site of the development project following a commissioning or acquisition process approved by the City of Markham; Option C, a financial contribution is made to the Markham Public Art Acquisition Reserve Fund with the funds going to one or more projects to be planned and undertaken by the City following its established processes. In this option, the City of Markham will own the art, include it in their collection, be responsible for the artwork's maintenance and conservation, and can de-accession and dispose of it in the future as required and in keeping with the City's approved processes.

Although all three options are available, the City may prefer Option C in many cases for the following reasons:

- With the funds centralized and managed by the City of Markham on public property, the City of Markham can plan for a Public Art Program more holistically

to achieve a focused vision and ensure equitable distribution geographically, and diversity in artists, artforms and themes.

- The principles of how art is acquired and selected are best handled by the public sector.
- Changes of ownership can lead to issues with the maintenance and conservation of public art on private land, in particular with condominium boards. Issues around how to deal with art lifecycles and site redevelopments are also a concern.

The developer's Public Art contribution amount is based on encouraging a contribution of at least one percent of the development's above-ground construction budget. The City will reserve at least 10% of the funds of a Public Art project for future maintenance and conservation and can use the funds towards the management of the project (typically around 10% of a project's budget).

Section 37 of the Planning Act allows a City to negotiate an increase in density or height for a project in exchange for community benefits such as Public Art, but the benefit must be durable (i.e. capital facilities) and have an appropriate geographic relationship to the development site. For this reason, the funds in the Markham Public Art Acquisition Reserve collected from a development project cannot be used for areas of the city that are far from the development site, and they cannot be used toward shorter duration Public Art projects. *Please note: There may be changes to Section 37 of the Planning Act due to Bill 108. Once the details are known, Markham's Private Sector policy may need to be reviewed.*

A process for donations is currently one of the options set out in the Private Sector policy. Donations should be treated separately from the private developer program with a distinct policy and process, as outlined in Section 7 below.

CASE STUDY

PUBLIC ART AT SQUARE ONE

HOW IT STARTED: Square One Mall has an art program that began a few years after the City of Mississauga's Council approved a Public Art Policy and Program in 2010. Oxford Properties Group, the owner of Square One, commissioned award-winning artists Young and Giroux in 2013 to create an artwork for the shopping mall's food court expansion. The permanent installation, called Lambent, was unveiled to the public in 2015. "We are excited to officially unveil Lambent, suspended above Food Central, as part of our ongoing commitment to offering customers an unparalleled shopping experience and a premium destination for fashion, art and culture in the western Greater Toronto Area. We are proud to house such a dramatic and uniquely Canadian piece of art, as part of our ongoing commitment to supporting local talent and the Mississauga arts community." Greg Taylor, GM Square One, Oxford Properties Group

PROGRAMMING: Oxford Properties contacted The Embassy of Imagination, an art practice comprised of youth from Kinngait (Cape Dorset, NU). Young artists Parr Josephee and Tommy Quvianaqtuliaq (pictured to the right) created self-portraits that were exhibited within Square One in 2017.

ONGOING PARTNERSHIPS: Square One has been regularly partnering with the Art Gallery of Mississauga (AGM) starting with a satellite exhibition of Pattern Migration in 2017 as part of the launch of their new luxury wing. A 200×40-foot hoarding wall displayed prints by Sanaz Mazinani, a digital animation by Diyan Achjadi, and illuminated display cases featuring figurines by Soheila Esfahani. In 2018, Square One hosted the AGM Benefit Art Auction. The event showcases contemporary Canadian works of art, from emerging and established artists, all in support of AGM's community-engaged programmes.

HOW THIS IS RELEVANT TO MARKHAM: Markham is known for its destination malls. As it is likely that they may undergo expansion and/or redevelopment in the next few years, the City of Markham could encourage including artwork integrated into their buildings and partnerships on public art programming. Square One is an example of the destination marketing benefits of public art installations and programming. With the newly founded Destination Markham Corporation, there may be potential for the mall owners to seek funding or other support for some of this cultural activity.

Images top to bottom: Lambent, Young and Giroux, Square One; Embassy of Imagination exhibition in Square One; Pattern Migration exhibition in Square One; Art Gallery of Mississauga Benefit Art Auction in Square One.



4. INVESTING IN PUBLIC ART

RECOMMENDATION 4: Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to funding investments as follows:

- a. As per the existing 2012 Public Art Policy, contribute up to 1% of the capital budget of major City capital projects to integrating Public Art into the public facility, including parks, trails, community centres, libraries, streetscapes and infrastructure (bridges, walls, waterworks, etc.).
- b. Private development projects to participate in the Markham Public Art Program as per Recommendation 3.
- c. Establish annual municipal funding of at least \$250,000 for the Public Art Program.
- d. Encourage partnerships and private donations for further investment in the City's Public Art Program, to follow the City's donation and acquisition processes.

PERCENT FOR ART POLICIES (a and b):

The City of Markham has two existing Public Art Policies: one each for Municipal and Private Sector projects. Each policy encourages up to one percent of investment from the construction costs of City capital projects and private developments respectively. The City has used the municipal policy to invest in public art at the Aaniin Community Centre, where the artwork *Top Garden* will be installed in 2019.

Private developer provision in public art is negotiated through Markham's City Planning and Urban Design team. In most cases, the City has received the developer public art provision in the form of funds for the Public Art Reserve. In Markham Centre the public art provision from The Remington Group was provided as a combination of installed work and funds to support artwork commissioned by the City for the streetscape.

The Master Plan will include an implementation plan for 2020-2024 that disperses the available funds in the Public Art Reserve. Additional funding will be collected commensurate with growth and new City capital projects. *Please note: There may be changes to Section 37 of the Planning Act due to Bill 108. Once the details are known, Markham's Private Sector policy may need to be reviewed and Bill 108 could also affect the current and future Public Art Acquisitions Reserve.*

ANNUAL MUNICIPAL FUNDING (c):

In **Appendix B**, we have included a funding comparison of cities in Canada with public art programs. A public art budget based on a percentage of capital budgets is a standard for many cities, with the rate ranging from 0.5% to 2%, and 1% as the most typical rate used. In 2017, Markham's capital budget was \$81,000,000. A 1% percent investment for public art, as per the existing Public Art Policy would amount to \$810,000 municipal funds per year, 0.5% would amount to \$405,000.

In 2015 and 2016 the City of Markham budgeted \$150,000 per year for public art projects, but there was no annual municipal budget for public art in the approved 2017 and 2018 budgets separate from funding public art through major new capital projects due to underspend from the previous years. \$145,000 was budgeted for public art staffing and acquisitions in 2019.

If one percent of new capital projects is the only mechanism used to invest in public art in Markham, neighbourhoods without capital work will not have public art. To ensure there is equity across the City and to successfully achieve the delivery of the Public Art Policy vision, an annual budget is needed to invest in public art in existing City facilities and/or in public spaces and parks in areas where there is no planned new development.

An annual budget could also help to support local mentorships and pilot temporary projects or public art platforms with changing artwork, such as content for a digital art screen -- many of these are not eligible for developer funding from Section 37 of the Planning Act in the Province of Ontario. \$250,000 is requested to cover staffing, administrative costs, regular programming and educational activities, marketing material, events and seasonal and/or temporary pilot projects.

As public art can help to promote tourism and destination marketing with “high quality attractions” and “distinctive experiences” for residents and visitors, the newly formed Destination Markham Corporation should be considered as the revenue source for annual operating funding of the public art program. The corporation receives a 50% share of the Municipal Accommodation Tax, which is anticipated to amount to \$2.5 - \$3 million annually.

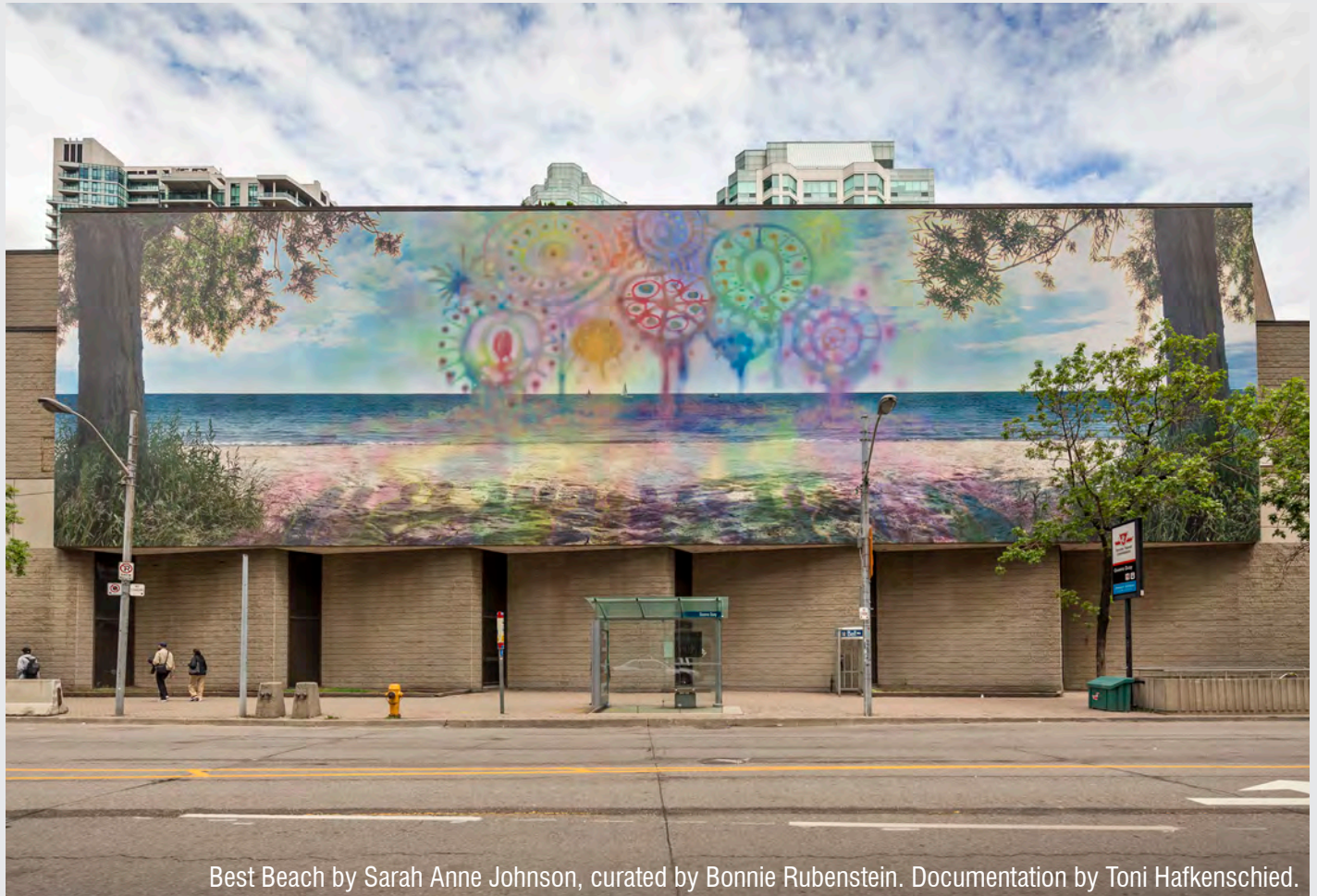
PARTNERSHIPS AND DONATIONS (d): Partnerships with other public agencies who are located in, and/or operate in Markham can strengthen the City of Markham's investment in public art. For example, York University has a public art program, and Parks Canada representatives at the external stakeholder meeting expressed interest in using public art programming in the audience development for the Rouge National Park. Donations of art and funds from private companies and individuals should also be encouraged, when they follow the criteria and processes as outlined in Section 7.

DESTINATION MARKHAM VISION:

Markham will be among the top places in Canada to live, work, play and do business. Markham will be regarded as a highly desirable, welcoming place with distinctive, high quality attractions and exceptional amenities for residents, visitors, talent and business. Together with its stakeholders and the community, Markham will co-create and promote distinctive experiences for residents and visitors; and grow opportunities for businesses and talent to thrive in the 21st century.

CASE STUDY

BEST BEACH BY SARAH ANNE JOHNSON



Best Beach by Sarah Anne Johnson, curated by Bonnie Rubenstein. Documentation by Toni Hafkenschied.

Philanthropic charity Partners in Art (PIA) and StreetAR-Toronto collaborated with the Scotiabank Contact Photography Festival to fund *Best Beach*, a photographic mural by Sarah Anne Johnson that was exhibited from 2015 to 2017.

The artwork is located along the west-facing wall of the Toronto Westin Harbour Castle Convention Centre. From the artist's website, "[the mural] is positioned at a busy location that lies at the gateway to the Islands, yet is visibly closed off from it. Johnson's image connects the urban space to its neighbouring natural environment—trees on either side of the frame serve as a proscenium, while shadowy figures are gathered in the foreground. As constructions of Johnson's highly theatrical imagination, these shadows allude not only to an audience witnessing the dramatic scene, but also to spectators on the street who are being enticed to join them at the

beach. Exploring the space between reality and fiction, experience and desire, Johnson captures the promise of a local landscape and transforms it into an idyllic place that seems very far from the city."

HOW THIS IS RELEVANT TO MARKHAM: Developing a strong public art program with a unique vision can be a tourism draw, particularly shorter-term public art installations as demonstrated in this case study. For this reason, Markham's Municipal Accommodation Tax should be considered as one source of potential funding. Another could be through match-funding via sponsorships and/or partnerships with established festivals/organizations to help promote Markham's public art program and increase its visibility in the art sector and to a wider public audience.

5. PUBLIC ART SITE SELECTION

Recommendation 5: Adopt the proposed Public Art Site Selection criteria, types and sites as presented in Appendix C.

To build on the public art vision and objectives, and to create a public art program that differentiates and highlights Markham's unique characteristics we have outlined a series of five public art site types with corresponding approaches and a list of priority sites. In **Appendix C** we have selected a sample site for each type, to demonstrate the approach and how projects for the final selected sites could be defined.

To support new sites that may come up in the five categories and for decision-making beyond the five-year timeframe of the Public Art Master Plan, we have compiled a site selection criteria evaluation form that can be found below. The site selection criteria are built on what we heard and the relevant municipal background documents we reviewed.

PUBLIC ART SITE SELECTION CRITERIA

SITE CATEGORIES AND PRIORITIES

| Evaluation criteria | Description | Scoring (rating 1-10) |
|---|--|--------------------------|
| 1. Meeting City of Markham's strategic and planning goals | This criterion identifies whether the proposed site will help Markham meet the City's goals as established through the strategic plan, City-wide plans, department plans, and planning documents including the Official Plan, Secondary Plans and Urban Design Guidelines. | /10 |
| 2. Distribution and variety | This criterion identifies whether the proposed site will help to meet the aim of providing equity in public art provision throughout Markham and whether the site will add to the variety of types of sites, art forms and experiences currently existing and planned in the city. | /10 |
| 3. Public activity and use | This criterion establishes whether the proposed site is located in a publicly active area, or whether art can increase the profile of under-used sites where the City would like to encourage further activity, and whether it supports the current and/or proposed use of the site. | /10 |
| 4. Transportation access to site | This criterion rates the ability for people to travel to the proposed site from elsewhere in Markham from multiple modes. | /10 |
| 5. Site capacity and appropriateness | This criterion identifies whether the proposed site has the capacity to facilitate and sustain a high-quality public artwork and whether the site can provide sufficient latitude to hold interest to an artist. | /10 |
| | Score | /50 |
| | To be considered further, sites should have a minimum rating of at least 35/50 and should not score lower than 6.5/10 in any one category. | |

Site Category 1. Key City Sites, Gateways and Heritage Areas

Resources: Partner with other agencies and/or City departments, up to 1% for eligible sites and/or funds from Public Art Reserve.

Preferred approach: Commission stand-alone artwork to be developed for the site. Pilot art projects developed in areas that are in transition/undergoing major change in the next five to ten years could be used as a lower budget approach to increase awareness and to develop the public art program.

1. PanAm Centre Plaza
2. Markham Civic Centre + Future Civic Square
3. Varley Art Gallery Courtyard
4. Cornell Rouge National Urban Park gateway
5. Future York University Campus

Site Category 2. Facilities Projects

Resources: Up to 1% for eligible sites as per Public Art Policy.

Preferred approach: Artist on design team with artwork integrated into capital construction.

6. Angus Glen Community Centre
7. Milliken Mills Community Centre
8. Future Operations Centre (site in NE to be determined)
9. Armadale Community Centre

Site Category 3. Parks and Trails

Resources: Funded by the Public Art Reserve and/or annual budget – for equitable distribution to underserved areas.

Preferred approach: Art on a neighbourhood scale developed by artists engaged with local communities, selected through a call for artist-initiated projects in underserved areas, or through curatorial selection.

10. Rouge River Trails Markham Centre (Birchmount Park)
11. Rouge National Park trails
12. Milne Dam Conservation Park

13. Uptown Markham Rouge River trails
14. Leitchcroft Park
15. Boxgrove Community Park
16. Partnership with Eabametoong First Nations (location TBD)
17. Wismer Park

Site Category 4. Streetscape and Transit

Resources: Up to 1% for eligible sites and/or from Public Art Reserve.

Preferred approach: Smaller scale artwork by local or emerging artists to encourage active transportation and integrated art and/or commissions for stand-alone art.

18. Highway 7 transit stops
19. Main Street Unionville Streetscape
20. Unionville GO Mobility Hub
21. York Region transit hubs
22. Buttonville streetscape
23. Walk-to-School routes

Site Category 5. Major Urban Developments

Resources: Developer funding to Public Art Reserve.

Preferred approach: Focus on digital/high-tech art selected through approved curatorial selection or proposal call.

24. Gallery Square
25. Movieland Markham
26. Remington Centre
27. Pavilia Towers
28. Riverview Uptown Markham
29. Langstaff Gateway Development
30. Cornell Centre

CASE STUDY

UC SAN DIEGO STUART COLLECTION

The Stuart Collection at UC San Diego (UCSD) seeks to enrich the cultural, intellectual, and scholarly life of the UCSD campus and of the San Diego community by building and maintaining a unique collection of site-specific works by leading artists of our time. Under an agreement forged in 1982 between the Stuart Foundation and the University of California San Diego, the entire campus may be considered as sites for commissioned sculpture including integration of some of the art projects with university buildings.

ART COMMISSIONING PROCESS: Artists are invited to develop proposals with the assistance of the Stuart Collection staff. Artists select and tailor their work to a specific UCSD site. The selection of artists for commissions is based on the advice of the Stuart Collection Advisory Board, which is composed of art professionals of international stature. Projects chosen for realization by the Advisory Board are then submitted to a campus review process.

HOW THIS IS RELEVANT TO MARKHAM: The City of Markham started to build their collection in 2003, at the outset of the Public Art Program. Selection and artwork development processes and a commitment to high quality artists and artwork are needed to build a strong collection. Markham will soon be home to a satellite campus of York University and a Metrolinx Mobility Hub, and the City also continues to attract high tech companies and high net worth residents. Therefore, municipal investment in the public art program could be leveraged through partnerships and sponsorships.

Images top to bottom: Another by Barbara Kruger; Fallen Star by Do Ho Suh; Read/Write/Think/Dream by John Baldessari; Snake Path by Alexis Smith; Bear by Tim Hawkinson.



6. PUBLIC ART PROGRAM PROCESSES

RECOMMENDATION 6: Adopt revisions to the City of Markham Public Art Policy—Municipal Projects relating to art acquisitions, including procurement and assessing donations and gifts, as outlined below and in Appendix D.

DETAILED PROCEDURES

The City of Markham's Public Art Policy -- Municipal Projects is very thorough and includes many processes to manage the Public Art Program. The high-level direction within the policy should remain, but for future development of the program and flexibility, the detailed procedures should be removed from the policy and, instead, be working documents for the management of the program.

DONATIONS POLICY

For clarity in roles and responsibilities, and transparency in decision-making, the donations review procedure should be updated as outlined in **Appendix D**.

ACQUISITIONS METHOD

Trade agreements allow for exceptions to municipal procurement rules for art and culture, as is reflected in the acquisition processes of the municipal museums and gallery, but there is only one approved acquisition method in the current Public Art Policy – a two-stage open proposal call. To achieve the Public Art Program Vision and Objectives further art acquisition methods should be considered including: curated selection, artist on a design team, invited calls and artists selected from credentials.

COMMUNITY ENGAGEMENT STRATEGY

Public art has the potential for connecting people to their place in a profound way. Communities will be regularly informed, involved and engaged in Public Art Projects and with the Public Art Collection. Various tools and levels of information, education and engagement may be used to suit different scales and types of public art projects, programs and communities. Programming and resources will help to promote the Public Art Collection amongst those who live in, work in, and visit Markham.

See below for an outline of key points to inform and involve community members in the process of new commissions and with the existing Public Art Collection. This will help to build trust with the community and to continue to build on the high quality cultural offerings of the City of Markham.

Education

- Maps and self-guided trails of the Public Art Collection to be made available online and in print.
- Public Art Curator or other art experts to host tours and artist talks.

Information and Engagement

- Open House meetings to be held in the community at key stages – for example, upon artist selection, early art concept development, and final art proposal before fabrication begins. Any public feedback will be shared with the artist for their consideration.
- Use Your Voice Markham, an online engagement portal for citizens that can be used to share project plans and monitor a project's process. It is also a platform for citizens to voice their opinions and ideas for current and future projects, and to monitor a project's progress.
- The process of engagement may be tailored to the type of artist commission:
 - Integrated Art Commissions: When the artist is hired to be a member of the design team at an early stage in a capital project's development, the public engagement for the art can be integrated within the capital project's public consultation plan. The artist may be asked to attend one or more public meetings.

- **Stand-alone Art Commissions:** For key civic sites, there may be public input into developing the project parameters/artist brief. Commissioned artists may be invited to give an artist talk in a public venue during the development of their artwork (either presenting their previous work when first contracted, or presenting in advance of the commissioned installation). Where appropriate to the site and project (for artwork in community parks and trails) artists will be contracted to involve the community in the development of their art concept/installation.
- **Pilot/Short-term Commissions:** The artwork in pilot or short-term commissions serves to stimulate public discourse about a place, and lays the groundwork for considering longer-term artwork.
- Please note that where an artist is expected to attend public meetings, give a talk, engage with community members, or any other work extra to their art commission, that this should be clear in the invite or call and must be compensated in addition to the artist fee for developing the artwork.

MAINTENANCE AND CONSERVATION

Works of public art come in many different materials and forms which will have different types of maintenance and conservation needs. The following principles should be followed to manage the Public Art Collection:

- Artist to provide maintenance manual for new commissions
- At least 10% of the budget of each Public Art project to be set aside for future maintenance and conservation for long-term installations (more for artwork with higher maintenance requirements)
- Public Art Collection is reviewed annually to plan for necessary cleaning and conservation
- Follow de-accessioning processes for an artwork where required.

STAFF SKILLS AND RESPONSIBILITIES

There are a number of different skills needed to run a Public Art Program and these likely will not be found in a single staff member. Furthermore, the program will need to have cross-departmental cooperation in its management. To support this, we have outlined the staff skills and experience required and the potential full-time equivalents (FTE) and existing staff roles that could help to support the program.

Manager, Varley Gallery

Responsible for managing the Public Art Curator and the oversight of the Public Art Program, including reporting to the senior management and Council as required.

Public Art Curator (0.6 FTE)

- knowledge of local, national and international contemporary art, artists and art practices
- minimum 5 years experience working with artists to help develop and realize their vision
- minimum 5 years experience in creating curatorial statements and artist/artwork selection

In order for the staff in this role to stay current in contemporary art, this role should be part-time so they are able to work on complementary projects, but in order to successfully implement the master plan we propose to increase the role from the current 0.5 FTE to 0.6 FTE. We also propose to rename this position from the current title of Public Art Coordinator, to Public Art Curator, in order to be clear about the experience and skills required.

Project Management Coordinator (0.4 FTE)

- at least 5 years experience in municipal capital project management and working across departments to achieve a capital project vision

This position refers to the time commitment of an existing City staff member(s) who may be involved in the project management of a Public Art Program-initiated project, on an as-needed basis.

Administration

Administration for the program will be handled through existing resources. There is currently a distributed administrative support system, integrated into the existing organizational structure, that will be maintained. For example, Clerks staff coordinate and take minutes for the Markham Public Art Advisory Committee. Financial processing is through the administrator who supports the Manager of the Varley Gallery.

Interdepartmental Public Art Working Group Members

Operational-level staff from the following departments with knowledge of their plans and processes to advise on managing Public Art Projects and the Public Art Collection:

- Urban Design and Planning (negotiating with developers, including public art in planning documents)
- Public Realm (advising on upcoming plans and projects and reviewing potential public art sites in parks and facilities)
- Engineering (budgeting and implementation of municipal capital projects)
- Transportation (advising on upcoming plans and reviewing potential public art sites in streetscapes and transit)
- Operations (reviewing art maintenance procedures and assisting with annual Collection assessment)
- Finance (program budgets and reserve fund)
- Legal (artist contracts)
- Corporate Communications (events/PR support)

MPAAC TERMS OF REFERENCE

MPAAC has a terms of reference document that governs the committee's composition, roles and responsibilities. The following is an outline to guide the revision of the existing Terms of Reference document:

- There will be a maximum of fourteen members on the committee.
- One or two Councillors and one Regional Councillor will be appointed as members of the committee.

They will be responsible for advocating for the Public Art Program with Council, stakeholders, staff and residents.

- There will be a maximum of nine volunteer citizen members who can demonstrate a keen interest in and knowledge of contemporary art and/or the public realm.
- Three designated City staff including the Public Art Curator, the Director of the Varley Art Gallery, and a citizen from the Clerk's office.
- In addition to the fourteen members outlined above, a maximum of two further members of the the City of Markham staff may sit on the committee in a non-voting capacity only. These members should have relevant knowledge and interest in contemporary art and/or the public realm, but they should not be members of the Interdepartmental Public Art Working Group as well.
- The committee composition will strive to achieve a diversity of perspectives.
- A Chair and Vice-Chair will be appointed from among the citizen members.
- Terms will be three-years and staggered.
- The Term of Office will be determined in accordance with the City's Board/Committee.
- A Quorum shall be deemed when a majority of members are in attendance.
- Meetings are held quarterly, with meetings for the full year scheduled in September. Extra meetings may be at the call of the Chair.
- If a member misses two consecutive meetings without advising the Chair of the reason in advance, then the member may be asked to step down.
- Roles and responsibilities
 - To provide feedback to staff on draft public art policies and plans in advance of the report being brought forward to Council for approval;
 - To review and provide feedback on the City's Public Art Program and activities on a quarterly basis; and
 - To advocate for the City's public art program with Council, residents, and potential sponsors.

CASE STUDY

SURREY PUBLIC ART PROGRAM

The City of Surrey has run a public art program since 1998. The implementation of the public art policy is carried out by three full-time equivalent municipal staff members. The policy and program are guided by:

- The Public Art Advisory Committee (but as of March 2019 the Parks, Recreation & Culture Committee is assuming their responsibilities).
- An Interdepartmental Art Team within the City that is a strong mechanism for cross-departmental cooperation with membership from Parks, Recreation and Culture, Engineering Planning and Development, Facilities Management and Finance, Technology and Human Resources.

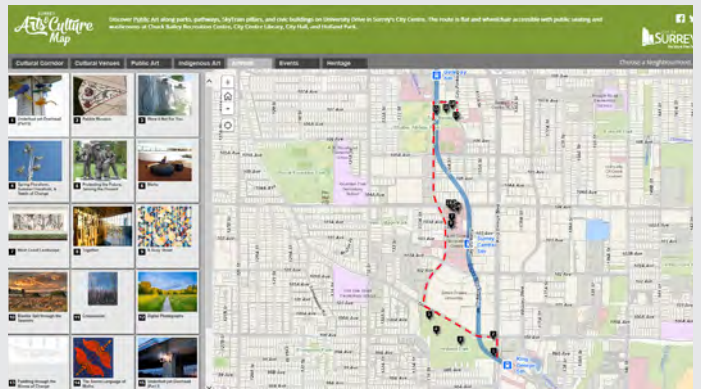
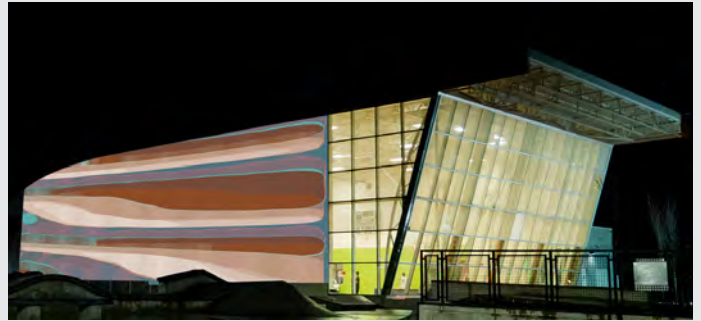
CIVIC FUNDING: The City contributes 1.25% of new Civic construction projects to fund the Surrey Public Art Collection. The funds could be used for art in the new facility, or it may be pooled for use on other sites, with 10% of the budget set aside for future maintenance.

PROJECT EXAMPLE: Surrey Urban Screen was established as the public art feature of the Chuck Bailey Recreation Centre, in partnership with the Surrey Art Gallery in 2010. The large-format screen serves as a platform for the presentation of digital art. The exhibition program is managed by the gallery staff and there is a Surrey Urban Screen Advisory Committee and Terms of Reference established for operations and programming.

PRIVATE DEVELOPMENT: Development applicants discuss a public art strategy with City staff as part of the rezoning process for increased density. The rate of contribution for eligible development projects is 0.5% of the estimated total project construction cost.

OUTREACH: Surrey's Public Art Program uses the following promotion and education tools: Walking Tours, Didactic Panels, Website, Interactive Public Art Map including the City Centre Art Walking Loop -- which links a diverse collection of public art installations in Surrey's new City Centre.

Images top to bottom: Liquid Landscapes by Nicolas Sassoon on UrbanScreen, Surrey, BC; The Way In Which It Was Given To Us by Marianne Nicolson, UrbanScreen, Surrey, BC; Surrey Art Walk map.



HOW THIS IS RELEVANT TO MARKHAM: The City of Surrey is a mid-sized city slightly larger than Markham, at a population of 518,000 people, but it has similarities in its proximity to a major urban centre (Vancouver), rapid development from a rural to suburban with multiple town centres and now a dense urban area in its core. Similar to Markham, it has also seen a major influx of South Asians since the 1990s. As Markham bills itself as Canada's High Tech Capital, therefore, a digital art platform program such as Surrey UrbanScreen is a relevant model to consider for Markham's Public Art Program. As the art changes over time, tourists and local people will continue to have renewed interest in visiting the site.

7. PUBLIC ART PROGRAM GOVERNANCE

RECOMMENDATION 7: Adopt revisions to the City of Markham Public Art Policy—Municipal Projects including the governance process as outlined below and in Appendix E.

The governance process and role of each party involved in decision-making for the public art program have been updated to meet best practices in municipal public art programs, including procedural clarity and a transparent decision-making process. A chart of the governance and decision-making process can be found in **Appendix E**.

RECOMMENDED ROLES

Markham Council

- Approves the public art policies and plans (which establish priorities, projects and annual budgets).
- Approves negotiated developer agreements that include public art provision terms.

Note: Council plays a key role in approving program priorities, project plans and budgets but it is best practice for them to be arms-length to specific decisions on artwork selection, otherwise the process of curator and jury selections may be compromised. This would undermine the involvement of citizens and experts. Staying arms-length from detailed decisions has the added benefit of shielding Councillors from potential criticism, as art can be subjective and there may need to be time to build connections between the work and Markham communities more widely.

Public Art/Culture Staff

- Implements and manages the public art policies, plans and program, following agreed procedures.
- Reports annually to Council on public art program activities.

Interdepartmental Public Art Working Group

Representatives of relevant departments who oversee planning, capital projects and cultural provision meet quarterly. Roles:

- Updating on potential opportunities for public art: City plans for new parks and facilities and/or major renovations; City priorities/programs; and developments.
- Advice and direction to Culture on public art projects in the workplan.

Planning and Urban Design Department

Promotes public art and open negotiations with developers through Section 37 of the Ontario Planning Act, to create public art opportunities in Markham, working together with the Culture Department.

Public Realm, Community Services

Manages other Public Realm initiatives such as Community Art and Public Realm Elements.

Markham Public Art Advisory Committee (MPAAC)

Committee of citizen representatives

- Reviews public art policies and plans to provide advice to staff in advance of reports to Council, including for proposed donations.
- Reviews and gives staff feedback on public art program activity quarterly.
- Advocates for the public art program with Council and citizens and potential sponsors.

Art Acquisition Committee

A committee of the Varley McKay Art Foundation:

- Reviews proposed public art donation for artistic merit, condition and future conservation considerations before it is considered by MPAAC for community appropriateness.

Art Selection Panels

Panels are struck anew for each project, with a combination of local citizens and art professionals both relevant to the project (the latter to be a majority).

- Review artist credentials or artwork concepts for selection and/or review artistic development during an artist contract for curatorial feedback
- Panellists are paid at least the minimum CARFAC (Canadian Artists Representation) fee for their time, unless they are otherwise being contracted by the City (e.g. a staff member or lead designer on a capital project).

CASE STUDY

VANCOUVER ARTIST-INITIATED CALL

Since 2010, the City of Vancouver Public Art Program periodically invites artists to propose their ideas for public art projects through an open call. Artists can propose artworks in any scale, scope, and medium, including permanent installations, performative and temporary work. This is an invitation for artists to experiment and propose meaningful gestures within public space.

SUPPORTING ARTISTS: The Artist-Initiated Call is open to both established and emerging artists, including those interested in expanding their practices into the public realm for the first time. Artist-Initiated Projects are commissioned and funded by the City of Vancouver. The City also supports artists by providing necessary resources and staff support through the course of project development and realization.

ARTIST-INITIATED CALL GOALS:

- Enable artists to create their own public art opportunities
- Commission significant public artworks
- Support Musqueam, Squamish and Tsleil-Waututh visibility on the land
- Engage established understandings of the city
- Mentor and support artists in producing public art

SITES: Artists propose their project site. Shortlisted artists work with the City to review and confirm a final site during Concept Development and Detailed Design.

SELECTION: Proposals are evaluated by a panel of artists, curators, and members of the Musqueam, Squamish, and Tsleil-Waututh Nations in a two-stage process. In the first stage, the Selection Panel will shortlist artists who will be paid an honorarium to develop Concept Proposals. In the second stage the panel will recommend the final projects to be commissioned.

Artist selection criteria for the first stage:

- Strength and creativity of past work
- Demonstrate ability to produce and present work
- Connection and relevance to place
- Contribute to the public art collection of the City
- Engage with critical contemporary art dialogues
- Consistency with the recognition of Vancouver as the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh Nations



Images top to bottom: Monument to East Vancouver by Ken Lum, Vancouver; A False Creek by R. Weppeler /T. Mahovsky, Vancouver.

HOW THIS IS RELEVANT TO MARKHAM: This is a program model that would help to distinguish Markham's Public Art Program amongst other municipalities in Ontario. It would provide a way to support local and emerging artists in a range of artforms, while also providing a compelling opportunity for artists of national/international significance to produce work in Markham. This art acquisition model also provides a strong framework for engaging community members, First Nations and other stakeholders in the process of selecting artists and the artwork's development, while also allowing room for artistic practice to flourish.

APPENDIX A: PUBLIC ART DEFINITIONS

Public Art, for the purposes of the curated Public Art Collection is an original work in any medium that meets all the following criteria: the work is created by one or more Professional Artists; the work is relevant to its site and context; the work has been planned and executed with the specific intention of being sited or staged in a public space; and the work has been acquired following the City of Markham's established processes.

Public Realm is defined as all privately and public owned spaces, indoors and outdoors, which are generally accessible, either visually or physically, to the public free of charge. Also referred to as public places; when referred to as public domain it can be as a social space, a forum for discussion, a place to reach consensus.

A **Professional Artist** is someone who: earns a living through art making; or possesses a diploma in an area considered to be within the domain of the fine artist; or teaches art in a school of art or applied art; or whose work is often seen by the public or is frequently or regularly exhibited; or is recognized as an artist by consensus of opinion among professional artists. Note: definition is the International Artists Association definition used by the Canadian Artists Representation (CARFAC).

An **Established Artist** is an artist who has an extensive body of work, a history of national and/or international presentation and who has achieved wide recognition by their peers.

An **Emerging Artist** is an artist in the early years of their career who may have had some previous professional exhibitions, commissions, presentations or installations.

A **Local Artist** is an artist who lives or works in the City of Markham, or who can demonstrate a strong connection to the City of Markham.

CATEGORIES

Public Art Collection shall be defined as the works of public art belonging to the City of Markham. The Public Art Collection will only include work that is defined as Public Art and that will be maintained and insured by the City of Markham for more than one year. The Public Art Collection will include Stand-alone Public Art, Integrated Public Art, Public Art Platforms, Social Practice Art and two-dimensional works of art. It will include Commemorations and Street Art when they are conceived by a Professional Artist. The Collection will not include Temporary Art, Non-sanctioned Public Art, Community Art, Commemorations that are not by a Professional Artist, and/or Public Realm Elements.

Stand-alone Public Art is a work of public art that is not a physical part of a building, structure or landscape.

Integrated Public Art forms a physical part of a building, structure or landscape. If the site were to be redeveloped, the art would be as well.

Temporary Public Art is created for a specific occasion, specific time frame or event and which is situated at a particular site on a temporary basis

A **Public Art Platform** is a place and/or infrastructure in the Public Realm that is reserved for a rotating exhibition of artwork. An art platform can take many forms including a physical podium (e.g. Trafalgar Square's fourth plinth), a sanctioned street art wall or a digital screen. An art platform could be dedicated exclusively to public art or shared with other content (e.g. transit ad space used for public art programming). To ensure success for an art platform, there should be a plan for regular funding or an endowment in place for new works of art before it is established.

A **Commemoration** is a work that is designed to honour a particular idea, individual or to commemorate a particular event. If a Commemoration is created by a Professional Artist and sited or staged in public space, it will also be a work of Public Art.

Street Art is an urban style of temporary public art on walls, sidewalks and roadways that is sanctioned and permitted. It is distinct from graffiti which is not-sanctioned or permitted and is a form of vandalism. Street Art commissioned by a Professional Artist is a form of Public Art.

Social Practice Art is a work that is led and conceived by a Professional Artist, but that may involve community members in its development or creation. Social Practice Art is a type of Public Art and would therefore be subject to copyright and moral rights considerations.

Community Art is an artistic activity that may or may not be led by a Professional Artist, that involves community members who contribute a variety of talents, to conceive and create a work. Community Art is distinct from Public Art as it will not be subject to the same copyright and moral rights provisions as a work by a Professional Artist and it will not be considered for inclusion in the Public Art Collection.

Public Realm Elements are artistic elements in the Public Realm, that may or may not also serve a functional purpose, that are not conceived or created by a Professional Artist.

Non-sanctioned Public Art is work that did not follow the City of Markham's established Public Art processes. Therefore, such works are not sanctioned and are not included in the Public Art Collection.

ACQUISITION TERMS

Acquisition is the procuring of public art through commission, purchase, donation, gift or bequest.

Accession is the procedure of acquiring and recording a public artwork as part of the Public Art Collection. Refer to the Varley Art Gallery Collection Policy and Procedures.

De-accession is the procedure for removing an object from its site and from the Public Art Collection. Refer to the Varley Art Gallery Collection Policy and Procedures.

Maintenance Plan is a plan created by the artist and agreed by the City at the time of commissioning a work that lays out the process for maintenance and conservation for an artwork that will be included in the Public Art Collection.

Art Acquisition Committee refers to the designated committee as defined by the Markham Collection Policies whose role it is to evaluate an artwork to be included in the Public Art Collection.

Art Selection Panel refers to a group of people composed of art professionals and members of the community selected to serve as members of a jury to evaluate an artist for selection for an art opportunity.

Copyright grants the author of a work the sole right to reproduce, distribute, display, and alter their works of art. It expires 50 years after the artist's death. It may be assigned or licensed to another individual or institution and/or it may be assigned exclusively or jointly. Copyright also extends to the use of images of the artwork for promotional or educational purposes. Upon commissioning a work, the City should ask an artist to provide an irrevocable non-exclusive license in perpetuity for the City to reproduce images of artworks for non-commercial purposes.

Artist's Moral Rights include the right to the integrity of the work in regard to associations or modifications. They include the right to be associated with the work as

its author by name, pseudonym or the right to remain anonymous. Moral Rights are non-transferable and endure even after copyright has been assigned. The rights may be waived by the artist agreeing to not exercise them in whole or in part, but this is something that should only be asked for in very specific and rare circumstances.

Examples of violation of Moral Rights may include:

- An act or omission performed on the artwork that affects the honour or reputation of the artist; and
- Changing the colour of the artwork or adorning it with additional elements.

Taking steps to restore or preserve the artwork would not be included as long as such work is performed in good faith. Also, changing the location of the work does not generally constitute a violation, but in the case of works of public art, the exact siting may be considered part of the work, so this should be clarified in the contract.

ACQUISITION METHODS

Artist on design team: Artists can be contracted to collaborate with architects, engineers and designers during the early stages of the design of a building, infrastructure or master plan. As a member of the design team, the artist can contribute to the overall design process, may identify specific opportunities for integrated artwork, or be responsible for a distinct area of design in consultation and coordination with the other team members. An artist should be selected based on the quality of their work, but also their experience and desire to work in a collaborative way. Artists should be compensated for their time to attend meetings and develop their ideas. They may also be responsible for a distinct art budget, or they may be asked to contribute ideas that fall within the full project budget managed by the prime consultant.

Artist proposal call: Artists are asked to develop a proposal that includes their art ideas, budget, schedule and team. Artists shortlisted for a proposal are paid a stipend to cover some or all of the proposal costs. The call may be open, invited or limited.

Artist credential call: Artists are asked to submit examples of their previous work, answer why they are interested, and how their art practice is suited to the opportunity. The call may be open, invited or limited. This may be the first stage in either a proposal call or interview selection process.

Artist interview selection: A final selection of an artist from those who are invited or shortlisted from a credential call, may be selected through an interview process based on their previous works, their suitability and approach to the opportunity.

Artist residency: A residency is when an artist works closely with a host organisation or a community, often over an intensive period of time, to create artwork. Artists can be invited to reside on a full or part-time basis and in some cases accommodation or studio space is offered. Artists for a residency are typically selected through a credential call and/or interview selection process.

Artist-initiated: At certain times, artists may propose their own ideas for public art projects, or they may be invited to propose an idea for a public art project without a defined site and parameters. An artist-initiated call could ask artists to respond to a specific topic of community interest or importance; encourage artists to address topics that motivate their work; or ask for proposals within a large park or neighbourhood but with no specific site selected.

An **Artist Mentorship** is an opportunity for an emerging artist to work with an established artist, on a project relevant to their area of work and interest. Mentee artists should be selected by the established artist together with an art professional or administrator. Both the mentor and the mentee should be duly compensated for their time. The goal is to develop productive matches that help to develop emerging artists' professional skills and experience.

Curated selection will involve a curator using their expertise and knowledge of artists' practice to select one or more artists for a Public Art opportunity.

**APPENDIX B:
COMPARISON OF MUNICIPAL PUBLIC ART FUNDING**

| Municipality | City budget for public art | Private development contributions | Population |
|----------------|--|---|------------|
| Barrie | 1% (projects over \$1 million) | Considering use of Section 37 | 167,000 |
| Brantford | Annual Contribution \$35,000 | None | 97,000 |
| Burlington | \$200,000-\$250,000 | Encourage through planning tools | 178,000 |
| Guelph | budgeted annually | Encourage through Section 37 | 122,000 |
| Halton Hills | \$100,000 annually | In progress: Voluntary contribution | 59,000 |
| Hamilton | budgeted annually \$70,000- \$250,000 | Encourage 1% through Section 37 and/or SPA | 721,000 |
| Kingston | up to \$250,000 per year | To be considered | 124,000 |
| Kitchener | 1% (projects over \$100,000) | Encourage voluntary participation of 1% | 219,000 |
| London | 1% of a 5 year rolling average | Encourage 1% through Section 37 and/or SPA | 475,000 |
| Mississauga | \$100,000-\$200,000 annually, plus specific projects | Encourage 1% through Section 37 and/or SPA | 713,000 |
| Newmarket | budgeted annually | Section 37 | 80,000 |
| Niagara Falls | not specified | No mention | 83,000 |
| Pelham | 1% and pooling | Encourage 1% through Section 37 and/or SPA | 16,600 |
| Oakville | budgeted every five years | No mention found | 193,000 |
| Oshawa | \$60,000 annual contribution + \$20K to operating for temporary | no mention | 150,000 |
| Ottawa | 1% (projects over \$2 million) | Encourage contributions and use of Section 37 where applicable | 883,000 |
| Peterborough | 1% pooled from rolling capital average | Encourage contributions | 80,000 |
| Richmond Hill | 1.5% (City capital projects over 500 sqm) - pooled across City | Use of Section 37 | 186,000 |
| St. Catharines | budgeted annually | No mention | 131,000 |
| Thunder Bay | 1% | No mention | 102,000 |
| Toronto | \$250,000 annually (plus 1% for relevant projects) | 1% through use of Section 37, S45 (9) conditions, S51 (25) + (26) | 2,615,000 |
| Vaughan | annual operating budget \$50,000 (Y1) increase to \$150,000 (Y5) | 1% through use of Section 37, S45 (9) conditions, S51 (25) + (26) | 288,000 |
| Waterloo | 1% (City & Region) up to \$300,000 | City encourages 1% through Section 37 and/or SPA | 99,000 |
| Windsor | 1% (considered on selected capital) | No mention | 211,000 |

Note: where percentages are mentioned, this is calculated on eligible City capital project's construction costs, but not on land and servicing costs.

MUNICIPAL PUBLIC ART FUNDING IN OTHER PROVINCES

| Municipality | City budget for public art | Population |
|---------------------------|---|-------------------|
| St. John's , NL | Annual contribution 24K | 106,000 |
| Moncton, NB | 1% | 107,000 |
| Boucherville, QB | not specified | 41,000 |
| Montreal, QC | 1% | 705,000 |
| Winnipeg | \$500,000 annually (cut in 2019) | 271,000 |
| Saskatoon SK | 1% on projects over 5M up to \$500,000 | 252,000 |
| Canmore, AB | \$3 pre capita from capital reserve fund | 12,000 |
| Coquitlam, BC | Annual Contribution | 139,000 |
| Lethbridge, AB | 1% | 84,000 |
| Medecine Hat, AB | 1.25% | 61,000 |
| Red Deer, AB | 1% | 91,000 |
| St. Albert, AB | 1% (up to a maximum of \$220,000) | 61,000 |
| Strathcona County, AB | 1% of projects over 500,000 up to \$250,000 | 92,000 |
| Wood Buffalo, AB | not specified | 64,000 |
| Burnaby, BC | No mention | 233,000 |
| Esquimalt, BC | 1.25% | 16,000 |
| Golden, BC | 1.00% | 4,000 |
| Nanaimo, BC | 1% (projects over \$250,000) | 88,000 |
| Nelson, BC | 3% of building permit fees | 10,000 |
| Richmond, BC | 1% | 216,000 |
| N. Vancouver District, BC | \$50,000 (approx 2%) | 84,000 |
| Port Moody, BC | 0.3% of full capital budget | 28,000 |
| Prince George, BC | budgeted annually | 72,000 |
| West Vancouver, BC | Annual Contribution \$50,000 | 43,000 |
| Surrey, BC | 1.25% | 590,000 |
| Saanich, BC | 1% (projects over \$250,000) | 110,000 |
| Vancouver, BC | % of rolling average of capital | 675,000 |
| Whistler, BC | 1% | 12,000 |
| Victoria, BC | \$150,000 (approx 1%) | 80,000 |

Note:

1. Where percentages are mentioned, this is calculated on eligible City capital project's construction costs, but not on land and servicing costs.
2. Information on private developer contributions have not been included because, as the other provinces are subject to different Planning law, this information is not applicable.

SITE CATEGORY 1 | KEY CIVIC SITES, GATEWAYS AND HERITAGE AREAS

site type description

Highly visible civic plazas, gateway locations and heritage areas that are opportunities to highlight Markham's natural and built features.

approach

Iconic artworks that build on Markham's identity.

suggested budget range: large

\$250,000 to \$850,000+ per project

art acquisition method(s)

Selected by a call for credentials (open, limited or invited) where an artist is selected for the commission based on an approach and an interview (not a proposal). Or an artist can be selected as part of a design team, or by an internal or external curator.

sites may include:

- PanAm Centre Plaza
- Markham Civic Centre _ Future Civic Square
- Varley Art Gallery Courtyard
- Cornell Rouge National Urban Park gateway
- Future York University Campus

example site

PANAM CENTRE PLAZA

Site artwork in the PanAm Centre Plaza to make the space more inviting to people. This could include artwork that also provides the functions of seating, lighting, planting and/or shade.



images clockwise from top: Berzcy Park dog fountain by Claude Cormier, Toronto; Elevated Wetlands by Noel Harding, Toronto; Cracked Wheat by Shary Boyle, Gardiner Museum, Toronto; Great Picnic by Mark Reigelman, Cleveland; Garden of Future Follies by Studio of Received Ideas, Toronto.

SITE CATEGORY 2 | FACILITIES PROJECTS

site type description

New parks, libraries, community centres and other City buildings on highly visible sites. Also, for major renovations.

approach

Artwork integrated into capital construction project.

suggested budget range: medium

\$200,000 to \$500,000 per project

art acquisition method(s)

An artist is requested in the RFP for the design team of a new facility, or the artist could be added to the design team through a separate call for credentials (and interview) at a very early stage of the project. It is recommended for the lead designer to be involved if the latter method is chosen.

sites may include:

- Angus Glen Community Centre
- Milliken Mills Community Centre renovation
- Future Operations Centre (site in NE to be determined)
- Armadale Community Centre

example site

ANGUS GLEN COMMUNITY CENTRE

Integrate artwork into the park design adjacent to the recently renovated community centre. The artwork should be developed to celebrate the community and build a sense of pride and ownership in local people who use the facility.



images left to right: Thunderbay wall by Studio Kimiis, Thunder Bay; Spin by Panya Clark Espinal, Downsview Park Station, Toronto Hands by Christian Moeller, San Jose International Airport.

SITE CATEGORY 3 | PARKS AND TRAILS

site type description

Neighbourhood parks and trail systems that are either well-used community amenities or that would benefit from the addition of art.

approach

Public art on a neighbourhood scale to be developed to serve under-represented areas or key community themes.

suggested budget range: medium

\$100,000 to \$250,000 per project

art acquisition method(s)

Selected by an artist-initiated proposal call, or by an internal or external curator or through a call for credentials (open, limited or invited) for an artist residency, where an artist is selected for the commission based on an approach and an interview (not a proposal).

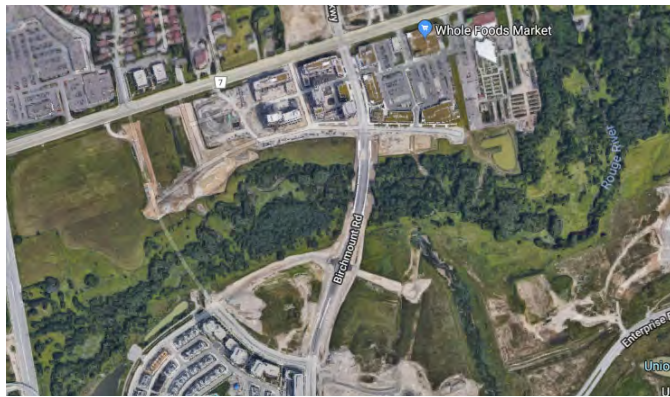
sites may include:

- Rouge River Trails Markham Centre (Birchmount Park)
- Rouge National Park trails
- Milne Dam Conservation Park
- Uptown Markham Rouge River Trails
- Leitchcroft Park
- Boxgrove Community Park
- Potential partnership with Eabmetong First Nations (Location TBD)
- Wismer Park

example site

ROUGE RIVER TRAILS MARKHAM CENTRE

An artwork, or series of artworks, that promote the use and discovery of Birchmount Park Trails and the natural environment. The artist can work with community members to develop specific site locations.



images clockwise from top: Mirrored Circles for Ba Jin by Adrian Blackwell, Shanghai; Faces of Regent Park by Dan Bergeron, Toronto; Bird Mnemonics by Mark Prier, Mississauga; Salish Sea by Chris Paul, Sidney, BC.



SITE CATEGORY 4 | STREETSCAPES AND TRANSIT

site type description

Major active transportation and transit corridors, transit hubs and road right-of-ways near schools.

approach

Short-term artwork (6 weeks to 12 months) or small-scale artwork by local or emerging artists to encourage active transportation

suggested budget range:

small to medium

\$150,000 to \$500,000 per art program budget (individual artwork budgets could be from \$25,000)

art acquisition method(s)

Selected by an internal or external curator or through an artist-initiated proposal call or a call for credentials (open, limited or invited) where an artist is selected for the commission based on an approach and an interview (not a proposal).

sites may include:

- Highway 7 transit stops
- Main Street Unionville Streetscape
- Unionville GO Mobility Hub
- York Region transit hubs
- Buttonville Streetscape
- Walk-to-School routes

example site

TRANSIT STOP AT MARKHAM CIVIC CENTRE

Artwork can be focused on youth who make up a large proportion of the primary pedestrians and/or transit-users. Art could be integrated into the transit stop or the important corner civic site. It could be visible from a car, but provide more detail or elements to discover from a pedestrian-scale.



images clockwise from top left: An Interval Connection by Nestor Kruger, Shanghai; Bollards by Antony Gormley, UK; A Long Conversation (for Oona) by Peter Gazendam, Vancouver; Site Specific by Scott Eunson and Marianne Lovink, Toronto.

SITE CATEGORY 5 | MAJOR URBAN DEVELOPMENTS

site type description

Private development sites over 100,000 square metres.

approach

Focus on iconic and digital or high-technology artforms

suggested budget range: large

\$250,000 to \$750,000+ per project (including \$25,000+ budget for a local artist mentorship)

art acquisition method(s)

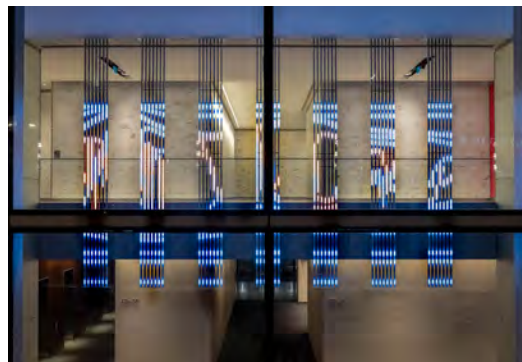
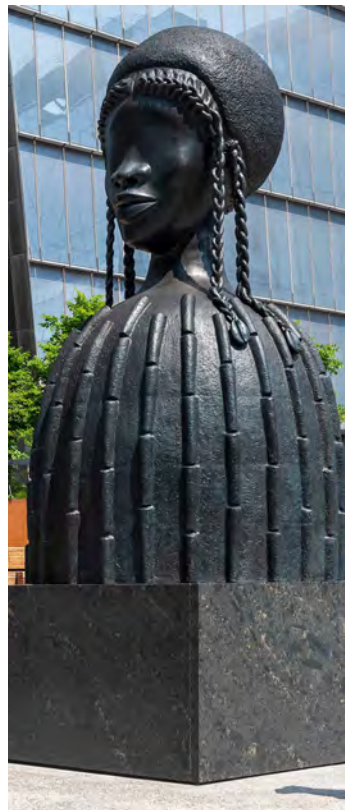
Selected by an approved curator or through a proposal call with a City-approved process and jury of art professionals

sites may include:

- Gallery Square
- Movieland Markham
- Remington Centre
- Pavilia Towers
- Riverview Uptown Markham
- Langstaff Gateway Development
- Cornell Centre

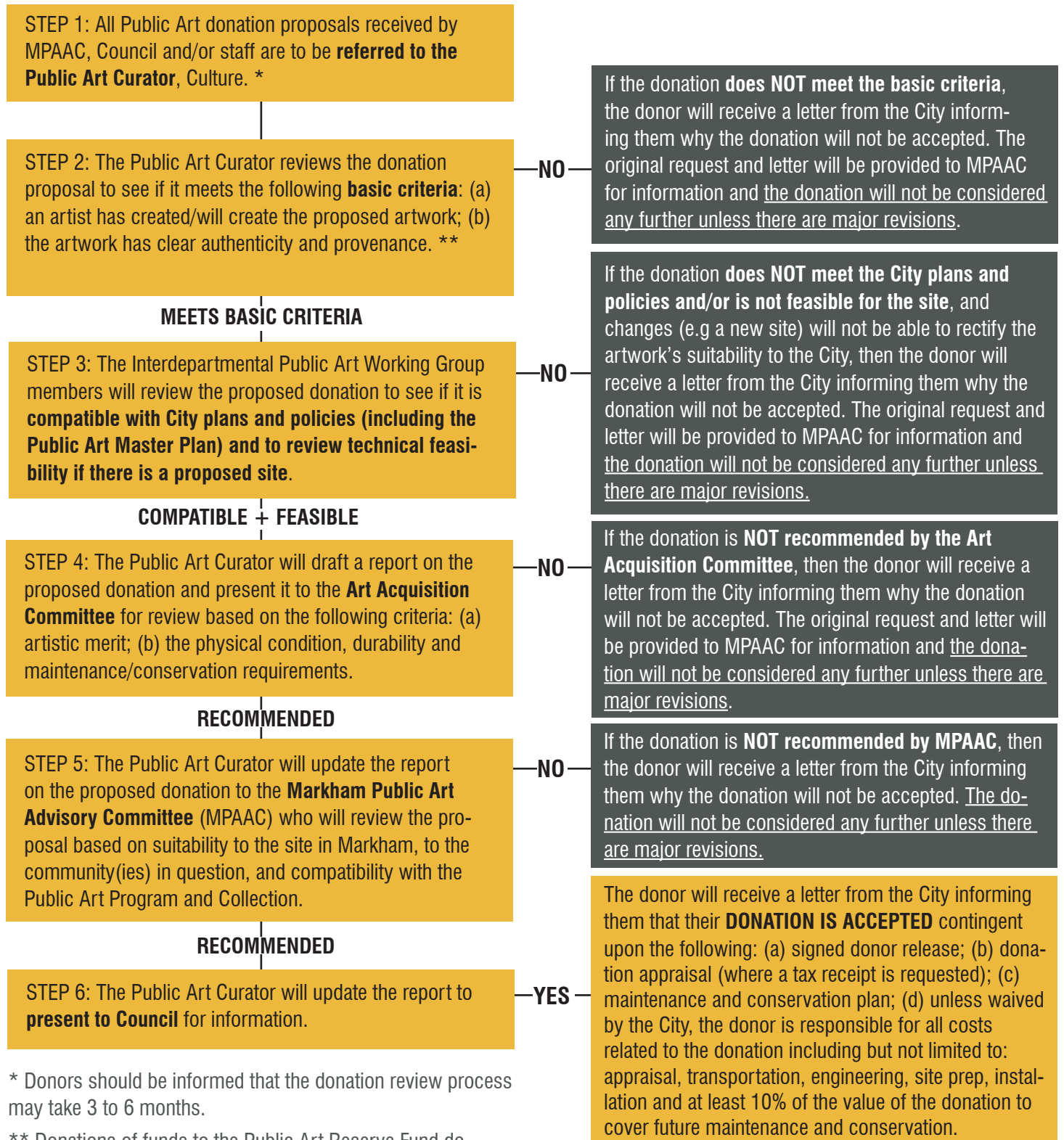
example site LANGSTAFF GATEWAY DEVELOPMENT

An iconic digital/high-tech artwork could be a marker for the community within the site and also be seen from highway 407. The artwork could be located in one of the park nodes, such as Cedar Park, so that it is on publicly-accessible space or it could be on the side of a building. Either way, the art location should be visible from a long view corridor, both within the site and beyond.



images clockwise from top left: Brick House by Simone Leigh, High Line Plinth, New York; Jiigew by spmb with Brook McIlroy, Thunder Bay; Herald/Harbinger by Ben Rubin and Jer Thorp, Calgary; We Are All Animals by Public Studio, Daniels Corporation, Toronto

APPENDIX D: DONATIONS PROCESS FOR WORKS OF PUBLIC ART



* Donors should be informed that the donation review process may take 3 to 6 months.

** Donations of funds to the Public Art Reserve Fund do not have to go past Step 2 in cases where the funds are put towards a work of art that is identified in the Public Art Master Plan and the donor does not have a conflict of interest and agrees with the City's arms-length acquisition process.

APPENDIX E: GOVERNANCE OVERVIEW

