

## Toronto Urban Design



## Percent for Public Art Program Guidelines



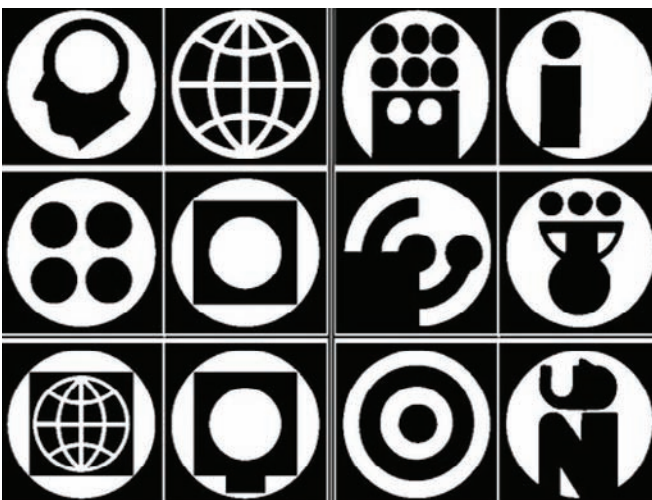
## PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

# PERCENT FOR PUBLIC ART PROGRAM GUIDELINES



"For residents and visitors, public art has the power to create and reinforce a sense of community particularly in areas of new development where there may have been no previous permanent community. Public art offers not only an immediate topic of conversation, but an instant place-maker."

CITYPLACE PUBLIC ART PLAN, 1999



"Public art installations, both publicly and privately owned, make walking through the City's streets, open spaces and parks a delight for residents, workers and visitors alike."

SECTION 3.1.4 TORONTO OFFICIAL PLAN, 2002

"Public art enhances buildings and makes them even more attractive to purchasers."

ONTARIO HOME BUILDER, FALL 2005



"One of the more progressive aspects of Toronto's planning framework is the requirement in the Official Plan for large buildings to make a contribution to public art."

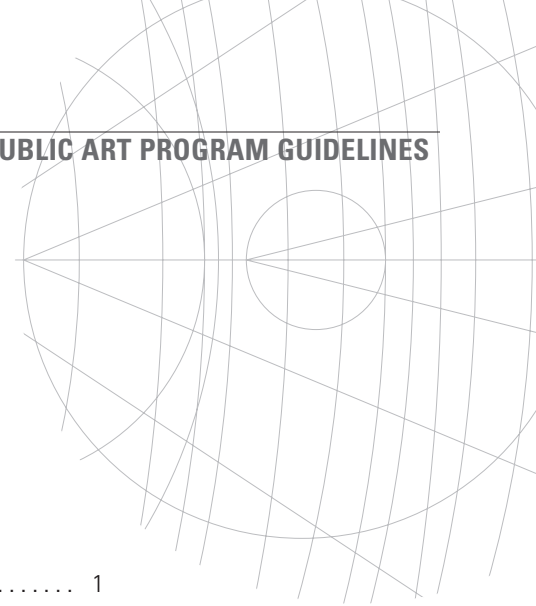
URBAN MAGAZINE, 2005

"Art can give public space a mark of distinction."

THE TORONTO STAR, DECEMBER 2005

"Smart developers know art adds character and identity to their property. 'Art enhances the quality of our buildings and the elegance of our lobbies', said Sabrina Kanner, Brookfield Properties Corp's New York based senior vice-president, design and construction."

THE GLOBE & MAIL, May 31, 2010



# PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

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For more information, visit: [www.toronto.ca/planning/urbdesign/public\\_art.htm](http://www.toronto.ca/planning/urbdesign/public_art.htm)



## SECTION 1: INTRODUCTION – Achieving public art through city building

High quality public art is important to the enhancement of Toronto's urban fabric. Public art has created landmarks throughout the city and already contributes to the identity and character of many of our neighbourhoods and districts. The City of Toronto has a broad definition of public art that provides artists with a variety of opportunities to enrich the urban environment. Public art can be unexpected moments of beauty, amusement, reflection or intrigue. These works of art might serve as monuments or memorials or represent other creative, innovative and exploratory ideas or expressions for the area. It is widely recognized that public art has the ability to boost economic development and tourism by making destinations for visitors and local residents. The next wave of city building brings with it the exciting opportunity of securing new public art installations across Toronto.

The City of Toronto's City Planning division administers a "Percent for Public Art Program" which secures funds for public art through the planning and development approval process. The intent of these guidelines is to ensure that City Planning's public art program is applied in a consistent and informed manner citywide.

Based on a review of past and current practices, procedures and results in the various districts of the City of Toronto, as well as those of other municipalities in Ontario, Canada and internationally, these guidelines provide a clear statement of public art policies and objectives and outline the process to administer and promote the "Percent for Public Art Program." This document is intended to be used primarily by City Planning staff and the private sector when developing public art programs for approval by the City of Toronto. It may also assist other City staff and the general public in understanding public art opportunities and programs.

While this document focuses on the commissioning of public art through private developer contributions, it is important to note that the City of Toronto has

In 2003, City Council approved the "Culture Plan for a Creative City" which positions Toronto as an international culture capital and defines culture's role at the centre of the economic and social development of this city. Public art is included in this plan as a key contributor to the quality of life in Toronto.

Included in Council's approved list of nine city building priorities for the 2003–2006 Term, is the objective of "making Toronto a clean and beautiful city". A "Roundtable on a Beautiful City" has been established to "advise the Mayor and City Council and to engage and partner with the community on policies, programs and activities that will result in a clean, vibrant and beautiful city."

In 2004, City Council approved Urban Design's "Civic Improvement Program" which is aimed at enhancing the City's on-going infrastructure programs as well as Business Improvement Areas' initiatives and private sector city building activities.

Civic improvement projects include streetscape improvements (special paving, widened sidewalks, tree planting and landscaping), the creation of special features (plazas, fountains, gardens and interpretative displays) and naturalization programs.

made a strong commitment to public art through its own city building initiatives. More than 200 art works are owned and maintained as part of the City's public art collection which dates back to 1870 and is managed by Toronto Culture. The City acquires new work for the public art collection through building public art components into its own Capital projects across City divisions, by working with community organizations and arts groups to evaluate and facilitate donation proposals and, in part, from public art contributions secured through the planning and development approval process.

## PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

Public art makes a significant contribution to the City's objective to "make Toronto a clean and beautiful city." The new Official Plan recognizes the need to enhance the visual appeal and attractiveness of Toronto. The new Plan calls for the launch of "Great City Campaigns" to develop new partnerships, ideas, energies and resources to accelerate the implementation of key objectives, including creating beautiful places that improve public spaces, streetscapes and buildings. The Plan also provides specific policy direction for public art, including "encouraging the inclusion of public art in all significant private sector developments across the City" (refer to Section 4: Policy Framework and Objectives of these guidelines for a more complete policy overview).

Responding to Official Plan objectives, the City's "Percent for Public Art Program" identifies public art opportunities and funding strategies for public art located either in publicly accessible visible areas within private lands or on publicly owned lands. Developing public art strategies well in advance of implementation can produce more effective results than when considering art on a site-by-site, piece-by-piece basis. The "Percent for Public Art Program" guidelines represent an important tool to help coordinate the realization of public art opportunities with the planning, approval and implementation of new development within the City.

### POLICY: TORONTO OFFICIAL PLAN, SECTION 3.1.4 PUBLIC ART

"Public art installations, both publicly and privately owned, make walking through the City's streets, open spaces and parks a delight for residents, workers and visitors alike. Public art has broad appeal and can contribute to the identity and character of a place by telling a story about the site's history. It creates a landmark and celebrates the cultural diversity and creativity of our communities. A partnership between the public and private sectors is to be nurtured to transform Toronto into a large public art gallery with installations throughout the City."



"Mitosis", Pierre Poussin - City Place

## SECTION 2: PUBLIC ART PROGRAMS – Building upon a strong foundation

For nearly 50 years North American cities have engaged in municipal public art programs. The first public art program was introduced in Philadelphia in 1959. Now there are over 300 American cities with public art ordinances as part of their planning and culture mandates, in private and public projects. These programs vary in approach, but many are built around the “percent for public art” model, including Seattle, San Francisco, Portland, Dallas, San Jose, Chicago and New York City. Percent for public art programs are also included in the mandate of redevelopment authorities, such as the Los Angeles’ Community Redevelopment Authority and the Battery Park City Authority in New York City.

Outside of North America, public art programs can be found in a large number of cities, including notable examples in Birmingham, London, Frankfurt, Vienna, and Canberra.

In Canada, the first public art program began in the 1950s when the Province of Quebec introduced its Art in Architecture program. In 1986, the former City of Toronto was the first Canadian municipality to endorse policies to encourage public art in major developments. The former Municipality of Metropolitan Toronto, the former cities of North York, Etobicoke, Scarborough and York and the former Borough of East York, also supported a diverse range of public art policies, advisory committees and programs (refer to Appendix 2: Public Art Achievements in Toronto). Today, over 50 Canadian municipalities have public art policies and programs including Vancouver, Edmonton, Calgary, Richmond, Winnipeg, Montreal, Ottawa and Thunder Bay.

Public art is recognized both nationally and internationally as a significant tool for city building, economic development and beautification. From Pittsburgh to Vancouver to Birmingham to Canberra, public art has been part of the planning process to rejuvenate and enliven new city districts for the benefit of residents and tourists alike.



“Untitled”, Katharine Grosse – Pearson International Airport



“Spoon Bridge and Cherry”, Claus Oldenberg and Coosje van Bruggen – Minneapolis



“Gate, electrical substation”, Clair Colquitt – Seattle

PERCENT FOR PUBLIC ART PROGRAM GUIDELINES



"Boat Sight", John McEwen – Hull, Quebec



"Forms of Power: Love, Physical, Law, Money, Mind", Barbara Noah – Seattle



"The Upper Room", Ned Smyth – Battery Park City



"Hammering Man", Johnathan Borofsky – Frankfurt



"Crown Fountain", Jaume Plensa – Millennium Park, Chicago



"Coopers Mews", Alan Storey – Vancouver



## SECTION 3: PUBLIC ART – Contributing to the urban character

Public art can reaffirm or reveal a sense of place in a symbolic and visually stimulating way by evoking some aspect of the social, natural, cultural, physical, political, economic or historical context of the site and its locale. Typically, public artists produce site-specific sculptures and prominent installations that add character and distinction to a development and the surrounding neighbourhood. Other public art opportunities include inviting artists to collaborate with design teams to create integrated built form and open space schemes.

Different public art sites provide artists with the ability to engage fully in the city building process, adding richness and variety to the urban environment. Public art can also influence the design of the development proposal, affecting the layout of open spaces, public connections to adjacent features such as streets, parks and open spaces, and related requirements for setbacks and streetscaping.

Although there are a great variety of public art opportunities in the urban environment, public art can generally be described as “independent,” “site-specific” or “integrated.” These three “types” of public art are illustrated on the following page. Examples of how these “types” of public art might be expressed are illustrated at the end of this section.

In addition to independent or two-dimensional works, public art may be integrated into the design of the site, buildings and landscapes in publicly accessible and visible areas of a site. These areas can include the walls, floors and ceilings or other publicly accessible open space such as plazas, forecourts, courtyards, colonnades or setbacks. When integrated, the public art must retain an interpretative aspect, as determined by the commissioned artist, and not be a mere extension of the design of the architecture, landscape architecture, interior design, etc. of the new development. Additionally, while public art may reinforce the architecture and urban design objectives for the site, it is not to be used as a substitute for otherwise achieving these objectives.

Public art opportunities include, but are not limited to the following:

- the conceptual framework to organize open spaces including parks, plazas, setbacks or streetscapes;
- an independent sculpture or two-dimensional work that marks an entryway, corner or feature area, and/or a view terminus;
- the combination of visual arts with building element design and/or landscape design including building facades, canopies, floors, etc.
- the idea behind an open space element such as the pavement and its pattern, a planted border, a wall, a fence, an entrance or exit; or
- functional and decorative elements of a site such as benches, bus shelters, water features, light standards or other open space and streetscape amenities.



"Entryway", Carl Tacon - One St. Thomas Condominiums

## PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

### 1) PUBLIC ART THAT IS AN "INDEPENDENT" SCULPTURE OR "DISCRETE" ELEMENT



"Between the Eyes", Richard Deacon – World Trade Centre



"The Watcher's - Full Circle", Peter von Tiesenhausen – Maritime Life

### 2) PUBLIC ART THAT IS "SITE-SPECIFIC" (I.E. REFERENCES THE SITE'S USE, HISTORY, IDENTITY)



"The Audience", Michael Snow – Rogers Centre



"Chinese Railroad Workers Memorial", Eldon Garnet – Railway Lands

### 3) PUBLIC ART THAT IS "INTEGRATED" INTO BUILT FORM OR OPEN SPACE



"Leaf Garden", Barbara Steinman – Opera Place



"Galleria", Santiago Calatrava – Brookfield Place

1) PUBLIC ART THAT IS A "GATEWAY" TO A SITE OR MARKS THE "ENTRYWAY"



"Between Heaven and Earth", John McEwen – Queensway Cineplex



"Fairgrounds", Michel Goulet – Icon Condominiums

2) PUBLIC ART AS PART OF "STREETScape" IMPROVEMENTS



"Untitled", Susan Schelle and Mark Gomes – Prince Arthur Condominiums (paving detail)



"The Dance", Robert Sprachman – North York Civic Centre (median)

3) PUBLIC ART THAT IS "FUNCTIONAL"



"The Festival Walkway", Reinhard Reitzenstein – 10 Bellair Condominiums (canopy, lighting)



"Synthetic Garden of Eden", Stacey Spiegel – One Financial Place (windscreens)

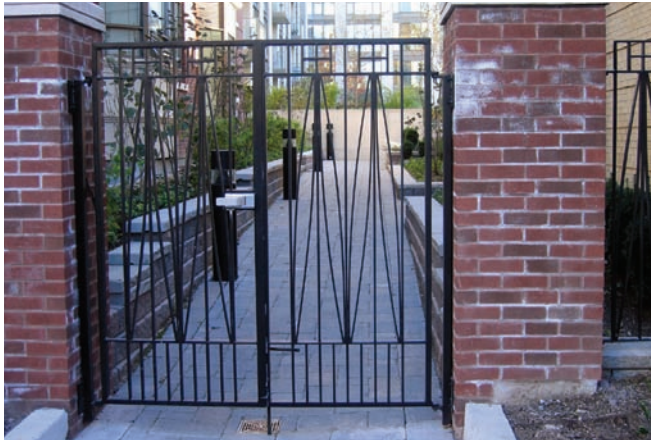
## PERCENT FOR PUBLIC ART PROGRAM GUIDELINES



"Combination of the Two", Matt Mullican – CityPlace (parking lot screens)



"Orenda", Marlene Hilton Moore – CityPlace (pedestrian bridge)



"One Phoebe Fence and Gates", John McKinnon – The Phoebe on Queen (fence)



"Pi", Evan Penny – 220 Bay Street (seating)

### 4) PUBLIC ART THAT COMPRISES OR IS PART OF THE "LANDSCAPE DESIGN"

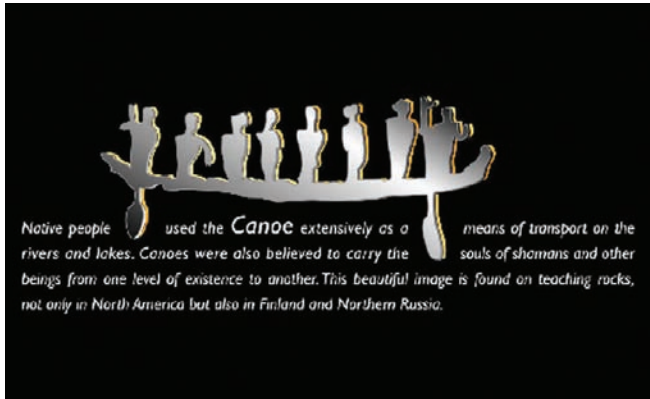


"Laws of Nature", Susan Schelle – Courthouse Square



"Leaf Garden", Barbara Steinman – Opera Place

5) PUBLIC ART THAT INTERPRETS "SITE HISTORY" AND CELEBRATES CULTURE



"The York Teamway" (detail), Robert Houle – Front/York Street



"One Hundred Links Equals One Chain", Stephen Cruise – Gibson Park

6) PUBLIC ART THAT "UNIFIES" THE DIVERSE PARTS OF THE LARGER CITY



"Sun Dial", t-Zero Design – York Quay



"The Flat Iron Mural", Derek Besant – Berczy Park

## SECTION 4: POLICY FRAMEWORK AND OBJECTIVES – Providing clear direction

Planning and urban design goals and objectives for achieving public art through private sector development can be found in a number of City of Toronto policy documents.

In general, planning objectives for public art include:

- enhancing the public realm with high quality public art in support of the City's Official Plan policies;
- using public art to reinforce urban design objectives for the site, street or district as appropriate;
- identifying public art opportunities at the earliest possible stages of development review;
- providing a variety of public art types, opportunities and locations; and
- encouraging site-specific public art commissioned through an objective and professional art selection process.

### CITY OF TORONTO OFFICIAL PLAN

The value of public art and its essential part in city building are recognized in the City's new Official Plan. In Chapter One of the Plan, the second of four "Principles for a Successful Toronto" is A City of Beauty. This principle includes a future vision for Toronto where "public art graces streets and open spaces."

The policy for public art in relation to private development is first specifically stated in Policy 5(g) of Section 3.1.2 Built Form, of the Official Plan. Section 3.1.4 of the Official Plan outlines the objectives for providing public art in both public and private development.

Public art installations are also recognized as community benefits under the Section 37 policies found in Policy 6(c) of Section 5.1.1 Height and/or Density Incentives.

#### POLICY 5: TORONTO OFFICIAL PLAN, SECTION 3.1.2 BUILT FORM

"New development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- g) public art, where the developer agrees to provide this, to make the building and its open spaces more attractive and interesting."

#### POLICY 1: TORONTO OFFICIAL PLAN, SECTION 3.1.4 PUBLIC ART

"The creation of public art that reflects our cultural diversity and history will be promoted by:

- a) adopting a Public Art Master Plan;
- b) promoting the Toronto Public Art Reserve Fund and actively soliciting gifts of cash, and gifts in-kind to the City to implement the Public Art Master Plan;
- c) encouraging public art initiatives on properties under the jurisdiction of the City, its agencies, boards and commissions;
- d) dedicating one percent of the capital budget of all major municipal buildings and structures to public art; and
- e) encouraging the inclusion of public art in all significant private sector developments across the City."

#### POLICY 6: TORONTO OFFICIAL PLAN, SECTION 5.1.1 HEIGHT AND/OR DENSITY INCENTIVES

"Section 37 community benefits are capital facilities and/or cash contributions toward specific capital facilities, above and beyond those that would otherwise be provided under the provisions of the Planning Act or Development Charges Act including:

- c) public art;"

## SECONDARY PLANS

In addition to citywide Official Plan directions, policy guidance relevant to public art can be found in secondary plans. The Sheppard Avenue East Subway Corridor Secondary Plan, the Etobicoke Centre Secondary Plan and the North York Centre Secondary Plan, are examples of secondary plans that include policies setting out public art objectives for these areas of Toronto and identify specific areas where public art should be considered.

### SHEPPARD AVENUE EAST SUBWAY CORRIDOR SECONDARY PLAN

#### POLICY 4.4.5: PUBLIC ART

"Public art, particularly in prominent locations, is encouraged in the design of transit buildings and public facilities, and should be visible from the public street."

### ETOBICOKE CENTRE SECONDARY PLAN

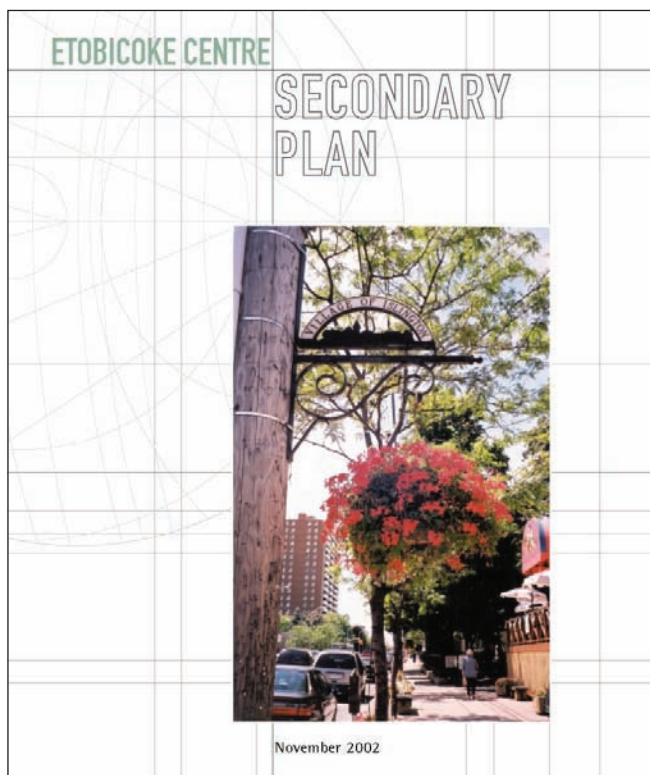
#### POLICY 4.1.2.3: PUBLIC ART

"Etobicoke Centre will be identified, celebrated and remembered through creative landmarks and visually interesting public art. The provision of public art in both the public and private realm will assist in beautification and recognition of the area. Public art has the ability to create character and identity by celebrating the history, character, identity and creativity of the area and its people."

#### POLICY 4.1.2.3.1:

"The creation of public art that reflects the character and history of the area will be promoted by:

- a) the adoption of an Etobicoke Centre "District Art Plan" to coordinate the locations, designs and funding of public art in the area;
- b) the encouragement of the inclusion of public art projects or financial contributions toward public art in all significant private sector developments in Etobicoke Centre; and
- c) the encouragement of public art initiatives on properties under the jurisdiction of the City, its agencies, board and commissions."



November 2002

### NORTH YORK CENTRE SECONDARY PLAN

#### POLICY 5: ENVIRONMENT AND URBAN DESIGN

5.1(h) "Public art is encouraged to be provided on City owned lands as well as on privately owned lands as part of redevelopment projects."



"Tempo", Paul Kipps and Colette Whiten – Transamerica Tower

### TERTIARY PLANS

Additional policy guidance is provided through tertiary planning documents such as Avenue Studies, context plans, master development plans and community improvement plans. These plans may include public art strategies identifying potential public art sites on both public and private lands. For example, the Lake Shore Boulevard West Avenue Study and the Wilson Avenue Study identify public art opportunities and the need for a District Public Art Plan. Other types of tertiary plans include local streetscape master plans, streetscape improvement plans, open space plans and park plans. Although these latter plans generally restrict their interests to the provision of public art in or on City-owned facilities or on public lands, they may involve funding contributions secured from private sector sources through the development approval process.

### URBAN DESIGN GUIDELINES

The new Official Plan recognizes that urban design guidelines are to be developed to implement the Plan's objectives. Urban design guidelines have been produced in recent years which include provisions respecting public art. For example, public art opportunities and objectives have been identified by the City for Bloor-Yorkville/North Midtown, Yonge Eglinton Centre and the St. Lawrence Neighbourhood. As urban design guidelines continue to be developed, provisions for public art will be an important consideration to assist in the implementation of the City's public art objectives.

City Planning staff should be informed by the direction provided in the Official Plan and applicable secondary plans, tertiary plans and urban design guidelines when developing a planning rationale in a given area or neighbourhood of the city, which includes considering and pursuing public art opportunities in private development and when reviewing and making recommendations for development applications.



## SECTION 5: MAKING IT HAPPEN – Securing public art

The governing principle for public art is that it must be freely available to be viewed and experienced by the public. Where public art is located on private lands, it must be clearly visible at all times from publicly accessible areas.

In addition to being publicly accessible, public art opportunities and artists must be selected through a process formally approved by the City. As demonstrated in other successful public art programs, the City expects these projects to be developed professionally and through accountable processes that offer opportunities for artists to collaborate with architects and landscape architects in the creation of high quality public spaces.

### PERCENT FOR PUBLIC ART RATIONALE

Public art presents an opportunity to increase the profile of a development. Public art can become the image used for marketing and attracting interest to a development. Public art can also be the visual marker or branding for a building or space.

As public art accumulates on different properties in a newly developed area, the neighbourhood builds up a distinctive cachet that can attract new residents and businesses. Property values may increase, and the art will become a destination draw for visitors, who will contribute to the local economy in the shops, cafes and businesses.

The potential for public art to enhance private development and the public realm is enormous and the expectations for public art are high. For private development, the benefit of public art may include increased property values, enhanced marketing of the units or floor space and enhanced aesthetics of the development leading to an improved public image for the developer.

The feasibility of an on-site public art program is governed, in part, by the available funding. Due to the size of contribution generally required to imple-



ment an effective public art program, on-site public art installations are primarily suited to larger-scale development (refer to Appendix 1: Budget Examples).

These guidelines recommend the “one percent for public art” model. This recommendation is based on common practice found within numerous successful public art programs in North America, Europe and other countries around the world. It is the “tried and true” target that enables the public art to have impact on the site in relation to the other 99% of the building budget.

Specifically, the recommended minimum public art contribution for a development should be based on one percent of the gross construction cost (GCC) of

## PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

Table 1: Toronto Area Chief Building Officials Committee (TACBOC) Construction Value Standard (2009–2010)

Building Classification and Use	TACBOC Construction Value/m <sup>2</sup>	One Percent for Public Art Contribution
Performing Arts Centres, Museums, Art Galleries, Courthouses	\$ 3,200.00	\$ 320,000
Recreation Facilities, Lecture Halls, Civic Centres, Movie Theatres and Other Similar Assembly Buildings	2,200.00	220,000
Prestige Hotels and Inns	2,300.00	230,000
Average Hotels	1,500.00	150,000
Detached and Semi-Detached Dwellings, Apartment Buildings	1,400.00	140,000
Townhouses	1,000.00	100,000
Banks, Public Administration Buildings, Enclosed Malls	2,000.00	200,000
Office Building Shell, Department Stores	1,300.00	130,000
Retail / Business Plazas, Stores, Exhibition Halls, Supermarkets, Retail Outlets	1,000.00	100,000

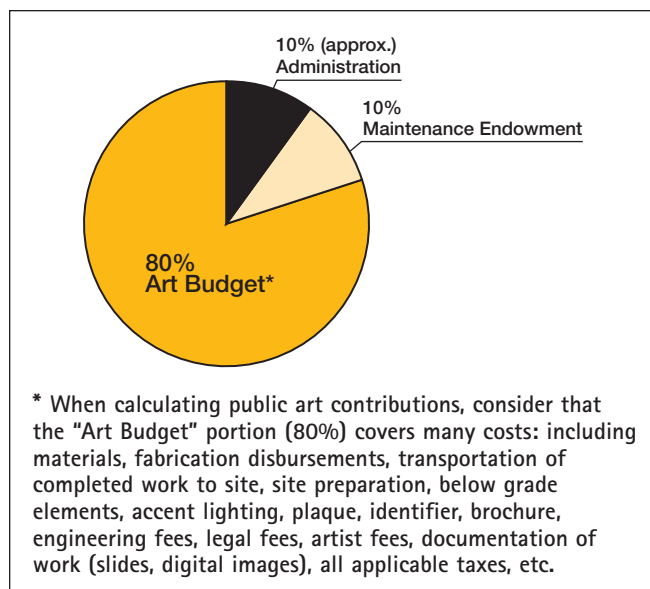
Note: Range of budgets triggered by the "one percent" contribution based on 2009–2010 standards for different building types with a common floor space of 10,000 square metres.

that development. To obtain a standard estimation for the GCC value, the calculation is to be derived from the most recent release of the Toronto Area Chief Building Officials Committee's (TACBOC) Construction Value Standard (refer to Table 1 for examples of contribution calculations). The TACBOC schedule reflects the average construction cost by building type within the Greater Toronto Area and is the accepted method of calculating construction costs related to the issuance of building permits within the City of Toronto.

While a minimum value of 1% of gross construction costs is recommended for public art in development projects, that target may not be achievable on every project. In a large project, an on-site public art program with a value of less than 1% of gross construction costs may be feasible or appropriate. In other smaller projects, a cash contribution towards off-site public art may be secured with a specified value comprising less than 1% of gross construction costs.

When determining the public art budget, it is important to consider that the budget includes all of the various costs associated with the commissioning of the art, including administration and fees, material and fabrication costs, insurance and maintenance, etc. (refer to Figure 1).

Figure 1: Example Budget Disbursements



## APPROACHES FOR SECURING PUBLIC ART CONTRIBUTIONS

Section 37 of the Planning Act is the primary tool available for securing public art in the context of development applications. Other circumstances involving planning approvals such as minor variances and plans of subdivision and severances also provide opportunities to secure public art, each of which is discussed below.

### A) SECTION 37

Public art is typically discussed and secured through the rezoning process under Section 37 of the Planning Act. The use of Section 37 involves the provision of community benefits by the developer in applications involving increased density and/or height beyond that permitted by the Zoning Bylaw.

The new Official Plan (Section 5.1.1) identifies public art as an eligible community benefit for consideration by the planner in coordination with urban design staff and/or the ward councillor and City Council. The Plan generally establishes that a project have a gross floor area of more than 10,000 square metres and involve either a minimum density increase of 1,500 square metres or a significant height increase in order for Section 37 to be utilized to secure public benefits.”

In proposed development projects across the City, the priorities for Section 37 community benefits will vary significantly. In a development proposal, public art may form part of a package of community benefits, rather than constituting the sole community benefit. Sometimes, other community benefits may be of such a priority that public art may not be secured.

When determining Section 37 community benefits in a development application, on-site public art may have certain advantages to an owner over other community benefits. Many other Section 37 community benefits are provided off-site, and are often publicly owned, meaning that the benefits to the contributing development may be indirect, resulting instead from an enhanced overall community.

With on-site public art, the public art remains in the same ownership as the development, and thus, there

is a direct benefit to that development.

For more information visit:

[www.toronto.ca/planning/section37.htm](http://www.toronto.ca/planning/section37.htm)

### B) MINOR VARIANCES INVOLVING HEIGHT AND/OR DENSITY INCREASES

Some projects may receive approval for density and/or height increases by way of minor variances before the Committee of Adjustment as opposed to a full rezoning process. In these circumstances, City Planning staff and/or the ward councillor may discuss with the developer the provision of community benefits in the event the approvals under consideration are granted. When considering a minor variance, the Committee of Adjustment may impose conditions through Section 45(9) of the Planning Act whereby the developer can be required to provide community benefits where reasonably related to the development and the variances and to enter into an agreement with the City to secure the provision and maintenance of such benefits.

In determining whether public art should be required, one of the considerations, although not a prerequisite, is whether there is a secondary or tertiary plan affecting or in the vicinity of the site addressing public art. Another consideration may be the size of the development and the size of the density and/or height increase.

### C) PLANS OF SUBDIVISION/SEVERANCE

Through the subdivision/severance approval process, a wide range of conditions may be imposed and secured whereby the developer can be required to provide community benefits where reasonably related to the subdivision or severance and to enter into an agreement with the City to secure the provision and maintenance of such benefits pursuant to Sections 51(25) and (26) of the Planning Act. Where public art has a reasonable relationship to the proposed development, a public art contribution or program may be included under provisions of the subdivision or severance agreement. In determining whether public art should be required, one of the considerations, although not a prerequisite, is whether there is a secondary or tertiary plan affecting or in the vicinity of the site addressing public art.

### PUBLIC ART PROVISIONS FOR PLANNING AGREEMENTS

An electronic template of standard public art provisions for inclusion in planning agreements is available from the Public Art Coordinator and/or the City Solicitor (Planning and Administrative Law Section). The public art clauses address the following issues:

- Public Art Contribution options
- Public Art Contribution triggers
- Public Art Plan requirements
- Timing
- Financial Accounting requirements
- Letter of Credit requirements
- Owner and City responsibilities
- Copyright and Maintenance issues

In addressing the City's policy framework for public art, the applicant has the following options:

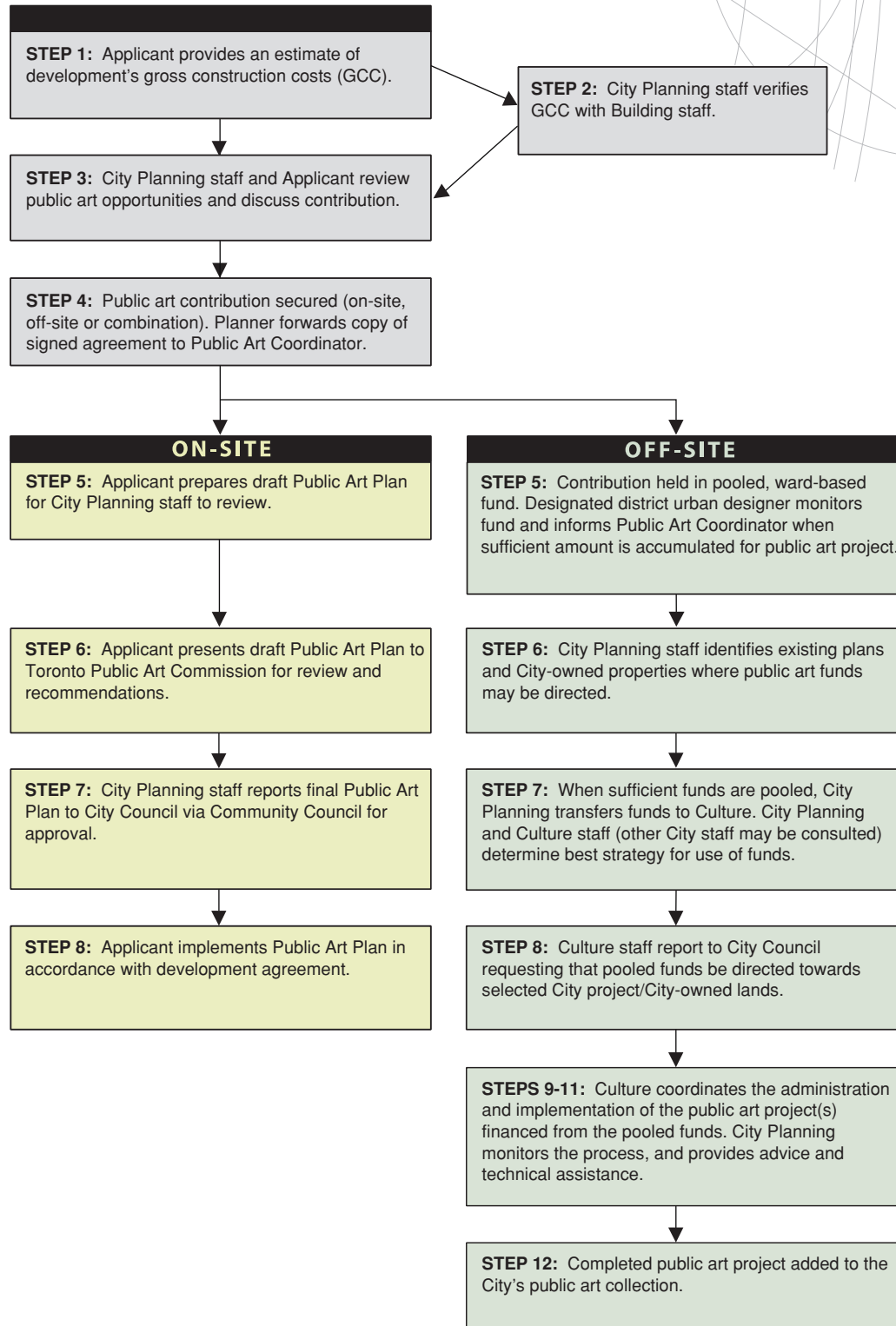
- 'On-site' Contribution: The applicant may commission public artwork to the value of the public art contribution (recommended one percent of the gross construction cost of the development) and such works shall be located upon the subject property or publicly owned lands adjacent thereto; or
- 'Off-site' (pooled) Contribution: The applicant may direct the value of the public art contribution to the City's off-site pooled Public Art Reserve Fund. The fund will be used towards City-supported public art plans on publicly owned lands in the local community; or
- 'On-site/Off-site' Combination: The applicant may commission public art work on the subject property or publicly owned lands adjacent thereto and allocate the remaining portion of the public art contribution to the City's off-site pooled Public Art Reserve Fund to be used as discussed above.

The general approach followed by City Planning to secure public art contributions is outlined in Figure 2. The individual steps are discussed in greater detail over the following pages.



"Search Light, Star Light, Spotlight", John McEwen – Air Canada Centre

Figure 2: Steps for Securing Public Art – On-site and Off-site Contributions



### 'ON-SITE' CONTRIBUTION

Development projects present exciting opportunities for new public art installations on properties across the city. In many cases, a public art installation becomes the development's signature or calling card – ultimately enhancing the project's profile. For this reason, applicants are becoming increasingly interested in identifying potential on-site locations for public art installations during the planning and development approval process.

To effectively implement an on-site public art program, the recommended minimum contribution level is one percent of the gross construction cost of the development.

The framework for securing on-site contributions for public art is described below.

- **Step 1:** Early in the development review process, the planner considers, in consultation with urban design staff, other City staff and/or the ward councillor, the public benefits and whether to request the provision of a public art contribution. If so, the planner requests that the applicant provide the anticipated one percent gross construction cost (GCC) for the proposal or a lump sum contribution as may be appropriate.
- **Step 2:** The planner consults with Building staff to verify that the applicant's anticipated GCC is consistent with the current TACBOC Construction Value Standard.
- **Step 3:** The planner and the assigned urban designer review opportunities for on-site public art with the applicant and determine whether agreement can be reached on the provision of a public art contribution. It is suggested that the Public Art Coordinator be involved at this stage.
- **Step 4:** If a public art contribution is required, it should be a stated condition of approval and the conditions should include timing as well as indicate that the applicant is required to enter into an appropriate agreement (e.g. Section 37 Agreement, subdivision agreement, etc.) securing the public art contribution and program requirements prior to final bills and/or final approval. In the case of Section 37 matters, the requirements, including

timing, must be included in the Zoning Bylaw amendment and where there is an accompanying Official Plan amendment, in the Official Plan amendment.

In the case of a minor variance, Planning would recommend to the Committee of Adjustment that, should the Committee authorize the variance, that the variance approval be subject to conditions on public art and the requirement for a Section 45(9) Agreement securing the public art contribution and implementation. The same approach would apply to consent applications.

When complete, the planner forwards a copy of the signed agreement to the Public Art Coordinator.

- **Step 5:** If the public art contribution involves an on-site component, the applicant, in consultation with the Public Art Coordinator, or assignee, prepares a draft public art plan. The Public Art Coordinator circulates this plan to the planner and urban designer for input.
- **Step 6:** The applicant presents the public art plan to the Toronto Public Art Commission for review and recommendations.
- **Step 7:** The Public Art Coordinator, or assignee, forwards the public art plan with the recommendations of the Toronto Public Art Commission to City Council via Community Council for approval which should generally occur prior to the issuance of the first building permit.
- **Step 8:** The applicant implements the approved public art plan in accordance with the development agreement. The Public Art Coordinator oversees this aspect of the project to ensure the conditions are met.

### 'ON-SITE' PUBLIC ART PLANS

A public art plan is required when the applicant decides to undertake an on-site public art program. A public art plan will outline the method by which the applicant will commission public art in the publicly accessible areas of the development. If the project is multi-phased and/or will create a new neighbourhood or district, the applicant may be asked to provide a master or district public art plan for City Council approval in advance of site-specific public art plans for each phase of development.

A master or district public art plan is a conceptual framework that proposes long term phasing and budgetary strategies, identification of prominent and priority art locations, site opportunities, art selection methods and possible themes. The Toronto Public Art Commission and City Council must approve the master plan before site-specific public art plans can be prepared.

A public art plan should be prepared at the earliest possible stages of the development to allow for the widest range of opportunities. A plan includes the project objectives, potential sites and opportunities, budget allocation (refer to Figure 1), proposed art selection method, potential artists and selection jury, projected schedule, and a public relations strategy.

In other words, a public art plan identifies “how” the program will evolve, and not “what” the art will actually be. Figure 3 outlines in detail, the eight components of a public art plan.



"Fairgrounds", Michel Goulet – Icon Condominiums



"Alberi di Murano", Barbara Astman – the Murano Condominium



"Untitled", Dale Chihuly – Soho Grand Hotel

Figure 3: Components of a Public Art Plan – to be provided by private developer

## Public Art Plan

### 1) PUBLIC ART OPPORTUNITIES AND SITE POTENTIAL

“Site-specific” opportunities should be identified which evoke some aspect of the social, political or physical context of the site through public art. If the project is large enough, the plan should include a balance of different types of public art opportunities. Because public art is a valuable contribution to be enjoyed and experienced in the public domain, the sites identified should be in the most publicly accessible parts of the development.

### 2) IMPLEMENTATION

The plan should be drafted at the earliest possible stage to create a well-balanced program which can be successfully integrated with the timing of rest of the project. Single and multi-phased developments can offer a variety of art sites and opportunities if planned well in advance. The public art plan shall include a projected schedule for implementation.

### 3) ESTIMATED BUDGET

The applicant will initially estimate the budget at the building permit stage (a sample budget breakdown is provided in Figure 1: Example Budget Disbursements). If artists are asked to address functional features such as a fountain or wind screens, the art budget is the “upgrade” to existing base costs of the element. If located on private property, the continued maintenance of the artwork will be the responsibility of the applicant and subsequent owners. If the art is commissioned on lands that will become City-owned, and is donated to the City, a maintenance endowment must be provided to the City. Once the budget is implemented, the applicant documents all invoices and cheques issued so that a complete record exists when, at the completion of the project, the City is required to review all expenditures.

### 4) METHOD OF ARTIST SELECTION

The Toronto Public Art Commission seeks to ensure fair, informed and competitive artist selection methods. Depending on the site opportunities and the budget allocation, artists may be selected through an invitational competition, an open competition or a direct commission.

### 5) POTENTIAL ARTISTS

Artists should be considered on the basis of past experience and the relationship of their experience and talents to the nature of the opportunity for public art presented by the development. Regardless of the other considerations, they must have the proven capability and experience to produce works of the highest quality. Depending on the site opportunities and overall budget, local, national and international artists may be invited to compete. If the project allows, the developer might consider including a mentor or workshop program for the benefit of other artists.

### 6) JURY COMPOSITION

While the composition of the jury must have a majority of members with professional art expertise, the applicant is encouraged to be part of the jury process. Normally, the jury consists of three or five people and if possible, one of the members is a local community representative.

### 7) PUBLIC RELATIONS PROGRAM

A public relations program includes educational and promotional initiatives and may include such features as signage and interpretative displays to help understand, appreciate and celebrate the public art.

### 8) CONFLICT OF INTEREST

It is understood that the art consultant will be an independent agent who will facilitate the program and act as an advocate for the artists to achieve the successful integration of the art within the development project and the surrounding urban fabric.



**TORONTO PUBLIC ART COMMISSION:  
INFORMED PEER REVIEW**

The Toronto Public Art Commission (TPAC) is a group of citizen volunteers appointed by City Council to act as an informed peer review group and advise on public art projects and policies. TPAC provides valuable independent advice to City Planning staff and the private sector in the review of private developer Public Art Plans.

The Toronto Public Art Commission is not an art selection jury; rather it provides advice on the process of developing fair, balanced and professional approaches to commissioning public art. TPAC will also provide advice on City Planning public art policies and guidelines whenever needed.

TPAC membership includes artists, urban designers, architects, landscape architects, public institution representatives, art historians, critics, developers, lawyers and other corporate representatives and individuals from the community with experience in public art.

In 2005, City Council approved the expansion of the TPAC to assist in implementing City Planning’s “Percent for Public Art Program” across the entire city. Membership was expanded to 11 citizens with citywide representation. TPAC meets approximately 8 times a year and is administered by City Planning’s Public Art Coordinator.



"Barca Volante", Francisco Gazitua - City Place



"Straight Flush", James Turrell - Bay Adelaide Centre



### 'OFF-SITE' (POOLED) CONTRIBUTION

For development projects unable to identify suitable on-site locations for public art or where the public art contribution is an amount too small to be effectively used to create on-site public art installations, the applicant's contribution will be pooled to a ward-based public art fund. There may be other instances, such as an on-going City initiative in a local park, where it is appropriate to pursue off-site public art contributions regardless of potential on-site opportunities. Contributions to the off-site, pooled, ward-based fund will be used towards City-supported public art plans on publicly owned lands in the local community.

Funds generated through contributions are pooled until reaching an accumulated amount that is either predetermined in a local district public art plan or are of a sufficient amount to launch a public art project and/or added to other funds to build City-initiated projects which include public art.

At such a time, City Planning will contact Culture to discuss a public art initiative. Culture is responsible for the administration, implementation and maintenance of all City-owned public art projects, including those funded by 'off-site' developer contributions. Public art projects managed by Culture are reviewed by the Art Committee for Public Places (ACPP), a voluntary advisory committee which performs a similar role to that of the TPAC in the "Percent for Public Art Program."

However, the funds must be implemented in a manner approved by City Planning, as the public art contributions have been secured through the planning and development approval process, and ultimately help achieve Official Plan policies for building a successful Toronto. Other City staff may be involved in the consultation.

The framework for securing off-site, pooled, ward-based contributions for public art is described below.

- **Step 1:** Early in the development review process, the planner considers, in consultation with urban design staff, other City staff and/or the ward councillor, the public benefits and whether to request the provision of a public art contribution.

If so, the planner requests that the applicant provide the anticipated one percent gross construction cost (GCC) for the proposal or a lump sum contribution as may be appropriate.

- **Step 2:** The planner consults with Building staff to verify that the applicant's anticipated GCC is consistent with the current (TACBOC) Construction Value Standard.
- **Step 3:** The planner, in consultation with the assigned urban designer and Public Art Coordinator, determine whether agreement can be reached on the provision of a public art contribution with the applicant.
- **Step 4:** Prior to development approval, the applicant enters into a development agreement which specifies the timing for the public art contribution. The planner forwards a cover letter with the contribution in the form of a certified cheque to Finance (form letter available from the Public Art Coordinator). The planner also forwards a copy of the signed agreement to the Public Art Coordinator.
- **Step 5:** A designated district urban designer monitors the off-site, pooled, ward-based fund. When the fund has accumulated to an amount identified in a local district public art plan or is of a potentially sufficient amount to launch a public art project, the designated district urban designer will inform City Planning's Public Art Coordinator.
- **Step 6:** To assist in the determination of a public art opportunity, the planner and assigned urban designer should identify any applicable secondary plans, context plans, urban design guidelines, district plans and/or other tertiary plans and/or other public art commitments associated with the given area. The public art funds will be directed towards publicly owned properties such as parks and open spaces, streetscapes or infrastructure such as bridges, or other such public features.
- **Step 7:** The Public Art Coordinator, or assignee, contacts Culture advising that sufficient funds have been collected for public art within an identified local community. At such time, the two divisions can determine the best strategy for

the use of these funds. Other City staff may be consulted.

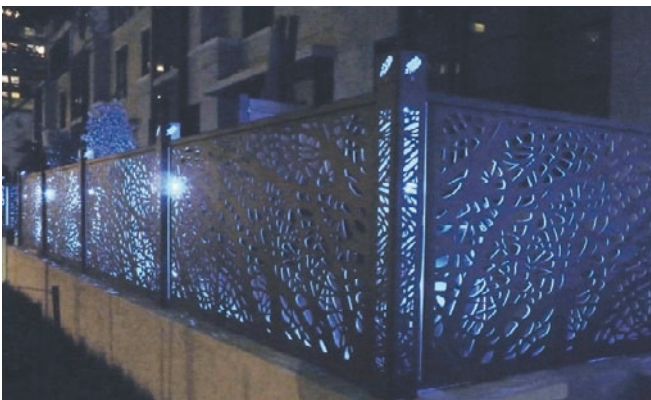
- **Step 8:** Culture prepares a report to Council requesting that the accumulated funds be directed towards the City project that includes public art.
- **Step 9:** Culture coordinates the administration and implementation of the public art project(s) financed from the pooled funds. The Public Art Coordinator, or assignee, monitors and reviews the development of the related request-for-proposal, or public art competition, including the hiring of the project art consultant.
- **Step 10:** The Public Art Coordinator, or assignee, may participate in the competition as a technical advisor or planning resource.
- **Step 11:** The Public Art Coordinator, or assignee, monitors the agreements, implementation and completion of the public art project.
- **Step 12:** The completed public art project becomes part of the City of Toronto's public art collection and as such, is included in an ongoing maintenance program.



Canoe Landing Park, Douglas Coupland - City Place



Wall installation, Michael Awad - Telus House Toronto



Townhouse fence, Marlene Moore - The Met Condominium

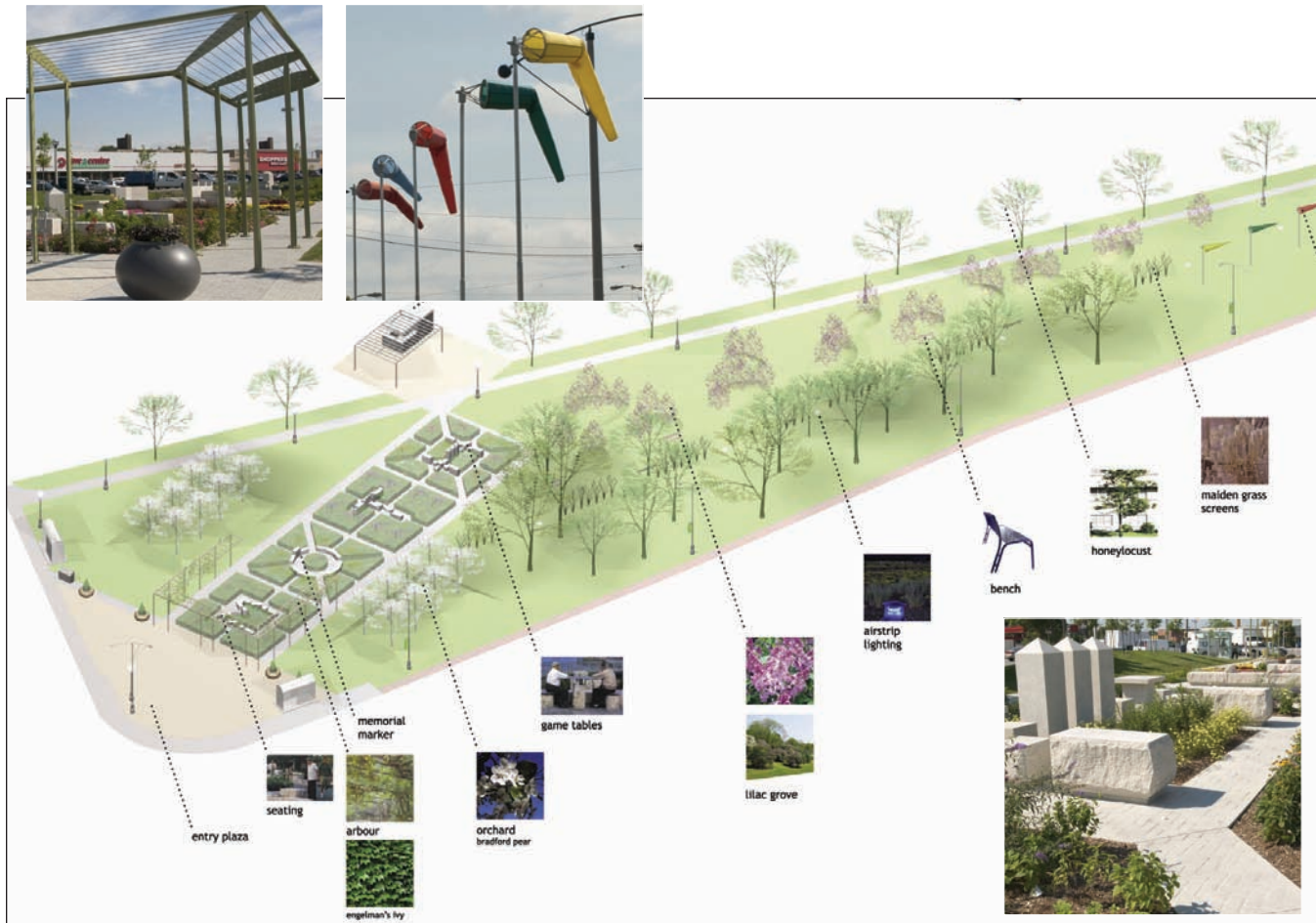


Canopy installation, United Visual Artists - Maple Leaf Square

## SECTION 6: TRACKING AND MONITORING PUBLIC ART CONTRIBUTIONS

Public art contributions secured through the planning and development approval process need to be tracked and monitored. To ensure accountability and consistency for tracking these funds, each District will identify a “public art administrator”. This role may be fulfilled by the district urban design assignee. The administrator will have the following responsibilities:

- Establish, update and maintain separate files for public art monies collected through Section 37 community benefit contributions and public art monies collected outside of Section 37 agreements.
- Track and maintain records for off-site, pooled contributions from development on a ward basis.
- Arrange for transfer of pooled public art monies through Finance to the identified Culture account at the implementation stage.
- Prepare a fund tracking report quarterly, or as otherwise determined, identifying public art monies spent, accumulated and any transfers to Culture for the Public Art Coordinator.
- Maintain an inventory of the “Percent for Public Art” installations at the district level.



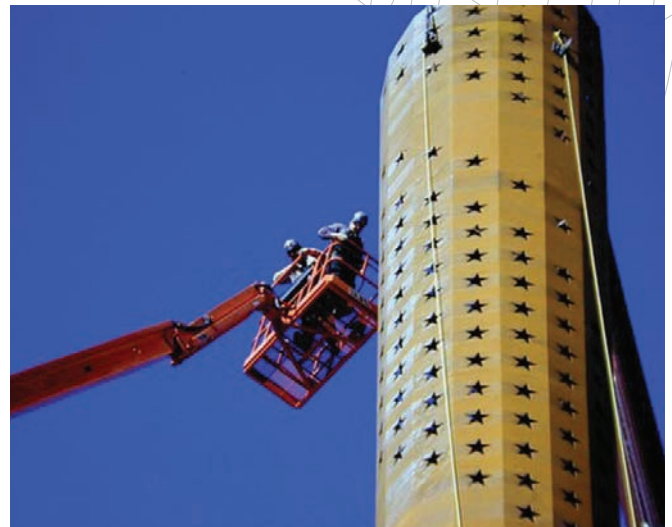
“MOTH Gardens”, Jeannie Thib in collaboration with Scott Torrance – Downsview Memorial Parkette

## SECTION 7: SUMMARY -

### Building on today's strengths for tomorrow's successes

Toronto is a dynamic, modern and exciting city with a rich history of public art policies and programs. Building on these strengths, this set of guidelines is designed to support public art initiatives as part of the development approvals process and to assist City Planning staff with the implementation of the "Percent for Public Art Program" across the city.

The Official Plan recognizes the important contribution of public art to the quality of the public realm and to city building. Public art helps to make buildings, open spaces and neighbourhoods attractive and memorable places where people want to visit, live, work and play. City Planning looks forward to continuing success with public art on a citywide basis. These guidelines represent an important tool for securing high quality installations as the private and public sectors work together to build our neighbourhoods and communities.



Public art under construction - Air Canada Centre

## SECTION 8: RECENT PROJECTS

The following images are a few examples of public art projects completed since the draft Percent for Public Art Program Guidelines were distributed.



"Supernova", Douglas Coupland – Don Mills Centre



"Alberi di Murano", Barbara Astman - the Murano Condominium



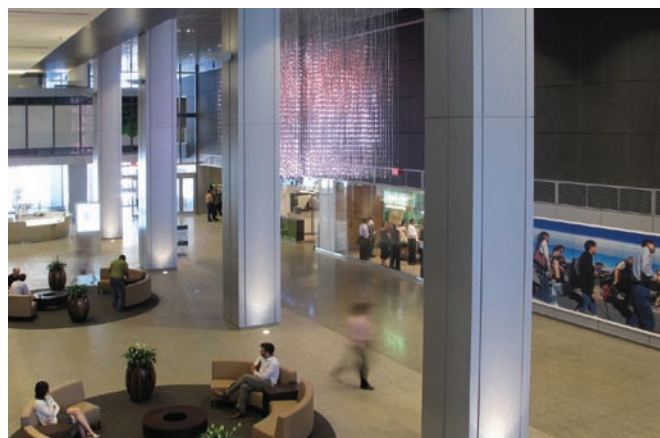
"Entryway", Carl Tacon – One St. Thomas Condominium



Wall installation, Diane Bos - The Vu Condominium



"Blue Archway (night view)", Margaret Hilton Moore - The Met Condominium



Ceiling and wall installation, David Rokeby & Michael Awad - Telus House Toronto



"Dormez Vous", Alexander Moyle - The Meridian Condominium



"Canoe Landing Park", Douglas Coupland - City Place



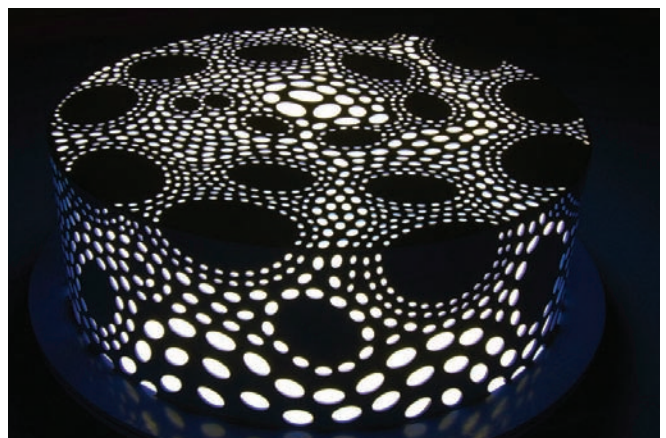
Bridge lighting, United Visual Artists - Maple Leaf Square/Air Canada Centre



Sculpture, Paul Kipps and Colette Whiten - The Monet Condominium



"Mitosis", Pierre Poussin - City Place



"Mitosis", Pierre Poussin - City Place

## PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

### APPENDIX 1: PUBLIC ART CONTRIBUTION EXAMPLES (prior to 2006)

The following examples illustrate public art programs with various levels of on-site contribution. The budget ranges are approximations only and include all costs (administrative and professional fees, materials, transportation, etc.) associated with the implementation of the public art program. In several of the larger program examples, multiple public artworks resulted from the total contribution indicated.

EXAMPLES: MINIMUM CONTRIBUTION – \$150,000



"The Jack Pine Remembered", Panya Clark Espinal – Amica Mature Lifestyles Residence



"Untitled", Leo van der Ham – The Kensington, Bloor/Old Mill Trail



"A Furnished Landscape", The Tree Frog Design Group – IKEA Queensway



EXAMPLES: UP TO \$500,000



"Untitled", Susan Schelle and Mark Gomes – Prince Arthur Condominiums



"Untitled", Susan Schelle and Mark Gomes – Prince Arthur Condominiums



"Tempo", Paul Kipps and Colette Whiten – Transamerica Tower



"Tempo", Paul Kipps and Colette Whiten – Transamerica Tower



"Between Heaven and Earth", John McEwen – Queensway Cineplex

PERCENT FOR PUBLIC ART PROGRAM GUIDELINES

EXAMPLES: UP TO \$1,000,000

ROGERS CENTRE



"Salmon Run", Susan Schelle



"The Audience", Michael Snow

SIMCOE PLACE



"Untitled (Mountain)", Anish Kapoor



"Campsite Founding", Environmental Artworks

EXAMPLES: OVER \$1,000,000

CITYPLACE



"Orenda", Marlene Hilton Moore



"Barca Volante", Francisco Gazitua



"18 Niches", Jackie Ferrara

METRO TORONTO CONVENTION CENTRE



"Snomun", Fastwurms



"Turtlepond", Fastwurms



"Woodpecker Column", Fastwurms

BROOKFIELD PLACE



"The Galleria", Santiago Calatrava



"Garden Court", Scott Burton

APPENDIX 2:  
PUBLIC ART ACHIEVEMENTS IN TORONTO

Prior to the 1998 amalgamation of the City of Toronto, each of the former municipalities had its own public art policies and initiatives for public and private lands.

FORMER MUNICIPALITY OF METROPOLITAN TORONTO

In 1985, the former Municipality of Metropolitan Toronto established public art principles and guidelines. In 1988, its first Public Art Policy Advisory Committee (PAPAC) was formed and the following year, the Municipality of Metropolitan Toronto adopted a Public Art Policy Framework. Under this framework, Metro Council endorsed a recommendation for an increased commitment to the integration of public art on properties under Metro's jurisdiction.

The Official Plan of the Municipality of Metropolitan Toronto, 'The Liveable Metropolis', was approved in 1994. Section 3.3.2 of this plan outlines public art policies, including the encouragement of a public art component for all major public and private development projects.

POLICY: THE OFFICIAL PLAN OF MUNICIPALITY OF METROPOLITAN TORONTO (1994), SECTION 3.3.2 PUBLIC ART POLICIES

"to encourage the Metropolitan Toronto community, the private sector, the Area municipalities, and other levels of government to promote both public art in prominent locations throughout Metropolitan Toronto and provision of a public art component for all major development projects."

Also in 1994, a Culture Plan with a public art strategy was adopted by Metropolitan Toronto. The strategy emphasized the importance of integrating a public art plan at the early stages of the planning process. Evident from both Metro policy and practise, public art was deemed most efficient and rewarding when integrated into the entire planning process.

The PAPAC for Metropolitan Toronto reviewed and approved a variety of public art projects including notable programs implemented at the Spadina Subway, Police Headquarters and Metro Hall.

FORMER CITY OF TORONTO

In 1986, former Toronto City Council approved public art policies for both City initiatives and major private developments. Also established at that time was the Toronto Public Art Commission, a group of citizen volunteers to advise Council on public art projects and policies. The Public Art Program was located in the City Planning Division, as part of the Urban Design section. Over the years, Official Plan policies, program guidelines, and legal agreements for public art on both public and private lands were developed.

Since the early 1990s, the former City of Toronto (and after amalgamation, the South District) has required public art in Official Plan amendments and rezonings with thresholds of 20,000 square metres.

Over \$40,000,000 in public art commitments have been secured in the South District through the development approval process. The private sector has worked with Urban Design staff and the Toronto Public Art Commission to produce dozens of high profile and popular public art sites such as the BCE Place Galleria, the south Metro Convention Centre, the Air Canada Centre, Simcoe Place and the Maritime Life Building. Public art is also secured in residential condominium projects. Examples of such public art are located in the condominium developments of the Prince Arthur, La Scala, the Icon and CityPlace, a multi-phased residential development in the Railway Lands.

Public art projects are identified in City Planning initiatives as opportunities to enhance the creative design of the public realm. The Berczy Park Flat Iron building mural is one of the first examples of Urban Design staff using public art as a landmark in the building of a new community.

On City-owned lands, City Planning has identified public art opportunities for projects such as the Spadina LRT, the Gardiner Dismantling project, and the Humber River Pedestrian Bridge. More recent planning examples such as the Front Street Extension, St. Clair Avenue West Streetscape, and Regent Park include public art as a means to enhance and improve these projects and their contribution to the public realm.

District Public Art Plans for several phased development projects have been prepared by both the City and the private sector. Such examples include Southtown, Railway Lands Central and West, Gooderham and Worts, and Canada Life. Public art opportunities and objectives are identified in several urban design guidelines such as the Bloor-Yorkville/North Midtown Urban Design Guidelines, the Yonge Eglinton Centre Urban Design Guidelines and the Fort York Neighbourhood Public Realm Plan.

#### FORMER CITY OF NORTH YORK

Public art has been achieved on over 50 sites in the former City of North York. These public art projects have been secured through bylaws and development agreements, and more recently through Section 37 bylaws and agreements, as part of development proposals. “Publicly accessible” art has also been provided through initiatives by individual landowners without City involvement.

The largest concentration of public art is found in the North York Centre. The North York Centre Secondary Plan includes policies encouraging public art on both public and private lands. The public art contributions are made as development or redevelopment occurs within the centre. Public art is included on sites such as North America Life, Mel Lastman Square, Gibson Park, the Nestle building and the Transamerica Tower. Along the Sheppard Avenue East corridor, public art has also been secured for development and redevelopment projects such as the Amica Mature Lifestyles Residence and St. Gabriel’s Village. Other public art locations across North York include such diverse sites as Yorkdale Shopping Centre, York University, the Bathurst Jewish Community Centre and The Koffler Gallery, Baycrest Hospital, and Tilley Endurables at Don Mills and Barber Greene Road.

Public art is also being achieved by virtue of streetscape improvement plans along Yonge Street in the North York Centre, Wilson Avenue in the west end of North York District and along the Sheppard Avenue East corridor. Funds secured from a number of smaller developments along Wilson Avenue between Keele and Bathurst have been “pooled” to jointly fund public art including the collaborative art-landscape work at Downsview Memorial Parkette at Keele Street and Wilson Avenue. This initiative includes the involvement of the City’s Culture Division and Parks Division.

#### FORMER CITY OF ETOBICOKE

In 1992 the Council of the former City of Etobicoke adopted recommendations to encourage the provision of art in public places. The policy framework led to the establishment of a Public Art Advisory Committee to assist the City in implementing its public art objectives. This Council-appointed panel provided recommendations to Council and staff regarding both private and public initiatives. With the assistance of the City’s Arts and Culture Section, the committee conducted public art competitions for City-owned sites, met with developers to encourage and give advice on private public art projects, and determined the procedures for public art donations, objective selection processes, maintenance programs, and funding mechanisms.

The Public Art policy did not mandate a contribution by private development but encouraged the voluntary incorporation of art within the public spaces of proposed projects. The Planning Department in cooperation with the Etobicoke Public Art Advisory Committee sought to obtain a contribution equal to one percent of the gross construction budget, or where contributions were not sufficient to support the commissioning process, a financial contribution was sought and the funds pooled to address future opportunities.

As a result of these efforts, approximately \$200,000 in public sector public art and approximately \$1,000,000 in private sector public art contributions have been committed since the commencement of the program. The program has resulted in private development projects such as “Between Heaven

and Earth” which announces the entrance to the Cineplex Odeon theatre complex on The Queensway, “A Furnished Landscape” which defines the street edge in front of IKEA on The Queensway, and “Broadway Melody” and “Transatlantic” which are works of public art which successfully identify the intersection of Bloor Street and Old Mill Terrace.

### FORMER CITY OF SCARBOROUGH

The origin of public art policies and programs in Scarborough dates back to the early 1980s. In 1983, Scarborough Council adopted “An Arts Policy for Scarborough” and, in 1990, adopted nine interim policies related to art in public places as recommended by the City’s Planning and Building Department.

During this early period, it was anticipated that most public art in Scarborough would be generated by the private sector as an outcome of development approval negotiations. However, the economic downturn of the late 1980s and early 1990s curtailed these expectations and there proved to be too few opportunities to test the application of the interim policies.

In 1995, the Citizens Committee on Public Art was established and a public forum was held to seek input from the community and experts on how to further the City’s public art objectives. In May 1997, Scarborough Council approved a two-part policy on public art.

The first part of the policy comprised a broad set of statements that included the recognition of: the importance of publicly accessible art; the need for a Public Art Advisory Committee; the pursuit of diverse works of art of the highest quality and merit, and the encouragement of private interests to incorporate works of public art on private property. The second part of the policy addressed the role and composition of the Public Art Advisory Committee and interim members were appointed prior to the 1997 elections. This initiative was subsequently preempted by the City’s amalgamation in 1998.

The former City of Scarborough successfully supported a number of public art initiatives including the undertaking of municipal works of public

art on City-owned lands and within City facilities, as well as in conjunction with private development proposals. Examples of the first type include the incorporation of artistic design and public art exhibit space in municipal facilities such as the Agincourt Pool, Scarborough Village Theatre and the Dunker’s Flow observation tower. Examples of the acquisition of public art through the private development process include the sculpture at the Henley Gardens (located at the southeast corner of Kingston Road and Victoria Park Avenue) which was purchased and installed by the developer, and the inclusion of a public art work as part of the development on the east side of Markham Road just south of Finch Avenue.

### FORMER CITY OF YORK

In 1997, the former York City Council adopted “A Policy for Community Public Art.” This policy, developed by the City of York Public Art Advisory Committee, outlined priority sites for public art, the procedures and mandate of the Committee, and gave specific direction for program funding, jury selection, artist and works selection.

The “Policy for Community Public Art” formalized more than a decade of support for public art in the former City. By 1996, the City of York Public Art Collection totaled over 60 works, many of which were obtained through the Purchase Award Program initiated in 1987.

### FORMER BOROUGH OF EAST YORK

The “Arts East York Terms of Reference,” revised in 1996, detailed the former Borough of East York’s recognition for the importance of the arts, particularly public art initiatives, to the enrichment of community life. The “Terms of Reference” outlined five directives for Arts East York, with top priority given to the incorporation of publicly accessible art within private development. The Arts East York mandate also established a Standing Committee comprised of 5 to 12 members responsible for reporting to Council on issues relating to arts in the Borough.



