

May 30, 2014

**COMMUNITY SERVICES – Recreation & Culture
DEVELOPMENT & INFRASTRUCTURE SERVICES – Planning
JOINT REPORT 2014 - 17**

TO: Committee of the Whole

SUBJECT: Town of Newmarket Public Art Plan and Policy

ORIGIN: Community Services – Recreation & Culture
Development and Infrastructure Services – Planning

RECOMMENDATIONS

THAT the Joint Community Services – Recreation & Culture, Development and Infrastructure Services – Planning Report 2014 – 17 dated May 30, 2014 regarding a Public Art Plan and Policy for the Town of Newmarket be received and the following recommendations be adopted:

- 1. THAT the Town of Newmarket Public Art Plan and Policy be approved;**
- 2. AND THAT the vision, objectives and guiding principles for the Public Art Program be approved as outlined in the Public Art Plan and Policy;**
- 3. AND THAT the definition of public art including the criteria, inclusions and exclusions be approved as outlined in the Public Art Policy;**
- 4. AND THAT the public art site selection criteria and the 14 priority sites for public art be approved;**
- 5. AND THAT the roles of Council and staff be approved as outlined in the Public Art Plan and Policy;**
- 6. AND THAT the acquisition process as outlined in the Public Art Policy which includes adjudication from a qualified Art Selection Committee be approved;**
- 7. AND THAT the donation process be approved as outlined in the Public Art Policy;**
- 8. AND THAT the maintenance and conservation process for Newmarket's Civic Public Art Inventory be approved as stated in the Public Art Policy;**
- 9. AND THAT the de-accessioning and disposal process for Newmarket's Civic Public Art Inventory as outlined in the Public Art Policy be approved.**

COMMENTS

The Cultural Master Plan identifies a number of cultural initiatives to be implemented over the course of the next ten years. A key component identified is to *“create a public art program based upon accepted practice in municipal public art”*.

The Recreation and Culture Department engaged consultant Helena Grdadolnik from Workshop Architecture Inc. to assist and guide the public art technical committee in designing a Public Art Plan and Policy tailored to the unique qualities of the Town of Newmarket. Extensive research regarding best practices in other municipalities was conducted together with stakeholder meetings (residents, community groups) and staff.

The Public Art Plan and Policy is comprised of two final documents. The primary document (appendix A) is an executive summary outlining definitions, guiding principles, recommendations and priority sites for public art. This high level summary will be the primary document for both internal and external use. The second document is the detailed Public Art Plan and Policy consisting of 165 pages itemizing background information and in-depth processes for managing a public art program. (see attached). This approach mirrors that taken with the development of the Cultural Master Plan.

Vision: The vision for public art in Newmarket is to achieve a rich program of artwork to act as a springboard for place-making – expressing and evoking connections amongst people and places – and for contributing to a vibrant civic life.

Objectives:

1. Support a vibrant, culturally-rich urban environment for residents, businesses and visitors – particularly in the Urban Centres and the historic downtown, but also in established communities and in Newmarket’s many parks, trails and natural spaces.
2. Build and sustain a creative community identity that celebrates Newmarket’s history and looks forward to the future through high-quality public art projects and programs, with public works that are also public art.
3. Contribute to Newmarket’s economic development goals through distinctive artwork and programming that helps to distinguish Newmarket from other places – to increase its value as a destination and to increase its cultural appeal to attract talent and businesses, including supporting the development of a strong downtown business district and the redevelopment of the Urban Centres along Yonge Street and Davis Drive.
4. Inspire and engage the community, with a focus on youth in particular.
5. Support and develop local artists from a wide variety of disciplines and support the development of a strong and diverse arts sector in Newmarket through a public art program with a variety of opportunities.

6. Build a program that aligns itself with current trends as well as generational shifts to attract future residents, businesses and visitors.

Guiding Principles:

The public art program will follow the nine Guiding Principles below:

1. Be committed to artistic merit through selection criteria based on quality and good design principles and through qualified adjudication.
2. Public Art will be acquired through a fair and equitable process that encourages a diversity of art-makers, art selection committee members, and artwork. This will address accessibility standards.
3. The program will be relevant to the Newmarket context and be reflective of, and accessible to, the community – members of the community will be informed and engaged at various stages of the process.
4. Best practices will be followed in the maintenance and conservation of the Newmarket Public Art Inventory.
5. Temporary and permanent public art initiatives will enhance connections between artists, people and places and contribute to a healthy, complete community.
6. Collaborations between public agencies, the private sector and the *arts community* will be fostered.
7. Within the urban centres the inclusion of public art will be required within significant capital projects under the jurisdiction of the Town, York Region, its agencies and boards. The inclusion of public art will be encouraged within significant capital projects under the jurisdiction of the Town, York Region, its agencies and boards in all other areas of the Town.
8. Applicable planning tools and processes will be used to encourage the inclusion of public art in all significant private sector development across Newmarket.
9. All Town of Newmarket departments will be engaged with the public art program by assisting in identifying and realizing opportunities for public art and its successful delivery.

Public Art Definition including the criteria, inclusions and exclusions:

Public Art can take a variety of forms and media and be temporal or permanent. It can be functional or solely aesthetic; it may be integrated into its site or be a stand-alone piece. The following are the four criteria for a work to be considered as a public artwork by the Town of Newmarket:

- is a site-specific artwork
- is located in a publicly-accessible space
- is created by one or more artists, or in collaboration with one or more artists
- has been commissioned or acquired following the processes as outlined in this document

Inclusions:

Some artistic projects initiated by the Town, by community individuals or organizations may align with one or more objectives of the Public Art Program, but they may not meet the four criteria in the definition of Public Art. These include Civic Art, Memorials, and Cultural Objects. Although the three categories do not fall under the definition of public art, they are all included within the scope of this policy and are collectively called “Works” for the purpose of this document.

Exclusions:

This policy does not include the following;

- Works on private land
- Works in Town of Newmarket facilities that are leased or licensed to another party. Work in facilities that are excluded from this policy are the responsibility of the organization occupying the facility
- Community Beautification Projects
- Signage, except where these elements are integral parts of an artwork
- Built form and landscaping, except where these elements are an integral part of the original works of arts, or are the result of collaboration among design professionals including at the least one artist

Public Art Selection Criteria and Priority Sites:

Public Art Site Selection Criteria:

- the proposed site will help Newmarket meet the Town of Newmarket's strategic and planning goals
- the proposed site will help to meet the aim of providing Public Art throughout Newmarket and will add to the variety of types of sites, art forms and experiences
- the proposed site is located in a high use or publicly active area
- the proposed site can be accessed by a variety of transportation modes
- the proposed site has the capacity to facilitate and sustain a high-quality public artwork

The 14 priority sites for public art are:

Urban Centres

1. Yonge-Davis intersection and gateways
2. Yonge and Davis corridors
3. Historic Downtown Centre
4. Newmarket GO station/Old Davis Tannery

Public Buildings + Spaces

5. Newmarket Riverwalk Commons
6. Recreation Youth Centre
7. Newmarket Public Library
8. Ray Twinney Complex
9. Newmarket Theatre
10. Magna Recreation Centre

Parks + Trails

11. Environmental Park
12. Frank Stronach Park
13. Lock 3, Waterways and Trails
14. Neighbourhood Parks

Role of Council and Staff:

Conflict of Interest:

Town of Newmarket Council and staff, Newmarket Arts Council members, and all members of an Art Selection Committee shall declare a conflict of interest, pecuniary or any other interest, and remove themselves in all cases from a juried selection process, or any decision regarding the acquisition of public art in which he or she is involved either directly or indirectly.

Council and Committees of Council:

Mayor and Councillors are elected by the citizens of Newmarket to govern the Town. Council and Committees of Councils' role is to perform the following functions or empower staff to do so on Council's behalf:

- Review and approve Town of Newmarket Public Art Plan and Policy
- Approve Municipal Capital Plan allocations and annual Capital Budgets.
- Approve negotiated agreements with private developers that may contain sections related to the provision of public art, where applicable.

Recreation and Culture staff:

The Manager, Culture, Marketing and Special Events, is responsible for managing the Town of Newmarket's Public Art Program in accordance with this policy. The Town of Newmarket through its Public Art Program will encourage and support the development of public art across all of Newmarket as per this policy and will ensure appropriate management of the Public Art Inventory.

Acquisition Process and Art Selection Committee:

The acquisition of Public Art, Civic Art, Memorials and Cultural Objects ("Works") are subject to the Town of Newmarket's Purchasing By-Law 2011-74 and must be conducted in accordance with the processes outlined in this policy. Works may be acquired through any of five methods: commission, purchase, donation, loan, and lease. All agreements and/or releases for the acquisition of Works must be in a form approved by Legal Services. The Acquisition Criteria noted below will apply to each of the five acquisition methods. Departments or elected officials wishing to acquire Works must forward a written request to the Commissioner, Community Services for consideration.

All acquisitions are conducted in consultation with Recreation and Culture (and the Purchasing Department where applicable based on size and scope) and will be evaluated based on the following 12 criteria:

- artistic quality of the Work(s)
- stature of the artist/author based on their previous work
- the Work's relevance to Newmarket and its citizens
- the Work's relevance and suitability for its intended location and in a public space
- the relationship of the artist/author to Newmarket and the local area
- the Work does not minimize and/or detract from the image of Newmarket
- the Work does not pose any safety hazard to the public
- the Work is able to withstand the physical elements and is vandal-proof for the duration of time it is intended to be displayed
- maintenance or conservation requirements for the Work and the Town's ability to maintain and conserve the Work
- authenticity and provenance of the Work (ethical and legal considerations regarding ownership)
- the Town's ability to display or store the Work appropriately
- cost and value of the Work to the Town of Newmarket
- in the case of a Donation, the donor's suitability may also be used as part of the assessment,
- including any conflicts of interest perceived or otherwise. Donations are also subject to the Town of Newmarket's Donation Policy.

Art Selection Committee:

An Art Selection Committee must be established for each Art project or Donation of Works over \$5,000 in value, but they may also be established for Works and Art of a lesser amount. The Art Selection Committee will be responsible for selecting an artist for a commission or an artwork for purchase following the Acquisition Criteria listed in this document.

Donation Process:

The Town of Newmarket recognizes that individuals or organizations may wish to make Donations of Public Art, Civic Art, Memorials and Cultural Objects ("Works") to the Town of Newmarket. All proposed Donations of Works will be subject to the Town of Newmarket's Donation Policy and an evaluation process based on the Acquisition Criteria above. An in-depth Donation Policy consisting of evaluating donations, donor release, donation appraisal, tax receipts, acknowledgement and associated donation costs is addressed in the larger Public Art Plan and Policy document.

Maintenance and Conservation:

It is the responsibility of the Town of Newmarket to maintain all permanent artwork within the Public Art Inventory, in accordance with the Artist-approved maintenance and conservation plan for the artwork. Development of the maintenance and conservation plan is the responsibility of the Artist(s) and must be agreed with relevant Town staff and be submitted at the time of an artwork's delivery and installation. The Town will be responsible for the care and maintenance of artwork in the Public Art Inventory, in accordance with the agreed maintenance plan. At the time of commissioning a permanent artwork, the Town will set aside 10% to be put into the Public Art Maintenance Reserve to cover future maintenance and conservation costs across the Public Art Inventory.

De-accessioning and Disposal:

Works may be de-accessioned for any of the reasons below. For Public Art, the Work is first discharged from the Newmarket Public Art Inventory, after which the appropriate means of disposal is determined.

- temporary acquisition (after the Town's obligation is terminated)
- Work that poses a public safety danger
- Work is deteriorating and restoration is not a feasible solution
- accidental loss (i.e. by fire or theft)
- Work is integrated into a Town property which is subject to redevelopment, and the Work is not otherwise able to be salvaged and relocated
- Work that is found to be a forgery or reproduction lacking authenticity or archival value
- there is no appropriate location to exhibit the artwork

Related Regional and Municipal Policy Framework Specific to Public Art:

Regional Plan Policy

Section 5.4.4.(k) in the Regional Official Plan indicate that comprehensive secondary plans for Regional Centres and *key development areas* along Regional corridors be prepared by local municipalities and implemented in co-operation with the Region and related agencies. These secondary plans shall include: policies that encourage the inclusion of public art in all significant private sector developments and that require the dedication of 1% of the capital budget of all major Regional and local municipal buildings to public art.

Town of Newmarket Secondary Plan Policy

Section 12.3.3 Public Art in the Draft Secondary Plan Policy being considered for adoption on June 16th, 2014 at 7pm indicates:

- i. The inclusion of public art or contribution to the Public Art Reserve Fund will be encouraged for all private development applications, other than non-profit and social housing projects.
- ii. For private development applications, the contribution to public art will be calculated on the basis of 0.5% of the value of construction as determined through the Toronto Area Chief Building Officials Committee Construction Value Standard in effect at the time of the declaration of a Complete Application by the Town.
- iii. All major regional and local municipal buildings or other public facilities in the Urban Centres shall dedicate 1% of the capital budget to public art.
- iv. Public art provision will be further subject to the Town's Public Art Policy and Plan which may identify, among other things, priority sites and site selection criteria for public art installations.
- v. Development in the Urban Centres will consider all options for the integration of public art including as part of buildings, amenity spaces, signage and streetscape elements.

For example, on a municipal community facility with a capital cost of \$8 million there would be a requirement for an \$80,000 inclusion in the project budget for public art. The same would apply on any regional project based on wording in the Regional Official Plan and carried over into the Town's Secondary Plan and the Public Art Plan and Policy. In the case of private sector developments, contributions will be encouraged up to 0.5% of the overall value of construction. For example, using a current ongoing construction project involving a 5 story, \$18 million building, if the Public Art Plan and Policy were in effect, there could have been a \$90,000 public art contribution. Another example (not based on any current building permit applications) on a very large private sector development using an estimated \$80 million as a project value, there could be a maximum amount of \$400,000 public art contribution.

CONSULTATION

An extensive consultation process was conducted as part of the development of the Public Art Plan and Policy. The consultation process consisted of:

- Internal workshops with the Public Art Technical Committee, Senior Management and Council
- External workshops with stakeholders from the Newmarket arts sector
- One on one interviews with key stakeholders which included members of the BIA, local business owners, library, local youth artists and town staff
- Public surveys
- Public meetings

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well-balanced

- Striving for cultural harmony and ethnic diversity
- Arts, culture, entertainment and heritage preservation
- Events that help shape identity and contribute to community spirit

Well-equipped & managed

- Small town feel with city amenities
- Clear vision of the future and aligned corporate/business plans

Well-respected

- Being well thought of and valued for our judgment and insight
- Discovering innovative and creative solutions for future well-being
- Being a champion for co-operation and collaboration
- Being tradition –based and forward-looking

BUDGET IMPACT

Capital & Operating Budgets (Current and Future)

The Cultural Master Plan indicates that there will be an impact on both the operating and capital budget.

The Public Art Plan & Policy recommends other funding mechanisms and strategies.

CONTACT

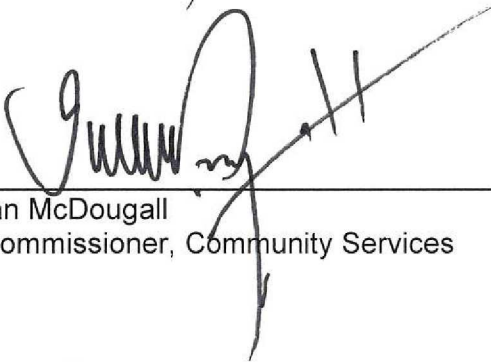
For more information on this report contact Colin Service, cservice@newmarket.ca or extension 2601 or Rick Nethery , rnethery@newmarket.ca or extension 2451.

for 

Colin Service
Director, Recreation & Culture
Community Services



Rick Nethery
Director, Planning
Development & Infrastructure Services

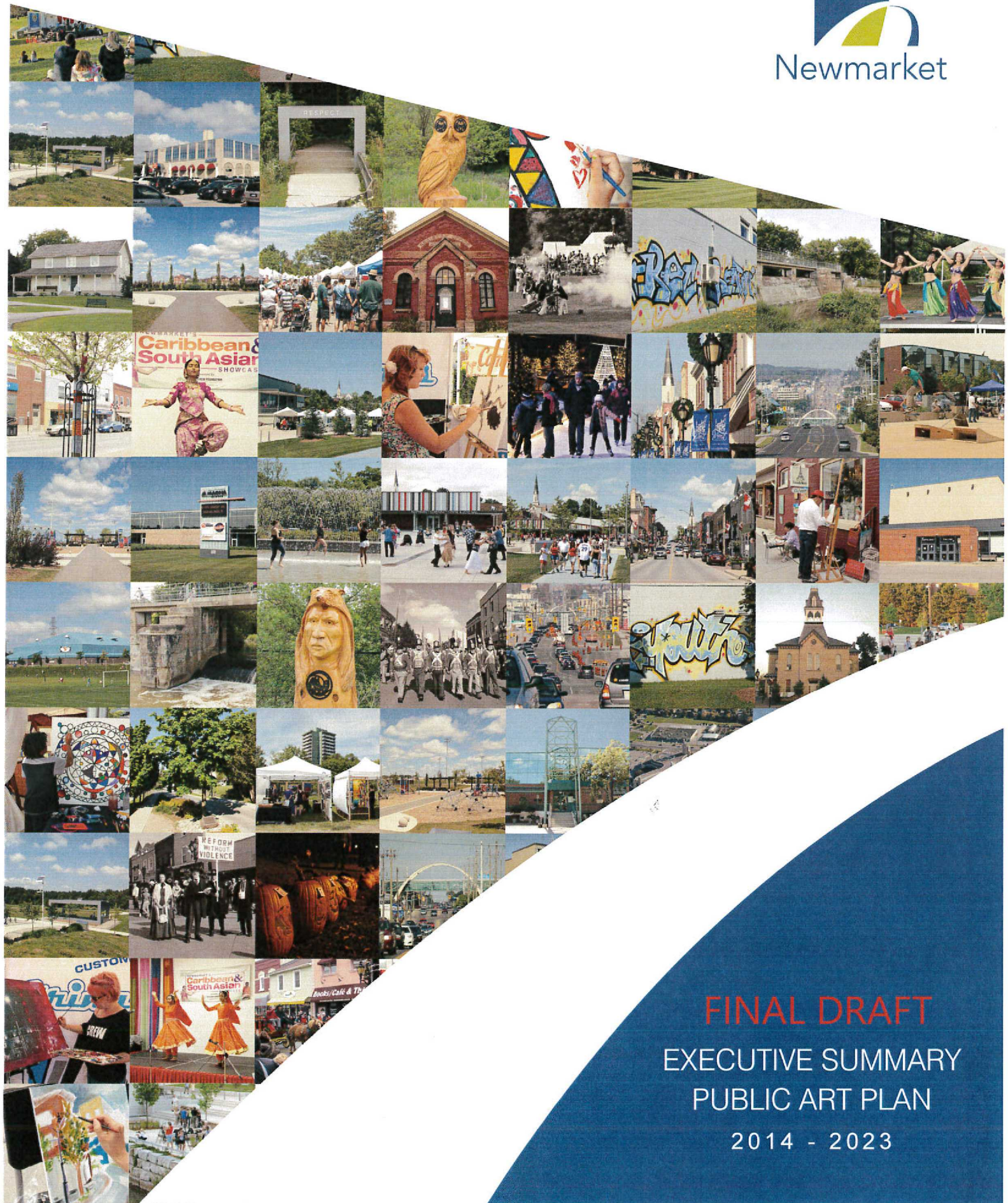


Ian McDougall
Commissioner, Community Services



Rob Prentice
Commissioner,
Development & Infrastructure Services

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FINAL DRAFT
EXECUTIVE SUMMARY
PUBLIC ART PLAN
2014 - 2023

A PUBLIC ART VISION FOR NEWMARKET

"Public art should not be just decorative or entertaining but should inspire, encompass a variety of ideas, materials and ways of creating, provoke various questions, responses and interpretations, present various points of view, be nondiscriminatory, encourage discussion and communication."

comment from the Public Art Online Survey

Ideas for a public art program:

What if artists were commissioned to incorporate artwork into all major developments and transit projects along the Yonge-Davis Corridors to give the developments a competitive advantage and to make an amazing transit and pedestrian experience?

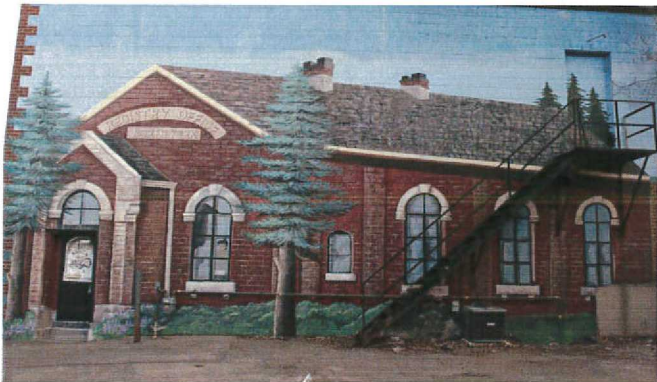
What if Newmarket hosted a public art festival in celebration of the town's historic canal structure, waterways and trails? The festival could be a partnership between the federal authority who is charged with the protection of the structure and with the Lake Simcoe Conservation Authority.

What if the Town of Newmarket, York Region Transit and the Newmarket Downtown BIA worked together to help support local artist and business partnerships that are already happening? Support could include communications assistance, brokering partnerships, funding, transit ad space, storefront space to show artist's work and more!

What if there was a joint-initiative between the Town of Newmarket's Public Works department and Recreation and Culture on an open competition for designs of basic infrastructure? Public Works could become Public Art!

What if the Newmarket Art Council and the Town of Newmarket organized a program to bring together professional local artists to collaborate with Newmarket community members and businesses on art projects that will enhance streetscapes and community spaces?

1.0 Introduction



Examples of public art from top to bottom: street art on Recreation Youth Centre by Jordan Epton and Conrad Sandbacka (photo by Eddie McLaughlin), mural art depicting former Land Registry Office by Sharon Chamberlain and guerilla art -- yarn bombing outside of Unwind Yarn House on Main Street (middle and bottom photos by Greg King).

The Public Art Plan for Newmarket provides a ten-year roadmap for integrating art into publicly-accessible places. The Plan will identify guiding principles so that artistic work can flourish and enrich public spaces across all of Newmarket.

Public art provides free and accessible art to all, creates a dynamic landscape, and can characterize a town. Towns and cities of all sizes from across Canada are creating, upgrading and improving their public art programs as part of a creative city movement that recognizes the important economic and quality of life benefits of cultural investment.

Public art can serve as a signifier of a town for its visitors, offer a mode of communication for its diverse communities, and provide an interesting, beautiful and challenging environment for all of its citizens. By supporting and encouraging an increase of programming and infrastructure for a diversified range of public art in Newmarket, we can further re-define our town, our possibilities and our future.

We have an opportunity in Newmarket to inspire our future artists and art audiences with a broad scope of public art, and we have a need to invest and care for a range of work in our townscape that can represent and engage with the best of international, regional, and local and area artistic movements. It is not only the output of public artwork which is important, but also the process of making public art which will help Newmarket to generate, collaborate, create, think, engage and attract.

This 'Made in Newmarket' Public Art Plan:

PROVIDES a guide for the future, real, and imagined platforms of a diverse range of public art in the town of Newmarket;

SERVES as a plan to activate a new directive for public art—with a Newmarket-based approach – inside a regional, national and potentially international context;

SUPPORTS leading edge projects that challenge the community and create new ways of thinking, responding and being;

SHAPES a framework for forthcoming public art projects, while providing inspiration for fresh new ideas and outcomes about the creative potential of the public realm;

ADDRESSES a feedback loop of creation, reaction, caretaking, education, and outreach in public art;

CREATES a dynamic palette of public art for the public to engage with from a multitude of entrance points (conceptually, physically, participatory) which challenges, inspires, and



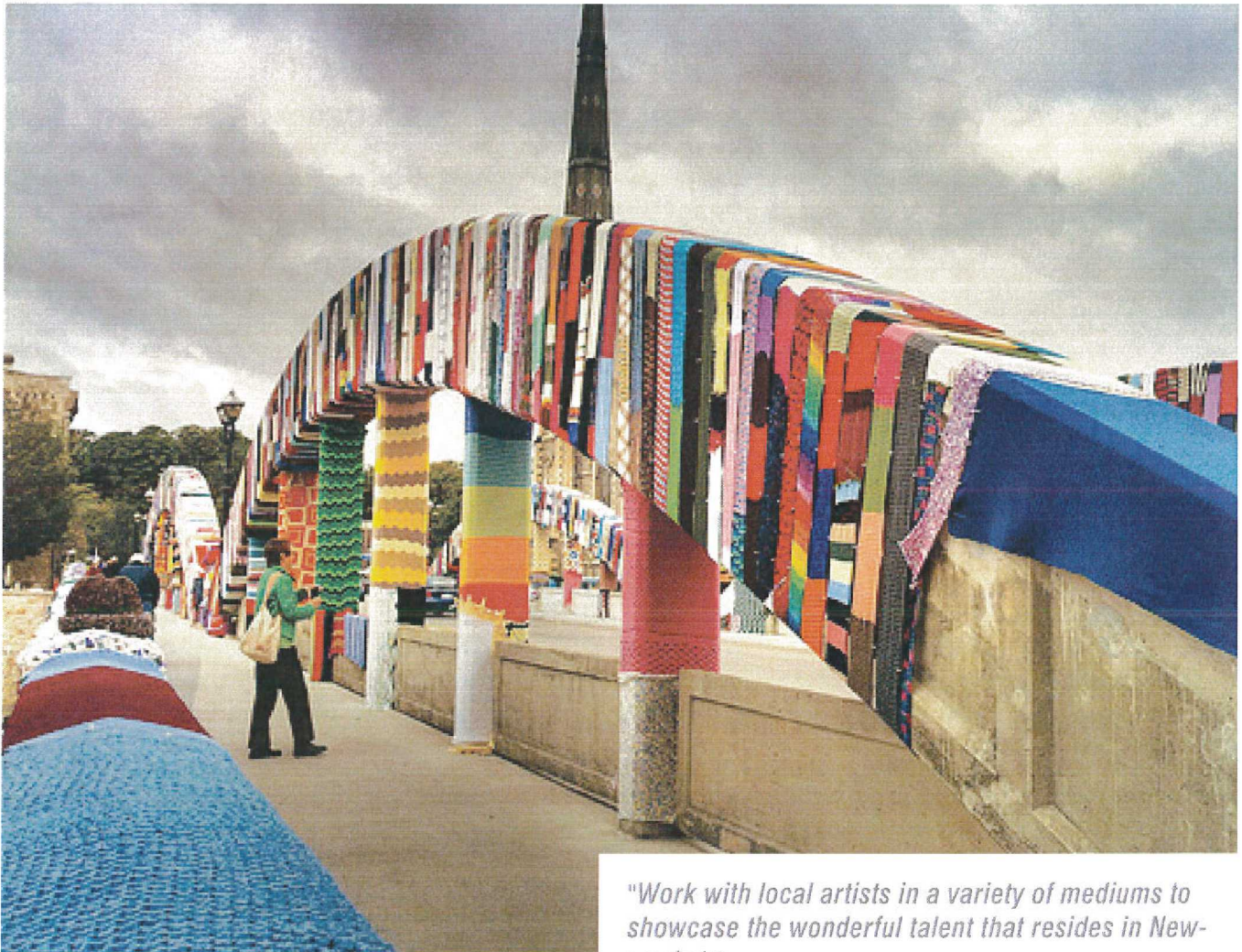
Below: Street art event at the Recreation Youth Centre during National Youth Week. Artwork by Jordan Epton and Conrad Sandbacka (pictured) Photo by Eddie McLaughlin

1.1 Recommendations

1. Establish a framework and priorities for a Public Art Program in Newmarket.
2. Establish a multifaceted funding approach for public art in Newmarket.
3. Establish clear roles and responsibilities for managing the Public Art Program.
4. All Town departments should be engaged with the Public Art Program.
5. Establish processes for the Public Art Plan to follow including for acquisitions, donations, maintenance and conservation, de-accessioning and disposal.
6. Encourage the inclusion of public art within significant capital projects under the jurisdiction of the Town, York Region, its agencies and boards.
7. Encourage the inclusion of public art within significant private sector development across Newmarket.
8. Develop and foster collaborations between public agencies, the private sector and the arts community.
9. Inform and engage local people with the Public Art Program through education, outreach and promotions of the existing public art inventory and new permanent and temporary work.
10. Develop a public art program that encourages a diversity of artists, art selection committee members and artwork.
11. Develop public art projects and programs that are distinct to Newmarket and that contribute to complete communities, the health of the community and that enhance social connections.
12. Continuously review, update and improve upon the Public Art Plan, Policy and Program.



Above: View towards Riverwalk Commons. Photo by Greg King.



"Work with local artists in a variety of mediums to showcase the wonderful talent that resides in Newmarket."

comment from the Public Art Online Survey

Above: KNIT CamBRIDGE project led by artist Sue Sturdy with donated knitting from the local community. Cambridge, Ontario, 2010. Photo by Annie Bee.

1.2 Vision and Objectives

The vision for public art in Newmarket is to achieve a rich program of artwork to act as a springboard for place-making – expressing and evoking connections amongst people and places – and for contributing to a vibrant civic life.

Public art can be a key component of a city's attractiveness and identity and is a reflection of a progressive municipality. Public art provides a distinctive cachet that can attract new residents, businesses and visitors. Municipalities from around the world have found that investment in public art has the ability to boost economic development and diversification by contributing to increases in property values, strengthening the local creative and arts sector, and making localized destinations which provide a positive knock-on effect for businesses. For private development, public art can provide a marketing benefit.

Through the public art program, artwork will be one of the tools used to animate the revitalizing downtown core, to contribute to a high-quality redevelopment of the Urban Centres, and to engage communities throughout Newmarket with art in parks, pedestrian precincts, along streets, and in business, community, arts and entertainment hubs.

The six Objectives for Newmarket's public art program:

1. **Support a vibrant, culturally-rich urban environment for residents, businesses and visitors** – particularly in the Urban Centres and the historic downtown, but also in established communities and in Newmarket's many parks, trails and natural spaces.
2. **Build and sustain a creative community identity that celebrates Newmarket's history and looks forward to the future** through high-quality public art projects and programs with public works that are also public art.
3. **Contribute to Newmarket's economic development goals through distinctive artwork and programming that helps to distinguish Newmarket from other places** – to increase its value as a destination and to increase its cultural appeal to attract talent and businesses, including supporting the development of a strong downtown business district and the redevelopment of the Urban Centres along Yonge Street and Davis Drive.
4. **Inspire and engage the community, with a focus on youth in particular.**
5. **Support and develop local artists from a wide variety of disciplines** and support the development of a strong and diverse arts sector in Newmarket through a public art program with a variety of opportunities.
6. **Build a program that aligns itself with current trends as well as generational shifts to attract future residents, businesses and visitors.**



"Public art should not be just decorative or entertaining but should inspire, encompass a variety of ideas, materials and ways of creating, provoke various questions, responses and interpretations, present various points of view, be nondiscriminatory, encourage discussion and communication."

comment from the Public Art Online Survey

Above: Artwork incorporated into a fence of a public park, London, UK, 2010.

1.3 Guiding principles

Newmarket's public art program will build on accepted best practices and will also blaze new trails based on the town's own unique circumstances and needs.

The public art program's nine Guiding Principles:

1. Be committed to artistic merit through selection criteria based on quality and good design principles and through qualified adjudication.
2. Public Art will be acquired through a fair and equitable process that encourages a diversity of art-makers, art selection committee members, and artwork. This will address accessibility standards.
3. The program will be relevant to the Newmarket context and be reflective of, and accessible to, the community – members of the community will be informed and engaged at various stages of the process.
4. Best practices will be followed in the maintenance and conservation of the Newmarket Public Art Inventory.
5. Temporary and permanent art initiatives will enhance social connections and contribute to the health of the arts community.
6. Collaborations between public agencies, the private sector and the arts community will be fostered.
7. The inclusion of public art will be encouraged within significant capital projects under the jurisdiction of the Town, York Region, its agencies and boards.
8. Applicable planning tools and processes will be used to encourage the inclusion of public art in all significant private sector development across Newmarket.
9. All Town of Newmarket departments will be engaged with the public art program by assisting in identifying and realizing opportunities for public art and its successful delivery.



Image above: A smudging ceremony on May 27, 2013 was led by Anishinaabe Elder Basil H. Johnston during the unveiling of Kilometre Trail Markers in Fairy Lake Park by artists Donald Chénier and Jim Menken, Newmarket, 2013. Photo courtesy of Newmarket Era Banner Photograph/Nick Iwanyshyn

“We envision a well-connected cultural sector in a vibrant Newmarket where everyone has the opportunity to fulfil their creative potential, and where culture supports economic development and contributes to quality of life.”

Newmarket Arts Council Vision Statement

1.4 Defining Public Art

Public art can create a sense of pride in one's community; it is art with a social purpose that provides opportunity for artists to employ their creativity, skill, aesthetic sense and intuitive connection to animate places within both newly developed spaces and historic areas.



The Brisbane Airport Carpark's facade is an example of public art integrated into architecture (top). Artists Young & Giroux designed Reticulated Gambol, a play structure for a Toronto park designed by artists Young & Giroux is also a piece of public art (middle). The Arch by Michel de Broin is a public art sculpture and also a memorial to Salvador Allende (bottom)

Public Art definition: Public art can take a variety of forms and media and be temporal or permanent. It can be functional and/or aesthetic; it may be integrated into its site or be a stand-alone piece. Public art is a site-specific work (temporal or permanent and in any media) in a publicly-accessible space that is created by one or more artists, or in collaboration with one or more artists. For a work to be considered a permanent public artwork in the Newmarket's Public Art Inventory, and therefore maintained in perpetuity unless it is de-accessioned, the artwork needs to be commissioned or acquired following the processes as outlined in this document.



Example of site-specific art: Faultline. Andy Goldsworthy. San Francisco, 2005

The common element for all public artwork, whatever the medium, is its role in stimulating the public's mind and senses.

Site-specific: Whether permanent or temporary, functional or aesthetic, distinct or integrated and in any media, the artwork should respond to the immediate context. For example, a sculpture that can be placed elsewhere with no significant change to its meaning or how it is received, is not site-specific.

Publicly-accessible space: The artwork needs to be located in a space that is visually or physically available to the public. In most cases the art will be on a publicly-owned site (whether owned by the Town or by another public entity e.g. hospitals), but for public art provided by a private developer, the art may be in a privately-owned space as long as it is accessible to the public 24 hours a day and year-round (examples may include a privately-owned courtyard). The art shall be located outside or be best experienced from outside, except in rare cases where interior spaces are publicly-owned and open to everyone and have extensive and regular opening hours (examples may include: a public library or a transit station).

Artist: The Town of Newmarket follows the Ontario Arts Council by defining an Artist as follows: "must be⁴ recognized as a professional practicing Artist by other Artists working in the same field, have completed basic training (formal or informal) in your field(s), spend a significant amount of time practicing your art and seek payment for your work."

Customary practices: This document outlines acquisitions and commissioning processes—based on international best practices in public art provision—that must be followed for permanent artwork to be considered as part of the Newmarket's Public Art Inventory. These processes include, but are not limited to: artist selection, jury composition and artist contract provision.



Examples of public artwork showing a range of artistic disciplines and in a variety of media: Plus de deux, digital art with dance performance by David Frankovich, TTC screens (top); The Hear Heres, sound art sculptures by Studio Weave, Derby, UK (middle); Concrete Poetry, site-specific poem by Simon Frank inlaid into Locke Street sidewalk, Hamilton, 2011 (bottom)



Civic Art is work owned by the Town of Newmarket and made by an artist that is not site-specific and can be utilized or displayed in more than one area. Civic Art may include, but is not limited to prints, sculpture, fine art photography or paintings.

A print from the Explorer series by Frederick Hagan, donated to the Town of Newmarket in 2003 is an example of Civic Art because its placement is not site-specific.



A **Memorial** is a work that is designated to honour one or more individuals or to commemorate a particular event. A Memorial is only considered Public Art if it meets the four criteria in the definition.

The Newmarket Veteran Association Memorial. Memorials by artists would be considered public art and be subject to artist moral rights regarding any future modifications.



A **Cultural Object** is an item with demonstrated value and relevance to Newmarket and with important aesthetic and/or historic characteristics.

An historic object (such as the Liberty Bell in Philadelphia shown here) was not created by an artist, but it can be an important Cultural Object for the municipality and will be included in the policy.



Community Beautification Projects are aesthetic projects created and lead by community members, although an artist may be hired to assist in the process. These projects can be important community-building exercises and may be initiated by the Town, but they may not follow customary public art processes and will not be subject to the Public Art Policy.

Banners can add vibrancy to a streetscape. Unless the banner image is created by an artist, it would be considered a Community Beautification Project and not be subject to the Public Art Policy.



Non-sanctioned public art is work that is site-specific, in publicly-accessible space and by an artist or art group, but that is not initiated by the Town and that has not followed customary procedures and practices as outlined in the Public Art Plan and Policy. Examples of non-sanctioned public art would include graffiti murals and/or sculpture without permissions in place. For non-sanctioned public art the Town will not be required to follow de-accessioning and conservation processes as outlined in the Public Art Policy.

Example of non-sanctioned public art that meets the first three public art criteria, but that did not follow customary practices and would, therefore, not be subject to long-term maintenance by the municipality: artist Adrian Kondratowicz gave residents and businesses 100% biodegradable colourful garbage bags, NYC, 2009

Table 1.4: Art in Public Places categories

Categories	Public Art Criteria				Work in category to follow the Public Art Policy **
	Site-specific	Located in publicly-accessible space	Created by artist / art group	Follows customary practice	
Public Art	•	•	•	•	•
Civic Art	X	•	•	•	•
Memorial	•	•	may / may not *	•	•
Cultural Object	may / may not	•	X	•	•
Community Beautification Project	•	•	may / may not	X	X
Non-sanctioned public art	•	•	•	X	N/A

* Where a Memorial is created by an artist or art group, the Memorial will also be considered as a work of public art.

** Note: Civic Art, Memorial and Cultural Object follow the Policy with exceptions as listed in the policy document.

1.5 Priority Sites for Public Art

Newmarket is compact in size, but is home to so many important historic places, natural areas, urban spaces and transportation hubs, that can be both celebrated and enhanced by artists through temporary and permanent public artwork in a wide variety of media.

The town's built environment is rich in history and in future opportunity. Public art can play a role in both celebrating history and contributing to a vibrant urban realm in newly developed spaces.

The Public Art Plan covers all of Newmarket and includes 14 public art priority sites. The reason for giving precedence to a selection of public art sites is to create a clear rationale for allocating resources and prioritizing investments. The priority sites have been selected through a process that included reviewing planning policies, weighing each site against the agreed selection criteria, workshops with staff and stakeholder consultation. The priority sites are a starting point, other priority sites and opportunities may come up in the course of time.



The 14 priority sites for public art are:

Urban Centres

1. Yonge-Davis intersection and gateways
2. Yonge and Davis corridors
3. Historic Downtown Centre
4. Newmarket GO station/Old Davis Tannery

Public Buildings + Spaces

5. Newmarket Riverwalk Commons
6. Recreation Youth Centre
7. Newmarket Public Library
8. Ray Twinney Complex
9. Newmarket Theatre
10. Magna Recreation Centre

Parks

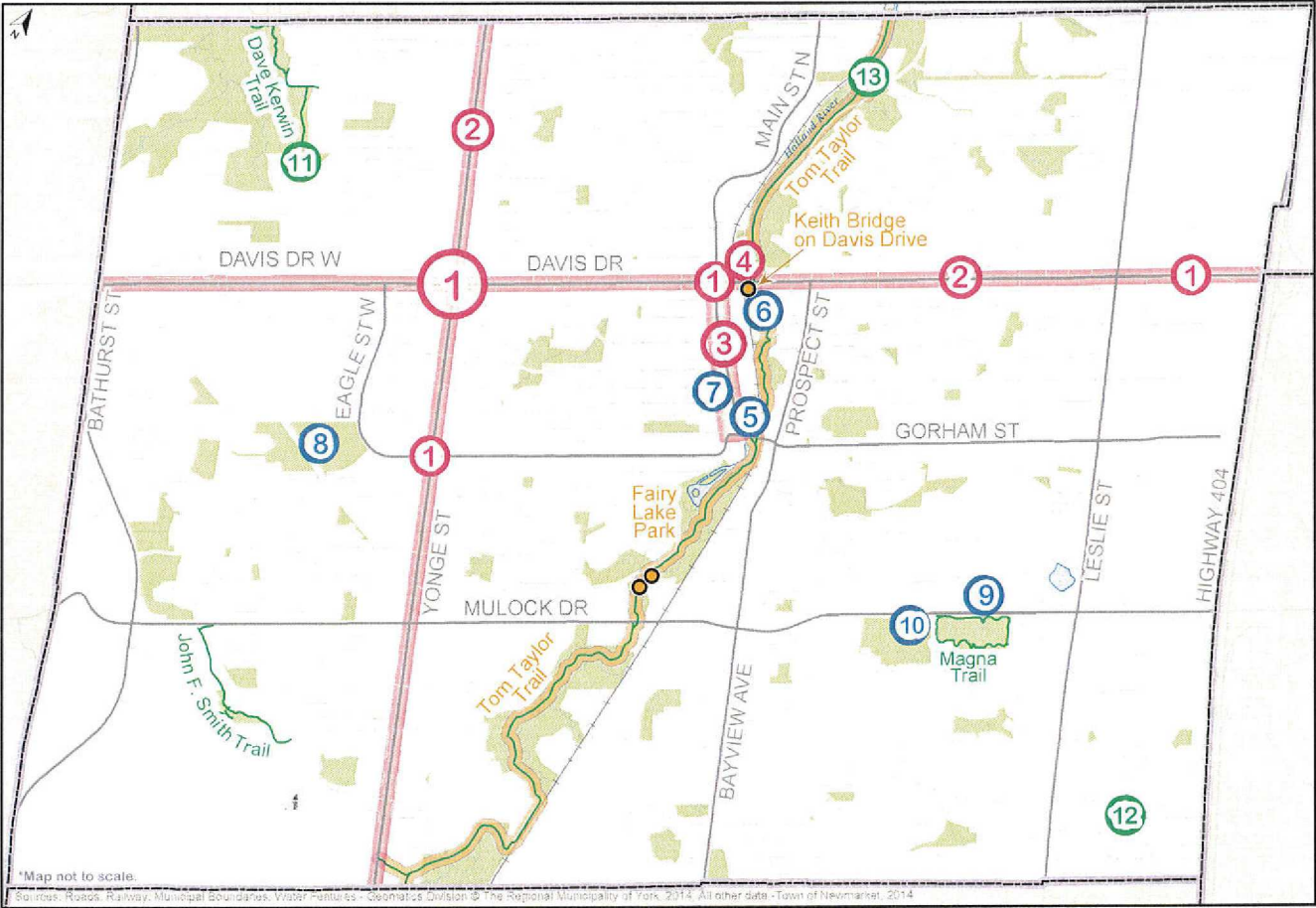
11. Environmental Park
12. Goldstein Park
13. Lock 3, Waterways and Trails
14. Neighbourhood Parks

Sites that have, or will soon have public art:

- Fairy Lake Park
- Tom Taylor Trail
- Keith Bridge on Davis Drive

Left: Eternal Peace by Brett Davis, Newmarket, 2001

Newmarket Public Art Priority Sites



- Legend
- | | |
|---------------------------|--------------------------------|
| Public art priority sites | Existing Public Art Zone |
| Urban Centres | Existing Public Artwork |
| Public Buildings + Spaces | Trails |
| Parks + Trails | Neighbourhood Parks/Open Space |
| Public Art Priority Zones | |

1.6 Implementation Plan

The following pages include an Implementation Plan mapping out 12 Recommendations and 45 Actions that provide a framework for Newmarket to realize its vision for a community infused with public art.



"Encourage [the] use of DAC grants for public art projects. Money [is] already available."

comment from the Public Art Online Survey

Above, example of public art integrated into architecture: False Creek Energy Centre, art smokestacks by Pechet and Robb, building by Walter Francis Architecture, Vancouver, 2009

Objective 1: Support a vibrant, culturally-rich urban realm to contribute to the quality of life for residents, businesses and visitors – particularly in the Urban Centres and connections to the historic downtown, but also in established communities and in Newmarket’s many parks, trails and natural spaces.					
Recommendations and Actions	Department lead	Timeframe in years			
		1	1 to 3	3 to 5	ongoing
Recommendation 1: Establish a framework and priorities for a Public Art Program in Newmarket.					
a) Agree the vision, objectives and guiding principles for the Public Art Program. (see Policy 1.1 to 1.3)	Council approval required	•			
b) Agree the definition of public art including the criteria, inclusions and exclusions. (see Policy 1.4)	Council approval required	•			
c) Agree public art site selection criteria and the 14 priority sites for public art. (see Policy 2.4 and Plan 5.3)	Council approval required	•			
Recommendation 2: Establish a multi-faceted funding approach for public art in Newmarket.					
a) Increase the Town's annual base budget to support a Public Art Program's operating costs, maintenance and acquisitions to be comparable to the level of other municipal public art programs. (see Plan 3.1 and 4.2)	Council/Community Services		•		
b) Review where provision for public art could fit into existing Town budgets (e.g. marketing, graffiti abatement or holiday decorations). (see Plan 3.1)	Community Services and Finance		•		•
c) Establish a Public Art Reserve Fund for donations, private developer and other public art contributions.	Finance	•			
d) Establish a Public Art Maintenance Reserve for the long-term conservation and maintenance of new permanent public art projects (10% on average of a capital project budget to be set aside).	Finance	•			
e) Use Planning Tools to secure public art funds or provision of public art. (see Recommendation 7 below)	Planning		•		•
f) Encourage partnerships, sponsorships, donations and apply for grants to help support Newmarket's Public Art Program. (see Policy 2.3 and Plan 3.1 p. 30)	Community Services		•		•
g) Continue to look at other municipalities' best practice funding models and continue to develop other potential funding sources to support the program. (e.g. crowd-sourcing and grants). (see Plan 3.1)	Community Services		•		•

Objective 2: Build and sustain a creative community identity that celebrates Newmarket's history and looks forward to the future through high-quality public art projects and programs.

Recommendations	Department lead	Timeframe in years			
		1	1 to 3	3 to 5	ongoing
Recommendation 3: Establish clear roles and responsibilities for managing the Public Art Program.					
a) Agree roles of Council and staff as per Public Art Policy 2.1 and 2.2 (see Plan 4.1)	Council approval required	•			
b) Establish a summary Public Art 101 Training document for Town staff.	Recreation and Culture		•		
Recommendation 4: All Town departments should be engaged with the Public Art Program.					
a) Create an Interdepartmental Public Art Group that meets quarterly or as needed, with representation from Recreation and Culture, Economic Development Office, Finance, Legal, Planning, Procurement, Parks and Public Works to oversee the implementation of the Public Art Program. (see Plan 4.1)	Various as listed	•			•
b) Establish a formal process between the departments to ensure that public art is considered at the beginning of the planning and capital improvement process.	Various		•		•
c) All Town staff to assist in identifying and realizing opportunities for public art and its successful delivery through the work in their departments.	Various				•
Recommendation 5: Establish processes for the Public Art Plan to follow including for acquisitions, donations, maintenance and conservation, de-accessioning and disposal.					
a) Agree the acquisition process as outlined in the Public Art Policy 3.0 to ensure public art will be acquired through a fair and equitable process, including adjudication from a qualified Art Selection Committee (as per Policy 3.2).	Council approval required	•			
b) Agree the donations process as per the Public Art Policy 3.4.	Council approval required	•			
c) Agree the maintenance and conservation processes for Newmarket's Civic Public Art Inventory as per the Public Art Policy 4.2.	Council approval required	•			
d) Agree the de-accessioning and disposal process for Newmarket's Civic Public Art Inventory as per the Public Art Policy 4.3.	Council approval required	•			
e) Review the processes periodically to ensure they continue to follow current best practice for municipal public art programs in Canada.	Community Services			•	•

Objective 3: Contribute to Newmarket’s economic development goals through distinctive artwork and programming that helps to distinguish Newmarket from other places – to increase its value as a destination and to increase its cultural appeal to attract talent and businesses, including supporting the development of a strong downtown business district and the redevelopment of the Urban Centres along Yonge Street and Davis Drive.					
Recommendations	Department lead	Timeframe in years			
		1	1 to 3	3 to 5	ongoing
Recommendation 6: Encourage the inclusion of public art within significant capital projects under the jurisdiction of the Town, York Region, its agencies and boards.					
a) Policies that require the dedication of 1% of the capital budget of all major regional and local municipal buildings to public art to be included as part of the Urban Centres Secondary Plan, particularly for the identified public art priority sites (as per Clause 6.(k) in the York Region Official Plan). Similar policies to be included in any subsequent secondary plans created by the Town of Newmarket and throughout Newmarket through a revision to the Official Plan	Planning Department	•			
b) Public art to be included within capital works budgets of parks, trails, urban squares, and green spaces as appropriate.	Development and Infrastructure Services		•		•
c) Opportunities should be sought for public art to be included in public works projects (e.g. bridges, buildings, road works) where applicable.	Development and Infrastructure Services & Community Services		•		•
d) Language regarding the provision for public art should be considered for inclusion when a planning or strategic document is created or edited. The Town needs to ensure that objectives and strategies are aligned and that plans are consistent in their recommendations for new public art installations.	Planning and Recreation & Culture Departments				•
Recommendation 7: Encourage the inclusion of public art within significant private sector developments across Newmarket. (as per Plan 4.2)					
a) For significant private developments, make use of the Town's Allocation Policy to help fund the provision of public art. This may be a transitional tool used until other Planning Tools (as per 7.(b) to (d) below) are developed to support the Public Art Program.	Planning and Finance Department	•			•
b) Policies to encourage public art provision in all significant private sector developments to be included as part of the Urban Centres Secondary Plan, particularly for the identified public art priority sites. Similar policies to be included in any subsequent secondary plans created by the Town of Newmarket and as a revision to the Official Plan. (as per Clause 6. (k) in the York Region Official Plan)	Planning Department	•			
c) Include consideration for public art within the checklist for the Town's site plan approval process as an optional item.	Recreation and Culture Department	•			
d) Add awards for public art to the Arts Gala and eventually expand to create Newmarket Urban Design Awards.	Planning and Recreation and Culture Departments			•	
e) In the Town of Newmarket Official Plan, public art should be added to the list of the items that can be requested as a community benefit for Section 37 agreements.	Planning Department			•	

Recommendation 8: Develop and foster collaborations between public agencies, the private sector and the arts community.					
a) Identify public institutions with shared goals and explore the possibility of delivering public art projects in partnership to leverage resources.	Community Services				•
b) Develop partnerships and public art projects with arts organizations and local non-profits to further mutual aims through sharing expertise, resources and to open-up new avenues for public art funding (e.g. grants and foundations).	Community Services				•
c) Collaborate with the Chambers of Commerce, the Downtown BIA, and individual businesses on public art programs with mutual benefits such as creating marketing opportunities and increasing Newmarket's value as a destination.	Economic Development and Community Services				•

Objective 4: Inspire and engage the community, with a focus on youth in particular.					
Recommendations	Department lead	Timeframe in years			
		1	1 to 3	3 to 5	ongoing
Recommendation 9: Inform and engage local people with the Public Art Program through education, outreach and promotions of the existing public art inventory and new permanent and temporary work.					
a) Integrate information about public art into walking tours (podcasts or maps), in the Cultural Map, and on the Town and Central Counties Tourism website YorkScene.com. Also, link temporary and permanent public art with local festivals and events.	Communications with Recreation and Culture Department			•	•
b) Link public art initiatives to Culture's website and QR code including link and information for donating to the program.	Communications with Recreation and Culture Department		•		•
c) Create opportunities for public involvement and input into the public art program periodically.	Communications with Recreation and Culture Department		•		•
d) In partnership with local partners, organize public talks and lectures on public art and its process for a wide audience.	Communications with Recreation and Culture Department		•		•
e) Develop a communications plan for each public art project, to be consistent with the existing Town Communications policies. The plan should consider how the artist call is announced and distributed, any public input sought and how the art selection and unveiling will be communicated.	Communications with Recreation and Culture Department		•		•

Objective 5: Support and develop local artists from a wide variety of disciplines and support the development of a strong and diverse arts sector in Newmarket through a public art program with a variety of opportunities.					
Recommendations	Department lead	Timeframe in years			
		1	1 to 3	3 to 5	ongoing
Recommendation 10: Develop a public art program that encourages a diversity of artists, art selection committee members and artwork.					
a) Create a program that includes a range of public art opportunities for local, national, international, emerging, mid-career and senior artists of different disciplines.	Recreation and Culture Department		•		•
b) Develop mentorship opportunities for local artists as part of the Public Art Program including small-scale projects and shadowing more established artists where appropriate. These could be developed together with local arts organizations and youth- or employment skills-oriented non-profits.	Recreation and Culture Department		•		•
c) Run professional development workshops for local artists on how to apply for, and how to manage public art projects. These could be developed together with local arts organizations and youth- or employment-skills oriented non-profits.	Recreation and Culture Department with other local organizations		•		•
d) Invite artists to propose locations and public art projects to be realized in partnership with community organizations.	Community Services with other local organizations		•		•
e) Invite a diverse range of art and design experts and community representatives to take part in Art Selection Committees for public art acquisitions, including youth representatives as appropriate.	Community Services		•		•
f) Establish a legal street art wall for youth with appropriate regulations and management.	Community Services		•		
g) Establish a walk of fame acknowledging contributions to the arts.	Community Services			•	
Recommendation 11: Develop public art projects and programs that are distinct to Newmarket and that contribute to complete communities, the health of the community and that enhance social connections.					
a) Develop an annual or bi-annual temporary art program that builds on existing festivals (such as the Artisan Market, Nin Os Kom Tin, South Asian and Caribbean Festival) and on what is unique in Newmarket (ghost canal, waterways and trail system, north end of Yonge Street and/or the Town's Quaker history).	Community Services		•		•
b) Develop public art projects that help the Town address its goals across departments (e.g. active transportation, youth engagement and/or accessibility and equity goals).	All Town departments with Community Services		•		•

Objective 6: Build a program that aligns itself with current trends as well as generational shifts to attract future residents, businesses and visitors.

Recommendations	Department lead	Timeframe in years			
		1	1 to 3	3 to 5	ongoing
Recommendation 12: Continuously review, update and improve upon the Public Art Plan, Policy and Program.					
a) Revise and update the Public Art Program manual and processes as required.	Recreation and Culture Department with Interdepartmental Public Art Group		•		•
b) Annually review progress against the Recommendations and Actions in this Public Art implementation plan.	Recreation and Culture Department		•		•
c) Update the Public Art Plan and Policy regularly. The Public Art Plan is intended to be a living document with the capacity to accommodate changes to existing planning documents/initiatives, or to incorporate directives in new planning documents, thus maximizing the opportunities for public art.	Recreation and Culture Department with Interdepartmental Public Art Group			•	•



"There is cultural value in commissioning temporary public art. The effects can be as dramatic, significant and sustainable as permanent works."

"The Manifesto of Possibilities" by Cameron Cartiere

Above: The Sultan's Elephant, street theatre performance by Royal de Luze, London, UK, 2006